

K CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
AUGUST 24, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Doug Thimm

EX OFFICIO:

Bruce Erickson, Planning Director, Kirsten Whetstone, Planner; Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

Director Erickson noted that Chair Strachan would be arriving late and Vice-Chair Joyce would conduct the meeting until Commissioner Strachan arrived.

ROLL CALL

Vice-Chair Joyce called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Suesser, who was excused, and Commissioner Strachan who was expected to arrive later.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson announced that Treasure project would be on the agenda for the next Planning Commission meeting on September 14th. It would begin with a site visit at 4:30. Planner Astorga was in discussions with the applicant about where to place the stakes.

Planner Hannah Turpen reported that the City was exploring development options for affordable housing at the Fire Station parcel on Lower Park Avenue. The City Council would be choosing their preferred option the following evening. An open house would be held on September 20th at the Library. It would be reviewed by the Planning Commission within the next few months. She would send an email to the Commissioners regarding the open house.

Commissioner Band stated that she was planning to attend the City Council meeting and wanted to make sure others did not have that same intent to avoid having a quorum. Commissioner Phillips stated that he had planned to attend. Assistant City Attorney

McLean explained that it is a public meeting, and the Commissioners can attend as part of the public because they are not involved in the discussion. However, if they know that a quorum of Commissioners will be in attendance, she would prefer to notice it.

Planner Turpen stated that she would notice for the open house in case four or more Commissioners attend. Assistant City Attorney McLean stated that she needed to talk with the Staff internally to better understand what role the Planning Commission will have in the process. If they will be acting in a regulatory role they should not participate in the open house. Ms. McLean would advise the Commissioners on the open house after she talks with Staff.

CONTINUATION(S) – (conduct a public hearing and Continue to date specified)

1. 158 Ridge Avenue – Steep Slope Conditional Use Permit for a new Single Family Dwelling. (Application PL-16-03149)

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Band moved to CONTINUE 158 Ridge Avenue – Steep Slope Conditional Use Permit for a new single family dwelling to September 14, 2016. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

2. 7379 Silver Bird Unit 29 – Plat Amendment to change existing common area to private area. (Application PL-16-03207)

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Band moved to CONTINUE 7379 Silver Bird, Unit 29, Plat Amendment to change existing common area to private area to September 14, 2016. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

3. 7700 Stein Way – A Conditional Use Permit for an addition to the Stein Eriksen Lodge, consisting of a 3,600 sf for additional ski lockers, 4,050 sf for a guest recreational amenities, 918 sf for a guest movie and video viewing room, as well as

improvements to the exterior pool and deck area and remodel of existing interior ski locker rooms and skier services. (Application PL-16-03176)

4. 7700 Stein Way- A condominium plat amendment to identify the additional amenity spaces requested in the Conditional Use Permit.
(Application PL-16-03175)

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Band moved to CONTINUE 7700 Stein Way Conditional Use Permit and Plat Amendment to September 28th, 2016. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

5. 1376 Mellow Mountain Road – Appeal of a building permit (BD-16-22329) denial based upon the Planning Directors determination of the proposed addition’s square footage that would exceed the maximum house size identified on the recorded plat of First Amendment to Hearthstone Subdivision.
(Application PL-16-03247)

Vice Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Band moved to CONTINUE 1376 Mellow Mountain Road – Appeal of a building permit denial to a date uncertain.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705 Bonanza Dr., 1420 & 1490 W Munchkin Rd., – Bonanza Park East Master Planned Development (MPD) Pre-Application determination in the General Commercial (GC) District. Project consists of a mixed-use development consisting of commercial, office, and residential. Project includes surface parking and one level of underground parking. (Application PL-15-02997)

Planner Francisco Astorga noted that the Planning Commission last reviewed this pre-MPD application on May 11, 2016. He had prepared a detailed Staff report, and the applicants were prepared to present a revised version from what was shown in May.

Planner Astorga stated that the purpose of the pre-MPD application is to identify the impacts regarding compliance with the General Plan. The focus is more on the Bonanza Park section of the General Plan, which was summarized in the Staff report beginning on page 34. The Staff requested additional input and direction from the Planning Commission on the discussion items outlined in the Staff report. Planner Astorga requested that the Planning Commission also discuss items that need to be identified such as the uses. Many of the uses are a conditional use, and the Staff recommends that when the applicant comes back with a master planned development application that they also submit specific corresponding conditional use permit applications. Planner Astorga remarked that the same applies for the subdivision requirement. There are eight lots of record and some parcels will need to be replatted. Items will need to be addressed for road requirements and design as part of the subdivision. The Staff finds that it would be appropriate to look at those items concurrently with the master planned development. If there is disagreement, the alternative would be to look at those requirements as they review the master plan.

Planner Astorga stated that the site is approximately 5.14 acres. Since the site exceeds one acre it triggers an automatic increased setback of 25 feet around the perimeter. The Planning Commission would need to make specific findings regarding the criteria that has been adopted in order to reduce those setbacks to the zone required setbacks. The same applies for the height. Planner Astorga stated that additional height will be required in the areas where the applicant is proposing four and five stories, and those components will have to be address. He pointed out that he was very general in the findings identified on pages 34, 35 and 36 of the Staff report.

Planner Astorga noted that a utility plan would also have to be looked at in detail. The Staff was comfortable doing that review at the Master Planned Development stage. Planner Astorga stated that the Engineering Department and the Transportation Department had provided good input regarding some of their principles. The Staff has met internally, as well as with the applicant, several times since the last meeting in May, to discuss reducing some of the points of congestion along Kearns and Bonanza Drive.

Planner Astorga stated that the applicant had prepared a model and additional renderings that they would be presenting this evening. This item was also noticed for a public hearing. Planner Astorga noted that the pre-application was not ready to be finalized, and he requested that the Planning Commission move for a continuance this evening.

Rory Murphy, representing the applicant on the Bonanza Park East Master Plan, introduced Craig Elliot, the project designer. Mr. Murphy stated that he is the project advisor to the Team. They looked forward to addressing questions and concerns after giving a brief presentation on the most current version of the plan. Mr. Murphy remarked that the intention is to identify and discuss the General Plan and LMC relative to this proposal, and determine where they comply and where they need to work on compliance. Mr. Elliott was prepared to show the latest iteration of the proposed plan and where adjustments were made to accommodate the comments made by the Planning Commission and the public at the last meeting.

Mr. Murphy stated that the Team was in the process of re-examining the proposed uses relative to housing, commercial, office and retail. They were interested in hearing input from the Planning Commission regarding the unit mix and possible alternatives. Mr. Murphy thought it was important to note that nothing was being decided this evening. The purpose of this meeting is to listen to their comments and continue to incorporate them in the proposal. Mr. Murphy noted that the public and the Planning Commission would have other opportunities to make comments on the project at additional pre-MPD meetings, as well as during the actual MPD and Conditional Use Permit submittals in the future.

Mr. Murphy stated that the Bonanza Park Project is located in the Bonanza Park General Plan neighborhood section, and it is approximately 1.56 acres in size. The property is bordered by Kearns, Bonanza and Munchkin. The proposal is for redevelopment of a currently built-up area. There is environmental contamination associated with the site. Mr. Murphy pointed out that the existing uses are well-known and include a gas station, a doctor's office, the Kimball Art Center, a car wash, Anaya's Market, ski rentals, office uses, and drive-in coffee shop and other like commercial. There is currently one housing unit associated with the upstairs of the car wash; otherwise there are no residential uses.

Mr. Murphy felt there were several key uses that need to be addressed as this process develops. The uses they are most concerned about on the site and that are important to the community are the doctor's office, which was moving down the street to the old Domino's site; the Kimball Arts Center, whom they continue to work with to locate a viable site; the gas station and Anaya's Market. Mr. Murphy stated that Anaya's Market may be the most important cultural gathering area for the City's Latino population besides the Catholic Church. The applicant is committed to finding Anaya's an alternative site that is accessible, adjacent to the site, and with a reasonable lease rate. Mr. Murphy thought it may seem obtuse to refer to a gas station as a critical use, but being one of only two in town it shifts into a more important category. They are aware of this issue and the Team has been working with Staff to remedy the situation. It has not yet been resolved and they will continue to work on it.

Mr. Murphy thought Planner Astorga had done a good job of discussing the General Plan elements in the Staff report; and they tried to instill it into the major concepts of connectivity and complete streets, and LEED and sustainable design. Other important elements are the sense of place, underscored by the Park City entry experience, and also the concern of gentrification.

Mr. Murphy stated that the underlying zone is General Commercial (GC), which allows for the uses that are currently proposed in the plan. The proposal requires an MPD process which is mandatory in the GC zone for any project in excess of ten residential uses, or in excess of 10,000 square feet of commercial. Only uses allowed in the underlying GC zone are allowed in this MPD.

Mr. Murphy remarked that the additional studies that are being called for include a traffic study, a mine waste mitigation study, a storm water retention study, a parking study, a utility plan, and a transportation master plan compliance report. As they continue to refine the project and determine the actual unit mix and counts, the studies will be generated and submitted to the Staff and Planning Commission. Mr. Murphy stated that much of the studies mentioned will depend on some of the feedback heard this evening. Prior to undertaking these studies they would like direction from the Planning Commission.

Mr. Murphy noted that process elements include a required Frontage Protection Zone CUP, as well as a lot combination plat amendment to eliminate existing lot lines, and then to subsequently create separate plats.

Mr. Murphy stated that the primary concerns raised at the last meeting related to height, massing, transportation, transit and parking elements, the advisability of a hotel on the site, as well as light pollution and public art. There were also concerns raised about the surrounding properties and the need to design and plan in conjunction with the other properties adjacent to Bonanza East and the District as a whole. Mr. Murphy noted that Mr. Elliott would address those issues in his presentation.

Mr. Murphy remarked that the General Plan addresses sustainability, particularly as it relates to the LEEDS-ND concept. The fortunate aspect is that most of what is insisted upon in LEEDS-ND is already in the Park City Land Management Code. He outlined the issues that the Bonanza East Plan will adhere closely to, and are reflected in the underlying LMC documents. These include walkable streets, mixed uses, reducing vehicle trips, access to quality transit, connectivity and compact design, neighborhood streets, brownfield remediation, bicycle facilities, mixed use, and housing and job access.

Commissioner Strachan arrived and assumed the Chair.

Craig Elliott, the project architect, presented the latest iteration of the plan based on previous comments from the public and the Planning Commission. Mr. Elliott addressed some of the issues that were discussed at the last pre-MPD meeting and the changes that were made in response to the comments by the Planning Commission and the public.

Mr. Elliott presented a slide showing the existing condition with the access points along Kearns, Bonanza Drive, and Munchkin Road. He noted that the previous scheme submitted and reduced those access point down to five. After several meetings with Transportation, Engineering and Planning they worked on other solutions and came up with another configuration for the site. Mr. Elliott presented the revised iteration of the plan and compared it to the plan shown in May so the Commissioners and the public could see how it was changed. The curb cuts along Bonanza and Kearns were reduced to a single point of entry, and to a single point of entry along Munchkin. Mr. Elliott believed it relieves some of the issues that occur with access close to the intersection of Bonanza and Kearns. It also helps to internalize the project. Bonanza and Kearns can remain arterial streets and the interior of the project becomes commercial streets.

Mr. Elliott presented a slide showing how automobiles move throughout the existing site. He compared the version shown in May of the automobile patterns on the site with proposed design, and compared it to the latest version that creates a drop-off point and the accesses to the parking garages. Mr. Elliott stated that it consolidates two internal commercial streets and it also creates a plaza within the space they were working on before. He pointed out the access that was previously proposed for the underground parking, and compared it to what was currently being proposed. He noted that the change was a direct response to Engineering and trying to relieve some of the pressure on the streets. Mr. Elliott stated that the changes to the automobile plan came about from meetings with Transportation and Engineering, and he believed it resulted in a better project.

Mr. Elliott showed the existing bike and pedestrian access points and identified the problems. He noted that in the last version they started to analyze how they would move people around the site internally. The feedback from the last meeting was whether they could look at ways to improve circulation or arterial bike and pedestrian movements throughout the neighborhood, as well as internal pedestrian movements. Mr. Elliott presented the changes that were made based on the comments from the last meeting. The size of the sidewalks and trail access were increased along the perimeter, and they also focused on the dual purpose pedestrian and bicycle access points. Purple circles represented the locations where there would be bike racks so people could get off their bikes in the District and begin to use the pedestrian components. He pointed out that people could still ride their bikes through the roads, but the current plan allows the opportunity to use bikes as a transportation mode to the site and internally circulate as a

pedestrian. Mr. Elliott noted that the blue dotted lines represent the pedestrian circulation patterns throughout the site. He believed this creates a place where people can park, ride, walk to, and stay within the mixed use environment.

Mr. Elliott stated that they also looked at different places to create gathering spaces within the property. He pointed to Buildings A and B on the corner of Bonanza and Kearns, and noted that two non-profits would be in that location. They were considering locating minor retail in association with the non-profit location. However, the majority of the retail exists south of the circle. Mr. Elliott stated that the red squares represent potential bus stop locations. Transportation was not ready to make a decision on where that should be; but the applicant is open to providing bus stops anywhere along Munchkin, Bonanza and Kearns that works best for the transit community. They were showing one on the other side of the street believing that people coming from the Prospector area or the Park Meadows area would want to get off the bus that services across Kearns and walk across the street at the intersection. Mr. Elliott clarified that they could not determine the exact locations until Transportation makes that decision, but there is room and space for that to occur whenever Transportation is ready to make those final decisions.

Mr. Elliott showed what they plan to do with buffers. The green buffer around the perimeter is intended to be the neighborhood buffer. The only side associated with a different neighborhood is on Kearns. Mr. Elliott stated that it makes sense that they already have the setback and the larger open space, so as far as dealing with neighborhood buffers what is being proposed works fairly well to address the issues in the zoning requirements.

Mr. Elliott showed the existing configuration of the overhead utilities and noted that they had designed around it. They previously proposed that an underground utility location might make sense on the west side of the property, coming across the street, and then turns and goes to the east. Mr. Elliott stated that they had several meetings with Rocky Mountain Power and the City's Engineers office, and looked at all the different access points. Rocky Mountain Power has currently been released to do an actual engineering study for relocating the power lines to a new configuration. Mr. Elliott stated that it allows them to control all the access points on their property and it provides a place to put underground power. It would cross over Kearns and go vertical across the street at whatever pole location Rocky Mountain determined was appropriate. He noted that this would also avoid having to deal with the issues of location relative to the cemetery across the street. Mr. Elliott remarked that this was one of five or six studies generated by Rocky Mountain Power and they are excited about the possibility of undergrounding the utilities because it would not only improve this project, but also the neighborhood in general.

Mr. Elliott presented slides of the building design. At the last meeting they were asked to look at reducing the mass and scale along Bonanza and Kearns. He showed a series of

images comparing the previous scheme that was submitted with the reduced version, and explained how they managed to change the heights along the street and throughout the project. Based on comments at the last meeting they looked at ways to reduce the glazing and the use of other materials more consistent with the industrial character of Park City. He noted that in some cases the footprints were increased. He presented a slide of the revised scheme to get a sense of how they responded to the height question. Mr. Elliott believed that the three stories proposed was compatible with what exists and with the zone height.

Mr. Elliott commented on the interior of the project. He stated that one of their responsibilities is to talk about sense of place and walkable streets, and how it works in the MPD. They started to look at ways to create a street at a comfortable scale. He presented images moving around the project. They found the opportunity to create gathering spaces internally and still leave view sheds to different places in Park City. Mr. Elliott showed a three-dimension image showing how the plaza space might work, how it connects with the drop-off area, and how the whole area could start to function and support the offices, the residences, and the retail in this mixed-use project.

Mr. Elliott presented an aerial view of the project. He had prepared a massing model for the Commissioners and the public to view.

Mr. Murphy announced that based on comments from the last meeting, and their own internal look at this project, the applicant was no longer considering a hotel on this site.

Mr. Elliott pointed out specifics of the massing model. The purpose of the model was to see how the it fits within the overall landscape of the site, how the massing works, how it fits within the context of the neighborhood, and where they were affecting any kind of view sheds. It also helps to understand the relationships created for access, and how the existing access points were cleared up. Mr. Elliott stated that when they started to build the model he was struck by how much surface parking there is in the District, and how much land is dedicated to parking cars on a property. He liked how the massing starts to relate to the project and they start to see how those buildings interact with the neighboring properties.

Mr. Elliott pointed out the access points to the underground parking. Mr. Murphy noted that the access points and curb cuts follow the direction of Alfred Knotts, Planner Astorga and Matt Cassel.

Mr. Elliott completed his presentation and he and Mr. Murphy were available to answer questions.

Commissioner Thimm asked if the square footage of the revised plan was approximately the same as what they saw on May 11th. Mr. Elliott stated that it was within 5,000 square feet. If the utility corridor moves to the underground location, they may look at adding another 5,000-10,000 square feet. It will be very close to the same number as before.

Planner Astorga noted that they were not vesting any square footage at this point. Commissioner Thimm clarified that he had asked the question from a massing standpoint.

Commissioner Joyce asked Mr. Elliott to show the slide that had the points of ingress/egress with the revised plan. Commissioner Joyce noted that the Staff report talked about a potential service entrance off of Bonanza, and he asked Mr. Elliott to explain it. Mr. Elliott stated that they talked about having a service access point, but it was not for utilities. They were asked to look at it as an unloading spot for one of the non-profits. It would be used once a month. Mr. Elliott clarified that it has been discussed but it was not an absolute requirement. He noted that they also added a service access point on Munchkin, which allows them to have service to an elevator served underground. It would only be for loading and unloading purposes.

Mr. Murphy had also read the Staff report. It was not critical to their plan and he suggested that they eliminate it. The roundabout would also serve that purpose.

Commissioner Band stated that when she thinks of gathering spaces that have failed, she wants to know what is different about this gathering space that would make it thrive. Mr. Elliott stated that a number of things drive those engines. One is the access points to retail areas. He noted that walking path along Prospector struggles because all of the buildings have entrances to the parking lot and entrances off of the walking path. The primary entrance is from the car and there is no place to bring people into that common walking path area. Mr. Elliott stated that Building G and Building F will have access points through that plaza. Secondly, they expect it to be programmed space. The non-profits through the area will be given the opportunity to program the uses of that space, which are the things that need to happen to allow it to be activated. Mr. Elliott noted that they created bench space, as well as having a water feature element and a splash pad.

Mr. Murphy thought public art should be part of this. The spaces that people use tend to use have good public art. It is also important to have seating so people can gather, and to add color with banners, flowers, and trees. They need to create the vitality in order to make it work; otherwise it becomes a dead space.

Commissioner Joyce referred to where Buildings F and G back up to Bonanza, and he asked whether they expect any entrances off of the Bonanza sidewalk or if it would be a wall. Mr. Elliott did not expect those to be entrance points. He thought they would be used

for visual access. It is possible to develop an entry point in the back, but currently they do not think the users would want to drive there because it is further away from parking and other activities. Commissioner Joyce preferred to make it really clear that anything coming out to the Bonanza side is an emergency door and not an entrance to a facility. He thought it was important to drive pedestrian and biking traffic to the interior as opposed to having alternatives. Mr. Elliott believed there might be the opportunity for a cafe or a deli to spill visually out to there with doors or glass, but he did not expect it to be the primary entry.

Chair Strachan opened the public hearing.

Clay Stuard stated that as a former developer he is always intrigued as projects morph through the approval process and designers come up with good solutions to identified problems. However, he still had two overriding concerns that go beyond this project, but it is a problem that would be created by this project. Mr. Stuard presented a sketch of the area and noted that the pink area was the GC zone. The applicant's property was the black cross-hatched area. It is about 5 acres of roughly the 120 acre GC zone. Mr. Stuard was concerned about the level of intensity of use on this site. He believed that five out of the seven buildings were still four or five stories tall, and if this were approved with four or five story buildings, it would basically be a de facto zone change for the entire GC zone. Mr. Stuard stated that Bonanza and Kearns is already a problematic intersection, and Bonanza, in particular, has a very restrictive right-of-way. As he looks at the intensity of use, and the number of stories; and he projects it over the 120 acre GC Zone over the next 20-40 years, it is a problem. Mr. Stuard noted that they will never get people out of their cars entirely, but with the efforts that are being made they might reduce it to some extent. However, if they add square footage and additional occupancy to this area at this level of intensity, they will never stay ahead of it. Mr. Stuard reiterated his opinion that the intensity of use on the site was too high and it is a de facto zone change for the entire GC Zone, and that needs to be considered. The City has made enough poor incremental planning decisions over the past years that are haunting them now, and making another poor decision here will set a precedent for more of the same over the next 10-20 years, and that will be a huge mistake. Mr. Stuard remarked that the traffic issues on Bonanza have to be addressed more thoroughly than they are currently. He understood that the applicant intends to do that as they move through the application process, but fundamentally this changes the character of the entire GC zone. He believed that was a General Plan issue that needed to be addressed now.

Chair Strachan closed the public hearing.

Commissioner Campbell could not think of any applicant who actually listened to what the Planning Commission wanted and came back with what they asked for. He was surprised at how much they were able to do so quickly. He appreciated the fact that they were

making this a collaborative process. Chair Strachan referred to a list of discussion items on page 34 of the Staff report. Commissioner Campbell had read the items and he had nothing specific to add.

Commissioner Thimm thought it was interesting to see how the plan had evolved since the May meeting. He noted that the solutions proposed addressed many if not all of the comments that were made. He thought there were better solutions to the massing along Kearns Boulevard and Bonanza Drive. He recalled talking about the possibility of bringing mass to the center of the site, and this plan starts to do that. Commissioner Thimm stated that in terms of massing, Building A is a major corner piece that creates an anchor. It indicates three stories and he wanted to know if they were thinking about residential type stories or commercial stories.

Mr. Elliott explained that they were looking at what would be considered a traditional commercial level on the first level, and two office levels on the top. He noted that Park City has height restrictions and they are looking at construction techniques that would increase the interior perceived volume of the building and eliminate some of the traditional elements. They were looking at exposing cross laminated timber floor structure with beams, and leaving them exposed, and having a concrete floor on top of that. It would give them larger volume in a compressed space. Mr. Elliott stated that they were looking at things from a detailed part of the design that would gain the heights inside but not cause the heights outside to go up.

Commissioner Thimm clarified that they were still within the 35' realm. Mr. Elliott answered yes. Commissioner Thimm stated that in addition to the stories, the number of feet in height will be key to some of the discussion points as they go through the process. Commissioner Thimm remarked that eliminating the cutoff between Kearns and Bonanza makes this a much safer project. He thought the solution proposed is far superior to what was there before.

In looking at circulation around the site and the site plans provided, Commissioner Thimm thought it works nicely and starts to engage pedestrians and bicyclists. He noted that Commissioner Joyce had talked about permeability along the faces of Buildings F and G. If there could be some type of activation along Bonanza Drive to encourage activity and not just a landscape buffer. He recalled that the earlier plan had a nice plaza that was adjacent. Commissioner Thimm felt it was a compromise. Permeability and having entrances and enlivenment along Kearns is an important aspect of some of the intents of the General Plan in creating walkable street edges.

Commissioner Thimm liked how they internalized the vehicle traffic. The plan shown at the May meeting had parking right off of Bonanza and that has all been internalized. He

thought it was a vast improvement from the earlier plan. Commissioner Thimm commented on the intensity of use and noted that this was still a gateway. He thought they needed to take a close look at what it means for people coming into town.

In terms of some of the discussion points mentioned in the Staff report, Commissioner Thimm noted that one question asked was whether the long term effects of the project and gentrification should be considered at this stage of the MPD. He thought it might inform the plan to some degree, but he did not believe it was important at this stage. Regarding the sustainability discussion, Commissioner Thimm noted that LEED-ND was mentioned and it is a great vehicle for this type of project. He thought it would be better if they could do something more towards LEED-ND gold rather than either certified or silver. He noted that Park City is looking at sustainability and energy conservation, and reaching for a higher standard would be important.

Commissioner Thimm reiterated the importance of understanding building height and feet. There was a question in the Staff report about transportation demand management and understanding a traffic impact study. He believed that early on it would inform the plan and start to confirm the ingress/egress locations, understanding how wide the lanes need to be, number of lanes, etc. Commissioner Thimm believed UDOT would embrace the reduction of access points along Kearns. He thought it was important to do the traffic impact study now. He noted that a parking analysis is often included in a TIS, and he suggested that part of the TIS for this project include a parking analysis at total build out.

Commissioner Phillips commended applicant for how well they listened to the comments and concerns. He believed it showed their intent and he looked forward to continuing to work through this project in the MPD process. He thanked Mr. Elliott and Mr. Murphy for their efforts.

Commissioner Phillips supported Commissioner Thimm's comments regarding the perimeter of the Frontage Protection Zone. He thought it would be nice to find ways to use those spaces to create smaller gathering or active areas to add interest from the perimeter, and to utilize that space. Commissioner Phillips stated that seeing people being active creates the quality of life in Park City and makes Park City unique. He sees it as being positive and he assumed the applicant would want people passing by to see that activity and draw in more people. Commissioner Phillips commented on the amount of grass and the ability to create smaller areas where children could play. He had tried to visualize areas of view corridors that capture the mountains. He was pleased to see view corridors addressed in the presentation because it is important. Commissioner Phillips did not want a lot of trees that would block the views or a bunch of trees to hide the buildings. It is better to break it up for more articulation.

Commissioner Phillips referred to the amount of residential in the back corner. The plaza is a great gathering space, but the interior of the project was mostly hard surface. He has children and he tries to envision what he would gravitate towards with his kids if he lived there. Commissioner Phillips loved the water feature because they have to go to Salt Lake for that activity. He suggested that the western part of the non-protection zone on the corner would be a great location for an activity area for the people who live there.

Commissioner Phillips was interested in seeing more on the use per level. With the revised plan he could begin to see how the dynamics of the project would be as far as the uses and locations. As far as the discussion requested, he asked if Mr. Elliott or Mr. Murphy had any comments or objections to what the Planning Commission was contemplating to be included with the MPD.

Mr. Murphy thought the Commissioners had good comments and he was comfortable with all of their suggestions. Commissioner Phillips agreed with the Staff that these issues should be addressed as they move through the process. He commended Planner Astorga and the applicant for providing good information.

Commissioner Phillips noted that one building was not labeled after they split Building A. Mr. Elliott replied that it was still one building with a walkway through it. They connected the piece where they were originally separate and created a walkway. That was how they moved and manipulated the densities. It was Building E.

Commissioner Band liked the revised plan much better, and was excited to hear that they had eliminated the hotel. Commissioner Band was prepared to answer the questions on the summary in the Staff report. On the question regarding mixed-use neighborhoods, Commissioner Band stated that since this was the last neighborhood that was relatively affordable commercially, she would like to understand the effects of gentrification. She did not think it was necessary to hold up this project, but gentrification should be looked at in the larger picture.

Regarding nightly rentals, Commissioner Band felt strongly that nightly rentals should not be allowed if they want to achieve a live/work area. She understood that nightly rentals is an allowed use, but she would not support additional height or anything in the Frontage Protection Zone if there were nightly rentals. It would have to be a get for the City. Commissioner Band thought life cycle housing would be great in that area, and it would not have to be deed restricted or extremely affordable. She believed a lot of people would like to move from their current larger houses into beautiful housing with elevators.

On the question of whether the Staff and the applicant should spend additional time reviewing the effects of the requested commercial, Commissioner Band thought it was

important to understand the effects without holding up this project. Planner Astorga asked if that needed to be done now or at the MPD stage. Commissioner Band replied that the MPD stage was appropriate. She believed it was something everyone should be looking at because the applicant wants a viable project. Planner Astorga asked if that also applied to the question regarding the percentages of housing versus office/commercial. He noted that the project proposed 40% commercial, 10% office, and 50% residential. Commissioner Band thought that question could also be addressed at the MPD stage; but again, it should be on their radar to make sure they build something that would remain viable in the future.

Commissioner Band pointed out that LEED was part of the General Plan and is necessary for compliance with the General Plan.

Planner Astorga clarified that he was most interested in hearing input and direction on the first question about a mixed-use neighborhood in which locals live and work; as well as the question regarding the local employment hub. The General Plan did not provide much guidance on those issues, which is why he had not provided a specific recommendation on when it should be submitted. He had provided recommendations on the other questions.

Director Erickson stated that when the Commissioners respond to Planner Astorga's questions at a pre-MPD General Plan level, they should think about the impacts they see with this type of development in other locations, and what works well and what does not. In terms of neighborhood actions, one question is how to build a project of this scale without having traditional suburban mall, or how to build a mixed-use project and have the \$10/hour clerks on the main floor support \$2 million condos on the third floor. Director Erickson stated that those were the global questions that Planner Astorga was posing, and the Planning Commission should think about it in that context.

Commissioner Band thought it went beyond the Planning Department and suggested that the Economic Development Director may be a better resource for what they need in the City and what would support the live/work environment they were talking about creating.

Commissioner Band referred to Buildings D, F and G. She would not favor total dead space at the back of those buildings. It would not be inviting to see only a wall driving past on Bonanza Drive or Kearns Boulevard.

Commissioner Joyce stated that he was absent for the first meeting in May. However, he had comments on some of the items discussed at that meeting. He referred to page 42 of the Staff report. Planner Astorga informed Commissioner Joyce that page 42 was the site suitability analysis that went with the first version presented at the May meeting. He noted that a site suitability analysis is not approved at the pre-application MPD stage.

Mr. Elliott pulled up the site suitability analysis for the current revised plan. Commissioner Joyce understood that it was not relevant at this stage, but he wanted the applicant to be aware that he did not buy into this plan. When they talk about this being a buildable volume, it is nothing they could ever build. The plan assumes that they have all the setback variations and 30' on the Frontage Protection Zone. It also shows large square buildings with no open space. Commissioner Joyce did not believe the Code would allow them to build anything closely resembling this plan. In his opinion, it was a walking Code violation have all of the exceptions and conditional use permits applied for. He would be interested if the plan met all of the required setbacks without exception, it had the required amount of open space, and it had appropriate parking. As proposed, the plan was meaningless, unacceptable and completely wrong.

Mr. Elliott explained that this was what they have been asked to do for the last 15 years. They did it on the Sky Lodge, on Parkwood Place, and on the Ironhorse MPD. It was brought up a while ago to look at the absolute maximum density that could ever be put on the site based on the constraints and the Code. He stated that they only did what they have been asked to do over and over again. Mr. Elliott remarked that this came about for MPDs because a section in the Code does not allow combining parcels to gain more development potential. If they made this all one parcel and eliminated the interior lot lines, the spaces in between the building volumes would go away because the GC zone is built on setback and height. Mr. Elliott stated that in terms of the individual interpretation of the zone setbacks and other things, he was willing to make revisions if they were requested to do so.

Commissioner Joyce hoped it would not become important. He thought the site suitability analysis process was fundamentally broken. This plan does not have parking, or roads, or sidewalks, and every building is a chunk going across. Mr. Elliott understood his concern. Commissioner Joyce had read the comments from the last meeting and he thought the applicant had made good changes. He liked how they moved the height off of the road and back to the center of the project. He was pleased that they had eliminated the hotel. Commissioner Joyce noted that the plan proposed four and five stories, which is significantly more than what is allowed in the GC zone. He understood that five of the seven building were above the accepted three stories. Mr. Murphy replied that due to the changes it was actually four buildings that were above three stories.

Commissioner Joyce thought Bonanza Park was an appropriate area to push density, but it has to be the right density. To have the density for live/work/play is important, but if they have a lot of commercial and the employees do not live there, and the people who live there work somewhere else, then the plan is broken. If that is the result, he would not be willing to give extra density. Commissioner Joyce stated was hesitant to add that kind of

density into a place that already has traffic issues, without considering how it will work. He understood that the other Commissioners were comfortable addressing the issues in the MPD, but he personally thought it was a General Plan compliance issue. Regarding the questions asked in the Staff report, Commissioner Joyce wanted to see more about the mix of residential, more detail about whether or not the applicant would consider nightly rental restrictions in addition to what exists for affordable housing, and the mix of businesses. If the applicant chose to reduce all the buildings to three stories he would not need that information as part of the Pre-MPD.

Commissioner Joyce noted that there has been a lot of discussion regarding transit in that area. He has attended transit meetings and a traffic circle was mentioned a number of times. He would like to hear from the Transportation Manager or the City Engineer on whether the traffic circle is still in the plan and how it would fit with this project. Mr. Elliott stated that the Team met with Transportation and Engineering and the proposed plan accommodates for adding those elements in the future. Mr. Murphy noted that the buildings were set back to accommodate the largest possible traffic circle. Commissioner Joyce requested that the Alfred Knotts provide an opinion on this project, either in writing or at a Planning Commission meeting.

Commissioner Joyce had concerns with the transit center being discussed for that area. When they look at traffic flow and a traffic study he would like to understand the impacts of that as well. Mr. Elliott noted that they have met with the Transportation Department on that issue as well. The owner of the project has contiguous property and they have been accommodating all of the City's needs in terms of road widths and building setbacks. That was all they could control, but they were working with the City to make sure that any kind of transit elements could be accommodated on the project.

Commissioner Joyce noted that Commissioner Phillips was focused on where kids would live and play because he has kids. He has pets and his focus was on where he could walk his dog. However, he later thought about children and noticed that the only green space was out on Kearns Boulevard. It was not the ideal situation but he was unsure how that could be remedied. Commissioner Joyce thought there was a nice balance of a setback. He was unsure whether it would become a great gathering spot because people would be sitting on a five-lane highway at that point. He agreed with Commissioner Phillips that it would be good to find another space where people could have some greenspace, or possibly the hardscape could be turned into greenspace.

Commissioner Joyce noted that consideration of electric cars was not in the Code, but he would like it to be. He requested that the applicant consider the advent of electric cars in their parking plan. He assumed within ten years most people will have electric cars and these projects need to provide places where electric cars can be charged.

Commissioner Joyce thought the setback proposed for Kearns Boulevard and dropping the buildings to three stories was reasonable. However, he was more concerned about Bonanza because it has the potential risk of becoming a canyon. In looking at the views from Kearns and Bonanza, it looks like solid walls of buildings. He understood that two dimensional pictures can be misleading; but it was not completely misleading because it really is a wall through which they see nothing. Commissioner Joyce pointed out that there are not gaps and it would feel very dense compared to what they are used to seeing around town. Commissioner Joyce stated that he would continue looking at the elevation drawings because that is the closest feeling they get to buildings behind buildings. He asked Mr. Elliott to consider that as they move forward.

Chair Strachan stated that this has been one of the more specific and thoroughly analyzed MPDs that he has seen. Most of the time pre-MPDs are thumbs up/thumbs down because the General Plan is vague and easy to comply with. He appreciated the specificity beyond what was required because it gives the Planning Commission a better idea of what would be coming in the MPD process. Chair Strachan noted that the purpose of the pre-MPD is to determine General Plan compliance, and he believes this project complies.

Chair Strachan believed the density issue would be the biggest hurdle for the applicant; as well as the concerns of intensity of use raised by Mr. Stuard. Chair Strachan thought Planner Astorga asked a good question about whether or not they should see the plat amendments and all the CUP applications upfront and simultaneously with the MPD application. It would give the Planning Commissioner the opportunity to see the intended uses and the intensity of those uses. Chair Strachan urged the applicant to come forward with their proposed plat amendments and all of the CUPs simultaneously with the MPD application.

Chair Strachan was wary of the wall affect down Kearns. However, he deferred to Mr. Elliott's expertise since he has mitigated that impact in the past, but he would be looking at it closely. Chair Strachan stated that in order to have any live/work/play idea, the focus has to be on play. Kids need places to play and that requires a park. He noted that kids do not live in Old Town anymore because the houses do not have yards. Chair Strachan encouraged Mr. Elliott and Mr. Murphy to incorporate a park into the plan. Otherwise, it would be like apartment living in New York without Central Park.

Planner Astorga believed they would be able to complete the pre-application conference at the next meeting. He summarized that the Planning Commission wanted to look at the effects of live/work/play and gentrification. Planner Astorga noted that he had flipped the numbers when he gave the percentage earlier, and the actual numbers were approximately 40% residential, 10% business/office, and 50% commercial. Those were the effects of

how it relates to gentrification, and how it could become a live/work/place. That needs to be studied, and he understood that the Commissioners were comfortable doing that at the MPD stage. Chair Strachan agreed, which is why the applicant should submit the CUPs at the same time. If they intend to do nightly rentals or lock out it presents a density issue. Commissioner Band pointed out that nightly rentals are allowed in the zone. Chair Strachan agreed; but he trusted that the applicant would be forthright in their CUP applications as to whether or not they would allow nightly rentals.

Planner Astorga referred to the site suitability analysis. He stated that the Staff could come up with appropriate suggestions on current interpretation of the Code, and how all these uses relate to one another in terms of site constraints. Planner Astorga suggested that they could ask the applicant to do a site suitability analysis with all surface parking. They could also include setbacks without any type of exceptions, and then come up with a specific number. Planner Astorga thought it was appropriate to allow three stories as part of the site suitability analysis, as long as they can address some of the other items that are not a given in a site suitability analysis. He stated that the Staff could give specific suggestions at the next meeting based on LMC interpretations, before the applicant submits the full MPD application. He thought that would help address Commissioner Joyce's concerns.

Commissioner Joyce agreed with that approach, because everything else that they would talk about is not a given or a bestowed vested right. He thought they should start with what could be built if they only applied the zone. Planner Astorga stated that the Staff would come up with a list of items that should be addressed in the site suitability analysis.

Director Erickson encouraged the Planning Commission to think at the global level rather than a site specific level about the issues of implied density, the trade-offs of underground parking for additional height, creating additional density and trip generation in that location. He noted that page 16 of the Staff report articulated some of those global concerns. Director Erickson thought the Commissioners should consider their backgrounds and information about other similar projects of this size and scale, both regionally and in other familiar locations. He believed the implications of all of those projects would come to bear on this 5.5 acres, and it could be the most significant project that moves forward through the General Plan and MPD process. Director Erickson was confident that the applicant was willing to work with them. The Planning Commission could expect to see decisions on traffic and transportation.

Director Erickson requested that the Planning Commission provide input to Planner Astorga at the highest possible global level in the General Plan so the Staff will know how to direct the applicant for their application. He noted that this project will impact traffic and

height throughout town as evidence in comments by the Planning Commission and the public.

MOTION: Commissioner Joyce moved to CONTINUE the Bonanza Park East Master Planned Development Pre-application to October 26, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

2. **Park City Heights MPD- Ratification of Amended Development Agreement – Design Guidelines.** (Application PL-13-02209)

Planner Kirsten Whetstone reported that this was an administrative item for ratification of the Amended Park City Heights Design Guidelines. She noted that the Design Guidelines were amended when the Planning Commission approved the amended MPD in 2013 based on the soil and changes to the site. There was a configuration of lots and layout at the entrance.

Planner Whetstone stated that the Design Guidelines were amended and recorded in 2014. However, with the building permits they realized that additional changes needed to be made to make it consistent with the MPD. One was the LEED requirements, which was an “or” because it was a Green Building Standard or LEED. She noted that those changes were approved by the Planning Director and when the applicant wanted to get them recorded, the Staff thought they should first come to the Planning Commission because they are an exhibit to a recorded document.

Planner Whetstone commented on recent changes identified by the Staff regarding basements and building height that they wanted referred back to the LMC. Those were the handwritten changes reflected on pages 5, 16 and 27. Each one for house size talks about excluding the basement, and the Staff wanted it tied back specifically to the way the LMC excludes basements. Language was added to say, “As defined by the Park City Land Management Code”. The language for Height currently says, “As defined by the Park City Municipal Code”, and that changed to read, “As defined by the Park City Land Management Code.” Planner Whetstone noted that those were the only highlighted changes.

The Staff recommended that the Planning Commission review, approve, and ratify the amended Design Guidelines in Exhibit A. The changes shown in yellow were made by the Planning Director. The handwritten changes would be cleaned up and the document would be recorded at the County. It would be ideal if the County will record them without any

redlines and in color. Planner Whetstone noted that the public have been interested in purchasing homes and they cannot read the recorded version of the Design Guidelines.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Chair Strachan did not understand the history of the amendment or the substantive effect of the amendments. He thought the revision on Exhibit A were too vague. It says per the LMC, but he thought it was important to know the exact citations to the LMC that apply.

Chair Strachan understood that the changes to the old Design Guidelines were done administratively, but he would like to know the history behind those changes because they were not approved by the Planning Commission. Chair Strachan recalled that the original Guidelines were vigorously debated. When he read the Staff report for this meeting, it was the first time that he knew there were strike-outs and that things were removed from the Design Guidelines after the project was approved.

Chair Strachan noted that Exhibit C attached to the Staff report did not show the discussion that the Planning Commission had over these Design Guidelines, and he remembered a lively discussion about the LEED certification. Chair Strachan stated that any time there are height exception changes he wants to know exactly what they were. Without that information he was not confident or comfortable with a motion to approve amendments to the Design Guidelines when he was not sure what the amendments are. Chair Strachan clarified that he was not saying that the changes could not be remedied, but he needed the pertinent information.

Planner Whetstone explained that there are no height exceptions to the CT Zone. However, there is a standard height exception for a pitched roof of 5'. The Design Guidelines said 28' but it did not have the exception. Planner Whetstone stated that none of the setback exception like the 3' for the eave, or the chimney or the bay windows were in the Design Guidelines but they are standard in the LMC. The applicant was not asking for those as a change to the Guidelines. Planner Whetstone remarked that because the CT zone has a 25' setback for everything, the MPD identified the setbacks, and those were part of the approval. Planner Whetstone pointed out that design guidelines were definitely part of the discussion when the MPD was amended.

Chair Strachan agreed. However, he has never seen the ones attached with the strike-throughs, and those were not approved. Planner Whetstone clarified that it was the Exhibit

that was discussed by the Planning Commission when it was approved in 2013. Chair Strachan requested to see the minutes from that meeting, because that was not his recollection. Planner Whetstone stated that the Guidelines were included in the Staff report when they were approved, and she would provide that Staff report. She explained that the redlines were brought to the Planning Commission and suggested that maybe Chair Strachan was not present for that meeting. She recalled that the MPD amendment was discussed over three or four meeting and the Design Guidelines were always part of that discussion. The redlines in the recorded version were part of the packet.

Chair Strachan recalled all the meetings and he was wary of why they would change things like height the exception now. Planner Whetstone reiterated that there were no height exceptions. They were only adding the height exception for a pitched roof to the Guidelines, which is already allowed in the LMC. Chair Strachan believed the Planning Commission deliberately left out the 5' exception.

Chair Strachan assumed there was an issue, or they would not be asking the Planning Commission to amend it. He asked what the Planning Commission needed to change. Planner Whetstone referred to page 5 of the Design Guidelines, which was page 84 of the Staff report, and noted that for basements they were adding language, "As defined by the Park City Land Management Code". This language is important because of the way they measure to determine whether basements are included or not. Under Building Height, the change was that no structure shall be erected, but it did not specify a height. The zone height says 25' and allows an additional 5'. The change is important because these Guidelines are the documents for reviewing building permits, and they wanted the language to match the CT zone.

Spencer White, representing the applicant, emphasized that they were not asking for any special consideration. If someone reads through the Design Guidelines, they should know exactly the City's height restrictions without going to the LMC. He explained that they incorporated the language straight from the LMC into the Design Guidelines to avoid confusion.

Mr. White stated that through the MPD process there were a few lots on a ridge and they were going to limit some of those heights. In the MPD process, those lots were removed from the ridge when they redid the lot configurations. He clarified that those were the only lots that had specific restrictions, but those lots no longer exist because they were removed in the MPD amendment.

Chair Strachan clarified that the issue was that he did not understand exactly what was being changed. He pointed to pages 83 and 84 as examples. He stated that handwritten notes revised per the LMC and highlighted section did not have the same specificity with

which they dealt with the entire packet of Design Guidelines. He was concerned that ratifying what may be considered administrative amendments were actually substantive amendments. For example, revise the concept plan illustrations. Planner Whetstone noted that the concept plan was on the first page. It was the revised plan that the Planning Commission had approved, but the recorded version had the old layout. Chair Strachan referred to page 75, which was a new concept plan with a highlight that said, "correct layout". May was scratched out and August was written in. He asked if that would be the recorded document. Planner Whetstone replied that Mr. White would make the final changes. She did not have the ability to make the changes because it was a PDF. Since it was a recorded document she had to write in the changes until Mr. White could make the changes on the appropriate pages. Once the changes are made it will be recorded.

Mr. White understood that Chair Strachan was asking for a redlined version showing what exactly was changed. Chair Strachan wanted a way to determine whether the change is administrative or substantive. He was not comfortable approving changes that Mr. White still needed to fix. What the Planning Commission reviews for an approval should be exactly what they are approving. He was concerned that the recorded document could be different from what they thought they were approving.

Mr. White pointed out that some of the changes were requested by the City. He understood Chair Strachan's concerns and he was willing to come back with a redline set for discussion at another meeting. His only request is to have the final set recorded as quickly as possible. Mr. White stated that the changes are not substantive to Park City Heights. It does not change the design of the homes and there were no issues on their part.

Commissioner Phillips stated that as he read the Staff report it was very difficult to understand why the changes were being made. After hearing Planner Whetstone answer Chair Strachan's questions, it would have been helpful to have that information in the Staff report, especially, since the other Commissioners were not on the Planning Commission when Park City Heights was approved.

Planner Kirsten offered to provide additional information for the next meeting. Chair Strachan thought it would also be helpful to know what changes were made by former Planning Director Eddington and the history behind those changes.

Director Erickson stated that if the other Commissioners were having a difficult time understanding the changes, the Staff would provide background information and bring them back for review.

Commissioner Band found it confusing and she had actually called Planner Whetstone when she was reading the Staff report. Commissioner Joyce thought this was a good opportunity to use color coding. They could use one color for what has already been approved by the Planning Commission, another color for changes that have never been approved by the Planning Commission, and other colors for additional categories to help with clarification.

Chair Strachan believed that Mr. White and Planner Whetstone understood their concerns and that they needed to walk the Planning Commission through the process.

Commissioner Thimm stated that he was confused when he saw a color version and a black and white version. He tried to his best to understand what it all meant, but it would have been helpful to have a redline version. Commissioner Thimm supported Commissioner Joyce's suggestion for color coding to keep it all in one document. Chair Strachan suggested that Planner Whetstone also include a separate, clean version for the Planning Commission to approve.

Chair Strachan asked Mr. White for a status update. Mr. White stated that currently four affordable townhome units are ready for final approval. Six of the Park Homes, which are the small lot, single-family detached affordable units have final approval. Four other affordable townhomes are under construction. One market rate unit is under construction and nearly final. They have applications in for other building permits. Mr. White stated that they were working with Anne and Rhoda to finalize the pricing on the affordable units and those ten units should be up for sale fairly soon.

MOTION: Commissioner Joyce moved to CONTINUE the Park City Heights MPD Ratification of the Amended Development Agreement Design Guidelines to a date uncertain. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 7:50 p.m.

Approved by Planning Commission: _____