

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
November 10, 2010

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Dick Peek, Julia Pettit, Mick Savage, Adam Strachan

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Kayla Sintz, Planner; Phyllis Robinson; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING - 6:30 p.m.

I. ROLL CALL

Chair Wintzer called the meeting to order at 6:50 p.m. and noted that all Commissioners were present except Commissioner Luskin, who was excused.

II ADOPTION OF MINUTES

October 13, 2010

MOTION: Commissioner Hontz moved to APPROVE the minutes of October 13, 2010 as written. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously by all who had attended. Commissioner Pettit abstained since she was absent from that meeting.

October 27, 2010

MOTION: Commissioner Hontz moved to APPROVE the minutes of October 27, 2010 as written. Commissioner Pettit seconded the motion.

VOTE: The motion passed unanimously by all who had attended. Commissioners Strachan and Savage abstained since they were absent from that meeting.

III. PUBLIC COMMENT

There was no comment.

IV. STAFF & COMMISSIONERS' COMMUNICATIONS/DISCLOSURES

Director Eddington reported that during work session the Planning Commission agreed to schedule a special work session on Tuesday, November 23rd, 2010 at 5:30 p.m. to continue their discussion on TDRs. He noted that the next regularly scheduled meeting was December 8th. Director

Eddington asked if the Planning Commission would be willing to meet on December 15th to discuss issues related to the General Plan and Land Management Code. The regular meeting on the fourth Wednesday, December 22nd would be cancelled due to the holidays. Commissioner Pettit stated that she would be out of town on December 15th. The other Commissioners were available and Director Eddington would tentatively schedule that meeting.

Director Eddington remarked that a date was still not finalized for a joint meeting with the Snyderville Basin Planning Commission. He thought it would be in December and he would update the Planning Commission on possible dates.

Due to the Sundance Film Festival, the Planning Commission would only have one scheduled meeting in January, on the second Wednesday. Chair Wintzer requested that Director Eddington email the Planning Commissioners with the scheduled meeting dates for the next three months.

Director Eddington referred to an article in the newspaper regarding 657 Park Avenue. Planner Francisco Astorga had drafted an outline to help the Planning Commission understand what had occurred in the process. He explained that 657 Park Avenue was a reconstruction project that was approved under the old guidelines. Director Eddington reviewed drawings to show how the newly proposed structure would match what was existing and take it back to a more accurate representation of the historic structure. He indicated the proposed addition at the back of the historic home.

Commissioner Pettit asked if the demolition would have been allowed under the new guidelines. Director Eddington did not think it would have been allowed. Under the new guidelines there could have been panelization and some of the siding would have been required to be milled and re-attached. Planner Sintz pointed out that the front had been modified so significantly that the front facade would have been the portion least likely to be panelized. Director Eddington noted that there was four or five different types of siding on the home and a number of additions. The window openings and other elements had been altered on the structure. Director Eddington remarked that panelization would have been difficult, but under the new guidelines they would have tried to save as much as possible. Director Eddington explained that under the old guidelines the structure was approved for reconstruction. It is not being raised and would remain at the same elevation. He believed it would be a good reconstruction. Director Eddington acknowledged that many people were shocked to see the structure demolished.

Commissioner Pettit felt the City needed to do a better job of informing the public when a structure in Old Town is torn down or taken apart. This project was on a flat lot and did not come before the Planning Commission. The City went through a lot of effort to change the historic district design guidelines and to take a more serious approach towards historic preservation, and it is imperative to help the citizens understand what is happening. Director Eddington stated that the Historic Preservation Board voiced those same concerns at their last meeting and discussed opportunities and methods for communicating with the public. The Staff is currently working with the HPB on ways to publicize information.

Commissioner Pettit disclosed that fourteen years ago she worked part-time at the Washington School Inn. She did not believe that association would impact her decision on the application this evening.

Election of Chair and Vice-Chair

MOTION: Commissioner Pettit moved to re-elect Charlie Wintzer as the Planning Commission Chair for another year. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Peek moved to re-elect Dick Peek as the Vice-Chair for another year. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

CONSENT AGENDA

7175 Little Belle Court - Plat Amendment
(Application #PL-10-01067)

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Pettit moved to forward a POSITIVE recommendation to the City Council for the Little Belle Condominium 5th Amended Plat, Unit 3, according to the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the draft ordinance. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - 7175 Little Belle Court - Unit 3

1. The property is located at 7175 Little Belle Court within the RD-MPD zoning district.
2. The Plat Amendment is for the existing Unit 3 within the Little Belle Condominiums Plat.
3. The proposed amended record of survey adds a 425 square feet footprint of private living space to Unit 3 and changes limited common and common area to private ownership.
4. A vote exceeding 66.66% for approval of the amendment was received by the members of the homeowners association. Record of this vote has been received by the Planning Department.
5. The addition will not encroach into the required setbacks for the project.
6. The addition will not leave the project below the required 60% open space for the MPD.
7. The unit equivalents have not increased so therefore no additional parking is required as a result of this floor area expansion.

8. All findings within the Analysis section are incorporated herein.

Conclusions of Law - 7175 Little Belle Court - Unit 3

1. There is good cause for this amended record of survey.
2. The amended record of survey is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed amended record of survey.
4. As conditioned, the amended record of survey is consistent with the Park City General Plan.

Conditions of Approval - 7175 Little Bell Court - Unit 3

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the amended record of survey.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

REGULAR AGENDA/PUBLIC HEARINGS

3. 543 Park Avenue - Conditional Use Permit
(Application #PL-10-01066)

Planner Sintz reviewed the application for a private lap pool for a bed and breakfast at the Washington School Inn located at 543 Park Avenue. Under the Land Management Code, a lap pool for this use would be considered a private recreation facility, which is a conditional use in the HR-1.

Planner Sintz noted that significant interior modifications and exterior historic building restoration was not part of the application being reviewed this evening. Those would be reviewed by Staff as part of the Historic District Design Review. The building is an extremely important landmark structure on the Historic Sites Inventory. It is one of the only structures in the State of Utah that has a facade easement with the State. The building has significant history and the applicants are going to great efforts to make these modifications.

As part of the CUP, Planner Sintz requested discussion on items 11 and 12 as outlined in the Staff report.

Planner Sintz reported that the facility received a CUP for a bed and breakfast in 1983. In 2001 a plat amendment occurred which added one lot and combined all the lots into one lot of record. She noted that a single 25' x 75' lot referenced in the Staff report was not included in the plat. Planner Sintz commented on two public input letters from adjacent property owners, John Plunkett and Barbara Kuhr, and indicated the proximity of their lots to the Washington School Inn.

Planner Sintz handed out copies of a modification that was received that day. She noted that based on significant public input, the applicant had chosen to remove the boulder walkway that occurred in the separate lot. She reviewed the modified drawing without the walkway, which also modified the landscaping plan.

Commissioner Peek clarified that the separate lot was still part of the Washington School Inn property, but not part of this application. Planner Sintz replied that it is owned by the same owners under a separate LLC, and it is not a platted lot in the Washington School Inn plat. It is a separate residential lot. The applicants would have the ability to build any allowed use on that lot in the future. Commissioner Peek asked if that lot was included in the original CUP. Planner Sintz replied that the original CUP did not contemplate that lot.

Planner Sintz commented on the impacts referenced in the CUP criteria and the concern regarding the lighting levels required by Utah State Code and Summit County for a pool. She explained that Summit County and State Code have different designations for commercial pools versus private pools. Assuming that night swimming would be permitted, the Staff proposed restricting the hours from 7:00 a.m. to 10:00 p.m. Where night swimming is permitted, lighting must be provided in the pool as well as in the deck area. When the pool is closed and secured, the lights would be turned off. Planner Sintz remarked that noise issues and lighting levels were the major impacts that needed to be mitigated.

Chair Wintzer wanted to know how much light is generated from 5 foot candles. Planner Sintz believed that parking lot light globes are approximately 1 foot candle.

Planner Sintz noted that the applicant was requesting a 10 x 40 pool with connected hot tub/spa, a shade structure with a possible gas fire element, a designated mechanical equipment pad, and a connecting stair that goes up to Woodside Avenue.

Planner Sintz stated that the applicant had obtained a grading permit to get a road staging area in place for extensive interior construction beginning in the Spring. The LOD fencing is currently in place and she had personally reviewed that with the City Engineer and the Chief Building Official. If the CUP is approved, the applicant would have a construction staging plan if these improvements are approved.

Commissioner Pettit commented on the stairs going up to Woodside and public concern that servicing of the pool area could be accessed from Park Avenue rather than Woodside. She asked for clarification on the intent of the stairway up to Woodside. Mike Elliott, representing the applicant, replied that it was strictly access for skiers coming down. Adding the elevator to the building would allow people to come down, take off their skies and walk into the building. Commissioner Pettit wanted it clearly understood that the purpose was not to access the pool for servicing.

Planner Sintz pointed out that the applicant was requesting a modification of the second sentence to Condition of Approval #9. The proposed sentence would read, "Woodside Avenue may be used by maintenance vehicles to service rear landscaping and pool area only." She explained that the applicants were unsure if the equipment could be brought through to service the pool effectively, particularly if the boulder walkway is removed. For that reason, the applicant asked the Planning Commission to consider allowing special circumstances for rear yard landscaping and for the pool itself.

Commissioner Savage wanted to know why the Planning Commission would be concerned with that allowance. Planner Sintz explained that there are significant concerns in the HR1 Zone for any type of business activity that occurs on Park Avenue in terms of delivery and servicing. Commissioner Savage thought they were talking about restricting Woodside Avenue. Planner Sintz replied that this was correct. However, the adjacent neighbor is concerned that with the walkway there would be deliveries to the Washington Inn that came off of Park Avenue in the past, but would now occur off of Woodside. Planner Sintz stated that the condition of approval was initially written to state that deliveries and service would still need to occur off of Park Avenue. Commissioner Savage clarified that all of the requirements were new with this application and do not currently exist. Planner Sintz replied that this was correct. Commissioner Savage asked if there was any spatial hindrance about allowing service vehicles to be on Woodside. Planner Sintz stated that this is already a conditional use in the HR-1, and Park Avenue is in the HR-1. The intent is to make sure they mitigate the impacts of service vehicles off of Park Avenue or Woodside.

Commissioner Pettit asked if the Park Avenue residents who would be impacted by the service vehicles were noticed for this application. If they were not noticed, those residents were not given the opportunity to make comment regarding their concerns. Commissioner Pettit stated that Woodside is very narrow and difficult to navigate in the winter. Any vehicle parked there for an extended period of time would create traffic issues. Mr. Elliott pointed out that there is a wide shoulder in that area to keep the parking off the street. Commissioner Pettit believed that would address the issue as long as the snow is cleared in the winter time. Planner Sintz remarked that the City prohibits parking on the downhill side. Therefore no parking would be allowed on the downhill side of Woodside Avenue.

Commissioner Savage referred to the plat map and understood that at some point the area being turned into the swimming pool presumably be two or more 25 foot single family lots. Planner Sintz replied that it was single family lots until the plat amendment was done. Because the building is so large they cannot increase the footprint. Commissioner Savage remarked that the separate lot would be suitable for a single family residence, which would have to accommodate parking. Planner Sintz stated that in that scenario, two parking stalls would have to be accommodated on site.

Commissioner Savage remarked that as a Planning Commissioner, he believed it was in the best interest of the applicant and guests of the Washington Inn to find a mechanism to accommodate the allowance so the service people do not have to park on Park Avenue and haul their equipment through the building. He recommended that the Planning Commission and Staff find a way to accomplish that.

Commissioner Peek stated that he previously lived on the 400 Block of Woodside and in the winter it is brutal and the road is nearly impassable. He felt it was important to maintain access for the residential users.

Chair Wintzer suggested that the Planning Commission could review the condition of approval in one year to see if the City receives any complaints and how well they were able to service the pool off the back of the building. The Staff could conduct the one year review to see if the condition was abused. Commissioner Savage agreed.

Commissioner Hontz suggested that they implement the three strike policy for neighbor complaints rather than waiting a year to address any impacts. The Commissioners concurred. The applicant was comfortable adding that policy as a condition of approval. Commissioner Pettit noted that the policy should be limited to pool servicing.

Commissioner Peek asked about the fence line shown on the site plan. Mr. Elliott stated that it was a continuous fence with a required 5 foot barrier. Planner Sintz remarked that Utah Code requires a 6 foot height for a pool. Commissioner Peek noted that typically there would be a 10 foot snow storage easement for residential property. However, that would not be allowed in this case because of the 6 foot fence. Planner Sintz noted that the plat approved in 2001 did not indicate snow storage on this lot. Commissioner Peek understood the health and safety requirements related to the pool, but he suggested terracing the fence to reduce the visual impacts. He pointed out that the back of this historic structure would be hidden by the fence. Chair Wintzer asked if the fence could be lowered at the edge of the pool deck. Mr. Elliott believed the fence could be dropped down in slope to even out the elevation.

Commissioner Peek wanted to know the elevation change being retained on the east side of the pool. Mr. Elliott replied that each tier is 4 feet. Commissioner Peek asked about the span of the cat walk. Mr. Elliott indicated that there is a sloped retaining wall on the back side of the building that he believed to be historic, and the causeway goes across the top. Commissioner Peek clarified that the foundation of the Washington School Inn was isolated from the retaining wall. He assumed a geo-technical analysis was done to know the pool would not impact the foundation. Mr. Elliot replied that a geo-technical report was done and the existing sloped retaining wall is currently retaining most of the slope. He noted that all the water on the patio would be captured with a trench grade and run out to the storm drain.

Planner Sintz modified Condition of Approval #8 to read, "Lighting of the proposed pool **and deck area** will be restricted to hours of pool operation, 7 a.m. to 10, p.m".

Commissioner Savage noticed that the mechanical area for equipment to operate the pool and Jacuzzi is open at the top. He asked if the applicant would consider some type of roofing over the top to screen the equipment that would compliment the roof over the outdoor patio area. Commissioner Strachan agreed and further suggested soundproofing efforts to reduce the noise impacts to the neighbors on the south. Planner Sintz explained that currently mechanical equipment is allowed in the side yard setback if it is screened and three feet from the property line. She noted that there is a 13 foot side yard setback in that area due to the width of the lot. The Staff

would support enclosing the mechanical area and adding a cover as long as it can be done in compliance with the Park City Municipal Code. Commissioner Strachan reiterated his request for soundproofing if possible. Mr. Elliott was willing to look into soundproofing.

Planner Sintz clarified that the building is currently over footprint and adding an enclosed structure would further increase the footprint. Another option may be to request a concrete stone faced wall surrounding that structure with a roof structure on top. It would still need to be partially open as opposed to completely enclosed due to the footprint requirements. Commissioner Strachan assumed the applicants would want to reduce the noise impacts for their own guests.

Director Eddington asked if the applicants had concerns about darkness if a roof was put over the mechanical equipment and walls to help with noise mitigation. Mr. Elliott did not believe the enclosure would be tall enough to cast large shadows. They had originally discussed enclosing it for sound and the life span of the equipment.

Commissioner Peek asked about language to address the “three strike” issue for complaints. Assistant City Attorney, Polly Samuels McLean, recalled that when this policy was implemented with the Yard, it was subject to a one year review. For this project, they could add language requiring that the CUP come back to the Planning Commission after two complaints. If no complaints are received, there would be an administrative review after one year.

Commissioner Savage recommended that if there are more than two unresolved complaints pertaining to the service use of that entrance, it would come back to the Planning Commission for review. However, if a complaint could be satisfactorily resolved between the applicant and the neighbors, it would not come back to the Planning Commission. Commissioner Pettit pointed out that there is always dispute as to whether or not a problem has been resolved. Commissioner Savage replied that whether or not the problem was resolved would be at the discretion of the one who filed the complaint.

Assistant City Attorney McLean recommended that the condition should state that if the City receives two or more complaints, the CUP would come back before the Planning Commission for review. After one year, the Staff would administratively review the CUP. The Planning Commission concurred with that language.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Commissioner Hontz referred to the original landscape plan with the stairway and stated that she liked that design solution better than the retaining wall. She asked if the Planning Commission would have the opportunity to review that plan in the future. Assistant City Attorney McLean believed that it would come in as a CUP, since it would be related to the Inn use. Planner Sintz pointed out that typically a CUP would not be required for a walkway.

Planner Sintz summarized the modified conditions of approval. Condition #8, "Lighting of the proposed pool and deck will be restricted to hours of pool operation, 7 a.m. to 10 p.m. Condition #9, "Delivery and service vehicles to the Washington School Inn and related pool area will occur off of Park Avenue. Woodside Avenue may be used by maintenance vehicles to service pool only. Two or more complaints will require Planning Commission review. An administrative review would be conducted by Staff one year from the date of approval". Add Condition #13, "Mechanical equipment pad shall have roof structure shielding the mechanical equipment from view above." Add Finding of Fact #17, "The stone walkway and landscape improvements through adjacent lot have been removed and are reflected in the drawings dated November 10, 2010".

Commissioner Pettit expressed concern with the parking issue. Based on current parking regulations, people would be required to park on the opposite side of the street. Planner Sintz clarified that the City was not advocating parking on the downhill side of Park Avenue during the winter months as part of servicing the pool during the winter months.

MOTION: Commissioner Peek moved to APPROVE the conditional use permit for the Washington School Inn at 543 Park Avenue according to the Findings of Facts, Conclusions of Law, and Conditions of Approval as amended. Commissioner Savage seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - 543 Park Avenue

1. The property is located at 543 Park Avenue.
2. The zoning is Historic Residential (HR-1).
3. The proposed Conditional Use Permit is for a private recreation facility (lap pool).
4. The Washington School Inn is a landmark structure listed on the Park City Historic Sites Inventory, when the site was nominated to the National Register in 1978, the building was vacant and in disrepair.
5. On September 21, 2983, the Historic District Commission granted a conditional use permit for the site to rehabilitated and adaptively reused as a bed and breakfast. The site continues to be used as a bed and breakfast.
6. On March 22, 1984, Park City Municipal Corporation entered a non-exclusive easement agreement for the parking access and use of the staircase located as the north 21.5 feet of Lot 11 and all of Lot 36, Block 9 of the amended plat of Park City Survey.
7. On October 9, 1984 an easement agreement (entry #225977) granted the Washington School Inn a private easement for the 11 automobile parking spaces.

8. On June 7, 2001, the City Council approved a plat amendment to combine seven old town lots into one lot of record on the site where the Inn is located.
9. The dimensions of the proposed lap pool are ten feet wide by forty feet long.
10. Retaining walls are necessary due to the steepness of the existing grade in the rear yard. The proposed retaining walls exceed six feet in height in some locations within the building pad area. Six foot high retaining walls and fences within the side yard setbacks and four foot high retaining walls and fences within the front setbacks are permitted by the Code. 15-4-2(1) allows an increase to six foot high retaining walls and fences in the front yard setback.
11. Additional parking requirements for the site are not affected by this application. Parking by guests or employees shall only occur in designated parking associated with the original Conditional Use Permit for the bed and breakfast.
12. The lap pool is for the use of the Washington School Inn guests. No additional traffic will be produced by the addition of a lap pool on the property.
13. The heated lap pool will not be enclosed. No enclosed structures are included within this application. The pool will be fenced.
14. The application includes an open shade structure and landscape improvements. Approval for compliance with the historic district design guidelines is required prior to issuance of a building permit.
15. Passive use of the Washington School Inn garden and grounds by patrons of the Inn are a permitted use in the HR1 zone and consistent with the 1983 conditional use permit approval. Organized events for the Washington School Inn patrons and/or the general public including parties, weddings, or other public assemblies, are not permitted in the HR1 zone and are outside the scope of the 1983 conditional use permit.
16. The Washington School Inn is identified as a Landmark Structure on the Historic Sites Inventory with a recorded Facade Easement with the State of Utah.
17. The stone walkway and landscape improvements through adjacent lot have been removed and are reflected in the drawings dated November 10, 2010.

Conclusions of Law - 543 Park Avenue

1. There is good cause for this Conditional Use Permit.
2. The Conditional Use Permit is consistent with the Park City Land Management Code and applicable State law.

3. Neither the public nor any person will be materially injured by the proposed Conditional Use Permit.
4. Approval of the Conditional Use Permit subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 543 Park Avenue

1. New retaining walls and fences proposed within the private recreation facility conditional use permit may not exceed six feet (6') in height.
2. The outdoor pool and spa shall be restricted to use between the hours of 7 am to 10 pm. A sign must be posted by the pool area stating the operating hours of the pool.
3. This approval is for a private recreation facility. Any additional uses, including public assemblies, must be reviewed independently and are outside the scope of the 1983 bed and breakfast conditional use permit and the present private recreation facility conditional use permit.
4. No guest or employee parking shall occur on Woodside Avenue or Park Avenue. Guest and employee parking shall adhere to the 1983 Bed & Breakfast conditional use permit approval.
5. The applicant will apply for a building permit from the City within one year from the date of Planning Commission approval. If a building permit has not been granted within one year's time, this Conditional Use Permit will be void.
6. Any modifications to signs shall be reviewed under separate application.
7. An approved Historic District Design review is required prior to building permit issuance.
8. Lighting of the proposed pool and deck will be restricted to hours of pool operation, 7 am to 10 pm.
9. Delivery and service vehicles to the Washington School Inn and related pool area will occur off of Park Avenue. Woodside Avenue may be used by maintenance vehicles to service pool only. Two or more complaints will require Planning Commission review. An administrative review will be conducted by Staff one year from the date of approval.
10. Noise levels will comply with 6-3-9 of the Park City Municipal Code.
11. Retaining walls and fences up to six feet (6') in height will be allowed in the front yard setback and side yard setbacks.
12. Improvements in the City right-of-way will require an Encroachment.

13. Mechanical equipment pad shall have roof structure shielding the mechanical equipment from view above.
2. Park City Heights - Master Planned Development
(Application #PL-10-01028)

Planner Kirsten Whetstone recommended that the Planning Commission conduct a public hearing and discuss the revised site plan and overall mix of housing types. The applicant was also looking for direction on design guidelines for the neighborhood. The applicant was also prepared to present an update on the trails.

Planner Whetstone remarked that the proposed MPD consists of 239 residential dwelling units consisting of a mix of affordable or deed restricted units and market rate units. The Planning Commission has previously reviewed this MPD at several meetings. The objective for this meeting was to focus on the revisions to Phase 1, which is the northern area closest to Richardson Flat Road, trails and trail connections, design guidelines for the neighborhood, and review and discussion of the MPD criteria contained in the Staff report.

Spencer White, representing the applicant, presented the revised site plan and reviewed the changes since the last meeting. He noted that the previous meetings focused on Phase 1. This evening they were interested in discussing details for the entire site. Mr. White stated that at some point they would like to put the concept plan into Auto CAD for additional detail. The revisions to the site plan were based on comments from the Planning Commission and the direction that the applicant and the Commissioners hoped to achieve. Most of the concepts of the Phase 1 element were incorporated into the entire site. Mr. White pointed out that they were looking at incremental growth outward from the core, a real sense of community, varying widths and sizes, and streets that link together.

Mr. White recalled that previously the Commissioners expressed a desire to see a grid pattern. That grid pattern was done throughout the project, keeping in mind that there are topography issues. He showed how they stepped up the hill, trying to keep the grid pattern intact but still working with the topography. All the roads are 8% or less, which should avoid major issues for large retaining walls. Mr. White noted that Commissioner Luskin had requested that they address the edge along Highway 40. In response to his concern, they designed a meandering detention basin. As the water drains down to the low spots, the retention basin can be dug out and moved up to create berming with landscaping to form a meandering edge for the development as well as the detention basin.

Mr. White stated that in an effort to address a previous comment regarding noise, the development was moved off the highway corridor as much as possible. He remarked that throughout the entire project they tried to locate homes along green space. From the community park area a central trail corridor was created through the project with neighborhood greens such as native grasses and wildflowers. The landscaping would require minimal maintenance and water usage. Mr. White pointed out that the feel was more like open space rather than a manicured neighborhood green.

Mr. White reviewed the trail linkages. A project loop trail goes all the way around the project with trail connections to multiple trails. There was also trail access from the streets to the trail loop around the project. Mr. White noted that the applicants met with Matt Twombly and Heinrich Deters at the site and walked the project. One concern was the trail linkage to the existing pedestrian trail under Highway 248. The objective was to put the trail as far from Old Dump Road as possible. The engineer hired by Boyer Company and Park City has already started looking at that connection. There are also wetlands in that area where it connects to the Rail Trail and those issues will be addressed.

Mr. White remarked that on the south side of Old Dump Road, the previous plan showed the trail parallel to Old Dump Road. The revised plan pulls the trails away from Old Dump Road and brings it into the project. It is closer to the play area and has a good connection to the Rail Trail. That continues along the outside of the project and eventually goes down along the frontage road.

Mr. White stated that other items addressed included maintaining a sense of openness and de-emphasizing the impact of the automobile on the residential environment. Garage were moved to the rear with a large number of alley-loaded or skinny-street loaded residents. Front porches face the central trail corridor and the streets. This was also done with some of the multi-family units. Mr. White remarked that they tried to emphasize the community space by having social events. A small amphitheater was added for possible Friday night movies, etc. The tot lot/splash pad remained from the last version and the open space around the play field was enhanced. Mr. White referred to the entrance of the project and noted that they tried to pull some of the multi-family housing closer to the street to create a street edge building with porches fronting the street. Instead of providing a separate parking area for the clubhouse, they would use on-street parking on the main street and parallel parking on the multi-family side. There would still be a community garden, but it was moved away from the community park and would be placed in a different location.

Mr. White pointed out the different product types designed throughout the project and how they would be interspersed. The cluster concept enables residents to live near each other in a small village-like community. Mr. White presented photos of homes as a starting point for dialogue with the Commissioners.

Ron Moffat with the Boyer Company stated that Jonathan DeGray and Eric Lingbard would be creating the design guidelines and landscaping for the project. Both were in attendance this evening to hear comments and direction from the Planning Commission.

Chair Wintzer opened the public hearing.

Brooks Robinson, representing Public Works, expressed concerns with the design related to snow plowing, water runoff and snow storage. He noted that a number of units on the plans that are accessed from alleys presents a problem in terms of emergency response. Mr. Robinson remarked that increasing the amount of hard surface by having additional alleys also increases the amount of runoff. Simple streets and cul-de-sacs with a driveway would provide parking for the residents and guests.

Chair Wintzer assumed all the roads and alleys would be public roads maintained by the City. Mr. White answered yes. He noted that they intend to speak with all the service providers, including Public Works, once the plans are more detailed. They received a list of items from the service providers that have been considered throughout the plan.

Commissioner Savage wanted to know the difference between an alley and a street. Mr. White replied that for purposes of this discussion the difference is road width. Some municipalities allow a narrower width; however, that discussion has not been started with Public Works. In addition to width, access is an issue, particularly with regard to emergency vehicles.

Chair Wintzer closed the public hearing.

Commissioner Hontz felt the revised site plan indicated that the applicants heard their comments at the last meeting. She believed the trails and trails connectivity, circulation to avoid the feel of a drive-thru subdivision, resort character and other revisions were much better with the new plan. Commissioner Hontz remarked that the revised master plan respects the topography much better for both the layout of the units and the trails, as well as the utility corridor. She thought the mix of units and the integration were significantly better with the new plan. Commissioner Hontz believed the project was heading in the right direction.

Commissioner Hontz pulled up Daybreak, Redstone, and Park Meadows on Google Earth as examples of what she considers to be good and bad design. She explained why Daybreak and Park Meadows were examples of good design and Redstone was an example of bad design.

Mr. White was pleased that Commissioner Hontz had raised the topography issue. He noted that the Phase 1 area is relatively flat and there is more topo than what one would realize. He believed the revised plan takes into account more of the topography issues.

Commissioner Pettit agreed that the revised plan was a better design and more consistent with the feedback from the Planning Commission. She noted that there was no reference to potential support commercial and she highly encouraged the applicant to create a place for it. As the project builds out there may be opportunities to incorporate support commercial into the project. Mr. White replied that support commercial was discussed at a previous meeting when Commissioner Pettit was absent. They have had experience with other projects where support commercial did not work, but they are planning to provide enough space in the clubhouse area that could accommodate some type of commercial. Mr. White noted that the clubhouse would be small and the amount of commercial space has not been determined. He noted that Park City Municipal Corp. has not determined their units at this point and they are still talking about live/work spaces.

Commissioner Pettit asked if the problem with support commercial that has not worked in larger projects was due to the costs associated with renting the space. Mr. Moffat replied that it was mainly because they were not high marketing goods. With a limited number of people coming in, it is difficult to get enough volume to justify the cost. Commissioner Pettit remarked that this area is isolated from ready access to a convenience store or a suburban type environment. Adding the recreational component would also draw people outside of the project. In her opinion support commercial is an important element and she did not want to assume it would not work based on

other situations or examples. Commissioner Pettit wanted to make sure that support commercial continues to be considered as part of the plan.

Commissioner Pettit thanked the applicant for including the community garden concept. She believes it is a fantastic amenity for a community. She also suggested that they change the name "neighborhood green" to "neighborhood open space" to avoid the perception of lawns and high water consumption. Commissioner Pettit was pleased with the concept of native grasses. Mr. White remarked that landscape guidelines would be part of the design guidelines. He recalled previous discussions about transition zones where people can have small turf areas around their homes before moving into native grasses and plants. They would update the Planning Commission on landscape details at a later meeting.

Commissioner Pettit stated that snow storage would be critical for snow removal during the winter. She believed that snow removal in Old Town would be easier if there was adequate snow storage. Commissioner Pettit felt this project provided an opportunity to have narrow streets and alleyways with adequate snow storage. She encouraged the applicants to keep the narrow streets as proposed, but try to solve snow removal problems with adequate snow storage. She pointed out that narrow streets should meet the requirements for emergency vehicles and access.

Chair Wintzer clarified that all the roads would be 8% or less in grade. Mr. White answered yes, noting that a small percentage of the roads were 8%. Chair Wintzer asked about the dirt road shown at the bottom of the site plan. Mr. White replied that it was an existing road that would be improved up to the entrance to the project. Chair Wintzer liked the new design, however, he believed there was more square footage of asphalt than in previous designs. He pointed out that in some places there are roads on two sides of the house. Mr. White stated that the square footage was approximately the same as previous designs. Once he puts everything into the CAD, he should know the exact lengths of road, etc. Chair Wintzer was cautious about designing a subdivision off of engineering and preferred a project that balances efficiency with personality.

Chair Wintzer referred to a node of houses on the plan and he encouraged the applicant to repeat that node in another location because it creates a neighborhood within a neighborhood. Chair Wintzer thanked the applicants for listening to their comments and direction.

Commissioner Peek appreciated all the revisions and believed it vastly improved the concept. He concurred with Commissioner Pettit regarding support commercial. Commissioner Peek suggested that they stagger driveways down the alleys to create an opportunity for snow removal. He recommended that they look for shared driveway opportunities on the Estate lots. Commissioner Peek commented on the possibility of creating permanent easements with a landscaping restriction where snow could be pushed directly across from a driveway. He favored the detached tunnel trail and believed it was better to make that connection to the Rail Trail and ease the crossing to the Rail Trail. Commissioner Peek suggested locating the clubhouse commercial in that area to draw business from the sports fields.

Mr. White indicated a trail connection on the north side of Old Dump Road that goes all the way to Highway 40. That connection would eventually go to the Park and Ride lot and the City wanted to

maintain a trail corridor through there. At this point the trail would not be built but the applicants would provide a trail easement along there.

Commissioner Savage asked if the Park and Ride lot is accessed off of Old Dump Road. Mr. White answered yes. He stated that they have also proposed a bus stop along Old Dump Road. The transit will go out to the Park and Ride lot, turn around and come back. Commissioner Savage asked about changing the name of the road. Brooks Robinson remarked that with the improvements and the Park and Ride, the County was calling it Richardson Flats Road. The City is using that name with the intersection improvements currently being designed.

Commissioner Savage noted that the Park and Ride facility is in close proximity to the project and the buses come by the project on their way into Park City. He believed there was an opportunity to create a significant child care center with an associated convenience store that could service the development and possibly families outside of the development. Mr. Moffat was willing to provide land for a day care use. Mr. White noted that a day care had been discussed in the past.

Commissioner Peek referred to the architectural examples at the top of the concept plan. He stated that generally garages are subservient to the architecture of the structure, with the exception of the Old Miners Lodge Cottage House. Commissioner Peek favored varied architecture and hidden garages.

Commissioner Strachan felt the revised plan was a step in the right direction. He still thought the multi-family housing should be interspersed throughout the entire site plan. He concurred with his fellow Commissioners regarding the support commercial. Without the commercial the project would be an island to itself. If people have to drive whenever they need something, it defeats the objective they are trying to reach.

Commissioner Strachan stated that the trail adjacent to the Dump Road was great on the concept plan, but he was unsure if it was feasible. If they are able to do the trail as proposed, it would alleviate the concerns he raised at the last meeting. In terms of the architectural examples shown, he was not convinced they were to that point. Commissioner Strachan thought the site plan needed more fine tuning before they could start talking about the architecture of the structures. He noted that there were no examples of the multi-family housing. Mr. White remarked that the pictures furthest to the right were the IHC units. The structures are four two-story units. Commissioner Strachan stated that the picture of the IHC units reinforced his opinion that the multi-family houses could be interspersed throughout the entire site. Planner Whetstone pointed out that the multi-family houses have a larger footprint and would require significant excavation in some areas. Mr. White stated that another issue is trying to keep the IHC units close and on board for the first phase. He noted that IHC is beyond the time frame for building and they are anxious to have their units built. Mr. White offered to look at interspersing as many of the units as possible. Chair Wintzer remarked that the IHC units have very little outside space and did not belong on the hill. He believed the very dense units would fit better around the park where people would have a place to recreate and use the amenities.

Planner Whetstone stated that the concept for the affordable or deed restricted housing was in different phases and the units could transfer from one phase to another. Mr. White remarked that the market units would definitely be mixed with the affordable units and there would be very little difference architecturally. The IHC units would be the first affordable units to be completed.

Commissioner Strachan acknowledged that the applicants had done their best with what they had to work with. Ideally he would like something different but accepted the fact that it could not be done. Mr. White stated that they would continue to look at interspersing as much as possible.

Chair Wintzer supported the idea of having a day care with a commercial component to service the project.

Chair Wintzer called for comments on the architecture. Commissioner Peek reiterated his previous comment about the garages being subservient. He thought it was too soon to comment on the specifics of the architecture. Mr. White remarked that the intent is to incorporate historic details from Old Town Park City into the architecture. Chair Wintzer preferred to have more porches because porches help create a neighborhood. He personally did not want a reproduction of Old Town because it would look out of place in that area. Chair Wintzer was not opposed to incorporating some historic into the project if it can relate to the type of project being proposed.

Mr. White remarked that during the pre-MPD application, many of the Commissioners made comments about making the project look more like the resort center and core of Park City. Chair Wintzer stated that he was one who made that comment; however, he was talking about the grid system in Park City rather than architectural design. Commissioner Peek used the condos on Deer Valley Drive as an example where the architecture is not the most pleasing, but parking is behind the structure and people congregate on their front porches. Commissioner Pettit thought Commissioner Peek had described the experience that occurs in the Harvard/Yale area in Salt Lake. It is more historic in terms of many garages being on the side and the back and accessed by alleyways. The elements are at street level and people can walk the neighborhoods and feel a sense of connection. She had the same experience walking through the historic parts of Cresta Butte and Telluride.

Commissioner Hontz liked the idea of more porches and enhancing the size of the porches to make them more usable. However, she was concerned about the location being too windy to make the porches usable. Commissioner Hontz commented on Dutch Fields development in Midway that she finds offensive. Even though the houses have great design elements it is not authentic. She suggested that if the applicants could use that same concept with more authenticity, it would be the right balance. Commissioner Hontz concurred with the comments of her fellow Commissioners regarding architecture and garages.

Commissioner Savage suggested that if the applicant wanted serious input related to architectural styles, they should provide a more creative presentation of alternative formats. It would help the Planning Commission see what the applicant would propose in terms of architecture.

Planner Whetstone noted that the Staff had questions regarding setbacks as outlined in the Staff report. She pointed out that the Planning Commission has the ability to reduce setbacks within an MPD. Chair Wintzer asked for clarification on some of the houses shown in yellow and asked if there would be common area between the houses. Mr. White replied that all the houses shown in yellow would be lots. He felt the next step would be the CAD level so the Commissioners would have a better idea of the lots and setbacks. He noted that with the design guidelines, they will break down the mix of housing types and identify heights, setbacks, details, colors, etc. Planner Whetstone stated that the information would be helpful for the Staff when determining compliance with the Master Plan.

Planner Whetstone remarked that another issue was height. The Planning Commission has the ability to increase heights, however, she understood that all heights would be within the requirements. Mr. White did not anticipate any height concerns and offered to take a second look. Planner Whetstone commented on a list of site planning issues that would be addressed in future meetings.

Commissioner Savage pointed out that the development has Park City in its name and it is partially owned by Park City. It is a big initiative that compliments Park City's objectives and ideals as it relates to affordable housing, and it should be something the City can be proud of and people can be excited about. Commissioner Savage remarked that because Park City is a co-applicant, they need to be part of the solution and not part of the problem, which may require creativity with the CT zone.

Commissioner Peek addressed the concern regarding wind and suggested that creativity in the design may help mitigate that concern.

Commissioner Pettit requested that the applicants consider whether the current site plan would help facilitate solar installation on roof tops. With respect to the design guidelines and the CC&R's, she asked that they think about solar access and easement issues to allow the community the opportunity to take full advantage of renewable energy resources. She suggested that wind may be another option.

MOTION: Commissioner Strachan moved to CONTINUE Park City Heights discussion to December 8th. Commissioner Pettit seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission meeting adjourned at 9:15 p.m.

Approved by Planning Commission _____