

PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
MARCH 14, 2012

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Julia Pettit, Adam Strachan, Jack Thomas, Nann Worel

EX OFFICIO:

Thomas Eddington, Planning Director; Kirsten Whetstone Planner; Matt Evans, Planner; Francisco Astorga, Planner; Polly Samuels McLean, Assistant City Attorney; Mark Harrington, City Attorney

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The Planning Commission held a site visit at the Quinn's Junction Partnership Annexation area prior to the meeting.

REGULAR MEETING

**ROLL CALL**

Chair Wintzer called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Savage who was excused. Commissioner Pettit arrived later in the meeting.

**ADOPTION OF MINUTES**

February 8, 2012

MOTION: Commissioner Hontz moved to APPROVE the minutes of February 8, 2012. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously by all who attended the February 8<sup>th</sup> meeting. Commissioner Strachan abstained since he was absent from that meeting.

February 22, 2012

MOTION: Commissioner Hontz moved to APPROVE the minutes of February 22, 2012. Commissioner Worel seconded the motion.

VOTE: The motion passed unanimously by all who attended the February 22<sup>nd</sup> meeting. Commissioner Thomas abstained since he was absent from that meeting.

**STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES**

Director Eddington reported that work on the General Plan was going well. The Staff would update the Planning Commission in April or May and begin to schedule additional work sessions.

Chair Wintzer stated that a site visit to Daly Avenue was the first time he had driven past the house on the west side of Daly that appears to be half in the street. Director Eddington believed the address was 118 Daly Avenue. Chair Wintzer asked the Staff to verify the address, take pictures and return to the Planning Commission with an explanation of why the house was allowed in its current scale, mass, etc.

Chair Wintzer requested that the public hearing and discussion on the Quinn's Junction Annexation be moved to the last item on the agenda.

MOTION: Commissioner Hontz moved to relocate the Quinn's Junction Partnership Annexation item to the last item on the agenda. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

#### **PUBLIC INPUT**

There were no comments.

#### **REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION**

##### **1. 543 Woodside Avenue – Plat Amendment (Application #PL-11-01417)**

Planner Matt Evans reviewed the request for a plat amendment at 543 Woodside Avenue. The request was to combine two parcels into one lot. The Staff report contained the Staff's analysis. The analysis also included an existing historic home and historic shed. The purpose of the plat amendment is to allow for an addition to the home, which would come back as a separate application.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for this plat amendment.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Thomas moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 543 Woodside Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the draft ordinance. Commissioner Strachan seconded the motion.

Findings of Fact – 543 Woodside Avenue

1. The property is located at 543 Woodside Avenue within the Historic Residential (HR-1) Zoning District.
2. The HR-1 Zoning District allows for detached single-family dwelling units as a permitted use.
3. The property is shown on the Historic Sites inventory as a “Landmark Site” and includes a 971 square foot mining era home constructed in 1894. The property also contains a 277 square foot detached accessory structure that was built between 1900 and 1927, and is also on the inventory as a historic structure.
4. The applicants are requesting to adjoin two lots of record into one Lot for the purpose of a future additional development and improvement of the home.
5. The plat amendment is necessary in order for the applicant to obtain a building permit for the proposed addition, which includes the addition of a garage under the existing main level, and a small addition the rear of the home.
6. The amended plat will create one new 3,750 square foot lot.
7. The existing historic home and accessory building meet all current setback requirements. The existing home meets current height requirements, and the existing accessory structure exceeds the maximum height requirement by one-foot (1).
8. The applicant has a concurrent Historic Design Review application for a significant remodel of the home, including the addition of a third level for a new garage and additional living space to the rear of the existing home. Compliance with adopted Design Guidelines for Historic Districts and Historic Sites shall be required.

Conclusions of Law – 543 Woodside Avenue

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, 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 Woodside

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
  2. The applicant will record the plat amendment 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 for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
  3. No building permits for the expansion of the existing home will be granted until the plat amendment is recorded with the Summit County Recorder's office.
  4. Modified 13-D sprinklers will be required for renovation of the existing structure.
  5. A 10-foot wide public snow storage easement will be provided along the frontage of the property.
- 2. 920 Norfolk Avenue – Plat Amendment  
(Application #PL-11-01231)**

Planner Evans reviewed the application for a plat amendment at 920 Norfolk Avenue. The request was to combine seven existing Snyder Addition lots into three new lots. An existing historic home is located on what would become Lot 1. Lots 2 and 3 are vacant and would be future buildable lots. The acreage for Lot 3 would remain the same. Lot 2 would be a combination of one full parcel and one half parcel. Lot 1 would be the combination of one full parcel and two half parcels. If the proposed plat amendment occurred, Lot 1, with the existing home, would have a wider side yard to the south. The Staff report contained an analysis of the maximum building footprint for each lot. The applicants propose to submit future applications to build on Lots 2 and 3.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for this plat amendment.

Commissioner Hontz asked about the shaded areas shown on Lots 2 and 3. Planner Evans replied that the shaded area was an existing sewer easement.

Commissioner Thomas requested larger drawings for future Staff reports. Chair Wintzer liked the color wheel drawing because it was easy to understand. He referred to another page and requested that the applicant "dot in" the new property lines. Commissioner Thomas understood that the existing fence would be approximately 20 feet to the north of the new lot line.

Commissioner Hontz asked if there was any discussion as to why the applicant did not split Lots 2 and 3 down the middle. As proposed, the structures on Lot 2 and Lot 3 would be smaller structures than the existing structure on Lot 1.

Commissioner Hontz referred to the conditions of approval and standard City language that requires a ten-foot wide public snow storage easement to be provided along the frontage of the

property. She wanted to know if that meant the City could dump snow on these private lots. Chair Wintzer stated that the former City Engineer, Eric DeHaan, drafted that standard language many years ago. Director Eddington explained that the City uses the front of most properties in Old Town for snow storage unless the property has a driveway. In those cases, snow is pushed off to the side. Commissioner Pettit clarified that the front setback was not setback from the snow storage.

In driving the roads, Commissioner Hontz thought it was important to think about where snow would go as lots get built out. Commissioner Pettit concurred. She wanted it clear that as they continue to see the build out in Old Town, they continue to see pressure for snow storage options and opportunities. Commissioner Pettit thought the City should look at increasing the setbacks to allow for snow storage on the owner's lot instead of in the street or on their neighbor's property. It was not a conversation for this application, but they need to address the issue and relook at setbacks.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Thomas moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 920 Norfolk Avenue, based on the Findings of Fact, Conclusions of Law a Conditions of Approval found in the draft ordinance. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

#### Findings of Fact – 920 Daly Avenue

1. The property is located at 920 Norfolk Avenue within the Historic Residential (HR-1) Zoning District.
2. The HR-1 Zone District allows for detached single-family dwellings as a permitted use.
3. The existing 1,840 square foot home known as the “Fred Larson House” was built in 1892 and is shown on the Historic Sites inventory as a “Landmark Site”.
4. The proposed amended plat will solve existing non-conformities associated with the existing home, including the fact that the home currently straddles two (2) property lines and has a one-foot (1) side-yard setback between it and the existing lot line. The new amended plat will erase the lot lines the home now straddles, and will create a new thirty-eight foot (38’) side-yard setback.
5. The existing home will continue to have a legal-nonconforming 4.5 side-yard setback to the north property line of proposed Lot 1. Five feet is the current setback requirement in the HR-1 Zone.

6. The proposed amended plat combines existing Lot 27 through 31 of Block 10 of the Snyder's Addition (five existing lots) into three new lots.
7. There are existing street improvements currently existing in front of the property along Norfolk Avenue, including asphalt, gutter and a sidewalk.
8. Any new construction on any of the Lots will require approval through the Historic Design Review (HDDR) process, as well as any future additions to the existing historic home.
9. Conformity with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009 will be required for any new construction or additions and exterior remodeling of the existing historic home.
10. The existing historic home has no available off-street parking, however, none are required due to the fact that the home is historic, and historic homes are exempt from off-street parking requirements.

#### Conclusions of Law- 920 Norfolk

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval – 920 Norfolk

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment 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 for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permits shall be issued for additions to the existing home, or for new homes on the adjoining lots, until the subdivision is recorded.

4. A 10-foot wide public snow storage easement will be provided along the frontage of the property.

**3. 269 Daly Avenue – Plat Amendment**

Planner Evans reviewed the application for a plat amendment at 269 Daly Avenue. The applicant proposes to combine two metes and bounds parcels located within the original Millsite Reservation to Park City, into one lot of record. The property has an existing historic home located five feet off the right-of-way, as well as an existing historic shed/garage. The applicant would like to do a small addition to the rear of the home.

Planner Evans stated that the area with the existing Parcel 2 exceeds 30% slope; therefore, anything over a 1,000 square feet would require a steep slope conditional use permit. Because the existing home is historic there are no opportunities for it to be moved anywhere else on the lot. Any additions would be to the rear and into the 30% slope area.

Planner Evans remarked that other plat amendments have been done on Daly Avenue, and the Staff looked at restrictions on footprints and home size. In many cases two lots were combined side by side. The plat amendment request for 269 Daly was different because there would be no development in the front of the house. The Historic District Design Guidelines addressed the issues related to the front of the house and the inability to move the house forward. The Staff was not recommending a footprint maximum because that issue would be addressed if and when an application was submitted for an addition over 1,000 square feet.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Commissioner Hontz noted that the parcels were not side by side, so there is no street access for the lot behind. The lot behind is extremely steep and very wooded. She believed this was a different situation from previous plat amendments. Commissioner Hontz noted that the Analysis on page 172 of the Staff report states that the rear parcel alone is not buildable. It also states that the existing historic structure cannot be moved. She pointed out that unless the area is expanded and combined into one lot, nothing could be done on the rear lot under those assumptions. The analysis further states that there is little or no economic viability for the rear parcel to remain unadjoined to the primary parcel. She believed that statement was inaccurate based on the new TDR ordinance. Per the ordinance, the lot qualifies to be calculated for at least one TDR credit. Based on the assumption of selling the TDR, there would be some economic return from doing nothing on the lot. Commissioner Hontz questioned whether the applicant had been informed of the TDR option.

Commissioner Pettit noted that the Staff report from the Henry home was attached to the Staff report for 269 Daly because it was a similar situation. She believed the Henry home was different because it was a historic structure that had been panelized and there was the ability to move the

structure forward. Commissioner Pettit had concerns about creating a lot of this size in this neighborhood. The checks and balances in place today may not be there in the future. She was concerned about creating a future opportunity to build something that unravels the historic character of a very unique part of town. Commissioner Pettit questioned why they had not come forward with a proposal that was similar to what was done with the Henry property to be consistent and fair.

Planner Evans explained that since the time of the Henry home approval, the Steep Slope CUP process was amended, which gave the Planning Commission much more latitude in considering Steep Slope CUPs.

Commissioner Pettit remarked that one of the problems with the CUP process is that the use is allowed if the impacts can be mitigated. She disagreed that the Planning Commission has latitude and control when the applicant has the ability to come in and demonstrate mitigated impacts. Commissioner Pettit believed the Planning Commission has more power to meet the guidelines and purpose statements of the Code through the plat amendment process, because it is a different standard of review and analysis. She was not comfortable trusting that the Steep Slope CUP process would protect the property from action taken this evening. Steps are taken at this level of the process to implement the purpose statements and the objective to preserve the historic character of the neighborhood. Commissioner Pettit was inclined to allow the applicant latitude to do what needs to be done at the rear of the property to preserve the historic home; however, she did not want to create a situation that might enable an unintended consequence in the future. Commissioner Pettit suggested that the Planning Commission discuss whether there could be an appropriate limitation that would be fair to the applicant.

Commissioner Hontz understood that when the application was submitted the applicant was unaware that the TDR existed. She suggested that the applicant weigh the HDDR review and the Steep Slope CUP process versus the TDR process. Commissioner Hontz thought it was important to provide the applicant with information regarding the TDR option.

Commissioner Pettit disclosed that she lives on Daly Avenue in a home that is situated similar to the home at 269 Daly Avenue. It sits back from the road the same distance and there is a parcel behind. She understood the dilemma, which was why she was trying to find a fair solution for the applicant. At the same time, she also wanted to be fair and consistent with the way previous applications were handled on the street.

Commissioner Hontz disclosed that she lives on Daly Avenue, however, she did not live close enough to receive the 300 foot notice.

Commissioner Worel asked about the TDR notification process. Director Eddington replied that the TDR process was started last March. There is no formal noticing process, but applicants are informed when there is the opportunity for a TDR. He acknowledged that sometimes the Staff may forget to mention that option. The TDR is addressed on a case by case issue. If an applicant is interested, they can request a determination of development credit opportunity on the site. The Staff conducts the analysis based on square footage and what the sending zone allows. The Staff then sends a letter to the applicant outlining their capacity for development credits.

Chair Wintzer concurred with the concerns expressed by Commissioners Pettit and Hontz. He suggested that the Planning Commission direct Staff to look at ways to potentially mitigate those concerns. It would also allow the applicant the opportunity to make a decision based on options and come back with their request. The Commissioners concurred.

MOTION: Commissioner Pettit moved to CONTINUE the 269 Daly Avenue Plat Amendment application to April 11, 2012. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

**4. 1790 Bonanza Drive – CUP for a communications facility  
(Application #PL-11-01406)**

Director Eddington disclosed that at the request of the Planning Commission, the Staff worked with Jack Thomas and met with the applicant to come up with design opportunities. Planner Francisco Astorga reviewed the application for a conditional use permit for 1790 Bonanza Drive. At the last meeting the Planning Commission held a public hearing and provided input and direction to the Staff and the applicant regarding specific components of the application. The concern mainly addressed the addition towards the east end of Building One on the elevator shaft tower.

Planner Astorga stated that the Land Management Code indicates that an architectural feature similar to a clock tower, etc., may qualify for a building height exception. He noted that the applicant was requesting a height exception.

The Staff recommended that the Planning Commission consider approving the conditional use permit based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Commissioner Worel noted that page 136 of the Staff report stated that AT&T subscribers suffer as a result of the topography from a distant cellular site. She asked if other carriers have a similar problem with the topography. Don Shively, representing AT&T, explained that the location of other sites on Kearns Boulevard and around bends does not carry the signal as well. Service is controlled by the radio frequency, which is a line of sight as opposed to making bends around corners or over topography.

Chair Wintzer opened the public hearing.

Mary Cook, a resident in the Homestake Condo Complex, stated that after the last meeting she contacted Verizon and complained about the interruption of service for residents who use Verizon. She asked if Verizon wanted to look at AT&T's plan for the area and whether the residents should consider changing to AT&T. She had not heard back from Verizon. However, the person she spoke with had passed on her suggestion to one of his interns who would be doing some research.

Ms. Cook pointed out that there may be further development coming out of this situation. Ms. Cook reiterated the health concerns she expressed at the last public hearing. She agreed that AT&T needed to provide better service. She asked if anyone had considered putting towers on top near

the water tank because it would put the signal up higher and provide better service down the whole of Kearns Boulevard.

Chair Wintzer closed the public hearing.

Commissioner Thomas reported that he had met with the applicant regarding the element on top of the tower. He initially raised the issue of the faux stone, and believed the applicant had come a long ways in creating something much better. Commissioner Thomas wanted to make sure the red color would not be as bright as the image shown on the rendering. It should match the existing red of the structure. Commissioner Thomas stated that his concerns had been addressed and he was comfortable with the design.

Commissioner Pettit appreciated the letter that was included in the Staff report regarding compliance with the FCC requirements. For her personally, it alleviated some of the concerns that were raised at the last meeting.

Assistant City Attorney McLean noted that Commissioner Pettit had requested that the Staff look at whether or not Federal law preempted localities from regulating certain aspects. She reported that the Federal Code states, "No local government may regulate the placement, construction, or modification of personal wireless services facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such a mission". Ms. McLean clarified that the language was only to that specific point. The Planning Commission has the right to regulate other aspects of the application.

MOTION: Commissioner Thomas moved to APPROVE the conditional use permit for the telecommunications facility at Rail Central consistent with the findings of fact, conclusions of law and conditions of approval contained in the Staff report. Commissioner Pettit seconded the motion.

VOTE: The motion passed unanimously.

#### Findings of Fact – 1790 Bonanza Drive

1. The site is located at 1790 Bonanza Drive.
2. The site is with the General Commercial (GC) District.
3. The current use of the property is a two (2) story mixed use office and retail building.
4. A telecommunication Antenna is a conditional use in the GC District.
5. The applicant requests to build an enclosed antenna and also an addition on the front façade, west side, of Building One to locate the necessary equipment associated with the requested use.
6. Telecommunication antennas require a Conditional Use Permit (CUP) to be reviewed by the Planning Commission.

7. The proposal includes twelve (12) antennas to be placed on the elevator shaft tower located towards the east side of Building One.
8. The applicant faces unique challenges with the topography surrounding Park City.
9. Operation of the site will run twenty-four (24) hours a day, seven (7) days a week, 365 days a year.
10. The expansion/addition of the elevator shaft tower to house the enclosed antennas and the proposed outbuilding to house the equipment associated with the antennas does not trigger an MPD amendment due to the small scale of the additions/expansion and due to the fact that the primary use of the property remains the same.
11. The applicants choose to pursue an enclosed antenna addition to mitigate the impacts of exposed antennas.
12. The proposed location of the enclosed antennas meets all standard setbacks.
13. The size and location of the addition to the west end of the building to house the associated equipment meets all development standards found in the LMC.
14. There are no traffic impacts associated with the project.
15. No significant utility capacity is required for this project.
16. There are no emergency vehicle access impacts associated with the project.
17. The addition is proposed to be placed over two (2) parking spaces.
18. To mitigate the loss of two (2) parking spaces and to also improve the existing circulation, the applicant proposes to reconfigure the existing layout of the parking throughout the project. No physical improvements other than re-striping the parking layout will be necessary.
19. The rail trail parking spaces are not being affected in any way, shape or form.
20. The proposed parking layout and circulation plan has been reviewed and approved by the City Engineer, Chief Building Official, and Fire Marshall.
21. The internal circulation will remain the same.
22. Fencing is not proposed at this time.
23. The applicants choose to pursue an enclosed antenna addition to mitigate the impacts of exposed antennas.

24. The proposed improvements do not encroach onto the existing open space found through the development.
25. No signs are proposed at this time.
26. The applicant has indicated that no noise, vibration, odors, steam or mechanical factors are anticipated that are not normally associated within the General Commercial District.
27. The applicant submitted a letter which indicates that the letter will be constructed in compliance with the radio frequency (RF) exposure regulations mandated by the FCC with regard to the general public.
28. The FCC and AT&T guidelines regarding maximum permissible exposure will not be exceeded as a result of the activation of the site.
29. No deliveries are anticipated.
30. When repair service is required, it is AT&T's plan to perform the service during off peak hours.
31. The building is owned and managed by 1790 Bonanza Drive, LLC, Mark Fisher.
32. The proposal is not located within the Sensitive Lands Ordinance Overlay zone.
33. The proposed location of the expansion/addition of the enclosed antennas and the addition associated with the equipment meet all setbacks per the GC District.
34. The zone height of the GC District is thirty-five feet (35'). Gable, hip, and similar pitched roofs, 4:12 or greater, may extend up to five feet (5'), forty feet (40').
35. Antennas, chimney's, flues, vents and similar structures may extend up to five feet (5') above the highest point of the building.
36. During the February 22, 2012 meeting, the Planning Commission and Planning Director clarified that the height exception related to the maximum height in the GC District relates to the existing highest point of the roof and that a height exception could not be granted from another height exception.
37. The height of the main ridge is thirty-four feet five inches (34'-5") above existing grade.
38. The existing elevation shaft tower is thirty-eight feet five inches (38'-5") above existing grade.
39. The proposed elevator shaft tower with the expansion will be forty-three feet nine inches (43'-9") above existing grade.

40. The Planning Director approved the proposed concept to be in compliance with LMC 15-2.18-4.
41. The proposed addition located on the west end of Building One is an ancillary addition which does not detract from the current architectural style of the building and is an equipment shelter.
42. The proposed antennas are stealth and will not be viewed.

Conclusions of Law – 1790 Bonanza Drive

1. The proposed application as conditioned complies with all requirements of the Land Management Code.
2. The use as conditioned will be compatible with surrounding structures in use, scale, mass and circulation.
3. The use as conditioned is consistent with the Park City General Plan, as amended.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 1790 Bonanza Drive

1. All standard conditions of approval shall continue to apply.
2. All conditions of approval of the rail Central MPD shall continue to apply.
3. The applicant will work with the Planning Director to make sure that the approved preliminary concept is finalized to the satisfaction of the Planning Director prior to building permit sign off by the Planning Department.
4. The Applicant, or the Applicant's successor(s) and/or assign(s) shall be responsible for the removal of unused Telecommunications Facilities within twelve (12) months of abandonment of Use. If such tower is not removed by the Property Owner, then the City may employ all legal measures, including as necessary, obtaining authorization from a court of competent jurisdiction, to remove the tower, and after removal may place a lien on the subject Property for all direct and indirect costs incurred in dismantling and disposal of the tower, including court costs and reasonable attorney fees.
5. If soils are disturbed as part of the construction of the addition, the applicant shall comply with the ordinance requirements for soil disturbance. Prior to construction, the applicant shall submit a soils handling plan that describes how soils will be handled during construction and how any soils will be disposed/handled of excess soils are generated as part of construction.

6. The proposed routing for the underground writing will cross the sewer lateral from the building that comes out on the south side of the building. The applicant shall contact the contractor to make sure they are aware that the lateral is there and will need to be protected.
7. Questar Gas has a service line on the west end of the clock tower building and two (2) gas lines either in the road or behind the curb. Depending on the size of the building they might need to have the service line be moved.
8. Applicant must comply with the use of only approved materials pursuant to the Land Management Code.
5. **Quinn's Junction Partnership - Annexation**  
**(Application #PL-12-01473)**

The Planning Commission visited the annexation site prior to this meeting.

Planner Kirsten Whetstone reviewed the request for an annexation of 30 acres of property located at the southwest quadrant of Quinn's Junction near the intersection of US40 and State Road 248. A public hearing was scheduled this evening.

Planner Whetstone requested that the discussion this evening focus on MPD site planning review and items raised during the applicant's presentation, as well as the questions for discussion identified in the Staff report.

Planner Whetstone provided a brief overview of the site and surrounding properties. Planner Whetstone noted that the Staff report included the elements from the matrix the Planning Commission had requested at the last meeting. She pointed out additional pieces of requested information that was also included in the Staff report.

Commissioner Worel referred to the Matrix on page 54 of the Staff report which indicated that the current open space provided is 42% within the property boundary and 60% perceived. Mr. Pilman, representing the applicant, stated that he had a slide that would answer her question during his presentation.

Director Eddington reported that the Staff met with the applicant on several occasions regarding design issues and tried to assist with the presentation this evening. Jack Thomas was involved in one of the discussions and Director Eddington thanked him for his time and assistance.

Peter Pilman, with the IBI Group, stated that he and his colleagues tried to organize the presentation to address the concerns and issues raised during the meeting on February 22<sup>nd</sup>. The presentation would include the project context and where it fits into the community. They had done a visual analysis and 3-D modeling to address the issues of visual impacts. The presentation would identify the site plan requirements, open space, setbacks and parking. They had prepared diagrams and images to address connectivity and how the project connects into the community through access, circulation, transit and trails. Precedent images were also presented. Another

challenge was community benefits. It was not required by the settlement agreement, but the Planning Commission had requested that the IBI Group show how this project fits within the vision for Park City.

Mr. Pilman presented a site map showing the major road networks in the area. Yellow dots identified anticipated signalized intersections. In looking at the connectivity of the trails network, they reviewed their proposal with the City Trails Department. Red dots on the back corner of the studio site identified where the trail would enter the site. It was anticipated as a trailhead site with parking spaces set aside for trailhead parking. Signage and wayfinding information would be posted for the trails network.

Commissioner Strachan asked if the applicant would build the trail connection since it currently does not exist. Mr. Pilman understood that the City has requested that the applicant build it with the project. Commissioner Strachan agreed that it was a request by the City, but he wanted to know if the applicant would actually follow through and built it. Mr. Pilman replied that if it was part of the agreement it would be built. The idea was to provide connectivity. Another benefit is that the project provides public washrooms off the trails system within the site itself. Mr. Pilman intended to outline additional benefits for a trailhead at that location later in the presentation.

Mr. Pilman reviewed a massing study looking to the southwest, showing Park City Heights in the background and the City open space parcel in between the two pieces. A rectangle in the dead center of the image represented the massing of the large studio building. A two-line entry road indicated a split drive entrance. An office building would be located on the left, a hotel on the right, and the studio in the center of the site with parking around it. Mr. Pilman noted that the parking fields had been placed towards Highway 40 to mitigate the impact along SR248. The majority of parking was screened behind the buildings and facing the highway frontage.

Mr. Pilman presented a series of images. The first slide showed the existing condition. The following slides superimposed the 3D-massing of the buildings. A third slide showed a white area with a red boundary. They had looked at berming the front edge of the site along SR 248. The slides showed the effect of the berm and how it reduces the visibility of the lower portion of the buildings. From the vantage point of the off-ramp, the buildings were visible but did not break any ridge lines.

Mr. Pilman reviewed distance measurements from the site to any given building in the immediate area. He pointed out that the visual impact was further away and the detail on site was further reduced. Mr. Pilman presented visuals taken from various vantage points.

Mr. Pilman remarked that the principles applied on site planning were a clustered village approach, a layering effect of buildings, trail network connections, and native landscape strategies.

Regarding open space, Mr. Pilman stated that the definition would be to measure to the property line. The yield was 42.3% open space. He indicated the 150 foot setback line from SR248. Mr. Pilman presented an image of perceived open space, which was done to show that the cut line for the roads was further than the property line. The top of the cut bank generates the perceived open space for the project as 56% open space. He stated that the site was originally 50 acres. However,

20 acres was taken by the BLM and UDOT for road construction without any compensation to the property owner. The owner was told that the 20 acres would be used as their buffer for open space and green corridor, which was the reason for the perceived open space. Adding the area from the site bounded by the hard road, the total calculation was 69.3% open space.

Mr. Pilman stated that they looked at different parking uses and zones within the project. The hotel parking would be underneath the hotel structure. Public parking was shown in purple and located at the back of the site. Secured lots were identified in green. If certain events required additional parking, the secured lots could be open to public parking.

Commissioner Worel asked if the secured parking was intended for employees. Mr. Pilman replied that it was for employees or studio related uses. Commissioner Pettit clarified that all the parking was above-ground except for the hotel.

Mr. Pilman reviewed access and circulation through the site. The idea is to eventually connect to public transit. Mr. Pilman presented images showing studio retail environments that would exist, which included food service and eating areas for employees and visitors, and small retail frontage for selling studio ware. He also presented images from studio sites in other cities.

Mr. Pilman commented on roof treatments and whether green roofs would be considered. He noted that green roofs had benefits, as well as negative issues. They could look at mitigating the most visible roofs with the green roof strategy to see if it makes sense, or whether berms and roof slopes were a better approach.

Mr. Pilman commented on the community visioning filter used to determine how projects work for Park City. He outlined what this project offers and requested discussion on whether or not it meets the individual elements of the Park City vision.

Chair Wintzer opened the public hearing.

John Stafsholt, a resident at 633 Woodside, thought it would be beneficial if the Planning Commission could look at Deer Valley or PCMR for samples of what 920 above ground parking stalls look like to get an idea of how large that is. With that significant of traffic impacts he suggested looking at access to and from US40 versus everything going on to SR248. Mr. Stafsholt noted that there were two campuses on 29 acres. One was a highly secure campus with no evidence of any security. He encouraged the applicant to explore the green roof idea because a low sloping green roof could work well in that location.

Sally Warren a resident on Silver Cloud Drive, right behind Round Valley, noted that her area was not shown in the visuals presented. Ms. Warren stated that she has a direct view of the project, similar to the National Ability Center or the stadium where the lights are on periodically. This project would be permanently lighted. This is her retirement home and she thought she would have a view and that the area would be protected. Ms. Warren was not opposed to development, but she believed that lighting should be a major consideration for the residents in the area. She also had concerns with the signals. Ms. Warren stated that the amphitheatre in the open space was not mentioned, which is supposedly a multi-complex for multi-use. That was another possibility of a

negative because of sound and lighting. Ms. Warren stated that regardless of the amphitheater the open space was still 45% and she wanted to know if there was a minimum requirement.

Chair Wintzer closed the public hearing.

Chair Wintzer stated that the discussion this evening would focus on the MPD. The annexation and General Plan issues would be discussed at the next meeting. Chair Wintzer asked Commissioner Thomas to provide an update on his conversations with the applicant.

Commissioner Thomas stated that when he met with IBI Group and Director Eddington, he was not bothered by the spacing of the buildings and the location of the vertical massing. However, he was concerned with the way the edges transition to SR248. He remarked that architectural planning is about softening the edges and minimizing the visual impacts. Commissioner Thomas had suggested increasing the berming along the edge of SR248, which was included in the diagrams presented. He also advocated green roofs that slope from the south to the north. The low edge would be the north edge adjacent to SR248, thereby minimizing the visual impact. Commissioner Thomas stated that if the buildings along that edge could be green roofs, it would dramatically soften the visual impacts. In addition, the berms in between the buildings could create a softer rhythm. With regard to the primary 50 foot building, Commissioner Thomas asked if the building could be reduced in height and accessed from the south side by modifying the grade of the parking on the south side of the building. He also suggested stepping the building up from the north side, again minimizing the visual impact and softening that edge. Commissioner Thomas believed those changes would make a difference in how the project is perceived from that side.

Commissioner Thomas thought the location of the amphitheatre was a softening impact because it creates more green space and a softer look as it transitions to the edge closer to Park City.

Commissioner Thomas understood that green roofs require more maintenance, but they seem to work well and he believed it could make a difference. Commissioner Thomas asked if the applicant would be willing to look at green roofs. Mr. Pilman stated that the current point in the design process was mostly master planning of the site. They had done very little with the architecture. Mr. Pilman pointed out that five people are involved and it has been difficult to get everyone together because one person had been out of the Country. He was certain that they would be able to get together before the next meeting.

Commissioner Thomas remarked that the design should not follow the landscaping or the building massing. In his opinion, the design should take the lead because it is important to have a philosophical concept built into the concept of the project. Mr. Pilman agreed with Commissioner Thomas that mitigating impacts along the SR248 Corridor was critical. Mr. Pilman and Commissioner Thomas discussed mitigation solutions.

Commissioner Thomas had seen the images of the design vernaculars being considered and he favored all of them. Commissioner Hontz asked if the Planning Commission would have the opportunity to see those at some point. Mr. Pilman stated that they need time to work with the client group before presenting it to the Planning Commission.

Commissioner Worel asked if the sound stage needed to look like a big box. Mr. Pilman replied that it needs to function as a big box with clear open spaces that provide flexibility. He pointed out that the smaller rectangle on the front starts to work towards layering other pieces of architecture to break down the massing. They were also looking at that approach for the piece that faces towards the intersection of Highway 40 and coming off the off ramp. The concept is to use additive architecture to breakdown the size of the walls and the massing and to create visual interest as opposed to a big box.

Commissioner Thomas asked if the number of parking stalls could be reduced. He commented on other projects that were able to successfully reduce the amount of parking. Commissioner Thomas questioned the need for 920 parking spaces.

Commissioner Hontz asked if the number was based on Code requirements. Planner Whetstone was unsure how the applicants determined the number of parking spaces. The Staff had not yet done a parking calculation because she had only received the square footage for the building the day before.

Planner Whetstone thought it was important to address the questions raised during the public hearing related to transportation and security fencing. Commissioner Thomas remarked that security could be handled electronically through cameras, control gates and guards. He agreed that lighting was an issue that needed to be addressed.

Chair Wintzer asked if the project would be bound by the City lighting ordinance. Director Eddington answered yes. Chair Wintzer requested additional information on the proposed lighting.

Commissioner Thomas asked for a legal opinion on the buffer space and whether it could be factored into the open space calculation. City Attorney Mark Harrington stated that technically it could not be counted, but it did play into part of the County settlement, which was why there were limited setbacks requirements. In terms of technical calculations, Mr. Harrington believed 42.1% was the accurate number. The rest was more perspective and generalized compliance from factoring in property that was previously owned.

Commissioner Hontz noted that people would not walk from the hotel rolling their bag out to the casita. There needs to be access to those places. She pointed out that the road would detract from the visual of open space and a field behind it, as well as the sidewalk and any other impervious surface for access. Commissioner Hontz remarked that it would be a different feel from the cute buildings leading up to a big building as shown in the presentation.

Mr. Pilman stated that casitas are small facilities that could be used for various purposes. Commissioner Worel asked whether they were intended as hotel rooms. Mr. Pilman stated that there would be space for a bathroom, a bed and a desk area so it could be used for overnight sleeping. He noted that they were taken out of the hotel key count. The casita was counted as one of the keys.

Commissioner Hontz understood the merit from a user perspective and from the standpoint of building or operating a hotel. However, from a community and Planning Commission perspective

she thought it was important to think about whether they wanted the feel of landscape coming on SR248 leading up to the hotel, or whether they liked the feel of numerous small buildings and access.

Commissioner Thomas thought smaller scale buildings with green roofs and residential elements would soften the impact of the hotel on approach. He asked if the casita was an essential component of the building program. The suggestion was made to look at incorporating those structures into the hotel as an option to save open space and setbacks.

Commissioner Hontz stated that her concern was access and how it expands to the west of the Stage Venue 1D, where there is another access to the site. To the far east, one of the slides showed three or four accesses coming off of the site on SR248, and she had major concerns with that. Commissioner Hontz understood that nothing could come out on that far west side because of the proximity to the Federal highway on-ramp/off-ramp. In addition, it would require cutting through the berm to access building 9.

Chair Wintzer concurred. He noted that the proposed main access was pushed from where the road was shown on the north end of the property all the way down by UDOT. UDOT was not part of the annexation agreement and Chair Wintzer was unsure that UDOT would approve their plan.

Doug Rosecranz, with IBI Group, stated that he spoke with UDOT and it would be a right turn, exit only point for the semi-trucks. It would take pressure off the main road from truck traffic that comes and goes from the studio site. Chair Wintzer asked of the access on the far south end of the project was also a right only exit. He was told that it was a right in/right out access point. Chair Wintzer asked if the road was off the project property. Mr. Pilman stated that it was shown split with a portion on City property based on conversations that the City may want access to that property. The road location would benefit the City by providing access to that parcel. Planner Whetstone explained that the parcel was open space that was part of the Park City Heights MPD, and currently there is no access to that parcel. Chair Wintzer asked if it was necessary to have access. Planner Whetstone believed it may be necessary in the future because it was not a conservation easement open space.

Commissioner Hontz asked if the exits made this a better project for the community. Mr. Rosecranz stated that it provides an extra fire entrance to the project. They would be happy to move the exit entirely on to their site, but from a fire perspective, the split seemed better for Park City. City Attorney Mark Harrington clarified that the exit had not been reviewed by the City Engineer. It was not requested by the City, and it was only mentioned in conjunction with a conversation on trails. Mr. Harrington remarked that there was no reason why the access could not be entirely on the project property. He pointed out that the City Council would have to grant an easement, but that request had not been made. Planner Whetstone remarked that the applicants met with the Transportation Department to discuss the two access points. It helps with site circulation but the access points had not been granted by UDOT. An agreement between Park City, Summit County and UDOT governs that highway corridor.

Commissioner Pettit had concerns with the amount of parking. She thought it was important to see the parking analysis to really understand how they might be able to reduce the amount of parking

on the site and minimize the visual impact. She believed a reduction in parking would make a big difference. Mr. Pilman stated that underground parking would help reduce the parking impacts, and the City has indicated a willingness to help make that happen. Creating parking structures would open up additional open space and minimize the visibility of surface parking. He noted that parking studies were currently being done and they would continue to work with the City.

Commissioner Pettit stated that if the applicant could find a way to reduce parking and encourage the use of public transportation and the trails system, it would reduce traffic and everyone would benefit. Commissioner Pettit supported Commissioner Thomas' comments regarding the benefits of green roofs to minimize the visual impacts. She also thought the berming made a difference in the various viewpoints that were shown.

Understanding that questions regarding the General Plan and Annexation were outside the purview of IBI Group, Commissioner Hontz asked if a representative for the applicant was present to address those questions. She was told that no other representative was present.

Commissioner Hontz concurred with the benefits of berming and green roofs. In terms of trails and the internal loop system, Commissioner Hontz was concerned about crossing through parking lots and too many road crossings. She thought the loop was important and suggested that they relook at the configuration. Commissioner Hontz would not support the City paying for trails through the project. Commissioner Hontz stated that she used Google Earth to visit a number of studios similar to this proposal. Many of the larger studios were in urban environments and when she counted surface parking the maximum was 200 spaces, and less in most cases. She remarked that the proposed studio appears to have more buildings and activity than some of the largest studios she found on Google Earth. Commissioner Hontz commented on the urban environment, where people either need to take public transit or get there in other ways because of limited surface parking. She also found structured or underground parking solutions in areas that lacked space for surface parking. Commissioner Hontz was concerned about the enormous fields of parking proposed for this site.

Commissioner Hontz had concerns with keeping the site secure. In her opinion, a field of parking surrounded by a high metal fence would be worse than just a field of parking. In addition to gating and fencing, security also requires enhanced lighting. Commissioner Hontz reiterated that the City missed the mark on what they allowed for the hospital and other facilities because the lighting is too much and too bright. She understood that the applicants needed to follow the City ordinance, but as they move forward they need to understand that lighting solutions need to be sensitive.

Commissioner Hontz was unsure where removed soils would be deposited. She encouraged using most of the soil on site and for berming to avoid or limit the amount of trucking. Commissioner Hontz asked about drainage. Regardless of the settlement agreement, State and Federal regulations require adequate drainage.

Commissioner Hontz commented on her personal distaste for the color of the Grand Summit hotel viewed from SR224. She requested that the Planning Commission and the applicant keep color in mind when they consider the visual appearance of structures from the highway. Commissioner

Hontz requested a materials board showing building materials and colors to bring more reality to the project.

Commissioner Pettit noted that there was an exception to the 374 gross commercial square feet, which excludes roads, parking lots, parking structures, porches, balconies, patios, decks, and courts. She asked for an estimate of the additional square footage. Mr. Pilman replied that the calculation had not yet been done.

Chair Wintzer recalled an exemption for an Atrium. Mr. Rosecranz stated that the Atrium was not shown on the plans because it had not been defined. City Attorney Harrington asked if the Atrium was not shown because it was not proposed or because it was not defined. Mr. Rosecranz stated replied they were still uncertain about the Atrium. Mr. Harrington clarified that everything proposed must be shown on the plan.

Commissioner Strachan stated that if anything besides the Atrium was proposed but not shown, he strongly suggested that it be included in the drawings.

Commissioner Thomas referred to the overlay of the existing topography contained in the Staff report, and indicated a high point that runs through the center of the property. He stated that if the rise could be retained instead of graded flat, it would dramatically buffer the parking on the south side of the property.

Commissioner Worel concurred with the comments of her fellow Commissioners, particularly with the request for more visuals of how the project might look overall. She appreciated the work the IBI Group had done since the last meeting because it provided a better idea of the project. She suggested that additional visuals would be help even more. Commissioner Worel asked if the studios operate and film 24/7 and whether there would be sound issues. Mr. Pilman replied that the sound stages are soundproofed from outdoor sound coming in. He assumed that being quiet from the inside would produce the same result for sound going out. Some filming occurs outside, but lighting restrictions and other factors limit the impacts. The intent is for the studio to be able to film anywhere on site. Some studios have back lots and others have facades. Mr. Rosecranz stated that 95% of the filming would occur inside. Outside filming would occur when appropriate. Diversity of environment was the main reason the applicant chose Utah.

Chair Wintzer asked if outdoor filming would require a special event license. City Attorney Harrington replied that additional permitting for special events would be required, particularly for lighting. An existing film permit process is required throughout the City and it would be regulated through that process. Mr. Harrington remarked that noise issues could be addressed in a condition of approval and it would be appropriate to restrict hours for music at the amphitheatre. Due to the limited time frame, Chair Wintzer preferred to address noise and lighting issues through the City ordinances, and any exceptions would require a conditional use. Mr. Harrington offered to look at options for addressing noise and lights.

Commissioner Strachan stated that everything presented this evening confirmed the opinion he expressed at the last meeting. He applauded Commissioner Thomas' effort and ideas, but he had

very little confidence that any of his suggestions would be implemented. Even if they were implemented, he did not believe it would make a substantial difference on the project.

Director Eddington asked for discussion on the questions outlined on page 61 of the Staff report. He understood that the Planning Commission was comfortable with the transportation issue regarding buses and working with the applicant to provide a bus ingress/egress to the site. He assumed the Commissioners supported the trailhead parking and incorporating the trails system. Director Eddington remarked that the Staff would work with the applicants to reduce the amount of parking and to tie in drainage retention/detention. He asked if the Planning Commission supported using the park and ride for employee parking or special events.

Chair Wintzer was opposed to using the park and ride for this project because it was built by another developer to lessen the impact of traffic coming into Park City. The developer of this project has not added any amenities or benefits to the City and he should not be able to use the park and ride. Chair Wintzer hoped that eventually they could encourage the employees from Deer Valley and Park City to use the park and ride to reduce traffic in town. Allowing another development to use the park and ride could compromise that goal. Commissioners Hontz and Thomas concurred.

The Commissioners were asked about using the park and ride for special events. Chair Wintzer thought 900 parking spaces on the studio site was sufficient. Commissioner Hontz thought it could be a potential discussion if the amount of surface parking was reduced. City Attorney Harrington understood from the last meeting that the concept was to reduce Code required parking if employees could be shuttled from the under-utilized park and ride.

Commissioner Pettit agreed that if they allowed this project to utilize the park and ride and lose the opportunity to capture traffic and bus people into Park City, it would defeat the original intent for the park and ride. Currently the park and ride is under-utilized because they do not have the right system. Chair Wintzer was not opposed to using the park and ride for special events if it was not being used. However, if they allow it to be used for employee parking rather than building parking structures, they would never get those spaces back.

Commissioner Strachan pointed out that parking lots were not included in the 374,000 gross square footage. If a special event exceeds the parking, then the event should probably not happen. Commissioner Strachan did not believe it was the City's obligation to provide parking for a special event that exceeds the project. Chair Wintzer agreed.

Director Eddington asked about design elements and whether the Staff should work with IBI Group to provide material types and photographic images. Chair Wintzer pointed out that the Planning Commission could make recommendations; however, due to the limited time frame, he questioned whether they had enough time to follow through with a written document and agreement from the applicant. Director Eddington stated that it would be beneficial to the Planning Department to hear direction or ideas from the Planning Commission on at least the basic materials.

Commissioner Thomas suggested that the applicant provide the photographic images for review. If the CUP process occurs, their comments would be helpful to the Planning Department.

Director Eddington remarked that the remaining questions were not design related and could be addressed at the next meeting. Chair Wintzer suggested that Director Eddington define a berm height he could work with. They also needed a commitment on whether or not to have green roofs. Chair Wintzer referred to Commissioner Strachan's question of who would build the trails and stressed the importance of finding answers that could become part of a document. Commissioner Thomas stated that in addition to a description of the berm, he would like to see the cross sections.

Commissioner Hontz remarked that there were no examples of casitas in Park City, other than the Hotel Park City, where larger units outside of the hotel are accessed via golf court or road. In her opinion, if those units had been included in the design of the hotel, it would have created the appearance of more open space without changing the mass of the building. Commissioner Hontz asked the applicant to consider incorporating the casitas into the hotel structure so they could see the difference. She believed the image driving along SR248 would be very different if you could see landscaping and berming, but no studio and no casitas.

Chair Wintzer suggested that the applicant come back with views coming out of Park City with and without the casitas so the Planning Commission would have something to compare. Director Eddington remarked that the initial preliminary recommendation from Staff was not to utilize the casitas and to somehow incorporate them into the building.

Commissioner Thomas commented on Building 6 and the berm and landscaping between the buildings. He asked about the height of the building. Mr. Pilman stated that the back point of the building was at 28 feet, but the zone allows as high as 40 feet. Chair Wintzer thought the Planning Commission should consider that the applicant would try to achieve the maximum height wherever possible.

Mr. Rosecranz stated that language in the agreement limited the percentage of buildings that could be built to the maximum height. Per the agreement, the studios could be 50 feet tall, 70% of the other buildings could be up to 40 feet, and the remaining 30% could not be more than 28 feet. Anything within 150 feet of the center line of SR248 could not exceed 28 feet. Mr. Harrington suggested including the height proposals for the next meeting. Mr. Rosecranz stated that the Planning Commission could count on compliance with the agreement.

Commissioner Thomas stated that the Planning Commission went through this process for IHC, USSA and Park City Heights. In each case it was a series of meetings and processes where they had an opportunity to understand the massing, the height and various issues. It was important for the applicant to answer their questions because the Planning Commission needs to understand the impacts and effects of this project. Answers of "could be" or "up to" was not enough information. The Planning Commission needed to see the site plan delineated with actual heights.

City Attorney Harrington emphasized that the applicant needed to understand that the City was approving a master planned development. It was not a work in progress and it was not changing. Even if they get an approval in 90 days, the applicant would come back to the Planning Commission under the current Land Management Code. Therefore, it is important to have all the details. Mr.

Pilman understood that everything needed to be defined before there could be an approval and they intended to provide those details.

Chair Wintzer referred to the slide regarding the Vision of Park City and believed that the interpretation presented was something for Los Angeles. He noted that the City spent two years on visioning and he could not find any connection between the vision and the proposal. Chair Wintzer was unsure how they expected the Planning Commission to take their interpretation seriously when it was completely opposite from what the City has tried to do.

Commissioner Pettit reiterated her comment from the last meeting that it would be a struggle to find that this project fits within the parameters of their vision for the community. The progress made since the last meeting and the design changes were positive, but it still did not fit for a variety of reasons.

The Park City Planning Commission meeting adjourned at 8:00 p.m.

Approved by Planning Commission: \_\_\_\_\_