

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 12, 2019

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director, Bruce Erickson; Francisco Astorga, Planner; Hannah Tyler, Planner; Laura Kuhrmeyer, Planner; Margaret Plane, Legal Counsel

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ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

May 22, 2019

Commissioner Sletten referred to page 4, third paragraph and corrected the Minutes to clarify that in addition to observing that the community meeting was well-attended, he did not have conversations with anyone while he was there.

Commissioner Sletten referred to page 28, second paragraph, first sentence, and replaced to be enforced with **require enforcement** to correctly read, "Commissioner Sletten remarked that many aspects of the approval will **require enforcement** in future years, as outlined in the public testimony this evening.

MOTION: Commissioner Thimm moved to APPROVE the Minutes of May 22, 2019 as corrected. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson announced that the next meeting was scheduled for June 26, 2019. He noted that the Staff was transitioning some of the projects and he would be making

some of the presentations. He noted that the Planning Department would be fully staffed on June 24th.

Director Erickson stated that the work sessions on Visioning 2039, the Capital Improvements Plan and other matters would begin again after the June 26th meeting.

Director Erickson noted that Planner Francisco Astorga was leaving the Planning Department to take the position of Planning Director for Bountiful City. This was his last Planning Commission meeting in Park City.

Director Erickson stated that Kirsten Whetstone had already left the Planning Department to work for Summit County to design a new town east of Coalville. Her last day was last week. Tippe Morlan had also left the Planning Department.

The Commissioners congratulated Planner Astorga on his new job and thanked him for the 11-1/2 years he has given to Park City. Planner Astorga stated that he would miss everyone. He felt like he had grown up in Park City starting as an entry level planner eleven years ago. He named just a few of the projects the City had accomplished during his time in the Planning Department. Planner Astorga commented on the number of people who helped him with his children when his wife was out of the Country and the Treasure Hill meetings went late into the night. He will miss the community. However, he lives in Park City Heights and has no plans to move at this time.

Commissioner Kenworthy commented on the 440 Main Street application on the agenda and disclosed that he recently purchased all the FF&E directly from the new owners. They are his immediate neighbor on Main Street. Commissioner Kenworthy did not believe it prevented him from making a decision on the application this evening.

Commissioner Thimm disclosed that he would out of town on June 26th and would not be attending the Planning Commission meeting.

Commissioner Van Dine disclosed that she would also be out of town on June 26th and would not be attending the Planning Commission meeting.

Commissioner Hall disclosed that she would be gone for the meeting on July 10th.

Director Erickson stated that the Planning Commission would only have one meeting in July because the second meeting falls on the 24th of July holiday.

Chair Phillips noted that Director Erickson had mentioned Visioning 2030. He wanted to know when the Planning Commission would revisit the General Plan and the standards for rewriting the General Plan. Director Erickson stated that the General Plan was approved in 2014. Two elements of the General Plan are being revised as quickly as possible; the Transportation Master Plan and the Housing Plan will be an appendix to the General Plan document. Director Erickson remarked that the normal life span on a General Plan is between seven to ten years. It might be modified depending on the results of Visioning 2030. Director Erickson noted that the primary change is the Bonanza Park Arts and Culture District, and he anticipated a modification. He believed everything else was aligned with the General Plan. Director Erickson summarized that the Bonanza Park District, Transportation, and Housing all needed to be revised.

Chair Phillips thought it would be helpful for the Commissioners to read through and familiarize themselves with the General Plan. Director Erickson would get more information on scheduling from the Departments involved.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

V.1. 440 Main Street – Plat Amendment - The applicant is requesting to combine Lot 11, Block 23 of the Park City Survey and two metes and bounds parcels into one legal lot of record.

Planner Laura Kuhrmeyer noted that multiple lot lines that run through the building on the site. The request is to remove those lot lines to create one legal parcel.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval in the Staff report.

Chair Phillips liked the exhibits. He had read much of the history before and he was pleased to see it in the Staff report. Planner Kuhrmeyer stated that she included the exhibits because 440 Main Street is a historic site.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Suesser moved to forward a POSITIVE recommendation to the City Council for the 440 Main Street Plat Amendment, based on the Findings of

Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 440 Main Street

1. The subject property is located at 440 Main Street.
2. The site is within the Historic Commercial Business (HCB) District.
3. The property is shown on the Historic Sites Inventory as a “Landmark Site” and includes an existing footprint of approximately 2,711 square feet.
4. The Plat Amendment application is a request to combine Lot 11 of Block 23 with two metes and bounds parcels into one (1) legal lot of record.
5. The minimum Lot Size within the Historic Commercial Business is 1,250 square feet.
6. The existing Lot consists of three parcels. According to the survey, Lot 11 of Block 23 is 1,875 square feet, Parcel 2 is 1,255 square feet, and the sliver of Parcel 3 is 150 square feet.
7. The new proposed Lot consists of 3,280 square feet.
8. The proposed Lot Size is compatible with existing lots in the neighborhood and in the overall Historic District. The surrounding lots that have been combined range in size from 0.06 acres to 0.1 acres, or 2,613.6 square feet to 4,356 square feet.
9. The HCB District does not have any required Front, Rear, or Side Setback.
10. The maximum Floor Area Ratio (FAR) within the HCB District is 4.0.
11. The existing building has a Floor Area Ratio of 1.455, based on the lot area depicted in the survey.
12. Since the Building was constructed prior to 1984, per the Land Management Code (LMC) 15-2.6-9(D), the Pre 1984 Parking Exception applies.
13. The Lot was current in the assessment to the Main Street Parking Special Improvement District as of January 1, 1984, and thus is exempt from the parking obligation for a Floor Area Ratio of 1.5.
14. So long as the Building maintains a FAR of 1.5 or less, no additional off-street parking is required.
15. The Plat Amendment is necessary in order for the applicant to obtain a building permit for the proposed remodel of the building.
16. Any remodel or addition to the Historic Structure would require review by the Design Review Team and any exterior remodels or additions would be reviewed for compliance with the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
17. Staff finds that there is good cause for this Plat Amendment in that remnant parcels are combined into one platted lot of record, lot lines are cleaned up and

encroachments are resolved.

18. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 440 Main Street

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 Plat Amendments.
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 – 440 Main Street

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for 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 changes to the exterior of the Building will be granted until the final plat is recorded with the Summit County Recorder's Office.
4. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
6. A note shall be added to the Plat stating that a portion of the Site is located within the FEMA Flood Zone A.
7. All development shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone Requirements.
8. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
9. Any remodel or addition to the Historic Structure would require review by the Design Review Team and any exterior remodels or additions would be reviewed

for compliance with adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

V.B. Sweeney Properties Master Plan Mid-Station & Creole-Gulch Sites known as Treasure Hill – Zone Change – Zoning map amendment from Estate (E) District, Transfer of Development Rights Sending (TDR-S) Overlay Zone, and Historic Residential-1 (HR-1) District; to Recreation and Open Space (ROS) District.

Planner Francisco Astorga stated that this item would rezone the Mid-Station and Creole-Gulch site of the Sweeney Property from Estate, and a small portion of HR-1; as well as the TDR receiving zone. The rezone would change the designation to Recreation and Open Space.

Planner Astorga noted that page 103 of the Staff report showed the current map.

The Staff recommended that the Planning Commission conduct a public hearing and consider rezoning the subject property.

Commissioner Suesser asked for the name of the new trail. Planner Astorga did not know the name.

Planner Astorga reported on public comment he received earlier that day; however, the comment was not related to the requested zone change. He would forward the public comment to the Trails Staff in the Sustainability Department.

Commissioner Suesser asked if he was talking about the email from Jessica Nelson that was provided on the dais. Planner Astorga answered yes. Commissioner Suesser asked if the memo was talking about the path that cuts across underneath the Town Lift. Planner Astorga answered no. He understood the intent was to add a trail from the Fourth Street stairs right-of-way.

Planner Astorga noted that this item was properly noticed. Commissioner Hall asked if there was public comment from THINC or anyone else. Planner Astorga replied that the only public comment was the email provided this evening regarding the trail. He pointed out that the zone change to Recreation Open Space was anticipated.

Commissioner Suesser asked if the zone change captures all the property that was acquired. Planner Astorga answered yes. He noted that the building area boundary matched the same zone line. The zone change is only for the three sites; Creole

Gulch, Mid-Station, and the small piece of HR-1. Everything else is already zoned Recreation Open Space.

Commissioner Suesser asked when the conservation easement would be put in place. Planner Astorga stated that the City Council would decide the timing. He also assumed it would be handled by Heinrich Deters, the Open Space and Trails Manager. Director Erickson explained that the City Council will decide what they want to do and then have Mr. Deters put it together.

Commissioner Suesser asked if Vail was consulted on these decisions. Director Erickson answered yes, because there are cross agreements with respect to the Town Lift and the ski runs, and the potential of changing the ski runs in the future.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the Sweeney Properties Master Plan aka Treasure Hill, based upon the Findings of Fact and Conclusions of Law found in the draft ordinance. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Sweeney Properties

Findings of Fact

1. The property is located known as the Mid-Station and Creole Gulch sites of the Sweeney Properties Master Plan (SPMP).
2. The property is also known as Treasure or Treasure Hill.
3. The sites are currently zoned Estate District.
4. A small portion of the Lowell / Empire Avenue switchback area is zoned HR-1 District.
5. The site is vacant.
6. On August 16, 2018, City Council voted unanimously to support a \$48M Treasure Hill and Armstrong/Snow Ranch Pasture open space bond.
7. On November 6, 2018, Park City residents voted (77% for and 23% against) to pass the Treasure Hill and Armstrong/Snow Ranch Pasture open space bond.
8. The land is to remain permanently preserved and protected from development.

9. In order for the site to be consistent with the purchase the site should be zoned ROS.
10. The site is adjacent to the HR-1 District to the north and east.
11. The site is adjacent to the ROS District to the south and west.
12. The requested Zoning Map Amendment from HR-1 / E to ROS is appropriate.
13. The proposed Zoning Map Amendment is consistent with the following Park City General Plan goals:
 - a. Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.
 - b. Goal 4: Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting.
 - c. Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.
 - d. Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.
 - e. Goal 14: Living within Limits: The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

Conclusions of Law – Sweeney Properties

1. There is Good Cause for this Zoning Map Amendment.
2. The Zoning Map Amendment request is consistent with the Park City General Plan and the Park City Land Management Code.
3. The Zoning Map Amendment is consistent with applicable State law.
4. The zone amendment further the purposes UCA § 10-9a-102(1).
5. Approval of the Zoning Map Amendment is necessary or appropriate for the protection of open space consistent with UCA § 10-9a-102(2)(c),

V.C. 1333 Park Avenue, 1353 Park Avenue, 1343 Woodside Avenue, and 1364 Woodside Avenue – Master Planned Development Modification – Woodside Park Phase I Affordable Housing Project

V.D. 1333 Park Avenue, 1353 Park Avenue, 1343 Woodside Avenue, and 1364 Woodside Avenue – Condominium Plat Amendment to Remove a Plat Note Woodside Park Phase I Condominiums

The Planning Commission discussed these items together. Two separate actions were required.

Planner Hannah Tyler introduced Jason Glidden, the City Housing Manager.

Planner Tyler reviewed the applications for the Woodside Park Phase I Master Plan Development modification and a Condominium Plat modification. She reported that the Master Plan Development was approved in August 2017. The Condo Plat was recently reviewed by the Planning Commission and it was approved by the City Council in April 2019.

Planner Tyler explained that when this went to the City Council in April, the City Council added a condition of approval to the Condo Plat, which was consistent with the Condition of Approval on the MPD. It is Condition #7 for both the MPD and the Condo Plat, and it talks specifically about having an e-bike location. The applicant was requesting to either remove the condition or to ask for clarification on exactly what was meant by an e-bike location.

Planner Tyler stated that there will be e-bike stations inside the project boundary where bikes are stored. The applicant would like clarification as to whether those e-bike stations satisfies the condition; or whether the Planning Commission was looking for a Summit Bike Share.

Mr. Glidden reiterated that he was looking for clarification on the condition of approval. The applicant looked at it as providing the opportunity for bikes to be charged and that was the goal they tried to achieve. However, when the idea was raised that it possibly meant being part of the Summit Bike Share Program, he sought advice and a recommendation from the Transportation Planning Department. Mr. Glidden stated that the Transportation Planning Department felt that because there is a location at the Library and there will be a new location at City Park, it would be overkill to have the Share Program in the Woodside Park Development, and spending funds for that purpose would be inefficient. Alfred Knotts, the head of Transportation Planning, had submitted a letter stating their position. His letter was included in the Staff report.

Mr. Glidden pointed out that it would be difficult to add the Summit Bike Share stations to the site because the stations are large. However, he thought it could be done if the Commissioners wanted the Program on site.

Commissioner Suesser asked Mr. Glidden to describe the e-bike charging station. Mr. Glidden clarified that what was originally intended for the project are not actual e-bike charging stations. He explained that electricity goes down into the storage area so the

bikes can be properly stored and have the opportunity to plug into power. Mr. Glidden remarked that most e-bikes come with their own charging they wanted to make sure that electricity was available in the storage area.

Commissioner Thimm asked if the e-bike plugs into a regular outlet. Mr. Glidden answered yes. Commissioner Thimm asked if the outlets were in the vicinity of the bike storage. Mr. Glidden answered yes. Commissioner Thimm recalled that the Commissioners wanted to make sure there were bike storage areas; and while he could not remember a specific intent, he thought the suggestion from the Transportation Planning Department made sense based on the proximity of the other Summit Ride Share stations. Mr. Glidden stated that the basement of the townhomes is dedicated storage for the townhome units and the single-family units for 1343 and 1353 Park Avenue.

Planner Tyler asked if the Planning Commission found that adding power to the storage areas would satisfy the condition of approval for the Master Planned Development.

Commissioner Suesser thought the intent of the Condition of Approval was for the Summit County Bike Share Program as a public amenity added to this development project. Commissioner Kenworthy concurred. Commissioner Suesser believed that was the vision. She had suggested it with that intent.

Mr. Glidden requested that the Condition of Approval be removed based on the recommendation of the Transportation Planning Department; and considering the fact that because it is a City and County Project joint project, Transportation is working with Summit County and looking at it holistically throughout town and selecting the areas.

Commissioner Suesser asked Mr. Glidden where the new bike share terminals will be placed at City Park. Mr. Glidden replied that it will be on the north end. Planner Tyler presented a slide and pointed to the location of the project and where the terminals would be located at the very end of the Park. She indicated the station across from the ball field. Planner Tyler noted that there would also be another station at the Library. The Woodside Park project is between the two stations.

Chair Phillips asked when the charging station would be in place. Mr. Glidden replied that it was currently under construction.

Commissioner Kenworthy asked for the distance of the charging stations. Mr. Glidden believed that Transportation Planning had estimated less than a half mile from each location to the building site. Commissioner Kenworthy asked for the number of bikes at each station. Mr. Glidden was unsure. He believed there were 12 or 15 bikes at the

Library and he thought the City Park station would be similar in size. He explained that the station is a one-row charging station. Two-row charging stations are much larger. The one at the Library is the smallest station that can be produced. He reiterated that size would be the challenge of putting a charging station on-site.

Chair Phillips questioned whether the Planning Commission could require the parties involved to put a station at a certain location. However, he recognized that a public amenity was the intent they had tried to accomplish. He noted that there is bike storage on site and people have the capability to charge their bikes. Mr. Glidden clarified that people have the ability to store their bikes downstairs in secure storage and there is also a bike rack on site. The bike rack does not have electricity so charging could not occur in that location.

Commissioner Hall stated that when she read the proposal for the e-bike location she did not realize that the previous intent was to have a public benefit for non-residents. She asked if a regular bike rack would work as a public amenity to accomplish the initial intent. Commissioner Suesser pointed out that the project has a public bike rack in the plaza. Commissioner Kenworthy remarked that if someone locks up a shared bike, they are still being charged. Pushing the bike into a station shows that the person gave up the bike and terminated the contract.

Director Erickson referred to the email from Alfred Knotts on page 145 of the Staff report, the third bullet point. He believed that was one of the complications of trying to deliver a joint Summit County/Park City service to this site. Director Erickson commented on the cost implications, which means the trucks driving around servicing each site adds a daily maintenance cost, which may or may not affect the total cost of service. He pointed out that the business model is disrupted by delivering the Summit County bikes to this location, per bullet 3 in the memo.

Commissioner Suesser noted that the bullet point says "redistribution of bikes to off system sites". She thought the access was remaining public access. Director Erickson explained that "off system sites" means they have a designed route for people driving around in the truck to maintain the stations. They would be moving off of that route into a new location and adjusting how the bikes are moved along. Director Erickson stated that going forward, if the Planning Commission wanted these bikes in other locations, they would change the motion to say "Planning Commission would recommend that the City Council review a location for shared bike services at this location" as opposed to a hard motion, because of how the contracts work with Summit County. He noted that it would require approval by the County Council and the contractor would have to agree.

Commissioner Suesser clarified that she was not pushing to have a station on site. She only wanted to confirm that it is a public access way. Director Erickson replied that it is public access and it is on the easement and on the plat. He asked Planner Tyler if she had added language regarding wayfinding signs to Woodside Park I or just to Woodside Park II. Mr. Glidden noted that it was added to Woodside Park Phase II at the last meeting. Planner Tyler stated that for the Phase II Plat Amendment the Planning Commission added a condition of approval regarding signs. She had added that same condition to this Woodside Park Phase I Amendment because the Phase II language stated that signage should also be installed on Phase I. Planner Tyler clarified that if they strike Condition #7 it will be replaced with language for a sign plan.

Commissioner Kenworthy asked if the signage would point out both existing shared bike stations. Planner Tyler replied that it was to identify the public access easement path. Commissioner Kenworthy asked if it could include the shared bike systems that are less than a half mile in each direction. Mr. Glidden offered to speak with Transportation Planning. He was unsure what they were planning in terms of wayfinding for the bike stations. Chair Phillips did not think it was necessary to put signage on this particular site because e-bikes is a City-wide program. This site is in the middle of two stations and it would be confusing to have a sign with arrows pointing both ways.

Chair Phillips was comfortable with the request to remove the condition. There was good reason for it and he did not think they should second-guess the people implementing this program.

Commissioner Suesser was not aware that smaller systems for two or three bikes could not be installed. She believed that a larger system would interfere with other plaza amenities. She was comfortable removing the condition. Chair Phillips was also pleased that people would have the capability to charge their bikes where they are stored because that met some of the original intent.

Chair Phillips opened the public hearing on the MPD.

There were no comments.

Chair Phillips closed the public hearing.

Chair Phillips opened the public hearing for the Condo Plat.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to APPROVE the recommended change to remove Condition #7 from the previously approved Master Planned Development regarding E-bike stations on the site at 1333, 1353 Park Avenue, and 1364 Woodside Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for 1333 Park Avenue, 1353 Park Avenue, 1343 Woodside and 1364 Woodside Avenue Condominium Plat Amendment to remove the plat note, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Woodside Park Phase I – MPD Modification

1. The proposed site location consists of 1333 Park Avenue (“Significant” Single-Family Dwelling), 1353 Park Avenue (the former Park Avenue Fire Station parcel), and 1364 Woodside Avenue (vacant lot)
2. The site is known as the Woodside Park Affordable Housing Project Phase I.
3. On August 23, 2017, the Planning Commission approved the Woodside Park Phase I Master Planned Development (Staff Report, page 332 and Minutes, page 27).
4. The project is currently under construction. Phase I of the Woodside Park Affordable Housing Project is located between Woodside Avenue and Park Avenue and the scope includes:
 - Demolition of the former Park Avenue Fire Station
 - Four (4) Single-Family Dwellings
 - An eight-unit (8-unit) Multi-Unit Dwelling
 - A Thirteen-car (13-car) Parking Lot
 - An Access Easement running east-west.
5. The proposed MPD Modification application to remove Condition of Approval #7 was deemed complete on May 10, 2019.
6. Land Management Code (LMC) § 15-6-5(A) Density is not applicable as there is no increase in Density proposed.
7. Land Management Code (LMC) § 15-6-5(B) Building Footprint is not applicable as the site is not located in the HR-1 or HR-2 District. The proposed MPD is located in the HR-M Zoning District.

8. Land Management Code (LMC) § 15-6-5(C) Setbacks is not applicable as there is no impact to the previously approved Minimum Setback requirements.
9. The proposal complies with Land Management Code (LMC) § 15-6-5(D) Open Space as the proposed removal of Condition of Approval #7 will have no impact on the approved Open Space Reduction. The MPD was approved with 52.41% Open Space which equates to 14,119 square feet. The removal of a e-bike station has no impact on the Open Space calculation.
10. The proposal complies with Land Management Code (LMC) § 15-6-5(E) Off-Street Parking as the total required Parking Spaces of the entire project is 14 Parking Spaces. The total number of Parking Spaces provided by the project is 15 Parking Spaces. The proposed MPD is providing one (1) additional Parking Space in excess of what is required by the Land Management Code. Per LMC 15-3-9 Bicycle Parking Requirements, the Multi-Unit Dwelling must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The applicant is proposing to provide five (5) Bicycle Parking Spaces. The five (5) Bicycle Parking Spaces will not be impacted as these will be accommodated by a bike rack – this is separate from a potential e-bike station on site.
11. Land Management Code (LMC) § 15-6-5(F) Building Height is not applicable as no impact to Building Height of approved Structures.
12. The proposal complies with applicable sections of Land Management Code (LMC) § 15-6-5(G) Site Planning, specifically criterion § 15-6-5(G)(4) and § 15-6-5(G)(5) as detailed below. The remaining criterion set forth under § 15-6-5(G) are not applicable.
 - (4.) The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops to Woodside Avenue, eventually creating a pedestrian thoroughfare to Park City Mountain Resort after Phase II is completed. This access easement will provide an important link to future development and improve existing pedestrian/bicycle circulation in the Lower Park Avenue core. Sidewalks external and internal to the site provide pedestrian connectivity. The removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired transportation modes (other bikes, pedestrians, etc.).
 - (5.) The architect has provided snow storage areas in accordance with the requirements of the LMC for the Access Easement, internal sidewalks, and Parking Lot. Specific square footage calculations have been provided on sheet MPD-004 where required by the LMC. The removal of Condition of Approval #7 will not impact the snow storage areas adjacent to the Access Easement.
13. The proposal complies with Land Management Code (LMC) § 15-6-5(H) Landscape and Street Scape as a landscape plan has been submitted, see sheet MPD-L200.

The removal of Condition of Approval #7 will not impact the landscape plan as the ebike station was not included in the approved landscape plan.

14. Land Management Code (LMC) § 15-6-5(I) Sensitive Lands Compliance is not applicable as the site is not located within the Sensitive Lands Overlay District.

15. Land Management Code (LMC) § 15-6-5(J) Employee/Affordable Housing is not applicable as none of the buildings will be impacted by the removal of Condition of Approval #7; therefore, the Affordable Housing calculation will not be impacted. Eleven (11) of the twelve (12) units are deed-restricted Affordable Housing units.

16. Land Management Code (LMC) § 15-6-5(K) Child Care is not applicable as the removal of Condition of Approval #7 will have no impact on the Child Care requirement as the previous approval determined that because the proposed project was below the allowed Density, the project would not trigger a Child Care requirement due to the proximity to an existing child care facility, Park City Library and its adjacent park, City Park, as well as the Park City Mountain base area. None of these circumstances are impacted by the proposal.

17. Land Management Code (LMC) § 15-6-5(L) Mine Hazards is not applicable as there are no known Physical Mine Hazards on the property.

18. Land Management Code (LMC) § 15-6-5(M) Historic Mine Waste Mitigation is not applicable as there are no known Physical Mine Hazards on the property. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance which is standard for all Development and is Condition of Approval #5 of the Plat Amendment.

19. The proposal complies with Land Management Code (LMC) § 15-6-5(N) General Plan Review as the proposed MPD fulfills the following Goals 3, 5, 7, 8, 15 of the General Plan and the applicable Objectives and/or Implantation Strategies of each as further described in the Analysis section of this report.

20. Land Management Code (LMC) § 15-6-5(O) Historic Sites is not applicable as removal of Condition of Approval #7 will have no impact on the Historic Structures located within the project boundary.

21. On May 29, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 27, 2017 according to requirements of the Land Management Code.

22. The analysis section of the staff report is hereby incorporated herein.

Conclusions of Law – Woodside Park Phase I – MPD Modification

1. The MPD, as amended and conditioned, complies with all the requirements of the Land Management Code;
2. The MPD, as amended and conditioned, meets the minimum requirements of

Section 15-6-5 herein;

3. The MPD, as amended and conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
4. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
5. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
6. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
7. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
8. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
9. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
10. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
11. The MPD has been noticed and public hearing held in accordance with this Code.
12. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
13. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
14. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
15. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditions of Approval – Woodside Park Phase I – MPD Modification

1. All Conditions of Approval of the Master Planned Development approved on August 23, 2017 shall still apply, except Condition of Approval #7.
2. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting, trash/recycling enclosures, mechanical equipment, etc.
3. A conditional use permit is required for the Multi-Unit Dwelling and Parking Area of five (5) or more spaces prior to issuance of a building permit.

4. An amended development agreement as described in LMC Section 15-6-4(G) shall be ratified by the Planning Commission within 6 months of this approval and prior to issuance of a building permit for the project.
5. All vehicle access to the site shall be off of Woodside Avenue.
6. Required Parking Space allocation by a parking pass system shall be established in the CC&Rs.
7. The east-west Public Easement as shown on the Woodside Park Subdivision – Phase I shall be maintained by Park City Municipal Corporation.
8. Informational and directional signs shall be installed at the entrance of the east-west Public Easement as shown on the Woodside Park Subdivision – Phase I on Woodside Avenue and Park Avenue prior to the issuance of the final Certificate of Occupancy for the active Building Permits within the project boundary.

Findings of Fact – Woodside Park Phase I – Condo Plat Amendment

1. The property is located 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue in the Historic Residential-Medium Density (HR-M) District.
2. The subject property currently consists of lots in the Woodside Park – Phase I Subdivision.
3. The proposed site location addresses are 1333 Park Avenue (“Significant” Single-Family Dwelling), 1343 Park Avenue (new Single-Family Dwelling), 1353 Park Avenue (“Significant” Single-Family Dwelling), 1330 Woodside Avenue (new Single-Family Dwelling), and 1350 Woodside Avenue (new Multi-Unit Dwelling).
4. On July 26, 2017 the Planning Commission approved the Woodside Park – Phase I Master Planned Development application and Conditional Use Applications for the Multi-Unit Dwelling and Parking Area.
5. On July 26, 2017 the Planning Commission forwarded a positive recommendation to City Council for the Woodside Park – Phase I Subdivision.
6. On August 31, 2017, the City Council approved the Woodside Park – Phase I Subdivision.
7. Planning Commission forwarded a unanimous positive recommendation for the Woodside Park Subdivision - Phase I Condominiums on March 27, 2019 (Staff Report and Minutes, page 18).
8. City Council approved the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019 (Staff Report and Minutes, page 8 - Ordinance 2019-22).
9. City Council added Condition of Approval #7 to the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019. Condition of Approval #7 was not proposed by the applicant and was not reviewed by the Planning Commission during their March 27, 2019 meeting.
10. After the April 18, 2019 approval from City Council for the Woodside Park

Subdivision - Phase I Condominiums, the Affordable Housing team reached out to the City's Transportation Planning Department regarding the e-bike station and realized that the e-bike station was not feasible within the project boundary. After this, the Affordable Housing team applied for another Condominium Plat to modify the previously approved Woodside Park Subdivision - Phase I Condominiums. The Affordable Housing team is also proposing to modify the Master Planned Development application as the same Condition of Approval (#7) is listed within the Master Planned Development approval (in this meeting packet).

11. The proposed Condominium Plat Modification application was deemed complete on May 10, 2019.

12. The applicant is requesting to remove Condition of Approval #7 from the previously approved Condominium Plat which states:

7. An e-bike location should be located somewhere on this site.

13. The reason for the request to remove this Condition of Approval is that there will be a Summit Bike Share station installed at City Park and there is limited space within the existing Public Access Easement for Woodside Park Phase I. The Transportation Planning Department has provided comments and they find that the proximity of the new Summit Bike Share station in City Park is sufficient to satisfy the need within this area for a public electric bike (e-bike) station.

14. The approved Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit will be retained by the City.

15. The property consists of an eight (8) unit Multi-Unit Dwelling, four (4) Single-Family Dwellings (SFD), a Public Access Easement, common gathering areas, and a 13-car parking lot.

16. The project is phase one (1) of a two (2) phase project that will provide Affordable Housing units developed by the City. In addition to residential units, the two (2) projects will create a pedestrian link between Park Avenue and Empire Avenue through Public Access Easements.

17. The proposed Condominium Plat is consistent with the approved Development Agreement and associated Affordable Housing Plan as it provides the eleven (11) deed restricted units.

18. Recordation of this Condominium Plat would allow the applicant to sell each deed restricted unit individually.

19. The proposed Condominium Plat reflects compliance with the approved Master Plan (Development Agreement), Conditional Use, Subdivision Plat, Affordable Housing Mitigation Plan, and issued Building Permit.

20. Staff finds good cause for this Condominium Plat Amendment as the proposal allows

for the reasonable use of the Access Easement as the removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired

transportation modes (other bikes, pedestrians, etc.).

21. On May 29, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website

and Park Record on May 27, 2019 according to requirements of the Land Management Code.

22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

23. All findings within Ordinance 2019-22 are incorporated herein as findings of fact.

Conclusions of Law – Woodside Park Phase I – Condo Plat Amendment

1. There is good cause for this Condominium Plat.
2. The Condominium Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
4. Approval of the Condominium 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 – Woodside Park Phase I – Condo Plat Amendment

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat, individual unit deed restrictions, and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
3. The individual unit deed restrictions for the Affordable units, acceptable to the City, shall be recorded with or prior to condominium plat recordation. The deed restrictions shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the Affordable units are subject to a deed restriction.
4. The CCRs shall limit the HOA dues related to the deed restricted Affordable housing units in order to ensure the Affordable units remain affordable.
5. The applicant shall record the Plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval of the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
6. All conditions of approval of the Master Planned Development, Conditional Use

Permits, Woodside Park – Phase I Subdivision Plat Ordinance No. 2017-48, and approved Housing Mitigation Plan shall continue to apply.

V.E. Located at Extended Piper and Ledger Way – Park City Heights Subdivision Phase 4 Plat – Final Subdivision plat for 48 single family lots, located at Extended Piper and Ledger Ways subject to the Park City Heights MPD and preliminary plat.

Planner Astorga disclosed that he owns a home on Lot 9 in Phase I of Park City Heights.

Planner Astorga reviewed the request to amend the phasing plan to add one deed restricted cottage to Phase 4 and subtract one deed restricted cottage from Phase 5. The Summary was included on page 208 of the Staff report. Phase 4 has 44 market rate units and this with this amendment 4 affordable cottages were being proposed.

Planner Astorga stated that this was a subdivision request for the Park City Heights Phase 4 subdivision.

Planner Astorga noted that if the Planning Commission chooses to move forward, it would require two motions; one of the subdivision and one for action on the Phasing Plan that will be required. This is a minor change that can be made to the Housing Mitigation Plan at the time of the annual review by the Housing Authority. Planner Astorga stated that the modification was reviewed by the City Housing Specialists.

Planner Astorga requested that the Planning Commission review and discuss the proposal. The Staff requested that the Planning Commission continue this item to a date certain to allow the Staff and the applicant the opportunity to address any concerns that might be raised.

Commissioner Sletten understood that the only change was to replace one affordable unit with another affordable unit. He did not believe it would impact the Findings of Fact or the Conclusions or Conditions. Planner Astorga concurred. The benefit is that the City would get one affordable unit sooner than planned.

Community Development Director, Anne Laurent, emphasized that the Housing Staff had reviewed this request and there were no concerns. It does not affect the timing in terms of delivery, and Ivory Homes is currently ahead of schedule on delivering the affordable homes. Ms. Laurent stated that Ivory Homes still has the requirement to provide an annual update to the City Council.

Director Erickson requested a continuation to July 10, 2019.

Chair Phillips opened the public hearing on the MPD and the Preliminary Plat.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to CONTINUE the Park City Heights Phase 4 Subdivision to July 10, 2019. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

V.F. Land Management Code Chapter 2.11 Single-Family District – Land Management Code Text Amendment – Correcting the language for Prospector Park Subdivision 1, 2, 3 regarding side setbacks of corner lots.

Planner Astorga reported that the corrected language was specific for Prospector Park Subdivision 1, 2 and 3. In 2017 the City rearranged this specific area for the Code for clarification purposes. As that was done, a small sentence was inadvertently left out. It was legislated and forwarded to the City Council and the Code was adopted. The purpose of this amendment is to add the last sentence as shown on page 280 of the Staff report.

The sentence reads, "On corner Lots the Side setback that faces the street must not be less than fifteen feet (15)".

Planner Astorga noted that another amendment would change a word under Subsection F to correctly say "Side Setback is 10-feet" rather than Rear Setback.

Chair Phillips clarified that the original language of the LMC was reviewed by the Planning Commission and forwarded to the City Council; and somewhere between the Planning Commission and the City Council a sentence was omitted. Planner Astorga replied that he was correct. What the Planning Commission forwarded was the accurate Code language. The language was rearranged at the City Council level and the sentence was inadvertently omitted.

Commissioner Sletten noted that one page of the Staff report talks about Prospector Park Subdivision 1, 2 and 3; however, the next page talks about Prospector Park plus Thaynes 1 and 2 and Prospector Village. He asked if this amendment impacted all of

those or just Prospector Park. Director Erickson stated that the way the Code is written, Thaynes Canyon Subdivision and Prospector Park 1, 2 and 3 are subject to revised setbacks. This section of the Code was being changed, but only for Prospector 1, 2 and 3. This would not affect Thaynes Canyon. Director Erickson noted that Thaynes Canyon had reduced setbacks in the previous documents reviewed by the Planning Commission and it remains the same.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Suesser moved to forward a POSITIVE recommendation to the City Council for the proposed amendments and correction to the Land Management Code for Chapter 2.11, the Single-Family District, as described in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 6:17 p.m.

Approved by Planning Commission: _____