

PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
NOVEMBER 20, 2013

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Brooke Hontz, Stewart Gross, Jack Thomas, Adam Strachan, Charlie Wintzer

EX OFFICIO:

Planning Director, Thomas Eddington; Planning Manager, Kayla Sintz; Anya Grahn, Planner, Kirsten Whetstone, Planner; Francisco Astorga, Planner; Christy Alexander, Planner; John Boehm, Planner; Polly Samuels-McLean, Assistant City Attorney; Mark Harrington, City Attorney

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REGULAR MEETING

**ROLL CALL**

Chair Worel called the meeting to order at 3:33 p.m. and noted that all Commissioners were present except Commissioners Strachan and Savage who were excused. Commissioner Strachan arrived later in the meeting.

**General Plan**

Planning Manager Sintz noted that the Staff report included a modified introduction section, as well as a modified neighborhood section. Due to the late hour at the last meeting Planning Commission meeting, there was minimal discussion on the Introduction section. At that time the Commissioners expressed concern with the Triple Bottom Line that was included. The Staff suggested that the discussion this evening begin with a thorough analysis of the Introduction section and then move to specific neighborhoods, which would include a discussion on splitting apart Bonanza Park and Prospector.

Director Eddington recalled that at the last meeting there was some discussion about bifurcating the Bonanza Park and Prospector neighborhoods, or whether they should remain as one neighborhood. He noted that the Staff relooked at the neighborhood from a statistic standpoint and determined that it was easier to separate Bonanza Park and Prospector. However, they talked about overlap and connectivity to address the desire of the Planning Commission to tie them together, even though they were two independent neighborhoods.

**Introduction Section**

Planning Manager Sintz requested comments on the Introduction Section. Director Eddington stated that the Staff removed the Triple Bottom Line page because the Planning Commission felt it was repetitive with the Visioning on pages 14-17. Within the Introduction, they also made corrections on page 11 to incorporate new GIS information. Director Eddington remarked that most of the Introduction section had remained the same. The Introduction was kept simple and bulleted

the important points of the General Plan. The Staff incorporated two pages that talks about the layout of the General Plan and how to use it.

Commissioner Wintzer referred to the comment in the Introduction about Visioning and what brought people to Park City. He agreed with the comment, but it was unclear whether the comment was made by one individual or a unanimous conclusion. Director Eddington stated that most of those comments were removed, but a few were left in. He explained that the Staff chose to leave in this particular comment because it was made during the Visioning process but it captured everything the City ended up doing in terms of the four core values, etc. Commissioner Wintzer was not opposed to leaving it in; however, he thought it was strange to have a comment by one person in the General Plan.

Commissioner Wintzer referred to page 15 of the General Plan and the statement, "Park City needs to be year-round attraction with more events and activities." He questioned whether that was a fair statement. It was a question that came up during the election, but he was unsure whether there was ever a consensus that the community wanted more events.

Commissioner Thomas remarked that Park City wants to be year-round attraction but the issue is what events and activities. There would be consequences with activities that overwhelm the quality of life within the community. Commissioner Thomas suggested that they look at rewording the statement.

City Attorney Harrington stated that in reading the introduction to the graphics, it is clear that the bullet points are themes that were present during the Visioning. For that reason, some points are conflicting. It was meant to capture differing opinions. Commissioner Hontz thought the bullets should either have a header explaining that these were comments voiced by the community during Visioning, or they should be de-emphasized because it is confusing.

#### Thaynes Canyon Neighborhood

Planning Manager Sintz handed out public input that the Staff received today from Jo Scott, a resident in Thaynes Canyon.

Commissioner Wintzer asked about the public noticing process and whether the public is only informed by what they hear on the radio or read in the newspaper. He noted that the letter from Jo Scott was the first public input they had received. Director Eddington stated that a citizen would be notified through E-notify if they were signed up. If not, any citizen could look on the website. He noted that the General Plan was posted on the website when the Commissioners received their copies.

Commissioner Hontz stated that she tried to find the General Plan on the website but it was not there. City Attorney Harrington stated that the redlines were only posted through the agendas. The main draft was posted on the Planning Department Link. He agreed that it was difficult to find. The Staff met earlier today to discuss ways to simplify the search moving forward with City Council. Commissioner Hontz stated that she had looked in three different places and she could not find the current draft or a previous draft. She then did a search, but it was not on any of the four pages that

came up. It did not come up on Google search either. Commissioner Hontz remarked that it was difficult for a member of the public to participate on the General Plan because the document is not available. It should be very simple for citizens to find it.

The Commissioners discussed Ms. Scott's comments. Commissioner Thomas understood that she was pointing out that there were inconsistencies between what was in the General Plan versus their CC&Rs. Director Eddington recalled that the same issue was discussed in Park Meadows regarding the Holiday Ranchettes. He noted that there has always been a desire by the City to have accessory structures such as a garage with a studio above, or some type of affordable housing. That was the reason for including it in the General Plan. Director Eddington expected that it would conflict with other neighborhood CC&Rs.

Commissioner Hontz noted that Park Meadows is a neighborhood with multiple HOAs. Thaynes Canyon has three HOAs. She suggested adding a sentence to indicate that it must be approved by the specific HOA per the CC&Rs. She was uncomfortable forcing a neighborhood to allow something that is prohibited by their CC&Rs, because the owners make the best decisions for their neighborhood. City Attorney Harrington offered language, "where compatible with existing neighborhoods." The HOA could make the argument that it is incompatible because it is prohibited by the CC&Rs. Mr. Harrington cautioned against having a direct link to the HOA authority to approve or disapprove. Commissioner Hontz was comfortable with that language.

The Planning Commission discussed whether or not to strike the language, "...attached accessory dwelling units and detached accessory dwelling units." Commissioner Wintzer asked if there was a way to give the neighborhoods some level of confidence rather than striking the language. He suggested that in ten years accessory apartments may not be a major issue. He preferred language that gives the HOA the opportunity to change their CC&Rs to allow accessory structures in the future. He favored Mr. Harrington's suggested language, "where compatible with existing neighborhoods" because it allows the HOA to change the CC&Rs to make accessory structures compatible.

As discussed, Commissioner Hontz revised the sentence on page 9 to read, "Where compatible within existing neighborhoods, housing options for Thaynes Canyon may include single family homes, attached accessory dwelling units and detached accessory dwelling units." The Commissioners concurred.

Commissioner Wintzer like the new language the Staff had added regarding the entry corridor. Commissioner Thomas stated that when he drove through the neighborhoods with Katie Cattan before they started the General Plan discussion, they drove in from the entry from Quinn's Junction and from Kimball Junction and took video of both sides. He and Katie talked about the importance of the entry experience. Commissioner Thomas felt it was important to convey that experience in all the neighborhoods. Being able to see through the neighborhoods to see the mountains is essential.

City Attorney Harrington noted that the entry experience was reflected in the redlined language on page 9 under the Thaynes Neighborhood. Director Eddington stated that it was also reflected on page 18 in the Park Meadows Neighborhood section. He noted that it was put under the

Prospector neighborhood on page 41, and they would also add it to Bonanza Park. Commissioner Wintzer pointed out that it would be four entrances for Bonanza Park.

Commissioner Hontz asked if the pictures and mapping were updated for the neighborhood sections. Director Eddington answered yes. Commissioner Hontz was unable to find some of the ridgeline notes. Director Eddington stated that in the overall natural setting core value, they noted the need to re-examine the ridgeline mass for the entire community. It was added holistically as ridgelines and vantage points.

#### Park Meadows Neighborhood

Commissioner Wintzer thought the change on the view corridor was good.

There were no further comments.

#### Bonanza Park and Snow Creek

Director Eddington stated that new language was added and identified in red. They kept most of the area plan principles that connected back to the Bonanza Park Area Plan. Director Eddington stated that additional entry corridor language would also be added. The matrix and numbers were updated on page 25.

Commissioner Wintzer stated that in the comments he submitted to Staff he suggested limiting nightly rentals and timeshares. If the intent is to make this neighborhood a community for locals, rentals and timeshares need to be limited; otherwise it would just be a condominium project. The Commissioners concurred.

Commissioner Wintzer thought there needed to be language about improving the entry experience coming into Park City, beyond just protecting the experience. It could be done with public art, lighting or other means. City Attorney Harrington asked Commissioner Wintzer if would like to replicate what is already seen coming in on SR224. Commissioner Wintzer thought it could be accomplished in a variety of ways. He believed that one of the goals should be to constantly improve the entrance corridor.

Commissioner Hontz stated that she had spent a considerable amount of time on the comparison of the old and the new General Plan; and she found that exact statement in the old General Plan. She remarked that the new General Plan has pieces of it but it does not explicitly say it. Commissioner Hontz found several places in the new General Plan that lacked clarity in the statements. Things that were said very well in the old General Plan were stated more vaguely in the new Plan.

Commissioner Wintzer that the Bonanza Park/Snow Creek section talks about incentivizing affordable housing and service related local businesses. He believed that incentivizing was the way to achieve affordable housing; however, if they incentivize other things they would not get affordable housing. Commissioner Wintzer noted that several places in the General Plan talk about encouraging local businesses and he thought the only way to do that was to incentivize. Director Eddington clarified that Commissioner Wintzer was suggesting that they focus incentivization on

affordable housing and local business. Commissioner Thomas concurred. Commissioner Wintzer thought the City had done very little to protect existing attainable and affordable housing in that area. He felt that protecting the existing housing should be a goal. Director Eddington believed that issue was addressed in the language in red on page 28. Commissioner Gross noted that the language was repeated on page 41 in the Prospector section. Director Eddington offered to strengthen the language in both sections.

Commissioner Gross had concerns with the language on pages 28 and 41, "As the City adopts new policies to create a great neighborhood just for locals..." If it is a City-wide policy, he suggested that it say to "create great neighborhoods for locals." He asked if "great neighborhood" was defined. Director Eddington replied that there was not a definition. Commissioner Gross thought the statement needed clarification.

Commissioner Wintzer referred to page 29 and the language addressing LEEDS and green building. He recalled that in a recent discussion with Park City Heights the developer did not like the term LEEDS because it could be replaced with other terminology. Director Eddington stated that after attending an ASLA Conference in Boston he was confident that it would be LEED. However, to address the concern he suggested that they could add "...or similar".

Chair Worel stated that affordable child care was an issue that was raised twice in different community group meetings this week. She struggled with where it should be addressed in the General Plan and came to the conclusion that it should be integrated throughout the document. She noted that people have spoken passionately about the need for affordable child care. One person went as far as to say that there was no point in having affordable housing if they could not afford to live there and have my child cared for. Chair Worel was unsure how it would all integrate, but she believed it was a critical point. Commissioner Thomas agreed. He pointed out that the issue was also raised in the Park City Heights discussion.

Commissioner Wintzer stated that there are three or four classes of affordable housing and every time they mention affordable housing he thinks of deed restricted housing. He thought it was important to make sure they were more inclusive; otherwise they would have affordable housing and large mansions and nothing in the middle. Commissioner Wintzer believed they could quickly lose all the attainable housing in Bonanza Park if they were not careful.

Planning Manager Sintz suggested adding language to address affordable child care in Goal 8 under Sense of Community, which talks about work force housing. She stated that they could add a principle to address the issue or an actual community planning strategy. Chair Worel preferred a separate strategy that would focus on affordable child care. Director Eddington stated that it would be added as a strategy on page 10. Commissioner Wintzer thought it should be addressed in several places throughout the General Plan to give it value and importance. Chair Worel agreed.

Commissioner Wintzer asked if the General Plan addresses Bonanza Park as a walkable community to decrease the use of cars. Commissioner Gross noted that page 31 talks about the Central Hub. Chair Worel read from page 31, "There is potential for this neighborhood to become one of the most pedestrian friendly areas."

Commissioner Thomas stated that the City dissected Bonanza Park with Bonanza Drive when they increased the width and modified the road. The speed of traffic increased and it was harder for people to cross the street from one neighborhood to the other. He wanted to make sure they were encouraging pedestrian connectivity in a safe way across Bonanza Drive to connect the neighborhoods.

Commissioner Wintzer noted that the frontage protection zone was not discussed in the Bonanza Park section. Director Eddington agreed that it was inadvertently left out of the Bonanza Park neighborhood section and the Staff would include it. He clarified that it was added in the old General Plan because there were no frontage and entry corridor protection. It is now included as part of the zoning ordinance.

Commissioner Hontz referred to page 32 and noted that the map shows the triangular park in the middle. She recalled that in the last iteration the road layout was significantly different and the triangle had gone away. Commissioner Hontz asked if the Commissioners were comfortable with showing a road layout that they know already know is not desired. Commissioner Thomas clarified that the future roads were shown in green. Director Eddington answered yes. Commissioner Hontz remarked that the last time she saw an updated map the developer had proposed a different scenario that eliminated specifically the triangular portion. Director Eddington stated that they do not know what the final layout would be. He thought they should say "conceptual future roads". He noted that this was the original layout and it was still being tweaked. Therefore, they have no way of knowing what the final would be until they work through it with the neighbors and finalize the Bonanza Park Area Plan.

Commissioner Wintzer suggested changing the wording to "preliminary configuration". Commissioner Hontz stated that showing an incorrect roadway has been a problem from the beginning. She noted that people attended public hearings and commented on certain road locations that would not work. The Planning Commission agreed with the public but it was never discussed. They also know that the triangle only worked in the first iteration. Beyond that she did not believe anyone agreed to it for a variety of reasons. Commissioner Wintzer thought it should be labeled as a conceptual or possible future road layout. Commissioner Hontz preferred to use the last iteration and label that as a possible layout. She recalled a map that was created with several iterations that were closer to what they wanted based on public input.

Planning Manager Sintz stated that the General Plan is meant to be a living document. Since this Plan was still in progress, they could make it more like a draft and add a note stating that this is a sub-areas plan in progress. They could then go back into the General Plan and put in the anticipated condition once it is vetted.

City Attorney Harrington recommended language "mapping for illustrative purposes only. Area Plan pending." Commissioner Hontz suggested that the roads be dotted to further de-emphasize the layout. Commissioner Thomas remarked that labeling it as "anticipated conditions" would be an assumption. Commissioner Hontz pointed out that it has remained consistent in every section; therefore, it needs to be changed in a different way for this section. Director Eddington suggested that they could lighten or dot it in the graphic and label it as possible future roads.

City Attorney Harrington reminded the Commissioners that the controlling document is the Streets Master Plan, which is referenced. He noted that the Streets Master Plan does not yet reflect the road layout for this area. He recommended that the Planning Commission could direct the Staff to qualify it appropriately and make it clear that it means nothing until it becomes part of the Streets Master Plan or part of an Area Plan.

Director Eddington stated that this was a General Plan looking 10-15 years into the future. It is unclear exactly where the roads would go because it is difficult to anticipate that far into the future, but he thought there was agreement for some form of connectivity. Director Eddington thought it would be sufficient to use the phrase, "possible future roads" and include second generation map with lightened dotting.

Commissioner Wintzer noted that the bus route and the roads continue through Prospector and they need to see that going from section to section.

#### Prospector Square

Director Eddington noted that Bonanza Park and Prospector were broken into two separate neighborhoods. They noted the importance of connectivity between the two; however, they each have their independent character. The Prospector neighborhood has single-family housing as well as some local mixed-use commercial. They also noted that both neighborhoods have de facto affordable housing and the challenge moving forward was gentrification. The importance of protecting that housing was also noted.

Commissioner Wintzer suggested adding a definition that talks about attainable and affordable and clarifies that it is not just deed restricted housing.

Chair Worel asked about the Rail Trail. Director Eddington stated that the Rail Trail goes all the way to Bonanza Drive and then crosses over. At that point it becomes the Trail rather than the Rail Trail. He pointed out that separating the two neighborhoods moved Bonanza Park a little further to the east to capture Iron Horse and Fireside and there is a portion of the Rail Trail in that area.

Commissioner Wintzer reiterated his previous comment to limit nightly rentals and time share. City Attorney Harrington suggested language, "Do not expand the zoning to allow additional nightly rentals." Commissioner Wintzer was concerned that if nightly rentals expanded in that area they would lose what they have. Commissioner Thomas agreed. Commissioner Wintzer believed the Staff could find a way to address his concern.

Commissioner Wintzer reiterated his previous comment about incentivizing affordable housing and business related services. He stated that the entire Prospector Square area could be re-developed and affordable housing on the second floor could be incentivized. He believed there were many options but it needed to be incentivized.

#### The Resort Center

Commissioner Thomas referred to language on page 51 which talked about flexibility regarding the PCMR MPD. He asked how they defined flexibility in that context. Director Eddington stated that the date of the MPD is old and the economic conditions of changed. The thought was that the Resort may come back to the Planning Commission and re-examine their Master Plan. The intent is to allow the Planning Commission to look at it with fresh eyes.

Commissioner Wintzer felt it was important to add a comment about using the park and ride for employees to reduce the parking needs and traffic in that area.

### Old Town

Commissioner Hontz referred to the last paragraph on page 73 and the reference to Crested Butte regarding secondary structures and footprint exceptions. Director Eddington explained that the language stemmed from a former Planning Commissioner, Julia Pettit, who favored the idea of having the opportunity in Old Town or other places in Park City to have secondary accessory units for long term rentals by allowing a footprint exception. He understood that Ms. Pettit had suggested allowing a detached one-story structure on a lot with one affordable unit above. He noted that currently people are not interested in doing that because if they put the footprint into the house, they can have three stories. The idea is to allow a footprint exception to incentivize. Commissioner Hontz was not opposed to the footprint exception but she did not want a square footage exception. She was concerned that a footprint exception would equal additional square footage. Commissioner Hontz thought the intent needed to be better clarified. She also suggested that they eliminate some of the references to Crested Butte. Commissioner Hontz suggested that they enhance the last sentence to say "...to maintain the pattern of smaller."

Commissioner Gross referred to page 77 and the language in red, "Planning efforts to maintain primary home ownership in the neighborhood is motivated by the community's Vision." He noted that 25% is primary ownership based on the statistics and he was unsure how that could be accomplished. Commissioner Gross asked, if they wanted to cap nightly rentals at 50% of the units, how would they determined which 50% should be capped. Commissioner Wintzer favored the idea but he was unsure how they could enforce a cap. He pointed out that when the Planning Commission turned down nightly rentals in neighborhoods, they were overturned based on the fact that everyone else in the neighborhood had nightly rentals.

### **Adam Strachan jointed the meeting at 4:37 p.m.**

Director Eddington stated that currently there is no cap or a mechanism. He was unsure what the exact language would be, but it could be something to endeavor towards. Currently 48% of the stock is nightly rental. Old Town has the highest number of nightly rentals and 50% should be the cap; however, the method was uncertain because the current ordinance does not have a cap. Director Eddington suggested that one approach would be to make the criteria more difficult.

Commissioner Hontz asked if a nightly rental permit could become a commodity like a TDR. City Attorney Harrington replied that there were a number of tools to consider, such as spatial limitations, separation requirements, and other issues that have been upheld in other jurisdictions. However, it would be a major policy change. Ms. Harrington thought the language to consider



capping and other limitations was adequate. Commissioners Worel and Wintzer were comfortable with the language as written.

Commissioner Gross noted that Deer Valley and the PCMR area are mostly nightly rentals and both are economic draws. Main Street in the Historic District is also an economic hub. In order to draw tourists into the area for economic development, the City needs to provide the ability to be usable and not need a car. He was concerned that limiting the possibilities in Historic Park City would be counter to their economic viability because all the business would go to Deer Valley and Park City Mountain Resort. Commissioner Gross believed 50% was an arbitrary number and the restriction could be detrimental.

Director Eddington clarified that the cap was only a recommendation. The Staff had not done any analysis other than to analyze what exists on the ground. Commissioner Gross suggested that they remove the 50% cap and say, "consider capping nightly rentals." Director Eddington stated that the 50% cap came from Planning Commission feedback during the General Plan work sessions. He agreed that they would not have to specify a number but he thought they should endeavor towards a goal.

Commissioner Wintzer believed there was another side to Commissioner Gross' concern. If Old Town lacks primary residents, there would be no off-season business in town. Limiting nightly rentals would help ensure more locals on Main Street during the off season.

Commissioner Hontz asked if the Commissioners were comfortable with the suggestion of removing a percentage and just have the language say, "consider capping." Commissioner Thomas could not understand why they would remove the number if they were already close to 50%. If they do not have a cap the percentage of nightly rentals could gradually increase.

Commissioner Strachan stated that if they were already at 48% they needed a mechanism to keep it from getting worse. Director Eddington stated that a cap would basically say that of the units left to be built, 50% of those units moving forward would be nightly rental and 50% would be community housing. The Commissioners were comfortable with that approach.

Commissioner Gross referred to page 78, third column, second paragraph and corrected the misspelling "perform" to correctly read "perform".

#### Masonic Hill

Director Eddington stated that the connectivity section to Old Town was removed based on previous discussions.

#### Lower Deer Valley

Commissioner Wintzer reiterated his previous comment regarding a park and ride for employees because it would also benefit this neighborhood in terms of reduced parking and traffic.

#### Upper Deer Valley

Commissioner Wintzer noted that encouraging a park and ride for employees also pertained for this section.

#### Quinn's Junction

Commissioner Thomas referred to page 121 and asked if the thumbnail sketch of the Park City Heights development was current. Director Eddington replied that it did not include the recent changes. Commissioner Thomas recommended that the Staff find a current sketch to include.

There were no further comments on the Neighborhood Sections.

Chair Worel opened the public hearing.

Brian Markanen, the President of the Claim Jumpers HOA, stated that he was speaking on behalf of the Association this evening. Mr. Markanen appreciated the comments on affordable and attainable housing. He remarked that safety is currently an issue and he understood that connectivity was part of the General Plan in stitching the neighborhoods together. He asked if connectivity could be a priority to make the entire area more of a community. There are no sidewalks and most people walk on the streets or cut through the neighborhoods to reach their homes. Mr. Markanen stated that the Claim Jumper is not lost and everyone who lives there has a vested interest in staying there and being part of the community. The HOA would like to be part of the discussion and he realized that he and others needed to do a better job of communicating. However, they would also appreciate any outreach from the City towards their organization. Mr. Markanen referred to the map and stated that there was consensus among the HOA for not liking the road that goes behind Albertson's. He understood the General Plan is a fluid document and they were counting on it to shift the road or eliminate it so traffic does not longer run behind or next to their complex. Mr. Markanen believed the rest of the General Plan was moving in a positive direction.

Commissioner Wintzer suggested that Mr. Markanen register with E-notify to be alerted when issues in his neighborhood come up for discussion.

Rob Slettom, a Board Member of the Thaynes Canyon HOA #1, stated that there are three HOAs in Thaynes and some are more active than others. Mr. Slettom remarked that when they talk about the Thaynes community many people think it is just their HOA. However, he personally felt that they were talking from Silver Star all the way to the white barn. That includes the HOA of Aspen Springs and Frank Richards property which is now under construction. Mr. Slettom stated that he attended a Planning Commission meeting on February 20<sup>th</sup> and at that time they talked about how CC&Rs would prevail in some planning situations. He thought Mark Harrington's idea adding, "where compatible" makes sense and puts people at ease. Mr. Slettom referenced the written public comment submitted by Jo Scott earlier that day as an example. Mr. Slettom noted that Section 1.4 states, "The City should consider a slight modification to extending the bus route closer to the park." He believed that meant Rotary Park. He pointed out that Rotary Park is not a general playground park and it has been used for special events and primarily barbeques where people have to transport food and probably would not take a bus. Mr. Slettom stated that putting more bus traffic through the Thaynes Canyon 1 area needed to be carefully considered. They could build a

bus route to cover every aspect of town, but it would be similar to building a church for Easter Sunday. Other than those concerns Mr. Slettom appreciated the work that has been done on the General Plan and he thought there had been good input. On behalf of the HOA he thanked them for their efforts.

Suzette Robarge, a resident in Thaynes 5, which has been put into the Resort proper area. They are on Three Kings Drive where there is a tight set of uses. She appreciated the fact that they backed off on some trailheads in the area because there is a lot of activity in that corner of Thaynes Canyon Drive and Three Kings Drive. Ms. Robarge thought Mr. Slettom made a good point that a bus coming down through that area would be very impactful to the owners. She likes living on the bus route but it is quite intrusive from a noise standpoint. Ms. Robarge agreed that bring a bus all the way around through that portion of Thaynes Canyon would change the character. She has watched the General Plan develop as a homeowner and she appreciates the changes that were made, including reducing the number of proposed trails and bike paths. Ms. Robarge stated that she sat through a previous meeting and there was a brief discussion regarding the impact of the number of special events that are currently allowed. She thought Park City had survived the recession and was coming back economically, and she was unsure whether they should be encouraging continued growth in special events, particularly non-community events. She believed many of the outside events were diluting some of the traditional activities in Park City.

Commissioner Wintzer asked Mr. Robarge to clarify where she lived in Thaynes. She replied that she lives on Three Kings Drive facing the Armstrong property. She stated that Three Kings Court, which is part of Thaynes 4, has also been incorporated into the Resort Center. Ms. Robarge understood that one side of Thaynes Canyon Drive is Resort Zoning that allows nightly rentals and the opposite side, Thaynes 1, 2 and 3 do not have nightly rentals. She stated that she and her neighbors worry a lot about traffic on that corridor and she appreciated the Commissioners comments and concerns about mitigating and not encouraging traffic on that section of Three Kings because they get used a lot as a secondary road from the resort. Even though they are zoned Resort they feel like they are part of Thaynes.

Ruth Meintsma, 305 Woodside Avenue, referred to the Introduction and the comments from Visioning. After reading through the comments she was impressed with how potent they were and the passionate involvement. However, when she started reading the comments she was unsure what they were until she talked to the Staff and found that all the comments were a result of Phase I. Reading past the Visioning it goes to Phase 2, but it does not refer to the comment blocks. Ms. Meintsma stated that she was in the process of carefully reading the General Plan draft. She was approximately two-thirds of the way through it and she was extremely impressed. After attending all the visioning sessions, as well as Planning Commission and joint City Council meetings, she was unsure how so much information and feedback could be absorbed. She was amazed at how well it came together and that it was all included in the document. It is clear and understandable and she was not at all disappointed. Ms. Meintsma remarked that she had just started reading the neighborhood sections and she thought the maps and information on individual neighborhoods allows someone who does not live there to get acquainted with a neighborhoods very effectively. She referred to the map on page 14 felt that the map defines ridgelines much better than the vantage points. However, she thought where the dotted line ridgeline ends was vague and she suggested adding a solid line where the dotted line ends to well-define the ends points. She also

suggested adding a survey point where the solid line ends. Ms. Meintsma used example in to illustrate her point.

Commissioner Wintzer thanked Ms. Meintsma for the important input she continually provides to the Planning Commission. She does a great job and he appreciates it.

Jo Scott, a resident in Thaynes 1 stated that she had submitted a letter to the Planning Commission this morning. Ms. Scott apologized for not being able to attend earlier to hear their comments on the Thaynes neighborhood. She referred to the language regarding detached dwellings. She wanted to know if a resident in Thaynes Canyon sold their house and someone purchased it and tore it down, whether the new owner could build two houses on that same lot.

Director Eddington thanked Ms. Scott for the input she submitted in her letter. He explained that the Planning Commission reviewed her comments and revised the language. As revised, detached accessory units would not be allowed outright, but they could be considered in an existing neighborhood if it was compatible with the HOA and the CC&Rs.

Ms. Scott was pleased with the revision and asked how they would define compatible.

City Attorney Harrington replied that the General Plan does not dictate the land uses. The City zoning and the CC&Rs would control the accessory uses and either allow or not allow it. He explained that the more restrictive would apply because City Code cannot override CC&Rs.

Ms. Scott was still concerned that someone would be able to tear down an existing house and build two homes on the lot. Director Eddington stated that they were not recommending zoning changes for that area and the minimum lot size would still apply.

Ms. Scott asked for clarification on a detached dwelling. Commissioner Wintzer replied that it could be one house with a detached garage. Director Eddington stated that the language as originally written would have allowed someone to build a second level on top of the garage to serve as a unit or apartment. He pointed out that it could still be allowed if it was found to be compatible, but only if it was allowed by the CC&Rs.

Ben Nitka, stated that he was a member of the Aspen Springs HOA Board. He thought there was confusion between single-family and accessory apartments. He noted that the City has not been helpful and anything they put in the General Plan that encourages accessory dwellings is a detriment to the areas that were platted as single family areas. Mr. Nitka urged the Planning Commission refine the language and possibly remove it for some areas. He noted that Aspen Springs was platted as a single family area with no overnight rentals. He encouraged the Planning Commission not to throw the burden on the HOAs because they are already dealing with lawsuits and illegal apartments, and it is very difficult.

Mary Wintzer, 320 McHenry Street, disclosed that she is married to Commissioner Wintzer. Ms. Wintzer echoed Mr. Nitka's comments. When the neighbors in Holiday Ranch asked for help, they were told that the City could not get involved with CC&Rs. Fortunately, two Commissioners were able to find a way to help them. Ms. Wintzer noted that at one time her neighborhood did not have

nightly rentals; however, the neighbors were over-ruled. She believes that nightly rentals led to the deterioration of Old Town neighborhoods. Ms. Wintzer appreciated the language Mark Harrington suggested about not expanding nightly rentals, particularly in Prospector. Prospector is a neighborhood with young children and she would hate to see those neighborhoods disintegrate due to nightly rentals.

Chair Worel closed the public hearing.

Commissioner Hontz noted for the record that she had left the room after Commissioner Gross' comments and returned during public comment.

Commissioner Hontz requested to comment on the Quinn's' Junction neighborhood since she was away during that discussion. She referred to page 123 and asked if the Park City Heights site plan would have an asterisk directing people to the historic toxic materials report. City Attorney Harrington stated that the Staff was will considering how to address her comment and he would let her know once they make that determination.

Chair Worel asked the Commissioners for final comments on the General Plan.

Commissioner Hontz noted that they had not had time to go through the old and new General Plan Comparisons, but she did not believe a meeting was the best way to address it. She would schedule time with the Planning Staff to discuss her concerns. She found it to be helpful but she did not agree with all the assessments. However, in some cases she believes the essence of what was in the old Plan was missing. Commissioner Hontz remarked that many of the issues were important for the community because it relates to keeping Park City Park City. Commissioner Hontz outlined some of the areas where statements from the old General Plan were missing from the new General Plan; although she recognized that some of the statement were not wanted in the new Plan. Commissioner Hontz wanted the ridgelines added on page 66 of the neighborhoods.

Commissioner Hontz stated that Councilman Butwinski showed her that the General Plan as it appears today was loaded on the City website. She has spent a lot of time recently looking at other communities and how they tackled their General Plan; and it is always time consuming and intensive. Commissioner Hontz stated that in order to have a great General Plan the public has to have easy access to the document and to easily understand it. Since the General Plan was only posted on the website today, she believed they needed to allow time for the public, the stakeholders and everyone in the community to look at the Plan and understand what it says. She reiterated her comment from the last meeting regarding outreach at the Planning Commission level so people can make their comments when most of the work is getting done before it goes to City Council. She believed it was important to spend the time on public outreach and to do a better job of getting people involved.

Commissioner Hontz recalled a previous comment about the General Plan being a living document. In her research of the top ten General Plans, those communities were really trying to integrate the General Plan as an active document. Commissioner Hontz noted that the last General Plan took 5 years to write and they were beating that time frame with the new General Plan. However, in looking at the amount of material provided, this was not a living document. Commissioner Hontz

stated that the people in the communities that have successfully made it a live document have a different format and it is much shorter. While she appreciates that process, she has been in the business too long to know that changes cannot be made easily. It would take months to follow the process for changing anything in the General Plan. Commissioner Hontz suggested that they do the best job now and get good public input so they create something they can live with rather than live with something they have to hurry up and change.

MOTION: Commissioner Hontz moved to CONTINUE the General Plan to the December 11<sup>th</sup> meeting, to form a task force to address the last few issues and to increase the public outreach in the interim. Commissioner Wintzer seconded the motion.

VOTE: The motion passed 3-2. Commissioners Thomas, Wintzer and Hontz voted in favor of the motion. Commissioners Strachan and Gross voted against the motion.

Commissioner Wintzer felt this was the first meeting where the Planning Commission actually discussed the General Plan. He would like the opportunity to discuss the rest of the General Plan in the same detail as they did the neighborhoods. He made comments in March that were never brought up in any area for discussion. He was pleased that Commissioner Hontz made motion to continue because he was not prepared to vote on the General Plan until they have a detailed review. Commissioner Wintzer stated that he also started going through the General Plan Comparison and it was a lot of work.

Commissioner Thomas believed they needed another meeting, but he was optimistic that it could be finished at the next meeting.

City Attorney Harrington suggested that the Planning Commission send a representative to the City Council meeting the following evening, or have Chair Worel speak with the Council Liaison, Alex Butwinski. He noted that the City Council was expecting the Planning Commission to take action this evening. He wanted the Commissioners to be aware that the Council had the ability to call it up for action, and that the Planning Commission could not control the agenda forever. Mr. Harrington thought it was prudent to open the lines of communication and convince the City Council that the extra meeting was worthwhile. Mr. Harrington pointed out that the City Council was also trying to complete the General Plan prior to the changes to the Planning Commission and the City Council.

Chair Worel stated that she would speak with the Council liaison during the break this evening.

Chair Worel announced that the Planning Commission would address some of the items on the regular agenda before moving into Work Session

## **ADOPTION OF MINUTES**

### September 25, 2013

Chair Worel noted that the minutes were continued from the last meeting pending clarification on 70 Chambers Avenue and whether it was a stepback or setback that was discussed. She understood that after re-listening to the recording the minutes correctly reflected it as a setback.

MOTION: Commissioner Wintzer moved to APPROVE the minutes of September 25, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed. Commissioner Hontz abstained from the vote.

### November 6, 2013

Chair Worel referred to page 144 and corrected Director Hontz to **Commissioner** Hontz.

Commissioner Hontz referred to page 165, Condition of Approval #65. She stated that reading the condition on page 165 and looking back to page 145, which was how the condition was supposed to read, she thought the words “concerning the remediated site and the soils repository” were missing from the condition. She wanted that phrase added into the condition because it was more clarifying language.

Planning Manager Sintz referred to the next paragraph on page 145 which indicated that Mr. Hathaway, the attorney representing the developer, deleted “concerning the remediated site and the soils repository”, and the Commissioners were comfortable with the revised condition. Commissioner Hontz would have preferred to add the language but she accepted the condition as written.

MOTION: Commissioner Thomas moved to APPROVE the minutes of November 6, 2013 as corrected. Commissioner Hontz seconded the motion.

VOTE: The motion passed. Commissioner Strachan abstained.

## **PUBLIC COMMUNICATIONS**

There were no comments.

## **STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES**

Director Eddington stated that the last meeting of the year would be December 11<sup>th</sup>. He asked if the Commissioners would like to have a holiday party after that meeting or if they preferred another day later in the week. The Commissioners preferred a day other than December 11<sup>th</sup>. Director

Eddington stated that Patricia Abdullah would schedule a day and confirm it with the Planning Commission.

Commissioner Hontz disclosed that she had reached out to the applicants for 264 Ontario Avenue before she discovered that they were applicants. She had nothing else to disclose on the matter.

Commissioner Strachan disclosed that he represents PCMR on personal injury affairs at the resort. His work is unrelated to the agenda item but he would be recusing himself from the work session.

Commissioner Hontz stated that she would be recusing herself from the PCMR work session item and from 1255 Park Avenue.

**CONTINUATION(S) – Public Hearing and continuation to date specified.**

1. 916 Empire Avenue – Steep Slope CUP (Application PL-13-01533)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Wintzer moved CONTINUE 915 Empire Avenue to December 11, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

2. 530 Main Street – CUP for a seasonal tent (Application PL-13-02066)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Thomas moved to CONTINUE 530 Main Street to December 11, 2013. Commissioner Wintzer seconded the motion.

3. Risner Ridge Subdivision 1 & 2 – Plat Amendment (Application PL-13-02021)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Wintzer moved to CONTINUE Risner Ridge Subdivision 1 & 2 to December 11, 2013. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

4. 1255 Park Avenue, Park City Library – Plat Amendment  
(Application PL-13-01950)

Chair Worel opened the public hearing.



Eleanor Griffin stated that she was given notification today of this meeting. She is a neighbor to the library and she is very anxious to follow the plan because the entrance would impact her home. Ms. Griffin was very distressed that she had not been notified. The date on the notification was November 15<sup>th</sup> but she did not receive it until today. Ms. Griffin did not believe that November 15<sup>th</sup> was adequate noticing either. She understood that the MPD was on the agenda this evening and she intended to stay for the discussion, but she wanted the Planning Commission to be aware of the noticing issue.

Planning Manager Sintz clarified that the Library MPD on the agenda was not scheduled for action due to noticing issues. However, it was scheduled for public hearing and discussion.

Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to CONTINUE 1255 Park Avenue to November 11, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

5. 7101 Silver Lake Drive, Lot 2 North Silver Lake – CUP for lockout units  
(Application PL-13-03024)

Chair Worel opened the public hearing. There were not comments. Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to CONTINUE 7101 Silver Lake Drive to December 11, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

6. Lot 2 B Subdivision of Lot 2 North Silver Lake - Subdivision  
(Application PL-13-02048)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to CONTINUE Lot 2 B Subdivision of Lot 2 North Silver Lake - Subdivision to December 11, 2013. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

7. Lot 2 B Subdivision of Lot 2 North Silver Lake – Condominium Conversion  
(Application PL-13-02049)

Chair Worel opened the public hearing. There were no comments. Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to CONTINUE Lot 2 B Subdivision of Lot 2 North Silver Lake – Condominium Conversion to December 11, 2013. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

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

### **1. Fifth Amended Courchevel Condominiums at Deer Valley, 2700 Deer Valley Drive (Application PL-13-02098)**

Planner Christy Alexander reviewed the application for a record of survey amendment for 2700 Deer Valley Drive East, the Courchevel Condominiums, Units C301. The request is to amend the record of survey to convert the existing common area loft space within the private unit into private area. Planner Alexander reported that some of the interior spaces were common areas. Unit C301 is a private unit with a loft space that is considered common area.

Planner Alexander noted that the request would not change the building footprint or the parking requirements. The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval outlined in the Staff report.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Hontz moved to forward a POSITIVE recommendation to the City Council for the Fifth Amendment to the Courchevel Condominiums at Deer Valley Record of Survey Plat amending Unit C301, in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as stated in the draft ordinance. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

### **Findings of Fact – Unit C301, 2700 Deer Valley Drive**

1. The property is located at 2700 Deer Valley Drive East.
2. The Courchevel Condominium at Deer Valley record of survey was approved by the City Council on December 27, 1984 and recorded at Summit County on December 31, 1984.

3. The Courchevel Condominiums at Deer Valley record of survey plat recorded 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.
4. There are two (2) access driveways from the garage to Deer Valley Drive East.
5. In November of 1989, an amended record of survey plat was approved and recorded increasing the number of residential condominium units to forty-one (41).
6. In February of 2012, a second amendment record of survey plat was recorded. This second amendment converted 608 square feet of common attic area above each of Units B301 and B303, 1,216 square feet total, to private area.
7. Two of the three approved Courchevel buildings (Buildings B and C) were constructed beginning in 1984 and completed in 1988. Building A was never constructed.
8. The second amendment reflected that Building A was not built and removed it from the record of survey.
9. In December of 2012, a third amendment record of survey plat was recorded. This third amendment converted 470 square feet of common attic area above Units B304 to private area.
10. In January of 2013, a fourth amendment record of survey plat was recorded. This fourth amendment converted 608 square feet of common attic area above Unit B202 to private area.
11. Currently there are 27 condominium units and 31 underground parking spaces.
12. Each existing condominium unit contains 759 square feet, except for Units B301, B303, and B304, which contain a total of 1,367 square feet and Unit B202 contains 1,229 square feet. Unit C301 if approved will contain 898 square feet.
13. The property is subject to requirements and restrictions of the Deer Valley Resort 11th Amended and Restated Large Scale MPD.
14. The MPD originally allowed up to 20.5 UEs for the Courchevel parcel.
15. The MPD was amended in 2001 to transfer seven (7) UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property.
16. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 22,926 square feet, including the pending 139 for Unit C301 subject to approval of

the Fifth Amendment.

17. On October 10, 2013 the City received a completed application for a Fifth Amendment to the Courchevel Condominiums at Deer Valley record of survey requesting conversion of 139 square feet of common loft space in Unit C301 to private area.

18. Unit C301 is located on the second floor of Building C.

19. In October 2013, Courchevel Condominium owner's association voted unanimously (with more than 2/3rds of members voting) to approve construction of the loft space and the transfer of 139 square feet of common space to private space for Unit C301.

20. There are no exterior changes proposed.

21. The proposed amendment is consistent with the purpose statements of the district.

22. Unit C301 would increase by 139 square feet from 759 square feet to 898 square feet and the total floor area would be 22,926 square feet.

23. The total proposed UE for the project, including the pending Fifth Amendment, would be 11.46 UE.

24. The current Deer Valley MPD allows 13.5 UE for Courchevel Condominiums. If this amendment is approved and recorded there will be 4,074 square feet (2.04 UE) of floor area remaining for future conversion of common area to private area. An additional parking space would be required for each unit that exceeds 1,000 square feet, unless a parking exception is approved by the Planning Commission per LMC Section 15-3-7.

25. The building does not exceed the allowable 35' building height and there are no nonconforming setback issues.

26. All construction is proposed within the existing building envelope.

27. The current LMC requires two (2) spaces for each of the amended units greater than 1,000 square feet and less than 2,500 square feet. The proposed Fifth Amendment complies with this requirement.

28. The current LMC would require one and half (1.5) spaces for each unit greater than 650 square feet and less than 1,000 square feet. The existing development would be short 13 parking spaces if developed under the current Land Management Code (LMC).

29. Thirty-one (31) parking spaces will be required and thirty-one (31) spaces will exist with approval of the Fifth Amendment.

30. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.

31. The expanded unit would comply with the current parking code.

Conclusions of Law – Unit C301, 2700 Deer Valley Drive

1. There is good cause for this amendment to the record of survey.
2. The amended record of survey plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended record of survey plat is consistent with the 11th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed record of survey amendment.
5. Approval of the record of survey amendment, subject to the conditions of approval, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – Unit C301, 2700 Deer Valley Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the amended record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the record of survey.
2. The applicant will record the amended record of survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the record of survey 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. All conditions of approval of the Deer Valley Resort 11th Amended and Restated Large Scale MPD and the amended Courchevel Condominiums at Deer Valley record of survey plats shall continue to apply.

**The Planning Commission moved into Work Session to discuss the Park City Mountain Resort MPD. The work session discussion can be found in the Work Session Minutes dated November 20<sup>th</sup>, 2013.**

**The Planning Commission resumed the Regular Meeting agenda.**

**2. 1255 Park Avenue, Park City Library – Master Planned Development  
(Application PL-13-02085)**

Commissioner Hontz recused herself from this item.

Chair Worel noted that due to noticing issues, no action would be taken this evening.

Planner Grahn reported that the Planning Commission had reviewed the pre-MPD application for 1255 Park Avenue during a work session on September 25, 2013.

Planner Anya Grahn reviewed the MPD application to add 2400 square feet to the Carl Wintzer Building at 1255 Park Avenue. This application would modify and amend the existing 1992 Master Planned. The applicant was the Park City Municipal Corporation.

Planner Grahn outlined the issues for discussion. She noted that the applicant was requesting a setback reduction. The MPD requires a setback of 25 feet around the entire perimeter of the site. The Library building itself is located in the Residential Commercial District (RC), and that zone requires a 15' setback. Planner Grahn stated that currently the Library building encroaches on the Norfolk Avenue right-of-way on the rear elevation; however it has a front yard setback of over 138 feet from the rear of the properties on Park Avenue, and over 70 feet along Park Avenue itself. Planner Grahn remarked that the Planning Commission could choose to reduce the setback from 25' to the zone required setback if it is necessary to provide architectural interest and variation. The applicant was requesting a 10' setback reduction along Norfolk Avenue to allow for architectural interest and to accommodate the proposed addition.

Kevin Blalock, the project architect, stated that the building footprint proposed respects the building setback and improves upon it. The first floor becomes 15' and the second floor is a 10' setback from Norfolk, which is consistent with the existing building footprint.

Planner Grahn requested input from the Planning Commission regarding the requested setback reduction.

Commissioner Wintzer asked if this was the same setback that was discussed on September 25<sup>th</sup>. Planner Grahn answered yes. Commissioner Wintzer was comfortable with the reduction. The Commissioners concurred.

Planner Grahn reported that off-street parking was another issue for discussion. The Planning Commission may increase or decrease the number of required off-street parking spaces based on a parking analysis submitted by the applicant. She noted that the applicant had commissioned InterPlan to count the number of parking spaces available on the site. She recalled that there were 98 parking spaces. Planner Grahn stated that overall the InterPlan study found that the maximum peak parking volume was 43 vehicles or 43.8% of the lot. The study also found that a similar parking period not in the shoulder season could be as much as 63 vehicles, which was still less than the full amount of the lot. The Santy Auditorium was the largest parking generator, primarily due to the Park City Film Series and Sundance.

Planner Grahn stated that as currently proposed the Library relies on the Mawhinney parking lot directly east of the site to provide additional overflow parking. The applicant requested a parking reduction of approximately 10-12 spaces, reducing the number to 87 spaces rather than the 88 spaces described in the site plan. Planner Grahn explained that part of the reason for the reduction of parking stalls was to improve the landscaped pedestrian entry sequence between the Park Avenue bus stop and the Library entrance. It was also shown on the site plan included as an exhibit in the Staff report.

Planner Grahn recalled from the last meeting that the Planning Commission was concerned about the number of pedestrians crossing Park Avenue. The Staff addressed the issue with the City Engineer and he did not believe there would be enough pedestrian traffic to ramp up the pedestrian crosswalk on Park Avenue. If safety becomes an issue or there is a substantial change in the number of pedestrians crossing, it would be reassessed at that time.

Planning Manager Sintz pointed out that the Café proposed for the Library was not expected to generate additional parking. Planner Grahn explained that the Café would add one employee. If there were additional employees during special events, parking would be provided for those additional employees at the time. The anticipated need would be three parking spaces at the most for the Café.

Chair Worel appreciated the parking study and she found it very helpful. Chair Worel asked where the snow would be pushed during the winter when they plow. Mr. Blalock indicated an existing driveway on the site plan and noted that they were proposing to reclaim that as re-vegetated garden space. During the winter snow could be pushed into that location. The existing snow storage areas could also be maintained. Mr. Blalock stated that they were still maintaining the same proportions of the staff entry and service loading zones, which is another area where snow could be pushed over the curb and on to the grass to create a sledding hill.

Chair Worel asked for an explanation of the graph on page 230 of the Staff report. Planning Manager Sintz stated that it was based on the road volume and the pedestrian volume and analyzes the amount of vehicles per the amount of anticipated pedestrians. A recommendation is made based on road speed, amount of road and other variables indicating the breaking point of when a modification to the existing roadway would be necessary.

Mr. Blalock believed this graph was what the City Engineer used to determine that the existing crosswalk was sufficient at this time because there was not enough conflict between traffic/pedestrian movement at that particular crosswalk. Director Eddington stated that the City Engineer preferred to keep the crosswalk small town and simple without beacons or other signals.

Commissioner Wintzer was comfortable with the requested parking reduction. He believed that this building has ample snow storage and if they want to encourage fewer cars they need to start reducing the amount of parking spaces. Commissioners Thomas and Strachan concurred.

Commissioner Gross was concerned about the cars that would be parking immediately adjacent to the proposed walkway. He wanted to know how they would exit once they back up. He did not think they would want people backing into pedestrians walking down the new driveway.

Commissioner Gross suggested that they may need to remove two additional spaces to provide enough room for a car to back into and get out. Mr. Blalock pointed out that there was a three or four foot buffer before the bumper of the car would encroach on the pedestrian walkway. He believed it was a vast improvement over what currently exists. Commissioner Gross was not convinced that there would still be enough room for a normal sized car. Commissioner Wintzer agreed. Commissioner Gross wanted to avoid future problems. He had counted 85 spaces and questioned where the 92 spaces mentioned.

Commissioner Gross expressed his concerns with less parking, the annex parking across the street next to the skateboard park, and the lack of accessibility on 13<sup>th</sup> Street. He referred to a statement on page 184 of the Staff report indicating that 67% of dog park users travel to the site using non-automobile travel. He was unaware that this was dog park and asked for clarification of the green space. He was told that the City has not officially recognized it as a dog park. They respond to complaints about dogs off leashes. Other than that it is not an area the City regulates or manages as a formalized dog park. If were ever to be designated as a dog park, the City would come back to the Planning Commission to reconcile additional demands on parking and other neighborhood impacts.

Commissioner Wintzer suggested that they sign for compact cars only on the two tighter spaces. Director Eddington asked Mr. Blalock of there was a benefit in asking for 86 parking spaces until the design is finalized. He suggested that once the design is finalized they may need additional leeway for cars backing up. Mr. Blalock agreed.

Chair Worel recalled a suggestion for paid parking. Planner Grahn stated that InterPlan had suggested it as a potential option to mitigate the possibility of PCMR using the Library parking lot for some of their employees or for overflow parking during special ski events. Commissioner Wintzer stated that in a worst case scenario, the Library employees could park across the street on a regular basis.

Planner Grahn remarked that the next issue was the book drop. As proposed the book drop would be relocated to the service and delivery area off of Norfolk Avenue. It would be more convenient and there is room for a vehicle to approach the book drop. The book drop could possibly be connected to the interior of the building at some point in the future. Planner Grahn stated that InterPlan found that the book drop itself would not substantially increase the traffic along Norfolk or 13<sup>th</sup> Street. However, there is an issue with the location of the book drop. Accessing the book drop could require a three-point turn, which could cause vehicular backup on to Norfolk.

Planner Grahn clarified that at this time the City Engineer did not support the proposed location for the book drop. The City Engineer and the Staff were concerned about safety measures, especially since this area is also used for snow storage in the winter. There was also an issue with the width of the driveway.

Planner Grahn asked whether the Planning Commission supported the location of the book drop and whether it would be functional.



Commissioner Thomas clarified that they were proposing that an automobile do a three-point turn so people do not have to get out of their car and walk into the building to drop off the books. Commissioner Gross believed it was also to have an interior book drop so the Staff did not have to go outside to retrieve the books.

Mr. Blalock agreed that there was as domino effect of all the issues. Having an external book drop decreases the longevity of the materials and it takes the Staff away from the patrons. The intent is to move towards the 21<sup>st</sup> Century Library; however, they were still saddled with the challenges of the American automobile. Mr. Blalock explained that they had explored and evaluated six or seven potential locations for a drive-up book drop. He presented a slide showing the different locations that were considered. The options were reviewed and discussed with the Library Board, Friends of the Library and the library staff and they all arrived at the same conclusion. Mr. Blalock reviewed the individual options and explained why they chose the one proposed. He realized that the location proposed was less than optimum, but it offered the least number of compromises to the overall project.

Commissioner Thomas thought the issue went beyond the energy of the Library Staff. It is also the paving and snow removal, particularly on the northwest corner that gets very little light. Mr. Blalock stated that he designs a lot of libraries and he continually fights the same battle. He understood Commissioner Thomas' concern. He noted that several months ago they presented a number of options to the City Council, including the option to abandon the building and looking for a new site for a new library. The Council embraced the idea of adaptive re-use to the project and revering the historic qualities of the building as supported by the City's larger goals and mission. He reiterated that the proposed location had the least number of compromises, knowing that it was already a Staff entry, as well as a loading and receiving, refuse and cycle area. If it is not the immediate book drop, he suggested the possibility that it could become a book drop location in the future. Mr. Blalock pointed out that if the book drop itself goes away, they would still anticipate having the paved area. He noted that it currently exists in the same configuration and they slid it 15 feet to the north.

Commissioner Thomas was uncomfortable with the idea of a drive-thru book return and he felt it was inconsistent with the nature of the community.

Chair Worel noted that the City Engineer did not support the proposed book drop location, and in her opinion that was important. She asked if the City Engineer had another suggestion. Planning Manager Sintz stated that the City Engineer had suggested a full turnaround that meets engineering standards. Mr. Blalock noted that the City Engineer had vetoed options 1 and 2 that pull directly off of Norfolk due to the number of traffic conflicts. City Engineer wanted a full turnaround and when they looked at that analysis, the recommended turning radius for a Tahoe or Suburban is 25-30 feet. The diagram presented was shown at 25 feet, which is a tight turning radius.

Commissioner Wintzer understood Commissioner's Thomas' concern, but he was more concerned about protecting the residential neighborhood at the back of the building. Adding a book drop to the activity that already takes place in that location further encroaches into the residential neighborhood. Commissioner Wintzer believed they had already lost the battle of having people get out of their cars.

Commissioner Strachan did not believe the current system was broken. He could understand setting aside space in the project for the future. He checks out books from the Library and he gets out of his car to drop them off. Commissioner Strachan was concerned that people would park on Norfolk and walk to the book drop instead of doing a three-point turn. He reiterated that the current system worked fine and he did not think it needed to be fixed with this type of solution.

Commissioner Gross thought it was a problem. He was at the Library this afternoon and two cars were parked in the back. When he drives in with his Smart car it is still difficult to turn around. He liked the idea of turning an 87 year old building into a 21<sup>st</sup> Century library, but with that scenario some things cannot occur properly. Unless they set it up properly they would be creating future problems. Commissioner Gross was unsure of the percentage of people who access the library electronically, or what the projections for electronic versus paper were 5-15 years in the future. He assumed it would significantly move towards digital. Commissioner Gross could not see how the book drop could successfully work in the proposed location.

Commissioner Thomas stated that he championed the adaptive re-use of the building and he believed it was a successful project. Commissioner Thomas did not think the project hinged on drive-up book drop. Commissioner Gross agreed.

Planner Grahn noted that the trash and recycling was proposed to remain in its current location. Per the LMC it would have to be completely enclosed and the design and materials must relate to the overall design of the building. She asked if the Planning Commission agreed with the location of the proposed trash and recycling, or whether they preferred moving it to a different location. Another question was whether or not the current location would impact the adjacent residential neighborhood.

Chair Worel asked if the Staff had received feedback from the neighbors on Norfolk. Planner Grahn had not received input. Commissioner Wintzer stated that when the building was originally renovated the trash was located in that area and he had not heard of any complaints. It is well hidden because it sits below the street. The only disadvantage are the trucks moving back and forth to collect the trash.

The Commissioners were comfortable leaving the trash and recycling in its current location, as well as the service and delivery.

Planner Grahn commented on the conditional use permit for the proposed Café at the Library. The Café would be approximately 315 square feet at the rear of the new addition. It would only have a counter. The seating would be distributed between the Library, the long gallery entry space proposed, and the outdoor terrace. Planner Grahn stated that the goal of the Café is to serve library patrons, filmgoers, or anyone attending events in the building. The applicant was not intending for the Café to take business away from other coffee venues on Main Street. Currently, the 7-Eleven is the only other venue in the neighborhood.

Planner Grahn asked if the Planning Commission finds the Café to be compatible with the other uses. Chair Worel asked if the City would run the Café. Jonathan Weidenhamer stated that the

City would probably put out an RFP to find a service provider and negotiate a lease. He believed it would be a welcomed amenity.

Chair Worel asked if people take coffee into the Library. She was told that the Staff makes coffee and it is served on the second floor.

Planning Manager Sintz stated that in order to avoid having to come back for an additional administrative CUP for outdoor dining, she suggested that the Staff could include some analysis on outdoor dining for the next meeting, and she asked for a head nod from the Commissioners.

The Commissioners supported the Café and they were comfortable with the idea of outdoor seating.

Planner Grahn noted that the Café would produce additional garbage and she asked if the proposed trash storage and recycling facilities were adequate to accommodate the increased trash. The Commissioners were unsure how to assess the capacity. Chair Worel asked if the trash bins was fully used now.

Planning Manager Sintz suggested adding a condition of approval indicating that additional service as required. Mr. Weidenhamer stated that there is a stipulation with the reduced parking to come back in a year with a study. He offered to include the Café as part of that one year review and report any potential impacts.

Commissioner Wintzer recalled previously talking about a deck on the back of the building, and he requested placing an hourly restriction on the use to protect the residential neighborhood.

Commissioner Gross asked about signage. Planner Grahn stated that signage was proposed but the Staff had not had the opportunity to review it. She believed the applicant would be asking for a setback exception to place the sign closer to Park Avenue. Mr. Weidenhamer stated that it is an existing non-compliant structure with the existing sign. He thought this was an opportunity through the site development work to propose something that works better and fits better with the bus stop and the pedestrian connection. He believed the next meeting would be the best time to address the setback reduction.

Commissioner Gross asked if signs were proposed on the building itself. Mr. Weidenhamer stated that he had asked his Staff and Mr. Blalock to work together on the signage and determine possibilities for the Planning Commission to consider at the next meeting.

Chair Worel referred to Condition of Approval #19 and suggested that the language should be split into two conditions. Planner Grahn agreed. The last sentence of Condition #19 regarding the driveway width would become Condition #20. The applicant requested that the last sentence be removed completely to accommodate the site improvements that need to be made on the Norfolk right-of-way and the addition. The existing retaining walls would remain. The new addition would meet the reduced 10' setback. However, the addition that pushes north also pushes the driveway 10' to the north.

Commissioner Wintzer requested that the applicants provide an overlay over the top of the existing drawing for the next meeting so he could see exactly what they were proposing.

Planner Grahn noted that the Café hours would follow the hours that the building is actually opened and not in conjunction with the Library hours. She would revise Condition of Approval #19 to reflect that change for the next meeting.

Chair Worel opened the public hearing.

Eleanor Griffin recalled from the last meeting that the bathrooms in the building would be replaced and she wanted to know why.

Mr. Blalock stated that they intend to replace the bathroom fixtures with low flow fixtures that use less water. They also plan to do general cosmetic improvements to the bathrooms.

Ms. Griffin thought it was extravagant. She also had concerns with the cafeteria in terms of lighting, use and frequency. She asked the Planning Commission to consider that it might be annoying to the residents in the area.

Chair Worel closed the public hearing.

### **3. 264 Ontario Avenue – Steep Slope CUP (Application PL-13-02055)**

Planner Whetstone reviewed the application for a steep slope CUP for an addition an historic house located at 264 Ontario Avenue. The house actually has access on McHenry. It encroaches on to the right-of-way for Ontario; however, Ontario is completely out of the right-of-way at that point. She noted that the encroachment was resolved with the plat that was done to create the one lot. The house has a frontage on McHenry on the eastern property line. Planner Whetstone stated that the proposal also includes restoration of an existing historic house.

Planner Whetstone noted that the plat, shown as Exhibit A in the Staff report, combined slightly more than three historic Old Town lots into one lot of 5,660 square feet. The property is located in the HRL zone. Planner Whetstone reviewed the existing conditions, showing the location of the actual paved right-of-way on the lots on the west side of Ontario. She indicated where the house encroaches on to Ontario. She stated that an encroachment agreement was recorded prior to the recordation of the plat. Planner Whetstone reported that the plat was approved by the City Council on October 25, 2012 and recorded in March 2013.

The applicant was requesting a steep slope CUP for construction of a 2500 square foot addition to the existing single family house. Two single car garages located on McHenry was also being proposed. No construction was proposed over the top of the historic house. A non-historic addition behind a small shed would be removed. The applicant also proposes to add a single story connector to the three story addition. The top story would be the two garages, and a main floor and a basement.

Planner Whetstone stated that a steep slope CUP is required because the proposed addition was greater than 1,000 square feet and would be constructed on a slope of greater than 30%. The

Planning Commission needed to find compliance with LMC Section 15-2.1.6. She noted that it was incorrectly written in the Staff report as 15-2.2.6. Planner Whetstone noted that the criteria was listed on page 264. The Staff report and the Staff had provided an analysis for those nine criteria indicating that the proposal complies with the criteria.

Planner Whetstone reported that a HDDR was submitted shortly after the plat was approved in 2012, and the proposal was found to be in compliance with the Historic Design Guidelines. Planner Whetstone reviewed photos the applicant had provided to meet the criteria requirement for visual analysis.

The Staff recommended that the Planning Commission review the application, conduct a public hearing and consider approving the Steep Slope CUP based on the findings of fact, conclusions of law and conditions of approval as outlined in the Staff report.

David Constable, the applicant, passed around photos to help the Commissioners visualize the site.

David White, the project architect, referred to Planner Whetstone's comment that the addition was three stories. He clarified that the only part of the addition that is three stories is the very back part that is directly under the garage. The rest of the addition is two stories and then it drops to one story. Planner Whetstone replied that he was correct.

Mr. Constable reviewed the topo and noted that people who are familiar with the site were surprised that they were required to go through the steep slope process. The lot does not appear to be that steep. Mr. Constable noted that a lot of the slope was manmade and he indicated an area that he believed was an old coal storage. Up by McHenry Street there is a fill situation where the road was built up. Mr. Constable had crunched his own numbers using the topo and he determined that the worst case scenario on the south side of the building from building corner to building corner was a horizontal distance of approximately 69 feet with a fall of about 20 feet, resulting in a 29% slope. On the north side of the building he calculated 54 feet of horizontal distance and a 12 foot fall, resulting in a 22% slope. From building corner to edge of asphalt on McHenry, there is 80 feet of horizontal distance with a 20 foot fall, resulting in a 25% slope. Mr. Constable questioned the steepness and why it required a steep slope CUP.

Director Eddington clarified that the Code notes 15 foot increments of over 30%. It is not measured over the entire site because some sites would flatten out and leave nothing as steep slope. The calculation is based on 15 foot increments, horizontal measurement over topo, within the building footprint. Mr. Constable argued that the 30% slopes were manmade and not typical to slope in a natural way.

Ms. Constable stated that they have lived on Deer Valley Drive since 1978 and there are 33 steps to reach their front door. To reach the top floor of the house is 77 steps. They have reached a stage in life where they would like to have fewer steps to climb. Ms. Constable stated that when they purchased the house they did so with the intention of eventually living in it. During the interim they rented the house to people who work in Park City. She explained that the addition as

designed would allow them to live on one level and only require a few stairs. Ms. Constable stated that Park City has been good to them and they would like to give back by renovating the house.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Wintzer disclosed that he lives fairly close to the house at 264 Ontario but it would affect his decision this evening.

Commissioner Wintzer believed this project was a great example of how to separate two structures. As designed, the garage compliments the garage next door and it takes away some of the mass typically seen in a big garage door.

Commission Gross liked the way it looks. Commissioners Thomas and Strachan concurred.

MOTION: Commissioner Wintzer to APPROVE the Steep Slope CUP for 264 Ontario Avenue in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

#### Findings of Fact – 264 Ontario

1. The property is located at 264 Ontario Avenue.
2. The property is located within the Historic Residential Low Density (HRL) District.
3. The property is Lot 1 of the 264 Ontario Avenue Subdivision recorded on March 22, 2013.
4. The Lot contains (0.13 acres) 5,662 square feet. The minimum lot size in the HRL District is 3,750 sf.
5. There is an 868 sf, one-story landmark historic house located on the property. The site is a “Landmark” site on the Park City Historic Sites Inventory. The house was constructed at the turn of the century during Park City’s mining era. The small existing rear addition was constructed post mining era and was determined during the Sites Inventory process to be out of period and does not contribute to the building’s association with the past. The applicant proposes to remove the out-of-period shed addition and construct a new single story connector element in its place to connect to the rear addition. No basement is proposed under the historic house and no construction is proposed over the top of the historic house.

6. The proposal includes construction of a new foundation and restoration of the historic house, construction of a single story connecting element onto the rear of the historic house, and construction a three story addition behind the house. The proposed additional living area is approximately 2,502 square feet, including a basement. Two garages (total of 690 sf) are also proposed on the top level providing access to McHenry Avenue.

7. Two single car garages are proposed at the top level with access to McHenry Avenue. There is no vehicular access or parking on Ontario. The Third Street stairs provide access between Ontario Avenue and McHenry.

8. The existing lot is 75' in width and 69.8' in depth.

9. Minimum front and rear setbacks for a lot of this depth are ten (10') feet. Minimum side yard setbacks for a lot of this width are five (5') feet with a combined total minimum of eighteen feet (18'). Setbacks for new construction exceed the minimums, with the front on McHenry at 12' and the sides ranging from 15' to 30' on the south and 6' to 12' on the north.

10. The existing historic structure encroaches over the front lot line onto platted Ontario Avenue. An encroachment agreement with the City was recorded at Summit County prior to recordation of the plat. New construction meets and/or exceeds minimum setback requirements.

11. The proposed building footprint is 2,010.75 square feet, and includes removal of non-significant additions and construction of a new rear addition and one-story connector element. The LMC allows a building footprint of 2,045.6 sf for a lot of this size. LMC allowed footprint for the underlying three lots, if not combined, would be 2,540 sf a 530 sf reduction in footprint. Proposed footprint is approximately 35 sf reduction from the LMC allowable for the combined lot.

12. The proposed plans indicate a building height of 27' or less from existing grade for all roof ridges. The plans indicate no change in final grade around the perimeter of the house exceeds four (4') feet. Both upper floors step back more than the required twenty feet (20') from the front façade, with the third story stepping approximately thirty feet (30') from the front façade of the historic structure (downhill façade), that exceeds the minimum requirements.

13. All final heights will be verified at the time of the Building Permit application.

14. Historic door and window openings will be maintained, and/or taken back to the historic openings/locations. The proposed garage doors do not exceed 9' wide by 9' in height. The proposed driveways do not exceed 12' in width at the property line, widening to accommodate the two garages set

perpendicular to each other.

15. A portion of the lot where construction is proposed exceeds 30% slope for the required 15' of distance. Therefore a Steep Slope CUP is required prior to issuance of a building permit.

16. Changes to the existing grading and landscaping are documented on the preliminary landscape plan. The change in grade from existing to final does not exceed the 48" allowed change. A final grading and landscape plan, consistent with the preliminary plat, will be submitted with the building permit application.

17. The significant vegetation on the property behind the historic house to the south will remain.

18. The proposed addition complements the historic structure and follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, alignment, and simplicity of architectural detailing. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites.

19. On May 31, 2013, a HDDR application was submitted to the Planning Department. The application was deemed complete on June 5, 2013 and the design was approved on August 16, 2013.

20. The proposed addition includes three (3) stories. The third story steps back from the lower stories by a minimum of ten feet (10') and steps back more than thirty feet (30') from the front façade of the historic house. The upper level is a single story above McHenry and there are no additions under or on the top of the one story historic structure which is located facing Ontario Avenue. Garages are not proposed beneath the historic structure.

21. The proposed structure will not be viewed from the key advantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view.

22. The applicant submitted a visual analysis/ perspective, cross canyon view from the west and the east, and a street. The design, articulation, increased setbacks, and increased horizontal stepping mitigate visual impacts of the cross canyon view. Building height of the single story garages is compatible with the streetscape along McHenry.

23. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at 4' (four) feet or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. Grade around the



historic structure will be maintained as it was historically, with the exception of changes necessary to accommodate the new foundation.

24. The site design, stepping of the building mass, increased horizontal articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% slope areas.

25. The design includes setback variations, increased setbacks, increased horizontal stepping, decreased maximum building footprint, and lower building heights for portions of the structure that maximize the opportunity for open area and natural vegetation to remain.

26. The proposed massing and architectural design components are compatible with the massing and volume of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.

27. The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than twenty-seven feet (27') in height.

28. The findings in the Analysis section of this report are incorporated herein.

29. The applicant stipulates to the conditions of approval.

#### Conclusions of Law – 264 Ontario

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B), criteria for Steep Slope CUP.

2. The Steep Slope CUP, as conditioned, is consistent with the Park City General Plan.

3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.

4. The effects of any differences in use or scale have been mitigated through careful planning.

5. The proposal complies with the Non-complying Structure standards listed in Section 15-9-6(A), in that the existing structure is historic and extends into the front yard setbacks and an encroachment agreement was recorded at Summit County.

6. The proposed construction will not create any new non-compliance with the HRL requirements.

#### Conditions of Approval – 264 Ontario

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting the historic house on the property and a preservation guarantee is required with the amount of the guarantee to be determined by the Chief Building Official upon review of the approved preservation plan.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. 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.
5. A final Landscape Plan shall be submitted to the City for review and approval by the City Planning Department, prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation of trees and shrubs. Lawn area shall be limited in area per the LMC Section 15-5-5 (M).
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Steep Slope Conditional Use Permit, the August 16, 2013 Historic District Design Review, and the 2009 Design Guidelines for Historic Districts and Historic Sites.
7. All conditions of approval of the 264 Ontario Avenue Subdivision continue to apply.
8. If required by the Chief Building Official, based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure on the lot.
9. Soil shall be tested and if required, a soil remediation plan shall be approved by the City prior to issuance of a building permit for the house.
10. This approval will expire on November 20, 2014, if a building permit application has not been submitted to the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.

11. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
12. Modified 13-D residential fire sprinklers are required for all new construction on this lot, unless otherwise stipulated by the Chief Building Official.
13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited.
14. Construction of a connecting walkway to the City's Third Street staircase requires an encroachment agreement with the City and a work in the right-of-way permit from the City Engineer.
15. All conditions of approval of the HDDR apply. A preservation guarantee shall be calculated by the Chief Building Official and all paper work and documentation regarding the preservation guarantee shall be executed and recorded at Summit County recorder's office prior to issuance of any building permits for construction on this property.
16. Construction waste shall be diverted from the landfill and recycled when possible.
17. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend in with the surrounding natural terrain.
18. There is no private parking for 264 Ontario Avenue off of Ontario Avenue.
19. The house shall be addressed as 264 Ontario Avenue or 287 McHenry Avenue.

The Park City Planning Commission meeting adjourned at 8:45 p.m.

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

