

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JANUARY 20, 2010

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Richard Luskin, Dick Peek, Julia Pettit

EX OFFICIO:

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

=====

REGULAR MEETING - 6:30 p.m.

I. ROLL CALL

Chair Thomas called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Strachan, who was excused.

II ADOPTION OF MINUTES OF OCTOBER 22, 2008

MOTION: Commissioner Peek moved to APPROVE the minutes of December 16, 2009 as written. Commissioner Luskin seconded the motion.

VOTE: The motion passed unanimously.

III. PUBLIC COMMUNICATIONS

There was no comment.

IV. STAFF & COMMISSIONERS' COMMUNICATIONS

Planning Director, Thomas Eddington, stated that Treasure Hill would come before the Planning Commission on February 10th. The applicants were creating a model of the site and asked if it would be appropriate to present that model during the February 10th meeting. The Commissioners were interested in seeing the model.

Chair Wintzer asked if the applicants would only present the model or talk about the project. Director Eddington stated that in addition to the model, the applicants intend to key up the project. Planner Cattan would prepare a Staff report and address the issues, which were similar to the issues outlined in the last report.

Assistant City Attorney, Polly Samuels McLean, recommended that the Planning Commission conduct a public hearing for Treasure Hill on February 10th. The Planning Commission could decide whether to have the model presented during work session and schedule a public hearing for the regular meeting, or whether it was better to do it all at the regular meeting.

Chair Wintzer was concerned about the adequate time needed for Treasure Hill versus other projects on the agenda. Director Eddington assumed that a couple of hours would be dedicated to Treasure Hill.

Commissioner Peek recalled that in the past the Planning Commission held a work session with public input. Chair Wintzer was concerned about seeing the model for the first time and expecting people to comment without having the opportunity to think about it. He suggested that it might be better to have one meeting where the Planning Commission and the public could see the model and hear the presentation and then have the public come back for comment.

Commissioner Pettit stated that she would be unable to attend the February 10th meeting, but requested the opportunity to view the model. Director Eddington stated that he would ask the applicants to make the model available for display either before or after the February 10th meeting.

Commissioner Pettit noted that in the past, specific elements of the Treasure Hill project have been discussed at certain meetings. She was concerned that the public comments on February 10th would be too broad and open up areas that the Planning Commission was not ready to address. Commissioner Pettit felt they should find a way to set parameters for the public hearing.

Assistant City Attorney McLean suggested that the Planning Commission provide their comments immediately after the presentation of the model to give their initial view prior to the public hearing. In addition, the Planning Commission could take public comment and ask that input be limited to specific topics being discussed that evening. If people stray from those topics, the Chair should bring them back to the discussion points and let them know there would be other opportunities to comment on different issues.

Chair Wintzer thought it was best to let the Staff determine the structure for Treasure Hill on February 10th.

To avoid possible quorum issues, Assistant City Attorney McLean requested that other Commissioners contact the Staff if they cannot attend the February 10th meeting, since Commissioner Pettit would be gone.

Commissioner Pettit asked about potential timing for when the City Council would fill the vacant seat left by Commissioner Russack. Director Eddington replied that the posting for applications was open until the end of January. They would not know until then how many applications are received. He would keep the Planning Commission updated on the process.

Planner Sintz updated the Planning Commission on the Planning Department's involvement with Sundance. The Staff has been actively reviewing and approving conditional use permits for any tag-on business that comes in just for Sundance. That also includes a permit that might be triggered from a business use change. In addition, the Staff reviews any signs associated with those changes to make sure temporary signs uphold the requirements of the regular sign code.

Planner Sintz noted that there are approximately 26 different tag-on addresses this year, which is the same amount as last year. Permits are approved right up to the minimum legal noticing date. Several in the Planning Department are involved throughout Sundance to go out with Code Enforcement to make sure the conditions of the approval are being followed.

Chair Wintzer disclosed that he would be recusing himself from the Racquet Club item, due to a potential business conflict if the application is approved.

REGULAR AGENDA/PUBLIC HEARINGS

1200 Little Kate Road, Racquet Club - Master Planned Development

Chair Wintzer recused himself from this item. Vice-Chair Peek assumed the Chair.

Planner Kay Sintz introduced Ken Fisher, the Park City Recreation Manager, Selesia Carson and Brent Tippets, with VCBO Architects, Steve Brown with Millcreek Consulting, and Matt Twombly, the project manager.

Planner Sintz reported that at the last meeting, the applicants provided updates on the architectural changes, which included facade modifications and building footprint changes, as well as materials and color changes. At that time construction mitigation concerns were also addressed. Planner Sintz noted that direct responses to their concerns were included in the Staff report.

Planner Sintz stated that during the last meeting, a couple of items were added to construction mitigation, which included no idling or start-up of vehicles and no site lighting prior to the 7:00 a.m. start time. Planner Sintz reported that Commissioner Strachan had suggested eliminating Saturdays from the construction work schedule and Commissioner Pettit felt the neighborhood should be kept notified of the process as the project moves forward.

Planner Sintz remarked that in response to the suggestions from the Planning Commission, the applicant added, no idling or start up of vehicles prior to the 7:00 a.m. and included auxillary lighting. Conditions of approval were added to address that issue. In regards to the request to eliminate work on Saturday, the applicants believe that allowing work on Saturday is important to keep current with the project schedule. Eliminating Saturdays would prolong the length of construction. As a compromise, the applicants offered a 9:00 a.m start time on Saturday.

Planner Sintz noted that Commissioner Peek had requested a graphic showing the interpolated grade and that graphic was included in the Staff report.

Planner Sintz stated that additional items addressed this week and included in the Staff report was discussion about the required volume for tennis play and questions on how the mechanical and duct layout affected the height exceptions being requested. Planner Sintz pointed out that VCBO has designed over 100 facilities and based on their experience with USTA requirements, they have designed a facility that has been proven to work. Planner Sintz stated that based on comments from the last meeting, the applicant re-looked at arranging the courts to minimize the affects of the mechanical system and came back with a reduction from the last layout. Exhibits were included in the Staff report.

Planner Sintz stated that another issue raised by Commissioner Strachan was a review of

Conclusion of Law #9 regarding affordable housing. She noted that a condition was added to indicate that affordable housing requirements were being met based on the number of employees. If the number of employees increase at the time of Certificate of Occupancy, the project would be subject to the conditions of the Housing Ordinance.

Planner Sintz noted that at the last meeting they talked about the architecture in relation to the facade, the new entry feature, the clerestory and changes to the exterior. Planner Sintz stated that height information was withheld to allow the Staff to verify the height and provide a clear description for the Planning Commission. She pointed out that the entry feature was reduced 6'7" over interpolated grade. The tennis ridge was reduced two feet from the last iteration. The existing tennis ridge height is 37'9". Planner Sintz stated that height exceptions are based on interpolated grade. The new tennis ridge will be two feet over the existing tennis ridge.

Planner Sintz reviewed the height exception analysis. She noted that the main tennis ridge is looking for a 5" height exception over the 1977 approval of 40 feet. The applicant is requesting different height exceptions for the north clerestory and south clerestory because interpolated grade falls from south to north. Therefore, the clerestories on the south appear lower than the north clerestories. The clerestory to the north is a 9" height exception and the clerestory to the south is a 1" height exception over the previously approved 40 foot height. Planner Sintz pointed out that the front entry is the tallest feature in the building and the request is for a 2'8" height exception over the previously approved 40 foot height.

Planner Sintz noted that a parking analysis was included in previous discussions and that 148 stalls was being proposed.

Planner Sintz reported on an increase in footprint and building square footage area in response to public comment and facade variation requirements.

The Staff recommended that the Planning Commission conduct a public hearing, discuss the proposal and approve the Park City Racquet Club Master Planned Development based on the findings of fact, conclusions of law and conditions of approval included in the Staff report.

Commissioner Pettit noted that condition of approval 16 states that the Planning Commission would evaluate future phases. She wanted to know the process for that review and asked if future uses would be based on the same criteria used to evaluate this MPD. Planner Sintz replied that future phases would be subject to review criteria in Chapter 15-6-4 as indicated in the condition of approval.

Commissioner Luskin recalled a previous discussion about shortening the Saturday work day to 3:00 p.m., similar to construction hours in Old Town, as a convenience to the residents. Planner Sintz stated that Commissioner Strachan had requested completely eliminating construction on Saturday. The applicant has indicated that not working on Saturday was not acceptable given the time frame for building the project. She reiterated that the applicant had offered the compromise of a 9:00 a.m. start time on Saturday but still ending at 6:00 p.m. The Planning Commission could decide whether or not to accept that compromise.

Commissioner Luskin stated that he lived in another neighborhood during a construction project and he is sensitive to the impacts that Saturday construction has on a neighborhood.

Vice-Chair Peek believed that a 9:00 a.m. to 3:00 p.m. work day would be inefficient.

Steve Brown stated that he had addressed the question raised by Commissioner Strachan to a number of General Contractors. The basic response was that the more the hours of operation are restricted, the more risk mitigation they need to address. If the hours are reduced on Saturday, they would want to attach additional time to the length of the contract. Mr. Brown did not believe that would be palatable to the Planning Commission. The intent is to complete the project as quickly as possible to be sensitive to the neighborhood. Mr. Brown pointed out that the 9:00 start time was an attempt to keep noise to a minimum in the early hours on a Saturday. He noted that Saturday is typically a catch up day in the construction industry. He was not opposed to asking the contractors for a shorter work day, but he assumed they would ask for additional time on the length of the project overall.

Commissioner Luskin asked for an estimate of the overall construction period. Mr. Brown anticipated no longer than 18 months. Language would be written in the bid documents indicating that the shortest construction time would be a significant decision criteria. They would not know a realistic time until the bids come back from the General Contractors.

Commissioner Pettit wanted to know the Code requirement with respect to holidays. Director Eddington was unsure of the Code language, but the Planning Commission could stipulate that a holiday be treated as a weekend. Commissioner Pettit stated that she has personally experienced the impacts of people working on a construction site on Thanksgiving and Christmas. She felt it was incumbent upon the Planning Commission to insure that holidays are a day for family and friends and that the neighbors do not have to endure construction impacts.

Mr. Brown requested that the Planning Commission identify specific holidays so they could be added to the contract. Planner Sintz suggested using the same holidays that the City observes.

Vice-Chair Peek opened the public hearing.

Amanda Halsee, a resident at 1391 Little Kate, stated that she is a direct neighbor to the Racquet Club. Proximity to the Racquet Club was one reason why she purchased her home in that location and she and her family use the Club on a regular basis. Ms. Halsee was surprised to hear through this process that the facility does not meet USTA standards. She asked the Planning Commission to consider that they have one shot to do this right. Ms. Halsee was comfortable with the height exception, especially since the height exception is primarily the front entrance, which is what her home directly faces. Ms. Halsee expressed her personal preference to have people on the job site as long as possible Monday through Saturday to get the project completed quickly. Ms. Halsee believes an attractive, updated facility that no longer needs constant repair and meets the needs of the community would also help neighboring real estate values.

Scooter Mastain stated that he is a USTA Certified Tennis Pro and taught at the Racquet for 2-1/2 years. He was also the Boy's Tennis Coach for three years and has a personal interest in the Racquet Club situation. He understood that some people objected to the height increase and on behalf of his family he read a prepared statement. Their family includes four passionate tennis players and lifetime USTA members and tournament players, as well as tennis season pass holders at the Racquet Club for over fifteen years. The Park City Racquet Club has been a central focus, not only amongst countless tennis players, but also a facility for numerous revenue generating National USTA tournaments. To deprive an entire tennis playing community of the opportunity to engage in competitive play at their home club would be a travesty. Additionally, the City would reap the benefits generated by these National Tournaments, not only at the club but also in terms of lodging, food and shopping. Mr. Mastain and his family strongly urged the Planning Commission to very seriously consider the enormous negative impact caused by a ridiculous height restriction of a few feet.

Tom Odin, a resident of the Racquet Club Condos asked Planner Sintz to put up the slide that showed the mountain view from the parking lot. Mr. Odin remarked that building time and Saturday construction is a red herring because the neighborhood has endured construction projects since he's lived at the Racquet Club. Mr. Odin remarked that the second statement of the Park City Mission Statement talks about open space, mountain views, functional pathways and trails. He believes that is significant and some of his neighbors share that same view. He understood that the open space provided is still within Code, but the number has gone from 55.9% to 44.7%. In his opinion, that is a significant reduction. Mr. Odin appreciated the design but he was concerned about the increased footprint in a residential area. He believed this was an important element because it reduces their open space and affects their views. The building extends an additional 68 feet and puts the Racquet Club 20 feet closer to his home. Mr. Odin encouraged the applicants to keep the design within the existing footprint.

Vic White stated that he commented at previous public hearings and he commended the Planning Commission, the Staff and the architects for listening to the concerns and reducing the height. It is impossible to please everyone and felt that the height reduction proposed was a good compromise. Mr. White stated until today he had not realized that adjusting the tennis courts would extend the building 20 feet further to the north. That impacts the view of the mountains from the north looking south. In addition, the proposal also expands the building to the east 68 feet. Mr. White noted that it would put the building into the white tent that was recently erected for Sundance. He stated that his previous remark was that the City was trying to hide an elephant in short grass. After understanding the full size of the Racquet Club as proposed, he has changed that to hiding a Brontosaurus in short grass. The size is enormous and he could not understand why they would consider allowing a structure that size in a residential area. Mr. White stated that the Racquet Club is a family facility for everyone of all ages. It is not a place for National USTA tournaments. If the City wants that type of facility, they should find another place to build it where it is not in a residential neighborhood. Mr. White agreed that the Racquet Club should be improved and refurbished, but the problem is the size and it is too big.

Chris Ruen, a resident on American Sadler, asked if the current design meets USTA standards

or if the setbacks between the tennis courts were narrowed down.

Planner Sintz noted that the Staff report talks about a compromise on the baseline of the last row of lighting. Ken Fisher explained that per USTA standards the lights must be 20 plus feet off the court. The last bank of three lights would be lower, but he was unsure of the exact height. Mr. Fisher was comfortable with that based on the idea that if a tennis ball hits the light, it will not go over.

Mr. Ruen thought the re-design was beautiful and he commended the architects on a great facility. He noted that construction delays always occur and he suggested that they create incentives to get the building constructed in the shortest time possible. Mr. Ruen has been a resident in the area for 3-1/2 years and he joined the Club as an annual tennis member within two weeks of moving there. He and his family all play tennis. He opposed the suggestion of returning to the same size tennis courts because without the proper setbacks players get injured. Mr. Ruen urged the Planning Commission not to push for further restrictions on the tennis courts.

Jeff Lonn stated that he lives in one of the Racquet Club condos directly to the east parking lot. At the last meeting he provided a history of the Racquet Club from his point of view over the past 25 years. Mr. Lonn felt this project was being pushed through quickly and he wondered if all the alternatives had been considered. He referred to a letter someone had written to the Planning Commission suggesting the possibility of building a new facility at Quinn's. Mr. Lonn stated that at his request, Ken Fisher provided him with the 2006 Park City Recreation Survey. In that survey 53% favored renovating the Racquet Club over all other options. However, he was unsure of those in favor intended for it to be turned into a world-class facility in a residential neighborhood. He remarked that the Racquet Club is the most used workout facility in Park City and 80% rated the facility as good to excellent. Ten percent rated it fair and only 1% rated it poor. Mr. Lonn stated that 40% of the people feel the need for outdoor tennis courts and 28% surveyed wanted indoor tennis courts. Of that 28%, 70% said the present courts meet their needs and ten percent would like larger, regulation tennis courts. Mr. Lonn did not dispute that Park City should have regulations tennis courts, but it is not worth the impacts on the neighborhood to provide regulation courts at the Racquet Club. He noted that world-class is popular buzz word. He was unsure exactly what it means, but he was fairly certain that it has little bearing on the quality of life or the livability of a town. In order to obtain a world-class tennis facility, the Racquet Club needs to be expanded, which will only increase the number of events and impact the lives of the Racquet Club condo residents. Mr. Lonn believed the question was how to meet the needs of the tennis players without greatly impacting the lives of the neighbors. He suggested that one option would be to have three indoor regulation tennis courts within the current footprint and put bubbles over the outdoor regulation courts in the winter. Mr. Lonn stated that if it is important to build a world-class facility, it should be built next to the Ice Rink at Quinn's Junction.

Mr. Lonn commented on construction mitigation. He was certain that construction staging would occur 50 feet from his condo like it has in the past. During the sidewalk construction last Fall they worked 7:00 a.m-9:00 p.m. six days a week for four months. Mr. Lonn stated that during the public meeting in December at the Racquet Club, he was assured that strict limits would be

placed on construction because it is a residential neighborhood. He requested that the Planning Commission consider limiting construction from 7:00 a.m.-5:00 p.m. Monday through Friday, which is a 50 hour work. The residents should not have to endure anything more than that.

Glenda White stated that as a tennis player she uses the Racquet Club year-round. In the afternoon the courts are being used by children taking lessons and they do not need huge regulation courts. She was concerned about the comments from people encouraging regulations courts because of the number of tournaments and other events sit would attract. This is a residential area and not an area for tournaments. Ms. White stated that the Racquet Club should be upgraded and remain a neighborhood facility. A world-class USTA regulation facility needs to be at Quinn's Junction or Kimball Junction.

Lucy Depler, stated that she was speaking on behalf of tennis players in favor of bringing the facility up to USTA standards. She had played tennis for over 75 years and has played tournaments in Europe and throughout the United States. Ms. Depler stated that Park City is a classy city with high standard ski areas and it is time they do the same with the Racquet Club and bring the tennis courts up to standards.

Charles Lloyd, a resident in American Flag, stated that he is a tennis player and uses the Racquet Club throughout the summer. He believes indoor courts are necessary even in the summer because the weather is unpredictable. The current courts are small and it would be nice to have USTA regulation courts. He plays on a weekly basis at the Eccles Tennis Center at the University of Utah where the courts are regulation size. There is a big difference between playing at Eccles and playing at the Racquet Club because of the space between the sidelines and the room behind the courts. Mr. Lloyd understood that the local residents would be affected by both construction and the size of the structure, but he believed the Staff had done a good job of trying to fit the design within the available footprint and still providing more open space that required by Code. Mr. Lloyd stated that while the height of the building may affect some view corridors, the impacts are considerably less than they would be with the 37' allowed height that could be built along the setback. In terms of construction impacts, as someone who lived with the Empire Pass construction traffic for three years, he understands that it is something you deal with until the project is completed. Regarding the construction hours, he believed it was better to get the project built as quickly as possible.

Vic White wondered if the last two people who spoke would change their mind if this building was built in their backyards. He pointed out that this is not the place for world-class facilities and they do not have the traffic patterns, infrastructure or services to accommodate world-class facilities. Park City has other places that can accommodate world-class facilities, but the Racquet Club is not the place.

Michele Dietrich, a resident in the Racquet Club condos appreciated the concern from the Planning Commission regarding construction work hours. She requested that the Planning Commission push for no construction on Saturday. Since the estimated length of construction is so long, a two day break at the end of the week would be much appreciated. Ms. Dietrich was also concerned about increasing rates for those who use the Racquet Club, due to the

price tag on the renovation. In an effort to build a world-class facility, she worried that the everyday user would be priced out of the Club.

Len Bowss stated that he is a tennis player and he has lived in the area for 20 years. He noted that tournaments bring in a lot of visitors to Park City. In response to the question of having it in his backyard, he would love to have this facility in his backyard. He believes that the Racquet Club will raise property values surrounding it. Mr. Bowss believed regulations courts are necessary, not only for national competitors, but also for the juniors who are learning to play because they will have the advantage of playing on regulation courts. Mr. Bowss commented on the difference in playing under a bubble, noting that the bubble limits the height. He encouraged the City to keep the four indoor courts and bring them to USTA standards.

Meeche White, stated that she is a 25 year resident of Park City and a user of the Racquet Club. She is excited about the design of the facility and believes it fits well within the neighborhood. Ms. White felt the Racquet Club was unfairly given the name world-class because it is not a world-class design. It is a community based facility design. A world-class design would have stadium seating and other features. Ms. White stated that she is a professional in the recreation field and while regulation courts are great for tennis players in terms of how they play, it is also very important for safety. She believed that building a \$12 million facility but not upgrading the tennis courts to regulation size would be a waste of taxpayer dollars. Ms. White was sympathetic to the construction concerns, but from personal experience, she believed it was best to get it done as quickly as possible. She supported reasonable Saturday hours.

Cameron Chin, a resident on Little Kate Road, stated that he was not a tennis player but he supported the regulation size tennis courts. He has been involved in other sports and knows the importance of having a regulation facility.

Vice-Chair Peek closed the public hearing.

Vice-Chair Peek expressed his appreciation for the modifications in the height. In looking at the section showing the mechanical, he asked if the interior shaded element was the regulation envelope. Planner Sintz answered yes. Vice-Chair Peek asked about the horizontal member that the regulation element runs in to. Brent Tippetts replied that the dark gray area represents the mechanical, and that runs between the courts. Vice-Chair Peek thought that the gable ridge of the lower tennis envelope appeared to be restricted by a horizontal element. Mr. Tippetts explained that vertically the mechanical equipment is within the envelope, but it was moved outside of the tennis play area to the out-of-bounds area.

Vice-Chair Peek wanted to know what would keep the bottom cord of the rafter trusses from touching the top line of the tennis envelope. Planner Sintz pointed out a girder at the top.

Commissioner Luskin complimented the applicants on the revisions. He thought they did a great job adjusting the height and changing the architectural appearance. Commissioner Luskin felt people used the term world-class fairly freely. He believes that like himself, most people live in Park City for the quality of life. Commissioner Luskin pointed out that at the last meeting

Commissioner Strachan felt strongly about keeping Saturday free from construction so the residents could enjoy their homes. He agreed with Commissioner Strachan that Saturdays and Sundays are important days for unwinding from the week. After listening to the comments this evening, he realized it was a difficult balance because it could prolong the project. Commissioner Luskin did not have an answer, but since Commissioner Strachan was not present this evening, he thought it was important to consider how strongly he felt about stopping work on Saturdays. Commissioner Luskin asked if there was a solution that would keep the matter open ended. He would feel guilty if in six months the entire neighborhood was complaining about their weekends being ruined. Commissioner Luskin acknowledged that construction occurs all over Park City and everyone lives through it. However, most people want a quality of life and not "world class".

Steve Brown wanted it clear that the term "world-class" came from the public hearings and not from them. He agreed with Meeche White that a world class design would look considerably different and the cost would be significantly higher. Mr. Brown stated that the Racquet Club as proposed would remain a family-friendly facility.

Regarding the construction issue, Mr. Brown pointed out that there had been no resistance to eliminating Sunday work completely. However, if they take away Saturday, he was fearful it would extend and prolong the overall nature of construction and that the overall cost would potentially rise. It could present a difficult situation when the bids are returned. Mr. Brown did not feel he was in a position to respond to the question about leaving it open-ended because contractors respond to open-ended issues with risk mitigation. Mr. Brown remarked that the Saturday scenario could become a major roadblock. He proposed adding language in the bid documents that would ask the contractors to attempt to quantify their Saturday work hours. As a criteria for bid selection, they could consider those who could minimize work on Saturday.

Commissioner Luskin asked if Saturday hours of 9:00 a.m.-3:00 p.m. were too restrictive. Mr. Brown was hesitant to impose that on the contractors without first hearing their feedback.

Commissioner Hontz preferred a shorter construction duration for the entire project rather than eliminating Saturday work. No one can control the weather and it is impossible to know what the contractors will face in terms of construction conditions within the next year to 18 months. Commissioner Hontz has lived through construction and she prefers a shorter time frame.

Vice-Chair Peek agreed with a shorter construction period. However, as a concession to local residents, he suggested special considerations for certain holidays so the residents can enjoy a long weekend without construction. For example, Labor Day falls on a Monday and there would be no construction on that Saturday. If a holiday falls on the weekend there would be no construction on that Friday or Monday, which ever day the holiday is observed.

Planner Sintz stated that during their discussion she had drafted a condition of approval to address holidays. She read, "Work days would be restricted on City-related observed holidays and actual holidays when it falls on a Saturday".

Commissioner Pettit agreed with Commissioners Hontz and Peek in their preference for a

quicker construction period. However, she felt strongly about stressing “no work” on holidays. She also favored the idea of adding language in the bid that would encourage minimizing Saturday construction hours. Commissioner Pettit was comfortable with the 9:00 a.m. start time. The question was with the stop time. Mr. Brown stated that an important criteria in the bid selection would be the length of the construction schedule and concessions for Saturday work.

After hearing their comments, Commissioner Luskin deferred to his fellow Commissioners on the preference for a shorter construction time period. Commissioner Pettit stated that the LMC that governs the process of evaluating the master planned development and includes criteria that guides their review. She recognized that the process began with the Recreation Board and a lot of work was done to identify the needs and wants of the community. Based on that information, the City moved forward with a proposal. Commissioner Pettit clarified that the job of the Planning Commission is look at the criteria in the Land Management Code that addresses density, open space, building footprint and related issues. While she struggled with where to draw the line on expanding the facility 20,000 square feet to provide additional amenities for the tennis courts and whether or not it was necessary, the fact is, the proposal falls within the criteria outlined in the MPD section of the Land Management Code. Commissioner Pettit noted that the applicants had responded to their comments by reducing the height to a more reasonable level and she was leaning in favor of making findings of compliance with the MPD criteria. The project is where it needs to be and the applicant had met its burden.

Commissioner Hontz stated that the budget and price tag of the project are outside of Planning Commission purview and is not something they review. She agreed that the projects meets the Land Management Code and the MPD criteria and she was pleased with the changes to the facade and height and the overall architecture. Commissioner Hontz also favored the changes made in the conditions of approval for the construction hours. She was prepared to move forward this evening.

Vice-Chair Peek referred to the site plan and asked if the dumpster could be moved to a location on the west end, away from the residents. Mr. Tippetts offered to work with Staff to find another location if possible. Vice-Chair Peek was unsure of the on-site parking needs during construction, but suggested parking on the east property line to lessen impacts to the neighbors.

Mr. Brown stated that the intent is to be sensitive to the neighbors to the east in terms of staging. Related language would be included in the bid documents.

To address Saturday work hours and holidays, Planner Sintz revised Condition of Approval #10 to read, “Work is restricted to Monday through Friday 7 a.m to 6 p.m. Saturday start time is 9 am to 6:00 p.m. Work would not be allowed on City observed holidays and actual holidays falling on a Saturday. This would include the time for start up of heavy equipment and start up of any vehicles. Idling of vehicles will not be allowed. Auxillary lighting will also be restricted to these hours.”

Mr. Brown requested that the Planning Commission identify specific holidays for clarification.

Assistant City Attorney McLean recommended that specific holidays could be included as part of the development agreement. The Planning Commission will ratify the development agreement and could make changes at that time. Based on that recommendation, the reference to holidays was eliminated from the revised Condition #10. Vice-Chair Peek pointed out that the added 6:00 stop time should remain to specify the Saturday hours as 9 a.m. to 6 p.m.

Commissioner Pettit asked if the development agreement should also include language that addresses the issue of creating bid language that encourages a shorter construction period. Mr. Brown remarked that the language would be drafted in the bid prior to the development agreement. Commissioner Pettit suggested adding that as a condition of approval to make sure it carries over to the development agreement. Ms. McLean suggested that the Planning Commission keep things general rather than specific to allow the Staff the opportunity to draft language that reflects their intention.

Vice-Chair Peek wanted to know who the development agreement would be with. Ms. McLean replied that it is an agreement with the applicant. Vice-Chair Peek pointed out that the City is the building owner, which is the City Council. Mr. Brown requested the drafted language as early as possible so he could provide it to the contractors.

Commissioner Pettit asked if it was appropriate to add a condition stating that, "Proposed language for the bid addressing minimization of Saturday construction shall be approved by the Planning Commission".

Matt Twombly stated that because it is a public bid, the Planning Commission does not have the jurisdiction approve a bid. Ms. McLean agreed, but thought it was appropriate to include language in the document indicating the importance of minimizing work on Saturday. Mr. Twombly made it clear that the language written in the development agreement with regards to the bid would not apply to the selection of the bidder. As a public agency, they need to select the lowest bidder.

Ms. McLean recommended that the Planning Commission set clear parameters for Saturday work and separate parameters for specific holidays. She pointed out that if a City observed holiday falls on a weekend, they are off either Friday or Monday. Vice-Chair Peek believed that following that practice would be sufficient to satisfy their intent for a quiet, long weekend. Ms. McLean suggested specifying that work could not occur on New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas. The Commissioners concurred with those holidays and suggested that they be named in Condition #10.

MOTION: Commissioner Pettit moved to APPROVE the MPD application for the Racquet Club at 1200 Little Kate Road, in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval, with Condition of Approval #10 to be amended to read, "Work is restricted to Monday through Friday 7 am to 6 pm. Saturday work is restricted to 9 am to 6 pm. Work shall not occur on New Years Day, Memorial Day, 4th of July, Labor Day, Thanksgiving and Christmas". The remainder of Condition #10 would remain as written. Commissioner

Hontz seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Racquet Club

1. The Racquet Club Master Planned Development is located on Lot 1 of the Racquet Club Subdivision. Lot 1 consists of 7.5 acres. The lot is sufficient area to accommodate the 85,015 s.f. (Gross area), 66,030 s.f. (footprint) public recreation facility, circulation, parking, future phases, and provide the minimum required minimum 30% open space for redeveloped areas.
2. The proposed facility open space is 44.7% and includes exterior tennis and pools as well as future phases.
3. The total proposed building footprint is 66,030 s.f. and gross square footage is 85,015.
4. The property is located in the Residential Development (RD) zoning district.
5. The Racquet Club received a Conditional Use Permit in 1977 for Recreation Commercial which granted an overall 40 foot building height.
6. The property is subject to the Racquet Club subdivision plat and any conditions of approval of that plat.
7. The maximum Building Height in the Residential Development (RD) zoning district is 28 feet (33 feet with a pitched roof). Previous CUP approval granted a 40 foot building height for a public recreation facility. The application includes a height exception request (per interpolated grade) for 2'8" (over previous CUP approval) of additional building height for the entry feature, 5" of additional building height for the main tennis ridge, 1" of additional height for the south clerestories and 9" of additional height for the north clerestories.
8. The existing Racquet Club contains 155 parking spaces.
9. A reduction in parking is requested at 148 parking spaces. A bicycle rack will be provided adjacent to the main entrance.
10. Setbacks within the Residential Development (RD) are twenty feet (20') in the front, fifteen feet (15') in the rear, and twelve feet (12') on the sides. The MPD requires twenty-five (25') foot setbacks from all sides. The building complies with these setback requirements. The parking area which is being restriped and reoriented, and not expanded, does not meet the front yard setback and an exception has been requested to maintain the existing six feet (6') in the front yard.
11. The Analysis section of this staff report is incorporated herein.

Conclusions of Law - Racquet Club

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is compatible in use, scale and mass with adjacent properties, and promotes neighborhood compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD is not subject to the Sensitive Lands requirements of the land Management Code. The project has been designed to place Development on the most developable land use lease visually obtrusive portions of the site.
11. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing trail connections by the location on a proposed bus route. Bicycle parking racks will be provided.
12. The MPD has been noticed and public hearing held in accordance with this Code.

Conditions of Approval - Racquet Club

1. All standard conditions of approval apply to this MPD.
2. All applicable conditions of approval of the Racquet Club subdivision shall apply to this MPD.
3. A final water efficient landscape and irrigation plan that indicates snow storage areas

and native drought tolerant plant materials appropriate to this area, is required prior to building permit issuance.

4. All exterior lights must conform to the City lighting ordinance. Parking lot and security lighting shall be minimal and approved by Planning Staff prior to issuance of a certificate of occupancy.
5. All exterior signs require a separate sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.
6. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color and material details exhibits and photos reviewed by the Planning Commission on January 20, 2010, and shall be approved by Staff prior to building permit issuance. Materials shall not be reflective and colors shall be warm, earth tones that blend with the natural colors of the area.
7. The final building plans, parking lot details and landscaping, and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on January 20, 2010.
8. The City Engineer prior to Building Permit issuance must approve utility, storm water systems and grading plans, including all public improvements.
9. Staff must approve the Construction Mitigation Plan to issuance of any building permits and shall include appropriate contact information as required. Signs posted on site will indicate emergency contacts.
10. Work is restricted to Monday through Friday 7:00 am to 6:00 p.m. Saturday work is restricted to 9:00 am to 6:00 p.m. This would include the time for start up of heavy equipment and start up of any vehicles. Work shall not occur on New Years Day, Memorial Day, 4th of July, Labor Day, Thanksgiving and Christmas. Idling of vehicles will not be allowed. Auxiliary lighting will also be restricted to these hours.
11. Lay down and staging area will be restricted to existing parking lots and disturbed construction area. Applicant will minimize placement adjacent to housing units as much as possible.
12. Transportation of labor to and from the job site from an off-site parking location shall be a condition of the construction contract. On site parking shall be restricted to those authorized and controlled by the project superintendent in coordination with Recreation Center Officials.
13. The applicant will notify all affected property owners within 300 feet prior to construction commencing of conditioned work hours, contact information and general project description.

14. A limit of disturbance area will be identified during the building permit review.
15. The applicant shall submit a total employee count at time of building permit. Prior to Certificate of Occupancy, the applicant shall provide verification that the employee count has not increased. Should there be an increase in the total employee count the applicant shall be subject to the terms and conditions of Housing Resolution 20-07; Section E Redevelopment.
16. Future phases of Natatorium, Restaurant and Gymnasium expansion are included in this master plan and would be subject to an Amendment to this MPD. The Development Agreement will stipulate per 1-(l) the amendment will not justify a review of the entire master plan. Future phases will be subject to minimum open space requirements of 30%.
17. An internal parking review will occur one year after Certificate of Occupancy (or the facility is fully operational) to analyze parking load and demand.
2. Land Management Code - Amendments to Chapter 2.3 (HR-2 District), Chapter 5, Chapter 6, Chapter 10 and Chapter 11 regarding the Master Planned Development within HR-2 District and the application and appeal process of the Historic Design Review (Application PL-09-00784)

Chair Wintzer resumed the Chair.

Planner Kirsten Whetstone noted that the Planning Commission previously discussed these amendments on November 11th. Minutes from that meeting were included in the Staff report.

Planner Whetstone remarked that four general issues were before the Planning Commission this evening for a public hearing and recommendation to the City Council.

The first issue was Chapter 10, regarding the time frame for appeals and making the 45 day time frame consistent for the Board of Adjustments and the Planning Commission.

The second issue was Chapter 11, Historic Preservation, and the modification to streamline the Historic District Design Review process for projects and applications.

The third issue was a continued discussion on Upper Park Avenue to allow innovative design solutions within the transition area between the Main Street commercial and the Park Avenue residential neighborhood. Also for consideration were proposed amendments to Chapter 6, the Master Planned Development.

The fourth issue were amendments to clarify how the 5% support commercial and meeting space square footages are calculated within a master planned development.

Planner Whetstone commented on Chapter 11, the Historic Design Review process, noting that

the amendment was a result of having approximately eight pre-applications submitted. She explained that the Design Review process takes approximately 45 days and includes time for two notifications for the pre-application, as well as the application process. Planner Whetstone stated that some applications are relatively minor with little or no impact on the Historic District or the neighbors. She noted that currently routine maintenance is the only thing allowed in the Historic District that does not require a design review process. Due to the minor nature of some of the applications, the Staff proposed language that would allow the Planning Director or his designee, upon review of the application, determine whether the scope of the project requires a full Historic District or Historic Site Design Review process as outlined in LMC Section 15-11-12(B). Any project that the Planning Director or his designee would determine is not minor would go through the full review. Planner Whetstone read the proposed language included on page 152 of the Staff report.

Commissioner Peek asked if the HDDR fee would be waived on projects that are determined to be minor and not require a full review. Planner Whetstone believed the fee would be waived. She clarified that all projects would still need to comply with the Historic District Design Guidelines. The only change being proposed was the process for minor projects based on the Planning Director's determination.

Commissioner Pettit asked for clarification on who would actually make the determination. Planner Whetstone replied that the decision would be made by the Planning Director. Commissioner Pettit felt strongly that the determination should be made by one person for continuity and consistency since it is a subjective decision. Planner Whetstone pointed out that the language stating, "the Planning Director's designee" would be another Staff member who would be asked to make that determination in the absence of the Planning Director for times such as vacations.

Planner Whetstone reported that the Staff has internally discussed creating a list of items that have not gone through the full process. For example, a hot tub, rear deck, or change of landscaping on a non-historic house. She read language from Chapter 15-11-12 stating that, "The design review application in any allowed or conditional use associated with a building permit, to build, locate, construct, remodel, alter or modify any building, accessory building structure or other visible element located within the Park City Historic Districts or Historic Sites". She noted that signs, lighting fixtures and fences were deleted from the original language. Signs have their own process and in some cases lighting and fences could be considered minor work.

Commissioner Pettit referred to paragraph 2, which identifies certain types of applications for non-historic and historic structures. In connection with creating a model for ordinances that talk about the application for solar panels on historic structures, she was concerned about solar panels falling outside of the scope of design review, particularly since the installation of the panels could create an alteration of the view of a historic structure. Director Eddington remarked that the design guidelines address solar panels and require that solar panels installed on a roof and visible from a public right-of-way must be flush mounted.

Commissioner Pettit understood that best practices were being debated and discussed within

the historic preservation community in terms of how to implement the installation of solar panels on a building adjacent to a historic structure. She felt that was a critical component in terms of implementing these practices on historic structures. Commissioner Pettit cautioned against giving the impression that solar panels would not have to go through a design review process for that type of application. Director Eddington agreed. Planner Whetstone pointed out that solar panels would require a pre-application.

Assistant City Attorney McLean understood that Commissioner Pettit was suggesting that solar panels be removed from the list of items in Paragraph 2 that would circumvent the full review process.

Commissioner Peek suggesting language stating, "solar panels on the primary facade of historic structures" to identify those that would require a full review. Director Eddington stated that if the Commissioners shared this concern, he preferred to write up solar panels as a full design review to avoid confusion. Commissioner Pettit felt it was important at this stage to put solar panels through the practical process. Director Eddington noted that during the re-write of the Historic Design Review Guidelines, the National Park Service and the Department of Interior were looking at different standards and new Code language for solar panels. At that time the language was not fully complete in the State of Utah. Director Eddington and he thought it would be good to update the Planning Commission and the HPB on the final results.

Chair Wintzer suggested the idea of setting aside one meeting for a green review in the Historic District. Everyone wants to go green but still preserve the history of their town, and they need to explore how that could be accomplished. Director Eddington stated that ideally Old Town should not be the experimental ground for solar panels and other green elements. Hopefully it would occur in other areas with larger yards and roof coverage.

After further discussion, the Planning Commission and Staff concurred that solar panels should be subject to a full design review.

Planner Whetstone explained the proposed changes in the HR-2 zone, Chapter 15-2.3 regarding Upper Park Avenue neighborhood planning. She noted that specific purpose statements were added to address the HR-2 neighborhood. Planner Whetstone reviewed the changes to Sub-Zone A as outlined on page 15-2.3-14 of Exhibit A.

Commissioner Peek asked if Planner Whetstone was referring to page numbers and not the Section number. Director Eddington pointed out that the page numbers for Exhibit A were identified in the top right hand corner of the page. Planner Whetstone noted that the page numbers look like section numbers.

Planner Whetstone summarized that the changes were primarily purpose statements, site and lot requirements, and added language regarding Master Planned Developments.

Commissioner Peek noted that Section 15-2.3-8 previously said "special requirements for Sub-Zone A." He asked if they were eliminating all the allowed uses by modifying that sentence, as reflected on page 15-2.3-14. Planner Whetstone replied that the section of allowed uses did not

refer readers to this section. Therefore, an allowed use is subject to special requirements. She noted that previously all the conditional uses had a footnote that referred the reader to Sub-Zone B, which is a general sub zone, or to Sub-zone A only if they meet the requirements.

Director Eddington explained that page 15-2.3-14, Section 15-2.3-8 only addresses the Staff's proposal for master planned developments and conditional uses; not allowed uses.

Planner Whetstone referred to page 15-2.3-16, and noted that a 13th criteria was added to the list of criteria, which states, "The maximum facade width on Park Avenue shall be 40 feet". She noted that a duplex could be built on a 50 foot wide lot with a 5 foot setback. To date, consistent with the HR-1 or HR-2 allowed use, someone could construct a 40 foot wide structure. Based on the discussion, Director Eddington revised the language to read, "The maximum front facade length of any structure is limited to 40 feet." Commissioner Peek asked if they were talking about building width or facade. He noted that if the building is articulated, it could result in a much wider building. He was concerned about forcing creative retaining solutions to create an underground element.

Director Eddington stated that when the language was drafted the Staff was not concerned with subterranean sections below ground. That language could be changed if the Commissioners had concerns. Commissioner Peek wanted to know what would separate the building elements from the below ground elements. He asked if the policy of returning the finished grade within four feet of existing grade applied to the HR-2 District Sub-Zone A. Director Eddington explained that returning to grade was applicable for a steep slope CUP, not for the HR-2.

The Staff and the Commissioners discussed height and scenarios relative to the 4' final grade rule. Chair Wintzer stated that he had previous concerns with height exceptions and expressed his concern to Director Eddington. Director Eddington spent time explaining that height exceptions allow variation in architecture to avoid having everything look the same. Chair Wintzer remarked that after hearing the explanation he understood the reason and was more willing to look at height exceptions.

Planner Whetstone pointed out that page 107 of the Staff report outlined proposed modifications to the language on height exceptions is an effort to allow incentives and better designs for the east side of Park Avenue. Planner Whetstone referred to a bullet point stating that no height exceptions are allowed through the MPD process. She noted that the bullet point should be struck for now because the Staff wanted input and direction from the Planning Commission on that matter.

Planner Whetstone referred to Page 124 of the Staff report and read the proposed changes under the Building Height section. Director Eddington stated that the intent was to add additional criteria that gives the Planning Commission the ability to look at a proposed height exception and determine whether it is compatible with the neighborhood. If it is not compatible, the Planning Commission has the ability to say no.

Chair Winter pointed out that the language may say "compatible with adjacent structures". However, even if it is compatible, sometimes those are structures they would not want

duplicated. Director Eddington stated that the proposed language allows the Planning Commission to look at compatibility with the fabric of the entire neighborhood as opposed to one or two structures.

Commissioner Pettit did not think the language was clear in indicating that it was the entire fabric of the neighborhood. The Commissioners concurred that the word "neighboring" should be changed to "neighborhood" for clarification.

Commissioner Peek asked if there were pending applications that would go to the Board of Adjustment if a height limitation was included in the language. Director Eddington replied that none of the current applications would be affected.

Planner Whetstone showed slides that demonstrated the proposed versus the existing zoning on specific properties and what could be built. Commissioner Peek pointed out that technically four stories could be built on the Park Avenue side. Director Eddington replied that a height exception would be required to go beyond three stories. Commissioner Peek clarified that the only way to get a height exception is through an MPD. Director Eddington replied that this was correct.

Planner Whetstone referred to page 129 of the Staff report and reviewed the proposed changes for calculating floor area for support commercial and meeting space within residential master planned developments.

The Staff recommended that the Planning Commission conduct a public hearing, consider any input, and forward a positive recommendation to the City Council for the Code amendments outlined in the Staff report and discussed this evening.

Commissioner Peek referred to 15-2.43-9, Special Requirements for Sub-Zone B; #4, Historic District Design Guidelines and suggested that "Historic District Design Guidelines" be removed, since that language was eliminated from other sections. Planner Whetstone agreed, noting that they are now called Historic Sites and Historic District Guidelines.

Commissioner Peek requested further discussion on the language regarding the four-foot backfill issue. Chair Wintzer noted that the Staff had requested input on each of the bullet items listed on page 107 of the Staff report.

Chair Wintzer opened the public hearing.

Craig Elliott suggested further discussion on the solar panels. As a user of the process and a representative of property owners, he noted that the Historic District Design Process would take 90 to 120 days. If someone submits a request in May to put in a solar hot water heater, they would not have approval until the end of the summer. He asked if that scenario or something similar could be considered in the process to allow the Planning Director the opportunity to make that decision subjectively. He believed it would have some value to the owners. Mr. Elliott understood the concerns regarding giant solar panels on small houses, but he doubted that could occur without going through the HDDR process.

Doug Stephens referred to Section 15-2.3-5, existing historic structures, and asked for clarification on detached single car garages. He asked if that language applied only to historic structures or to all of the HR-2 District.

Planner Whetstone explained that it was existing language for historic structures with added language stating that "detached single car garages that do not contain habitable Floor area. She noted that the language was primarily to require basements under a structure to meet certain setbacks. Planner Whetstone remarked that the language was added to address the possibility of a detached single car garage as an exception with a required conditional use permit, as long as the garage does not contain habitable floor area.

Mr. Stephens understood that the exception was for setbacks. He asked if there were also exceptions for the building footprint.

Director Eddington replied that building footprint was addressed in a different section of the Code. Planner Whetstone recalled language regarding accessory structures and whether they are counted as floor area.

Mr. Stephens remarked that the language Planner Whetstone referred to related to historic accessory structures and those would be counted towards floor area. Mr. Stephens pointed out that if he had a building footprint of 850 square feet and he lost 240 square feet for a garage, he would not do it. He felt they should relook at the formula to see how they could encourage flexibility in design, because no one would do that with a garage and they will never change that position.

Mr. Elliott had sketched a drawing of a house and garage to support Mr. Stephens comments for allowing creativity with garages.

Planner Whetstone offered to discuss it further with the Staff and come back with possible changes to the language.

Ruth Meintsma stated that when she walks around Old Town and sees a single detached garage on the street with no setbacks, she finds it more attractive than a car sitting in a driveway.

Commissioner Peek suggested that they promote detached garages to help address the parking requirements and snow storage easements required by the City. Director Eddington stated that during the design guidelines discussion, they looked at ways to incentivize doing that, but the issue was always the same. It detracts from the footprint. If they put a garage in the house, they still have a story above and a story below, which is three times the volume in the same footprint. He believed they would need to find an incentive greater than putting it in to the house. If they want to incentivize this type of historic re-creation, there needs to be a give and take, and they have not yet done that. Director Eddington noted that the historic guidelines encourage detached single-car garages, but economically no one will do it if they have to give up a story above and a story below. The Staff would need to draft language and bring it back to

the Planning Commission.

Commissioner Pettit felt the issue goes back to the conversation regarding the Crested Butte City Tour. That community helped create financial incentives for historic preservation by allowing accessory units that could also be used as affordable housing. Commissioner Pettit believed there are ways to create incentives that help people maintain their historic structures. She suggested that the Staff revisit the language.

Chair Wintzer closed the public hearing.

Commissioner Pettit asked if the Planning Commission should parse out the amendments they were comfortable with and take action on those this evening. Director Eddington replied that they could take that approach or they could keep all the amendments together and forward them as a package once the Staff has an opportunity to address the issues raised this evening.

Commissioner Peek summarized the issues that needed further review, which included the building footprint, the detached garage, and the backfill issue of existing grade versus finished grade.

Chair Wintzer requested discussion on the private residence club. He also noted that some of the language indicates the ability to enter a parking structure from Main Street. He was concerned that doing so would preclude the ability to ever close Main Street to traffic.

Commissioner Pettit concurred. She recalled previous discussions for making Main Street more vibrant by pulling away the cars and creating outdoor experiences that would vitalize the area and make it more attractive to visitors. If they start to create access situations on or off Main Street, it eliminates the likelihood of changing Main Street.

Commissioner Peek asked if eliminating the auto on Park Avenue takes precedence over Main Street. Chair Wintzer stated that in the past Park City held a Winter Fest for two days each year where they they would close Main Street and have ski races on the street. He was concerned that connecting the access to Park Avenue would eliminate those possibilities.

Chair Wintzer believed the purpose statements for the HR-2 zone do a great job of requiring things to fit within the neighborhood. However, he did not think a private residence club fit within the purpose statements. He asked the Staff to relook at the language to make sure it would not allow private residence clubs.

The Staff and Planning Commission discussed parking access off Main Street. Chair Wintzer stated that parking that supports Park Avenue should enter off of Park Avenue. Director Eddington agreed that access should be off of Park Avenue for residential structures on Park Avenue. He believed that everyone else would do a payment in-lieu and find a parking garage rather than try to find parking on Main Street.

Planner Whetstone expressed her preference to keep the amendments together and forward them as one package to the City Council.

Commissioner Pettit stated that she understood the point Mr. Elliott had made regarding solar water tanks and the timing of the HDDR process. However, she needed to better understand how to implement green elements in the historic district before she was comfortable making any decisions. Commissioner Pettit favored the suggestion by Chair Wintzer to schedule time to have that conversation.

Chair Wintzer agreed with Mr. Elliott, that if the City makes it harder to go green, people will not do it. They need to find a way to feel comfortable that it fits within the zone and to make it easier. People should be rewarded for going green, not penalized. Chair Wintzer requested that the Staff come back with guidelines for green roofs, solar panels, etc. Chair Wintzer believed there would be trade-offs and that they may have to give away some preservation in order to become more green.

Commissioner Pettit needed time to think through the height exception discussion in the MPD section and whether they should include language that ties in to the HR-2 section of the Land Management Code. She offered to read through those sections and if necessary, provide language to the Staff prior to the next meeting.

Chair Wintzer encouraged the Commissioners to talk to the Staff outside of Planning Commission meetings if they have questions or concerns. He has personally done that and found it to be very helpful in terms of understanding things that may not be clear in the Staff report or during a meeting.

MOTION: Commissioner Pettit moved to CONTINUE the LMC Amendments for Chapters 2.3, 5, 6,10 and 11 to February 24, 2010. Commissioner Peek seconded the motion.

VOTE: The motion passed unanimously.

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

Approved by Planning Commission: _____