

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
NOVEMBER 12, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Adam Strachan, Doug Thimm

EX OFFICIO:

Planning Director Thomas Eddington, Francisco Astorga, Planner; Christy Alexander, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

October 8, 2014

Commissioner Strachan referred to the Work Session Minutes regarding the Alice Claim subdivision and Plat Amendment. He referred to page 9 of the Staff report, page 7 of the Minutes and the sentence beginning with "Assistant City Attorney McLean noted..." In addition to the sentence in the minutes, he added an additional sentence that was stated by Ms. McLean. "**Ms. McLean also disputed that there was consensus for the plan**".

MOTION: Commissioner Strachan moved to APPROVE the minutes of October 8, 2014 as corrected. Commissioner Band seconded the motion.

VOTE: The motion passed 5-1. Commissioner Campbell abstained since he was absent from the meeting.

October 22, 2014

Commissioner Band referred to page 106 of the Staff report, page 46 of the Minutes, third paragraph, fourth line and corrected the word newbies to **nimbys**.

MOTION: Commissioner Strachan moved to APPROVE the minutes of October 22, 2014 as corrected. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

NOTE: At the end of the meeting Director Eddington noted that Planner Whetstone had recommended corrections to the October 22, 2014 minutes regarding 510 Payday Drive, the Thaynes project. He had failed to mention them during the approval of the minutes. However, her corrections were difficult to follow and he requested that the approval of minutes be withdrawn and continued to the next meeting to allow the recommended changes to be verified with the recording.

MOTION: Commissioner Strachan withdrew his approval of the October 22, 2014 minutes and Continued the minutes to December 10, 2014. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington noted that the Commissioners were given direct deposit authorization forms. Those who choose to use direct deposit to receive their Planning Commission compensation must attach a voided check to the form and return it to the Planning Department or to Karen in the Finance Department.

Director Eddington stated that as employees of Park City Municipal Corp., the Commissioners would be receiving a W-2 or a 1099 in late January or early February. He reminded the Commissioners that their pay would remain the same or possibly higher, but it was now on an hourly basis to comply with State regulations.

Director Eddington updated the Planning Commission regarding Bonanza Park. Based on comments that the Planning Department had not done a good job of reaching out to the neighborhood and the property owners, the Staff decided to spend the next six or seven weeks on a public outreach campaign. They have reached out to property owners and individuals, and they will be doing individual/character zone neighborhood meetings in Bonanza Park. They mailed out flyers and hand delivered flyers regarding individual meetings for specific neighborhood groups. The format will be smaller and more intimate and it will allow the Staff the opportunity to listen to ideas and input and to answer specific

questions. In the interim the Staff was also meeting with a number of community groups including the Board of Realtors and the Chamber of Commerce. Public Outreach meetings have been scheduled from now until the first or second week in December.

Commissioner Band asked if the Planning Commission was encouraged or discouraged from attending the outreach meetings. Director Eddington stated that if the Commissioners want to attend they need to check with one another or coordinate through the Planning Department to make sure that only two or three attend a meeting to avoid having a quorum. Assistant City Attorney McLean stated that if the Commissioners attend a neighborhood meeting they should only attend to listen to the comments and not allow the public to engage them in discussion.

Planner Christy Alexander noted that the Planning Department had scheduled a community-wide open house for Bonanza Park on Tuesday, November 25th from 5:30 to 7:30 at the Blind Dog. Planner Alexander stated that the Staff would be updating the City Council on the public outreach campaign and the Planning Commission would be invited to attend the City Council meeting.

Director Eddington reported that due to the Holidays the Planning Commission would only have one meeting in November and December. They would meet on November 12th and December 10th.

Commissioner Strachan asked if the Staff had a date when the 510 Payday Drive Thaynes Canyon project would go before the City Council. Director Eddington understood that it would be scheduled for November 20th. Commissioner Phillips or Commissioner Band would attend.

Planner Francisco Astorga reported that Chair Nann Worel had nominated the Park City General Plan for an award with the American Planning Association. The Planning Department was notified last month that Park City was given an award for the General Plan for a small jurisdiction.

CONTINUATIONS (Public Hearing and Continue to date specified.)

1. Land Management Code Amendments related to Transfer of Development Rights (TDRs), Chapter 2.24 (Application PL-14-02348)

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

MOTION: Commissioner Strachan moved to CONTINUE the LMC Amendment related to TDRs to December 10, 2014. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

2. Sign Code Amendments to Park City Municipal Code Chapter 12
(Application PL-14-02523)

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

MOTION: Commissioner Strachan moved to CONTINUE the Sign Code Amendments to the Park City Municipal Code, Chapter 12 to October 8th, 2014. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 1138 Lowell Avenue – Steep Slope Conditional Use Permit in the Historic Residential (HR-1) zoning district. (Application PL-14-02437)

Planner Alexander reviewed the application for a Steep Slope Conditional Use Permit for a new addition to an existing home at 1138 Lowell Avenue. At the time the Staff report was written she had recommended that the Planning Commission continue this item. However, in the past few days she and Director Eddington had discussed the LMC requirement for a 10-foot step back at the 23' height. Planner Alexander explained that technically the applicant was not doing the stepback on the new addition; but the addition was already stepped back 12 feet from the rear façade of the existing home. Therefore, Director Eddington's interpretation is that the addition would meet the LMC requirement because it is not flush with the rear façade.

Planner Alexander amended her recommendation and requested that the Planning Commission conduct a public hearing and consider approving the Steep Slope CUP this evening. The Staff found that the application meets all the criteria for the Steep Slope CUP analysis and there were no unmitigated issues.

Planner Alexander reviewed an elevation drawing and pointed out the 12-foot stepback on the rear façade.

Director Eddington explained that when the drawings were submitted early in the process it was not clear whether just the existing building protruded into the setback on the third floor, and whether the new structure did not setback in that area. It was later determined that the existing structure is the only part that does not meet the setback, which makes it an existing non-compliant structure. The new addition does meet the 10-foot setback.

Planner Alexander stated that if the Planning Commission chooses to approve this application, she suggested amending the Findings and Conditions as follows:

Delete Finding of Fact #16 and renumber the Findings.

Amend Finding of Fact #15 to read, “The proposed addition complies with the LMC required total building height of 35 feet from the lowest floor plane to the highest wall plate, and is in compliance with the LMC requirement setback of 10-feet of the building height of 23-feet at the rear façade. The new addition steps back 12-feet from the existing rear façade.

Delete Condition of Approval #7 and renumber the conditions.

Craig Kitterman, representing the applicant, was available to answer questions. He understood that the applicant had met all the requirements and the Staff was recommending approval this evening.

Commissioner Strachan asked if the design met the three or four story limitation in the LMC. Director Eddington reminded Commissioner Strachan that the limitation was removed from the LMC and the Code had been amended to address multi-levels. Planner Alexander explained that the applicant could step four levels as long as they meet the exterior requirement of 27’ and the interior requirement of 35’.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Thimm stated that he had visited the site and the neighborhood. In looking at the neighboring houses he thought this appeared to be a lot of house. However, it is well articulated and there was movement in the face of the house. Commissioner Thimm was comfortable that this addition would work nicely in the neighborhood.

The Commissioners had no issues or concerns.

MOTION: Commissioner Joyce moved to APPROVE the Steep Slope Conditional Use Permit for 1138 Lowell Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the Staff report and as amended. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1138 Lowell Avenue

1. The property is located at 1138 Lowell Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot A of the 1138 Lowell Avenue Subdivision. The lot area is 3,750 square feet.
4. A Historic District Design Review (HDDR) application is required and will be reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
5. This lot is a combination of two “Old Town” lots, one which was previously vacant and the other with an existing non-historic single family home. This is a downhill lot.
6. Access to the property is from Lowell Avenue, a public street.
7. Two parking spaces are existing on site. One space exists within an attached garage and the second is on the driveway in a tandem configuration to the garage, within the lot area.
8. The neighborhood is characterized by primarily non-historic residential structures, single family homes and duplexes. There are historic structures and condominium buildings on the street to the east on Empire Avenue.
9. The proposal consists of a 2,135 square foot addition to an existing single family dwelling that is 2,534 square feet for a combined total of 4,669 square feet, including the basement area and a single car garage.
10. The existing driveway was designed with a maximum width of twelve feet and is approximately 36 feet in length from the garage to the existing edge of street with a

minimum of 18 feet of driveway located on the property. The garage door complies with the maximum height and width of nine feet by nine feet.

11. The existing driveway has a maximum slope of 10% with sections at 4.2% (in front of the garage) and 10% (from property line to edge of street). Overall slope is 6.4% as measured from the front of the garage to the edge of the paved street.

12. An overall combined building footprint of 1479 square feet is proposed with the 617 square feet addition being added to the existing 844 square feet footprint. The maximum allowed footprint for this lot is 1,519 square feet.

13. The proposed addition to the existing structure complies with all setbacks.

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

15. The proposed addition complies with the LMC required total building height of 35 feet from the lowest floor plane to the highest wall plate, and is in compliance with the LMC requirement stepback of 10-feet of the building height of 23-feet at the rear façade. The new addition steps back 12-feet from the existing rear façade.

16. The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this addition on the cross canyon views and the Lowell Avenue streetscape.

17. Retaining is not necessary around the home on the upper, steeper portion of the lot. There will be no free-standing retaining walls. There are no window wells.

18. 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.

19. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% or greater slope areas.

20. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.

21. The proposed massing and architectural design components are compatible with

both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.

22. The proposed structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as foundation, roofing, materials, window and door openings, and single car garages.

23. No lighting has been proposed at this time. Lighting will be reviewed at the time of Building Permit application for compliance with the LMC lighting code standards.

24. The applicant submitted a visual analysis, cross canyon view, and streetscape showing a contextual analysis of visual impacts of the proposed structure on the adjacent streetscape.

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

26. The applicant stipulates to the conditions of approval.

Conclusions of Law – 1138 Lowell Avenue

1. The Steep Slope CUP application is consistent with the Park City General Plan.

2. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.

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.

Conditions of Approval – 1138 Lowell Avenue

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.

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 for review and approval by the City Planning Department, prior to building permit issuance.
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 Conditional Use Permit, the 2009 Design Guidelines for Historic Districts and Historic Sites (Historic District Design Review) and the Land Management Code.
7. The plat approved by City Council on April 3, 2014 shall be recorded at the County prior to April 3, 2015 and Building Permit approval.
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.
9. This approval will expire on November 12, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and the request is granted by the Planning Director.
10. Modified 13-D residential fire sprinklers are required for all new structures on the lot.
11. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the Planning Commission- November 12, 2014 Page 120 of 298night sky is prohibited.
12. Construction waste should be diverted from the landfill and recycled when possible.
13. 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 surroundings.

2. 1000 Ability Way – National Ability Center Pre-master Planned Development for additional lodging, expanded equestrian arena, and addition to administration building. Application PL-14-02476

Planner Francisco Astorga stated that the project planner, Kirsten Whetstone, was out of town and he would be presenting this application in her absence this evening.

Planner Astorga reviewed the pre-application for an MPD for the National Ability Center. He provided a brief history of the site and explained the Staff analysis. The parcel is 26.2 acres and it was annexed into Park City in 2004 as part of the National Ability Center/Quinn's Recreation Complex annexation. Prior to that annexation it had received a SPA, which is a specially planned area permit through Summit County. A SPA is very similar to the Park City MPD process. Planner Astorga reported that the applicant was requesting to amend the concept plan. The review process before the Planning Commission was starting with this pre-MPD application, which would eventually turn into an MPD as required to amend the SPA.

Planner Astorga explained that under the Code required pre-MPD application the applicant is entitled to a public hearing and the opportunity to introduce their plan to the Planning Commission. The City is charged with finding whether the MPD concept is in general compliance with both the General Plan, as well as the purpose statements of the Recreation and Open Space (ROS) District. Planner Astorga noted that the purpose statement was included on page 139 of the Staff report. The same page also included a Finding regarding general plan compliance.

The Staff found that the proposed preliminary plan is in general compliance with both the General Plan and the purpose statement of the ROS zone.

Michael Barille with Plan Works Design, representing the applicant, stated that the work on the plan was a collaborative effort between Plan Works and Craig Elliott with Elliott Work Group. Mr. Barille stated that his team also worked closely with the staff at the National Ability Center, their facilities committee, and the Board of Directors to understand their needs and to decide how best to meet those needs within the context of the community and the General Plan.

Mr. Barille stated that the objective this evening was to provide context and history and to walk through the plan to show how they arrived at some of the conclusions.

Mr. Barille introduced John Serio, Facilities Director for the National Ability Center; John Hanrahan, a member on the Board of Directors; Gail Loveland, the Executive Director; and Andy Dahmen, Board of Directors and Chair of the Facilities committee. They were prepared with a power point presentation and each person would be involved in presenting the areas of their expertise.

Gail Loveland remarked that need was the reason for building out their facilities. They have seen an unprecedented amount of program growth over the last four years that has been driven by a couple of key areas. They have a large military program that has grown significantly from serving 50 veterans a year to 950 annually. There has been a dramatic increase in the diagnosis of children and adults with autism, and the National Ability Center has stepped up to better serve that population. A new target audience is the aging population and there is great opportunity to provide more programming for those groups as well. Ms. Loveland stated that there are a lot of adaptive programs across the country, but there are very few like the National Ability Center. People look to them for training and education opportunities. They also work with other organizations such as the MS Society, Autism, and Muscular Dystrophy to name a few.

Ms. Loveland stated that when they grow programs they also need to grow the support groups, which includes volunteers, donors and staff. She stated that when they look at building new facilities they remain focused on their mission and the needs they can fulfill. However, they also partner with other community organizations that provide services that the National Ability Center is not equipped to provide.

Ms. Loveland remarked that the National Ability Center is looking ahead in an effort to plan for growth. They have moved slowly through the process and made sure they did all of their due diligence for build out to meet their future needs.

Mr. Barille pointed out that they were seeing program growth in the 125-150% range. He emphasized that wherever possible the National Ability Center has tried to grow the programs by partnering with the Resort, State Parks or with others in the community, instead of trying to squeeze new facilities on their current site. However, they have reached the point where that is no longer possible and they need to expand.

Mr. Barille provided a brief history of the growth at Quinn's Junction and where the National Ability Center fits into that. He noted that the National Ability Center was the first presence at Quinn's Junction. Mr. Barille commented on some of the plans that were being considered at Quinn's Junction when he first came into the community as a planner for Summit County in 2000. When he became the Summit County Planning Director five years later a City/County Joint Land Use Study was initiated to do a core plan for the area from the Silver Summit intersection all the way down to Quinn's Junction. Mr. Barille noted

that the SPA that Planner Astorga mentioned was a piece of the history but not the whole context. The property was later annexed and following that a Water Service and Development Agreement was approved by the City. That document and the SPA plan were fairly restrictive in terms of the property. Since that time a lot has changed and they intended to point out those changes this evening.

Mr. Barille stated that the initial context required ranch/rural style architecture with the buildings tightly clustered. He noted that while this new plan would add facilities to help with program growth, they were still trying to respect the original intent.

Mr. Barille outlined the number of projects that have been approved at Quinn's Junction since the NAC originally built their facility. He pointed out that Quinn's Junction has really changed but it still feels open and it still feels like part of the community. Mr. Barille believed that as the facilities were proposed, the intent was clearly articulated by previous Planning Commissions and former Staff members that it should be done with a vision towards health and recreation. That was the purpose for all the development that was approved at Quinn's Junction. Mr. Barille believed the National Ability Center fits within the context of that vision.

Mr. Barille commented on how Quinn's Junction has evolved and the positive outcomes of it becoming a hub and a place used by all the community.

John Hanrahan thanked the Planning Commission for their extraordinary service to the community. Mr. Hanrahan remarked that the first positive synergy is that the NAC has great bathrooms that the trail users use. He stated that they are a community hub and dozens of non-profits use their facilities either at a great discount, for free or at cost. Over 29 years the National Ability Center has become an integral part of the community. The NAC provides diversity and brings in people with different cultural backgrounds and different ability levels. Scholarship programs allow people of economically diverse backgrounds to enjoy what the community has to offer. Mr. Hanrahan stated that the National Ability Center has grown into one of the top programs for disabled people and abled people and their families both nationally and internationally. The NAC is a gem in the community and they try to give back what they get from the community.

Mr. Barille stated that the next part of their presentation would show how the plan fits into the language of the General Plan and the neighborhood piece of the General Plan in the broader context. Ms. Loveland believed the NAC fit within the goals of small town, natural setting and sense of community, including athletic development. They are a Paralympic legacy and they provide that type of athletic training. Ms. Loveland stated that the NAC wants to continue to work with the City to talk about future opportunities and to make sure they are answering the needs of the community. She noted that the NAC is a primary user

of the recreation facilities in Park City and Summit County. They utilize the ice sheet, work with Mountain Trails on the trail connections, and try to provide accessible options. In the future they would like to partner with the City on indoor facilities and to be a user of those facilities. Ms. Loveland noted that event space is designed in the plan for meetings, conferences, activities, etc. They would like to have conversations with the City and the community on how they could utilize the space to serve a larger need when appropriate.

Mr. Barille believed their presentation provided a broader context than what is typical for most applications in terms of how their plan relates to small town and sense of community. He could find no better way to accomplish that other than being an open door for all the community partners. In terms of natural setting, they tried to do a nice job of keeping the buildings tightly clustered using architectural colors, materials and scale that is consistent with the surroundings. Mr. Barille stated that the property has a long history of down lighting and zero off-site exposure. He commented on the solar array on the roof of the administration building. Those types of elements would be carried forward with the next iteration of the plan. Mr. Barille anticipated a site visit with the Planning Commission where they could personally see the context pieces.

Mr. Barille outlined the National Ability Center process. He stated that they were before the Planning Commission early in the process, but not before they understood their own needs and could articulate them to the Planning Commission. Mr. Barille stated that the first thing NAC embarked upon was to hire Design Plan Works to talk with their staff about the programs, growth and the participants, as well as the issues with facilities that caused problems and lowered the quality or level of programming. Through those discussions and the interview process, as well as meeting with the Facilities Committee and the Board of Directors, they achieved a few iterations of the plan and looked at the options. The result was the refinement of the plan being presented this evening.

Mr. Barille reviewed how Plan Works Design and the NAC dovetailed their process with the City process. He walked through their meetings with the Planning Staff and how they previewed some of their plan options. Based on feedback from the Staff they tried to understand what the General Plan and the LMC required and how that was incorporated into their plan.

Mr. Barille noted that the National Ability Center also hired a consultant to look at fundraising feasibility and how much it would cost to implement the final plan. They expected to receive that report by the first of next year. Mr. Barille pointed out that the NAC needs to raise the funds before moving forward with construction drawings or coming back to the Planning Commission for approval.

Ms. Loveland stated that the process started with the growth and programs, but also a request from the Board of Directors to look at the master plan. At that point they realized the importance of looking at the overall facility to make sure they were considering all future needs to meet the growth.

Mr. Barille remarked that that the third step of the process is to come back after the MPD discussion and approval and determine which priority projects could go straight to building permit and which ones would require a conditional use permit. Mr. Barille noted that the process would be slow and even the shorter term would be a two to three year timeline.

Mr. Barille reviewed the proposed plan and provided a general overview. The three primary areas for new constructions was the addition to the indoor riding arena, the addition off the back side of the administration building, and a proposed new lodge building. Additional accessory structures were also included in the Plan. The three primary areas mostly relate directly to the program growth and growth of the staff in trying to accommodate the basic needs.

Ms. Loveland explained the reasons for expanding the arena and the administration building. Ms. Loveland stated that the National Ability Center is a premiere accredited PATH Center, which is the Professional Association of Therapeutic Horsemanship. They are the only one in Utah and they provide training to other adaptive equestrian programs. Ms. Loveland commented on the proposed Lodge. She remarked that the issue of athlete housing in the community is a challenge, and the NAC sees it as their own challenge as well. They took 18 athletes from nine countries to Sochi and it was not easy finding accessible housing for athletes with disabilities. She pointed out that the rooms in the existing NAC Lodge do not meet that need at all. Mr. Barille stated that the plan for the new Lodge building addresses issues related to long-term stays and provides a kitchenette with counters at an accessible height.

Ms. Loveland stated that internship programs are a key part of providing programming. They were asked by the community to begin workforce training for individuals with disabilities. It was outside of their mission so they incorporated it into their internship program. A specific internship program called the Coach Program is specific for individuals with disabilities. She reiterated that finding housing for interns working for a three or six month period is difficult. Having the ability to provide housing on-site for people with disabilities while they are doing their internship would be a major opportunity.

Mr. Dahmen commented on other needs related to the Lodge facility. He started coming to the National Ability Center nine years ago. He has his own disability due to a spinal cord injury. For that reason, Mr. Dahmen believes he brings another perspective to the table. A unique problem is that it is difficult to travel and one of his goals for the entire facility is to

create a world class facility for people who normally do not venture out. Mr. Dahmen stated that many people with his level of injury do not travel because they do not have the security of what to expect. They were trying to create a lodge with an atmosphere that encourages people to come who normally would not travel. Mr. Dahmen stated that one aspect would be to partner with IHC to bring in nursing facilities for people in need; as well as engineering the rooms for wider bathrooms and other amenities to help facilitate the people who normally would not get out.

Ms. Loveland stated that the existing lodge can accommodate 53 individuals in double and triple occupancy. People generally stay three to five days and it would be a great opportunity to have overflow space in the new lodge to accommodate additional groups that are currently turned away.

Mr. Barille walked through the site plan and identified the other uses related to the National Ability Center. One was the Archery Center that would be relocated on-site to accommodate the new Lodge building. Mr. Barille indicated a Yurt on the property that is used for Nordic use in winter and camps in the summer. The Yurt is not an appropriate place for those activities and the new plan allows for an enclosed climate-controlled area. Ms. Loveland stated that the NAC is in need of additional restroom facilities and she pointed out areas where new restrooms were proposed. Mr. Barille continued with his review of the site plan and explained the uses and which ones would be accommodated differently in the new plan.

Chair Worel asked about a dining facility. Ms. Loveland stated that there is already a commercial kitchen in the dorm and a cafeteria. The new proposed Lodge would have kitchenettes. Chair Worel asked if a cook currently prepares meals for a large group. Mr. Loveland replied that they partner with the community and catering is provided for either day groups or overnight groups. They try to seek nutritional partners to reflect the mission of the NAC regarding health and nutrition. Ms. Loveland clarified that meals are prepared off site and brought in. Chair Worel asked if they expected that to continue. Ms. Loveland answered yes.

Mr. Barille provided images to show the tent platform, cabin, and sensory garden. He thought it would give the Commissioners a sense of the character they were trying to achieve with those uses. He also presented floor plates and programming for a few of the facilities discussed in the master plan and explained how the design promotes better functionality. Mr. Barille presented massing studies to show how the new and existing buildings would read together. They tried to maintain consistency by using the existing materials and colors so the old and the new read as one facility.

Mr. Barille reiterated that they were not looking to speed through the process and there were still a number of steps to be done. However, as they begin the fundraising it was important to hear from the Planning Commission so they could proceed accordingly.

Ms. Loveland welcomed their input and noted that they were looking at a three to five year timeline. Chair Worel asked if the timeline meant shovel in the ground in three years or the first phase would be up in three years. Ms. Loveland stated that the timing would depend on the fundraising. She believed it would likely be shovel in the ground at the three year mark. Mr. Barille assumed it would be a phased plan unless someone was generous enough to fund the entire project. It was likely they would have to set some priorities and that the MPD would identify the phases of highest priority. Those would be the first to have a shovel in the ground and the later phases would come back for a review process and conditional use permit.

Chair Worel asked whether they were confident that in three years the projections and the facilities proposed would meet the needs at that point. Ms. Loveland stated that they have tried to look ahead and some decisions were based on those projections.

Mr. Barille stated that prior to coming back with the MPD they need to double-check with all the service providers regarding capacity and to have initial planning discussions related to storm water, wetlands, parking, trip generation and circulation. They have an existing approved final site plan that serves as a plat and defines the boundaries of the property. However, they all agree that it should be tightened up and they would probably come back with a partial plat for the entire property. It would allow them the opportunity to have the conversation to make sure they were meeting the setbacks.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Planner Astorga noted that the Staff was requesting input on two issues. The first was whether or not the Planning Commission finds that the proposed MPD amendments are consistent with the ROS Zone, or if they needed additional information to make the determination regarding the ROS zone in terms of purpose and use. The second issue was whether or not the Planning Commission finds that the proposed MPD amendments comply with the General Plan, or if the Planning Commission needed additional information in order to make the determination regarding compliance with the General Plan.

Planner Astorga requested that the Planning Commission continue this item to December 10, 2014 following their discussion this evening.

Commissioner Strachan wanted to know if anyone had projected the number of years a new facility would serve the NAC. Ms. Loveland replied that in the initial discussions they had set a goal for ten years. However, they also looked at the entire 26.2 acres and believe they have planned for what the acreage can accommodate. Beyond that they would be looking at other opportunities to partner with community organizations.

Commissioner Strachan remarked that ten years goes by quickly, particularly if it would be three years before the shovel goes into the ground. He was comfortable with the use and the expansion, and he understood that the project was driven more by fundraising than by dreams and desires. However, if they could find the money he thought this was a good opportunity to plan a facility that would serve for longer than ten years.

Mr. Hanrahan stated that the Board was slightly nervous about the fundraising component, but they could still plan for 20 years and phase it out with another fundraising campaign in ten years. He thought Commissioner Strachan had raised a good point and it was a good idea.

Commissioner Band agreed. With the growth the NAC has seen with all their programs and the fact that they have already outgrown the existing facility, she did not think the proposed expansion was large enough. Commissioner Band asked if the pasture area in the back could potentially be a future growth area if the horses were relocated.

Ms. Loveland replied that it could be used for growth. Currently, it is a key part of the programming that is provided and it contributes to the feel of the ranch. There is a therapeutic benefit from being around the animals even for those who do not ride the horses. Ms. Loveland stated that they typically keep between 16 to 18 horses to meet the needs and they need the room to house the horses. She appreciated the input and the suggestion would be discussed with the Board.

Commissioner Strachan thought it would be helpful if Mr. Barille could come back with a phasing plan for the Planning Commission to discuss with the applicant. Mr. Barille stated that a phasing plan had been mentioned. They would have additional discussions and come back with options for Planning Commission input.

Commissioner Band stated that she loves the NAC and their programs and there is a great need for it in the community. She liked the uses proposed, the clustering and the buildings. Her only concern was having enough space for future growth.

Commissioner Campbell believed the entire Planning Commission was in favor of the NAC and what they do, and they wanted to make this work. He suggested that one way the Commissioners could help would be to allow the applicant whatever flexibility they needed. Commissioner Campbell did not think the Planning Commission should be involved in locating the buildings on the site or determining the use for each building. He felt those decisions should be left to the applicant as long as they stay on course with the current use. Commissioner Campbell stated that the NAC should not have to come back to the Planning Commission unless they run out of space and needed to expand further.

Commissioner Strachan pointed out that without Planning Commission approval the NAC could sell the property and a new owner may plan a use that is not appropriate.

Mr. Barille noted that there were already use restrictions associated with this property limiting it to recreation, and in some cases adaptive recreation uses.

Commissioner Campbell clarified that his comments were intended to encourage Mr. Barille to come back with plans that were less specific rather than more specific than what was shown this evening. He did not believe the Planning Commission needed to be involved in the details. Commissioner Strachan stated that his reason for asking for a phasing plan was help the applicant by providing input on what might or might not work. He was not opposed to Commissioner Campbell suggestion if the applicant was not interested in having their input.

Commissioner Phillips informed Mr. Barille that the Planning Commission would definitely want to know the parking plan and where the cars would be parked.

Chair Worel asked if there was consensus among the Planning Commission that the amendments were consistent with the ROS zone.

Commissioner Joyce stated that in looking through the conditional use criteria for the ROS zone and while everything else was consistent, he had concerns with the Lodge. He could find nothing in the ROS zone of conditional uses that allows lodging. Commissioner Joyce asked if the Lodge would be compliant with the ROS zone.

Director Eddington explained that the application came in as part of a SPA or Special Planned Area, and there were already existing uses associated with it. The City gave it ROS zoning when it came in, which is more protected zoning than any other zone in Park City. Director Eddington stated that they would need to include those uses in the ROS zone as part of the MPD amendment. He clarified that it would not be hotel lodging, but it would include lodging for this type of use. Director Eddington pointed out that the language would have to be very specific.

Commissioner Strachan stated that he would not define the use as a lodging use. The use was actually an adaptive facility. Planner Astorga concurred. Director Eddington remarked that there would be overnight visitors and clarifying the use would protect the NAC.

Commissioner Campbell felt the operative word was to “protect” them so it is not questioned in the future. He agreed with clarifying the use in the MPD.

Mr. Barille reiterated that the use restrictions associated with the property are very specific. The land grant that came from the family was very clear that there could be lodging facilities on the property but it could not be for commercial purposes. The lodging use was strictly to support the adaptive recreation and recreational uses on the property. Mr. Barille thought it was appropriate to specifying that in the MPD, but he did not believe it needed to be a Code change.

Commissioner Thimm stated that he had the same question as Commissioner Joyce. He agreed with Commissioner Campbell and the other Commissioners on how to handle this application. He was proud to have this type of facility in the community. Commissioner Thimm thought it was best to protect what exists and to make the findings. If it was an existing use as part of the SPA and it works he would be comfortable with that. However, Commissioner Thimm felt it was a bit of a stretch to say that adaptive use includes lodging. He asked if the MPD process allows a use that is prohibited by the ROS zone.

Planner Astorga stated that he would call it an accessory structure greater than 600 square feet, which would include the lodging building plus other structures. In response to Commissioner Thimm’s question, Planner Astorga did not believe the MPD gives the flexibility to bring in other uses that are not in the ROS table; however, he believes the interpretation of the use could be modified in the language of the MPD.

Commissioner Thimm understood that the ROS zone has a conditional use for accessory buildings. He asked if part of the approval could allow this accessory use as being site specific to this approval. Planner Astorga believed they could. Director Eddington stated that it was a non-conforming use based on the SPA. He believed the NAC was generally protected, but he recommended that it be clarified in the MPD. Commissioner Band pointed out that the lodging use currently exists.

Commissioner Joyce understood that a non-conforming use was allowed but it could not be increased. He thought adding another lodging structure would be increasing the use. Commissioner Strachan stated that lodging was not the specific use. Director Eddington concurred. Commissioner Joyce agreed that the Planning Commission as a whole supported the application and they were not opposed to expanding the current lodging.

However, he wanted to be able to approve this without feeling like they were “pulling something off” to allow it. Commissioner Joyce asked the Planning Department to find a way to allow it that is very clear and can be supported by the LMC and the General Plan when it comes back as an actual MPD.

Commissioner Joyce asked the applicant to address the open space requirement of either 30% or 60% in an MPD. When they talk about expanding out he wanted to make they were not pushing the open space limits. Commissioner Joyce noted that the three-story lodging building exceeded the height for the ROS zone. He thought that issue needed to be discussed if a three-story building was the final plan. Commissioner Joyce agreed with the ranch style feel and the openness and he was disappointed to see another tall building popping up in Quinn’s junction. Planner Astorga remarked that the maximum height is 28’ in the ROS zone, but a roof pitch of 4/12 or greater allows an additional five feet. The maximum height could potentially be 33 feet. Director Eddington pointed out that within the MPD process the Planning Commission has the ability to change height.

Commissioner Joyce clarified that he was not opposed to this application, but he thought the Planning Commission should be cautious to avoid putting themselves in an awkward position. He saw red flags as he read through it and he would like those issues to be addressed.

Commissioner Band remarked that in terms of “gives and gets”, the “get” for the community is the NAC program, and that would be her argument for allowing exceptions.

Commissioner Campbell remarked that clarifying the issues raised by Commissioner Joyce would protect the NAC in the future when they have to come back to a different Planning Commission.

Mr. Barille felt certain that Craig Elliott believed he could design a three story structure within the 33 feet height limit, but he would confirm that with Mr. Elliott. In terms of having findings in an MPD, Mr. Barille stated that as a community member, Chair of the Recreation Board, and someone wearing different hats, he believed the elements of the programming were the “gives” for the “gets”. Mr. Barille agreed that there could be legitimate language formed in findings to address some of the issues that were raised. He would work with the Staff before the next meeting.

Chair Worel asked if the Commissioners thought the proposed amendments comply with the General Plan.

Commissioner Strachan believed this project complied with the General Plan. Commissioner Joyce thought it was a “slam dunk” project in terms of the General Plan.

Commissioner Thimm agreed. As a new Commissioner this proposal gave him the opportunity to look into the General Plan and he found full compliance. Chair Worel was excited that this was such a great project to test the General Plan for the first time. Commissioners Phillips and Band concurred.

Planner Astorga requested that the Planning Commission keep the exhibits from this Staff report for the December 10th meeting.

MOTION: Commissioner Strachan moved to CONTINUE the discussion on 1000 Ability Way to December 10, 2014. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 7:25 p.m.

Approved by Planning Commission: _____