

**PARK CITY PLANNING COMMISSION
WORK SESSION NOTES
APRIL 28, 2010**

PRESENT: Chair Charlie Wintzer, Brooke Hontz, Dick Peek, Julie Pettit, Adam Strachan, Thomas Eddington, Brooks Robinson, Kayla Sintz, Francisco Astorga, Jacque Mauer; Polly Samuels McLean

Commissioners Luskin and Savage were excused.

Work Session Items

1555 Iron Horse Loop Road

Planner Jacquy Mauer reviewed the application for an MPD of the Iron Horse mixed use building, located at 1555 Lower Iron Horse Loop Road. She reported that on August 26, 2009 the Planning Commission held a pre-application public hearing for the Iron Horse mixed use building and found it to be in initial compliance with the General Plan.

Planner Mauer noted that the property is currently occupied by a building formerly used as the Deer Valley Lodging and the Park City Transportation building. Fuel storage tanks and pumps are also located on site. The applicant was proposing to remove the two buildings and construct three connected mixed-use building to be used for a commercial office and residential space. Planner Mauer stated that 21 residential units are proposed, ten being live/work units, and over 10,000 square feet of commercial area. Seventy-three parking spaces are required and proposed.

The Staff requested input from the Planning Commission prior to scheduling the application as an action item. Following a presentation by the project architect, Planner Mauer requested that the Planning Commission provide direction on five discussion items outlined in the Staff report.

Craig Elliott, the project architect, used a model during his presentation to show that the proposed project is actually one building that has the appearance of looking like three buildings. As they look through the project, he explained how the project changes the application of the Code. Mr. Elliott pointed out that the public view of the building would be coming from Bonanza and down Iron Horse. He noted that the building itself is approximately 250 feet long. Each piece is approximately 100 feet. Mr. Elliott explained that the lower level was designed for commercial use and the upper level would have residential uses. He indicated the access to the lower parking structure. He showed how they created a boardwalk around the building to create a traditional walking experience along the commercial uses. Many of the elements in the Rail Central remodel were mimicked in this project. However, they looked at this building in a slightly different context based on its location and the uses.

Mr. Elliott indicated that parking on the south side of the building would be accessed off of the road and provide in and out parking for commercial on the lower level. The primary use of the parking structure would be for residential. Users of the office/commercial space on the first level would also have the opportunity to use the parking structure. Mr. Elliott remarked that the facade along Bonanza Park was developed with a lower building height. It is two floors with an outdoor space on top to create additional interest with the view shed. He believed the design worked with the context and scale of the adjacent buildings.

Mr. Elliott indicated the residential units and a road that services Fireside. The plans showed the current bus pull out, but they did not have drawings for the proposed tunnel so it was not included on the plans. If the tunnel is not constructed, a bridge structure would be needed, which was shown on the plans. If the tunnel is constructed, Mr. Elliott assumed there would be other solutions to provide access across. He commented on a previously approved bridge and stated that they have been looking at where that might connect to the building. The model showed the bridge in a location that they believe is a logical and appropriate connection that links through the building structures and provides connection to the Rail Trail across. A set of stairs would come down from the Rail Trail and cross over.

Mr. Elliott stated that the intent was to design the building in ways that breaks up the mass. He noted that a building over 120 feet is required to have facade shifts and he explained what was done to meet the intent of the Code. Mr. Elliott presented the elevations showing the architectural materials.

Commissioner Pettit referred to the outside parking and asked where the pedestrian traffic links with the buses that drop off school kids. She was trying to put that into context with the location of the proposed parking. Mr. Elliott replied that a combination of things occur. Pedestrians either go down the road or walk across the Rail Trail and down across the creek. He also indicated a beaten path that comes up over the hillside. Two places are next to the building and a sidewalk runs out from the building. They worked with Engineering so they could make the parking spaces 5 feet deeper to improve the performance. This allowed more room for the cars and more visibility and created a safer environment.

Chair Wintzer understood from the report that Engineering was comfortable with cars backing out and that it complied with Code. Planner Mauer replied that this was correct.

Chair Wintzer felt the bridge location was right for the building, but he questioned whether it was the right location to encourage people to get off the bus and walk past this project to the residential area. He pointed to an alternative location that he thought would better accommodate pedestrian traffic. Mr. Elliott pointed out that the location Chair Wintzer identified was on property that the applicant did not own.

Director Eddington believed the City was working on a proposal to redo the existing bridge, which could assist this project and address the issue. Chair Wintzer stated that 30 school children walking through the project twice a day is not advantageous and he encouraged finding a way to place the bridge at the other end. Director Eddington stated that the secondary bridge is deteriorating and the City is currently discussing options. Commissioner Pettit felt that it would be helpful if the Staff could provide a general report on things planned in the area that might resolve some of their concerns.

Commissioner Pettit stated that her main parking concern was foot traffic in conflict with people backing out of parking spaces. She noted that when parking spaces are parallel rather than angled, it is difficult to see what might be coming, particularly since so many vehicles have tinted windows. From a design perspective she asked if there was an advantage to angling the parking versus making it parallel. Mr. Elliott replied that it was the same issue as making the 90 degree turn as you come in. He noted that they looked at several different orientations. He did not disagree with

the angled parking solution, but he was concerned that it may not function as well.

Mr. Elliott noted that the proposed material was vertical metal panel and composite wood panel systems. Timber structure elements would be use to create shade canopies and boardwalk covers.

The Planning Commission discussed the five points requested by Staff.

The first point was to provide feedback on the new parking configuration.

Chair Wintzer thought the parking was in the right location to make the building function, but as a community, they need to find a way to make the parking back out so it does not become a safety issue. Directing the pedestrian path down the Rail Trail or to other locations help him feel more comfortable and he believes it is a good solution for the businesses in front.

Commissioner Pettit stated that the safety issue with cars backing out was still a concern. She understood that the City Engineer had looked at the configuration, but in reading the letter it was basically recognition that the City does not have LMC oversight because it backs off on to a private road versus a public road. Commissioner Pettit remarked that the effort to move the parking forward and provide more of a buffer was a good start in the right direction and she needed to let the experts determine that the safety alternatives have been maximized in the proposed configuration. She was still unsure whether the parking proposed was the best solution.

Director Eddington stated that when the Staff worked with the City Engineer they all had the same concerns. He believed that the different material and the five foot buffer would help significantly. Director Eddington recognized that there is an inherent conflict due to the retail on the first floor. They did look at angling the parking spaces, but getting in and out creates a 3-point turn in the road, which is equally as dangerous because it requires two back-ups rather than one. Director Eddington agreed that it may not be the perfect solution, but he felt it was the best they could get and still meet the intent of servicing the retail. He clarified that the Staff had looked at every possible option.

Commissioner Pettit explained why she believed the angled scenario would provide more visibility and would be safer than the current configuration. She reiterated the visibility limitations of tinted windows. Commissioner Pettit was not convinced that there was no other solution.

Director Eddington acknowledge the challenge and offered to look for other alternatives. Mr. Elliott presented the overall aerial photograph and noted that it was all 90 degree parking to the dry lot. Everyone coming to the site would access through that driveway. He felt the proposed parking was consistent with is there.

Commissioner Peek pointed out that the parking Mr. Elliott identified was residential parking versus repetitive retail use. Chair Wintzer suggested that a solution would be to make it easier for the pedestrians to come in over the Rail Trail. He agreed that the residential parking lot is a different use from someone in a hurry to run in and out of a business.

Commissioner Peek stated that parking was the number one concern because children over decades would continue to use this route. If a bridge solution happens that uses the rail trail either at the corner of the property or the adjacent property, he was unsure if the bus would do two drop offs. Commissioner Hontz asked about the current bus drop off. Chair Wintzer replied that the bus drop off is near the crosswalk on the upper road, but it will eventually be moved down. That was his reason for suggesting that they find a way to encourage people walk on the Rail Trail and not behind the building.

Commissioner Strachan agreed with Chair Wintzer.

The second point was to discuss the proposed pedestrian bridge regarding the location and circulation it provides for the project and surrounding areas.

Planner Mauer stated that the City Council would approve the design of the pedestrian bridge; however, it was appropriate for the Planning Commission to whether the location is appropriate for the circulation of the project.

Chair Wintzer reiterated that the location of the bridge was perfect for the building, but he felt another bridge was needed in order to make the parking work. He was unsure if that would be a joint effort between the City and the applicant or all the property owners and the applicant. Chair Wintzer believed that a second bridge would resolve the parking issue.

Commissioner Peek stated that the bridge worked well for the two commercial uses across the Rail Trail. However, because the proposed project would create a more intense use adjacent to a residential intense use, they would need something to absorb the demand,

Commissioned Hontz recalled that a State agency was involved in discussions on the second bridge. Mr. Elliott recalled that a portion of the Rail Trail was purchased with City open space funds and it goes down past this project. He believed the City would be involved regarding this project. Any additional issues would be addressed with Stream Crossing.

Commissioner Pettit concurred that making an alternative access to the upper residential area more appealing and usable could be a potential mitigation factor for parking and traffic issues.

The third point was to provide feedback on the requested height exception and whether the requirements for a height exception have been met.

Planner Mauer presented a report showing what the cubic feet would be to the project if all the setbacks and height were maxed out. She used a slide to show the proposed height exception. The proposed building volume was 565,000 and the setback volume a maximum would be 870,000 cubic feet.

Mr. Elliott used the model to show the areas for the height exception. He noted that typically when requesting height exceptions, they look at compatibility to adjacent zones. He was comfortable that the height was compatible with the GC zone having a 35 foot maximum height with a five foot exception.

Chair Wintzer clarified that the applicant was requesting a two-foot height exception on two buildings. The front building would be 4 to 5 feet lower in height.

Commissioner Hontz felt that the height exception was appropriate in this location. She would not be opposed to the building being taller. Commissioner Strachan agreed that the project could be denser in this zone. Commissioner Peek stated that the toe of the slope is the place to add more height.

Commissioner Pettit understood that Criteria #5 would not apply because it was out of the Historic District. Planner Mauer clarified that it needs to comply with Chapter 5 as stated in the criteria, but not with the design guidelines. Commissioner Pettit asked for clarification as to why the Staff analysis says that the proposed height request does not comply. Planner Mauer explained that Chapter 5 - Architectural Review, states that height exceptions need to provide transitions in roof elements. The Staff found that the height exception did not comply with that statement since it was straight with no variation.

Commissioner Pettit asked if the Planning Commission could make a finding for allowing a height exception if it does not comply with one of the criteria.

Assistant City Attorney, Polly Samuels McLean, believed the criteria is clear and that it needs to be met. Mr. Elliott remarked that the determination of compliance was with the Planning Commission. The Staff made their analysis and Planning Commission determination was part of the review process.

Commissioner Pettit asked Mr. Elliott to explain how the Planning Commission could make a finding of compliance. Mr. Elliott stated that based on his interpretation of the language, they were not adding additional volume, they added different architectural character, they have stepped the building masses up and down. There are areas in the development where they could have had structure, but the pieces were removed that added volume to the project.

Chair Wintzer pointed out that this was similar to how the Planning Commission approached the potential project to the Yarrow. The Planning Commission looked at that project to see if they were trading height from one building to the other. It was done as an architectural feature and did not increase the square footage or the density

Commissioner Pettit asked if the Planning Commission could find that it provides a transition in roof elements. Assistant Attorney McLean stated that the Planning Commission needed to make the determination of whether or not there is enough of a transition to comply with Chapter 5. Ms. McLean noted that the language reads, "shall comply with the following criteria."

Director Eddington suggested that Mr. Elliott explain the upper portion of the roof. He thought there appeared to be an eave that extends out from the upper portion of the roof that provides a transition or differentiation of material. Mr. Elliott explained the changes to the building mass, identified areas of vertical circulation, and places where the building drops down and goes back up. He stated that the intent was to keep the structure in context with the neighboring buildings.

Planner Sintz reviewed the exterior elevations in the Staff report. In looking at the east elevation, she believed they could interpret the stepping of the building forms as a variation and transition in forms. She pointed out that the massing model showed that Building A was at 24 feet, which is under height. Therefore, the two buildings proposed at 32 feet would be a shift in mass and form, which is the intent of the MPD in being able to move density around and to allow for a height exception. Based on Planner Sintz comments, Director Eddington clarified that the variation required by the LMC could be the height, as opposed to having all three elements of the building at the same height. Planner Sintz believed a finding could be made that there is variation and transition in roof forms required for a height exception.

Commissioner Strachan was comfortable with that interpretation.

Commissioner Peek noted that the east elevation showed two stories. He asked Mr. Elliott to point out the third story. Mr. Elliott replied that there is a break that may not be shown as a full floor. There is a parapet around the lower roof that acts as a guardrail. Instead of having a ten foot transition, there is a six foot transition between parapets. Commissioner Peek clarified that the south elevation, which would be north, reflects three stories. The east elevation, which would be south, only reflects two stories. Mr. Elliott explained that it was showing the two story building 200 feet away.

Commissioner Hontz stated that she was never concerned with height exception and always felt there was adequate transition when looking at the entire project.

The fourth point was to discuss whether the proposed project meets the language and intent of Chapter 15-5-8 of the LMC regarding facade and building height.

Planner Mauer read from the LMC, "Structures that exceed 120 feet in length shall provide a prominent shift in the mass of the structure at each 120 foot interval, reflecting a change in function or scale. The change shall either be in the form of either a 15 foot change in building facade alignment or a 15 foot change in the building height".

Mr. Elliott used the model to explain the dimensions and design elements that they believe meets the language in the LMC.

Commissioner Pettit asked if there was a way to create a little more variation with one of the two big fitter buildings. She felt that more variation would make the buildings more aesthetically pleasing and more compliance with the goals of the LMC.

Commissioner Hontz recalled that Commissioner Strachan had made a similar comment and she concurred, particularly in terms of the height. Chair Wintzer thought it was fine as designed, but he agreed that it could be better. He suggested that they emphasize the end of one of the buildings and create a larger height exception in the corner. Chair Wintzer was confident the details could be worked out.

Planner Sintz clarified that the Commissioners concurred with having additional height on Building

C. Commissioner Peek suggested a more articulated corner towards the residential use.

The fifth point was to provide direction on whether or not additional demand for child care would be needed for the project.

Planner Mauer noted that LMC 15-6-5(K) states that the Planning Commission may determine whether or not a project would create additional demand. She explained that the Staff would conduct an analysis of the child care currently provided in the area and weigh that against the number of residential units proposed and number of bedrooms. Planner Mauer asked if the Planning Commission would like the Staff to consider anything else in that analysis.

Commissioner Pettit stated that this was the first time the Planning Commission has been asked to comment on child care. She noted that this was a mixed-use project and at this time the uses are unknown and no one knows whether any of the residents will have children. Commissioner Pettit needed a better understanding of the elements of the Land Management Code and why or how that plays into this project.

Chair Wintzer suggested that the Planning Commission wait to address this issue when they look at the different occupants of the building. He remarked that every project creates a demand for child care, but it was too early to assess whether the demand from this project would be different.

Commissioner Pettit did not want her comments this evening to indicate that she was opposed to this proposal. She supports the project and looked forward to seeing it evolve. Commissioner Pettit clarified that her issues related to parking and safety concerns. With respect to massing, she believed that more articulation would make it a better project. Commissioner Pettit stated that this was the right project for the location.

Commissioner Hontz asked if the applicant would pursue the voluntary clean up program. Mr. Elliott assumed they would need to address the tanks and other issues on the site. Commissioner Hontz understood that they would need to deal with the issues, but she was unsure of what would be required in terms of clean up. She asked the Staff to provide a history of the clean up that was done by the residential development behind this project, since that site was the Park City Dump at one time. Planner Mauer offered to research her request with Jeff Schoenbacher.

Echo Spur on Rossi Hill - Plat Amendment

Planner Francisco Astorga reviewed the plat amendment application for the Echo Spur on Rossi Hill. He presented the Echo Spur and Rossi Hill vicinity map and 2009 aerial to show where the applicant was proposing to reconfigure 13 lots into 9 lots of record. The site is located off of platted McHenry. Planner Astorga noted that the applicant was hired by the City to complete platted McHenry Road.

Planner Astorga noted that the Planning Commission had previously reviewed this application. At that time the lots were configured differently and the lots were located on the right-of-way, which required a street vacation. Based on comments at that meeting, the applicant revised the plans and

rather than a vacation, they requested a private road to service the lots. The Planning Commission was not satisfied with the revised plan and directed the Staff to prepare findings for denial. Planner Astorga stated that the application was withdrawn and the applicants have come back with a new plan for this application.

Planner Astorga reviewed a boundary survey of the project. He noted that this application was for Lots 17-29. The applicant also owns Lots 30, 31 and 32 of Block 58, but they are not requesting a change in the lot boundary for those lots at this time. Planner Astorga presented a slide showing how the preliminary proposed plat would look with nine lots of record.

The Staff requested that the Planning Commission review the Echo Spur on Rossi Hill plat amendment for compliance with the Land Management Code in regards to lot combination, access and lot layout.

Connie Bilbrey, the applicant, commented on the infrastructure that was added to the project. Last summer they added a new street with curb, gutter and sidewalk, and a large retaining wall at the end of the property. New water, sewer, power gas, etc was also added to the project, including placing all utilities underground and removing overhead power lines. Mr. Bilbrey believed the application was straightforward in its request to combine and reconfigure some of the lots. He anticipated a total of 10 dwellings on the lots. Mr. Bilbrey stated that they are homebuilders and the intention is to sell lots to people who want them to build their home.

Commissioner Hontz disclosed that at her former place of employment the applicant came in with this property. She did not work on the project and believed there was no conflict. Chair Wintzer remarked that the first eight lots were consistent with Old Town lots and the size and scale of the houses behind it. He was concerned with the last lot at the end of the road. In combining those lots, he questioned whether they would be creating something they would eventually have to fight in a Steep Slope CUP. Chair Wintzer noted that based on the purpose statement of the subdivision ordinance in the General Plan, combining lots would result in a larger structure at the most visible part of the intersection. He was not in favor of combining the lots and pushing the project further down the hill.

Chair Wintzer asked Commissioner Pettit to read the purpose statement from Chapter 15-7.3-1(D), which relates to restrictions due to character of the land. Commissioner Pettit read the purpose statement and noted that it was a tool the Planning Commission has available for subdivision and evaluating plat amendments.

Chad Bilbrey, the applicant, asked if Chair Wintzer preferred to see no development, or if he preferred that the lots remain as currently platted. Chair Wintzer replied that the owner has the right to develop each of those Old Town lots. Connie Bilbrey pointed out that these were platted lots from the Park City survey and they were not proposing a subdivision. Chair Wintzer explained that when lots are combined it is a subdivision. Mr. Bilbrey remarked that the intent in the future is to seek a CUP to build a duplex that matches the surrounding properties to the north and west. He noted that a topographical survey of the three lots was recently done and only a small portion at the very southeast corner of the property is a steep slope.

Chair Wintzer clarified that his concern was pushing the building mass further on to the ridge and down the hill. The issue would be the same regardless of whether or not it was a steep slope. Director Eddington noted that the Planning Commission has the right to place a restriction on footprint or square footage if they are concerned that the structure would be going too far to the east and down the hill.

Commissioner Peek requested an analysis of what, if anything, could be built within the Code requirements of three levels and final grade returning to within four feet of existing grade.

Commissioner Pettit remarked that the primary issue was ridge protection and these particular lots would be too visible on the ridge. She would be more comfortable if the square footage of the footprint was more consistent with the other lots and the HR-1 District. Commissioner Pettit concurred with Chair Wintzer that it was inappropriate to place the largest building at the most visible point.

Commissioner Hontz echoed all the comments from her fellow Commissioners. Without seeing the topo, she was concerned that they could end up with issues of lot size and development that they cannot foresee at this point. Commissioner Hontz agreed that regardless of the steep slope, this is a ridge and she was uncomfortable looking at the subdivision without understanding the end product. She did not believe the development would fit on the site when the other requirements are applied. At that point they would look to hardship, and she did not favor approving projects that are unbuildable within the confines of the Code.

Chair Wintzer asked how the applicant would measure the height now that the land has been disturbed. Planner Astorga understood that it was measured from existing grade. He noted that the grade was recently disturbed when the road was put in. Planner Astorga stated that with the newer changes to the LMC, the height would be 27 feet from existing grade.

Chair Wintzer asked if existing grade is considered the current grade or the grade that existed two years ago. Commissioner Peek stated that this issue was raised two years ago and he thought it was understood that the grade would be what existed two years ago and not after it was re-graded.

Chair Wintzer wanted to know if part of the hill is cut down, whether that would give them more than 27 feet from the current existing grade.

Planner Brooks Robinson stated that the Staff had the original topo survey prior to the construction that occurred and that would be used to measure height. Chair Wintzer clarified that the two year old grade would be used and not the existing grade today. Planner Robinson replied that this was correct. Planner Robinson recalled from the topo that every lot had a small amount of steep slope, but mostly towards the west end, which is likely in the rear setback and would not be developed on or over for access. He did not anticipate seeing a steep slope CUP on these lots, except possibly on the lot the Commissioners were discussing.

Chair Wintzer was interested in seeing what the final height of a building would be since a significant amount of the ground has been removed. Director Eddington suggested that the Staff bring back the proposed subdivision over the existing topo. The Staff could provide a quick analysis and work with the applicants to show the rough mass and scale and heights of the building

superimposed on the site.

Commissioner Strachan agreed with the comments on the end lot. In addition, he believed that the visual impact and the mass, scale and size would be aggravated by the fact that it would be located next to the retaining wall.

Commissioner Strachan asked if the Planning Commission approved the lot combination as proposed, if there was a way to guarantee that it would come back to the Planning Commission for a CUP if there was a change in use. Assistant City Attorney McLean stated that it would not come back to the Planning Commission if it was an allowed use. Mr. Bilbrey was not opposed to having something in writing that guarantees the use proposed with the lot combination.

Chair Wintzer stated that he was not convinced that the current proposal worked well on the site and he preferred to wait on the Staff analysis for further discussion.

The work session was adjourned.