

PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
FEBRUARY 24, 2010

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Kayla Sintz, Planner; Katie Cattan, Planner; Mark Harrington, Assistant City Attorney

=====

REGULAR MEETING

**I. ROLL CALL**

Chair Thomas called the meeting to order at 6:42 p.m. and noted that all Commissioners were present.

**III. PUBLIC COMMUNICATIONS**

There were no comments.

**IV STAFF/COMMISSIONER'S COMMUNICATIONS & DISCLOSURES**

Planner Cattan reported that a date was not set for when the Treasure Hill model would be displayed. The applicant is still in the process of building a protected cover around the model. Once that is done, the model will be displayed in the Planning Department. She would continue to update the Planning Commission on the matter.

Planner Cattan stated that the Staff was not a hundred percent certain on whether the Sweeney's were making changes to the plan. Currently the Staff and applicant are communicating back and forth and she would update the Planning Commission as soon as she has any information.

Commissioner Luskin asked if the Treasure Hill model would be located in the Planning Department or somewhere readily available to the public. Planner Cattan stated that because the model is very expensive, the Staff preferred to keep it in the Planning Department where they could keep a close eye on it. The public will have access and she is working on a possible schedule for times it could be viewed. Due to the controversial nature of the project, the Staff did not think the model should be displayed in the hallway.

Commissioner Pettit noted that she was unable to attend the last meeting and asked if she could make an appointment to see the model before it was displayed for the public. Planner Cattan replied that the model is currently at Craig Elliott's office and the Commissioners could contact Mr. Elliott to set an appointment to see the model.

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

1. 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))

Planner Kirsten Whetstone reported that the Planning Commission previously discussed these amendments on January 20<sup>th</sup>, 2010, at which time three main issues were raised.

The first issue was the time frame for appeals. Language was amended in Chapter 10 to be consistent with Chapter 1, General Procedures. The revised language specifies that appeals shall be heard within 45 days for the Planning Commission and the Board of Adjustment. Planner Whetstone noted that this amendment had not changed since the last meeting.

The second group of LMC Amendments relate to Upper Park Avenue and the residential street for the HR-2 zone, and provides additional regulations for conditional use permits and Master Planned Developments within Subzone A.

The third set of amendments relate to Chapter 6, the MPD, and attempt to clarify how the calculations for the 5% Support Commercial floor area is calculated for Master Planned Developments. Changes also provide regulations for an MPD within the HR-2 Zoning District.

Planner Whetstone stated that additional revisions were being proposed based on comments from the Planning Commission at the January 20<sup>th</sup> meeting. She reviewed the new revisions as outlined in the Staff report. The revisions addressed the 40 foot maximum facade width as being the width of the entire house, excluding any structure located entirely below grade; flexibility in building height, final grade versus altered existing grade; and the intent to return final grade to within 4' of existing grade.

Planner Whetstone provided an insert to replace page 56 of the Staff report, showing deleted text from a previous revision. She reviewed the language which addressed building height in the HR-2 zone.

Director Eddington noted that the Planning Commission had discussed height exceptions at the last meeting. Based on that discussion, revised language would eliminate the height exception, even in an MPD. He referred to a diagonal line on the slide which represented existing grade on a 28% sloped lot. On the right hand side he assumed a scenario of a 25 foot high building with the middle line as the zone line. Each lot would be 75 feet deep. In looking at the left hand side in the HR-2 zone, the tallest part of the back side of the building would be 27' high. If it had the 10' indentation that is required as part of the new LMC language, the front end of the building would only be 17' feet tall. Director Eddington stated that it would be comparable to what currently exists on Park Avenue and what anyone could build right now in the HR-2 or HR-1 District.

Director Eddington pointed out that although the height exception was removed, the Staff was requesting a story exception. Three stories are currently permitted and the Staff would like the

flexibility to consider additional stories. Two stories below ground and fully subterranean would be able to be connected to a building on Main Street and used for storage, gallery, parking or other uses. The space would be subterranean, grade would be brought back to within four feet, and the space could only be used for commercial use benefitting a Main Street building.

Commissioner Peek asked if it was possible to require an egress core in the building on Park Avenue to avoid a situation like the No Name, where an exterior egress stairway comes up to Park Avenue. The Staff and Planning Commission discussed different possibilities for accomplishing appropriate egress. Director Eddington believed they could find a way to integrate emergency egress into the structure of the house.

Commissioner Pettit referred to page 73 of the Staff report and noted that reference to the height exception needed to be removed from Section 15-6, the MPD section.

Planner Whetstone noted that language on page 74 of the Staff report that talks about additional height being compatible with the neighborhood should also be removed.

Commissioner Pettit stated that if height exceptions were eliminated for MPDs in the HR-2 and the HR-1 zone, she wanted to know if height exceptions would be allowed for any MPDs in the HR Districts. She was told that the Sky Lodge may be an example where a height exception would be allowed.

Planner Whetstone referred to page 73 of the Staff report and added a portion of the language that was originally deleted. The revised added language would read, "Height would not be granted for master planned developments within the HR-1 and HR-2 zones".

Planner Whetstone stated that the discussion on Chapter 11, Historic District Design Review process, should be a separate process and was no longer a part of these amendments. She requested that Chapter 11 be continued to a date uncertain.

Planner Whetstone noted that "private residence club" was removed from the language based on comments from the last meeting. Language was revised to require "compatibility with residential neighborhoods" rather than "compatibility with adjacent structures". All references to "Historic District Guidelines" was replaced with "Design Guidelines for Historic Districts and Historic Sites", to be consistent with the title of the new Historic Design Guidelines. Language was added to clarify regulations for a setback exception for detached single car garages. Planner Whetstone reviewed the inserted language on page 51 of the Staff report. She explained that the existing language allows for new construction consistent with the Design Guidelines and allows the Planning Commission to grant an exception to the building setback and driveway location standards for additions to historic buildings. The new language expands that to include setback exceptions for a single car detached garage.

Commissioner Peek assumed the designer would be responsible for adequately addressing snow storage and other hurdles associated with a setback exception. Planner Whetstone replied that this was correct. Planner Whetstone remarked that another question is whether the garage should be part of the footprint. The Planning Commission would address that issue as part of the MPD review, based on the individual lot.

Chair Wintzer asked if the Planning Commission was comfortable voting on the amendments discussed to this point for Chapter 2.3.

Commissioner Strachan stated that if the Planning Commission grants themselves the flexibility to play with the height and setbacks, they should assume that the applicants would always request the maximum. That practice puts the Planning Commission in the position of having to say "no" to the applicant, who may also be a community member and a friend.

Chair Wintzer pointed out that the height exception was eliminated and it was no longer an issue. Commissioner Strachan agreed, but felt they would face the same issue with a setback exception. Chair Wintzer clarified that the setback exception was only to allow flexibility to build a detached garage. He explained that if the setback to the back yard was reduced by five feet, the front yard setback would have to increase to 15 feet. The exception is actually an offset, not a reduction.

Planner Whetstone clarified that the MPD would only come into play if a plat amendment removed the line between the zones. In that case, there would no longer be a setback.

Chair Wintzer remarked that the exception would shift the density and square footage on the lot, but it would not be an increase. He thought the exception would provide flexibility to achieve a better design. Director Eddington pointed out that the setback can only be decreased if it still maintains the character of the neighborhood.

The Planning Commission discussed amendments in Chapter 6, Master Planned Development. Planner Whetstone summarized that the amendments eliminate the height exception in an MPD for the HR-1 and HR-2 zones.

Planner Whetstone summarized changes in Chapters 10. She referred to page 81 of the Staff report, under Powers and Duties of the Board of Adjustment, and noted that language was added to include, "Appeals and call-ups of final action by Planning Commission at the request of the City Council. The language was consistent with Chapter 1, which allows the City Council to render a decision on whether an appeal or a call up would be heard by the Board of Adjustment. Planner Whetstone stated that she would work with the Legal Department prior to the next meeting to determine if that power of duty needs to be further described in the Chapter. Planner Whetstone noted that language was added to indicate that appeals are heard by the Planning Commission within 45 days of when the appeal is submitted.

Planner Whetstone recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council on the LMC amendments to Chapters 2.3, 6, 10 and 12; and to continue Chapter 11 to a date uncertain.

Commissioner Strachan recalled that Planner Whetstone had talked about changing the LMC to recalculate the amount of commercial space and back of house. Planner Whetstone replied that the change was addressed in Chapter 6 on page 78 of the Staff report. She noted that the change was made to clarify confusing language regarding gross floor area calculations. The language was changed to indicate that support commercial floor area may not exceed five percent of the total floor area of the residential unit equivalent of a master planned development.

Commissioner Pettit noted that “support commercial” was not defined in the definitions section of the LMC and she suggested that the definition be added. Planner Whetstone pointed out that support commercial was defined under the definition for commercial.

Commissioner Luskin referred to page 78 and the reference to support commercial units. He understood and agreed with the concept, but he felt the language was poorly written and difficult to understand. Commissioner Strachan agreed. Commissioner Luskin suggested that the language be re-written.

Commissioner Strachan wanted to know why support commercial uses are not counted against commercial unit equivalents. Planner Whetstone replied that historically 5% of the total residential area is allowed for a use that supports the development. Commissioner Strachan questioned why that area could not be counted against the commercial units and let the developer decide how to allot the commercial space. Commissioner Peek pointed out that commercial space creates more demand on parking, traffic, etc. Commissioner Strachan thought the impacts could be limited by granting a specific amount of commercial unit equivalents in the MPD process. The amount would be determined based on the impacts of those commercial unit equivalents. Commissioner Strachan could not understand why they would differentiate between commercial and support commercial.

Commissioner Peek remarked that the impacts are different with internal uses because people are already on site versus a restaurant or bar that attracts people from the outside. City Attorney, Mark Harrington, explained that the historic nemesis for the allowance stems from the hybrid uses caught between commercial and residential. They are add on uses such as ski storage, laundry facilities, and similar uses. In some cases they are independent of the HOA and other times they are related to the HOA. In the late 1990's the section was re-written and the caveat was added that put a limitation on the on-site owner uses only. Without the allowance and the commercial UE's, more traffic would be generated because people would need to frequent other places for these services.

Commissioner Strachan suggested eliminating the language, “support commercial floor area shall be dedicated to support commercial uses” because the language was redundant. Director Eddington agreed and read revised language he had drafted, “Within a hotel or nightly rental condominium projects, support commercial floor area may be allowed and may not exceed 5% of the total floor area of the residential unit equivalents. Support commercial floor area shall not count against any allotted commercial unit equivalents approved as part of the MPD. However, any support commercial uses in excess of the 5% will be counted as commercial unit equivalents”. Director Eddington had deleted the remaining language that was written. Commissioner Strachan believed the last sentence was necessary and should not be deleted. Commissioner Pettit agreed that the last sentence should remain for clarity. Commissioner Strachan stated that the last sentence answers the question of what happens if there are no commercial units.

Commissioner Pettit stated that one of the biggest issues she has seen in projects with the support commercial concept of the commercial unit equivalents is that the back of house area does not get calculated into the use of unit equivalents. She asked if there was a metric being used where they

could begin to measure or limit the back of house. Commissioner Pettit thought the list of uses that constitute back of house was vague and questionable.

Planner Whetstone stated that the Staff is looking into the standards and best practice for back of house uses. Commissioner Pettit believed this would continue to be an issue, particularly in the larger combination hotels/convention space projects.

Commissioner Strachan asked if it was possible to determine a percentage and say that the back of house shall not exceed that percentage of the total floor area. Commissioner Peek thought it might be possible if they could define an efficient design and draft language on that basis. Commissioner Strachan asked how they would determine whether a hotel could function if only 15% of its total space was dedicated to back of house. Planner Whetstone offered to research back of house spaces to help answer that question. Commissioner Strachan requested that they revisit the section and amend it.

Commissioner Pettit was not opposed to moving forward with the amendments proposed, but she agreed with Commissioner Strachan that the matter should be revisited.

Chair Wintzer opened the public hearing.

Ruth Meintsma, referred to page 34 of the Staff report under Summary of Revisions, and the revised language throughout Chapter 2.3 that changes "compatibility with adjacent structures" to "compatibility with the residential neighborhood". Ms. Meintsma stated that many applicants come in demonstrating compatibility with the residential neighborhood by using houses that were built in the last five years. She suggested revising the language to say, "compatible with the historic character of the surrounding residential neighborhood". Ms. Meintsma did not think "historic character" was mentioned often enough in the language. She cited several places in Chapter 2.3 where "historic character" should be inserted when talking about neighborhood compatibility.

Chair Wintzer suggested adding "surrounding historic residential neighborhoods" in the purpose statement for the HR-2 zone under Section (E), on page 42 of the Staff report. He believed that would address Ms. Meintsma's concerns about preserving the historic character of the neighborhood.

Ms. Meintsma referred to page 51 of the Staff report and commented on the amendment regarding the setback exception for detached single garages. She asked if the language only pertained to existing historic structures or if the exception would be allowed for new construction.

Planner Whetstone replied that it only applies to historic structures.

Ms. Meintsma referred to language on page 51 that an addition must comply with building footprint and asked if that language applied to historic structures. She pointed out that currently an existing accessory structure is not counted in the footprint.

Director Eddington explained that Ms. Meintsma was correct on the current policy. However, the proposed language requires a new detached garage to count towards the footprint. If an accessory structure is currently on the historic site inventory, it is not counted in the footprint.

Ms. Meintsma asked if it was possible that a new residential structure on Park Avenue could have a single-car garage in-lieu of a garage and a driveway. Planner Whetstone stated that the Staff would need to research the impacts before making that recommendation. Ms. Meintsma encouraged the Staff to consider the possibility.

Laura Guercio stated that her in-laws live at 331 Park Avenue. She and her father-in-law had concerns regarding the height exception and they were very pleased that it was removed. Ms. Guercio appreciated the discussion on the setback exception. Because her in-laws' house is directly across from the Mall, they oppose an exception to the front yard setback in the HR-2, which are the yards fronting on to Park Avenue. Ms. Guercio noted that her comments referred to language on pages 51 Item (L), "The Planning Commission may increase or decrease setbacks in accordance with the MPD provisions in 15-6-5." She pointed out that the language on page 71 talks about the potential to reduce the 25' setback. Ms. Guercio requested that the Planning Commission consider the impacts of changing the front yard setback because it would affect the street and the adjacent residents.

Ms. Guercio referred to the open space language on page 71, Item (D). In reading the language, she understood that re-development in the HR-2 zone would have a 30% minimum open space requirement. However, the language allows the Planning Commission to reduce the open space in exchange for project enhancement. She referred to a list of enhancement spelled out in the paragraph that may be considered. Ms. Guercio was uncomfortable with the language "may include but not limited to", because it is vague and open-ended and may include items that are not listed. She requested that the item for greater landscaping buffer along public ways and public/private pedestrian areas specifically identify Park Avenue in the language, as a requirement for reducing the open space. Ms. Guercio stated that if open space is exchanged for project enhancement, the open space should still be a minimum of 15%.

Ms. Guercio referred to page 70, Item (A) Density. She understood that in the HR-2 density is based on the lot. She specifically referred to language in the middle of the paragraph that talks about density transfers when a property is in more than one zoning district. She was concerned that the language created a loophole that should be closed to protect the residents in the HR-2 zone.

Ms. Guercio referred to Chapter 2.3, page 58 and discussed parking. She read the language in Item (H), and commented that a number of residential uses are allowed in the HCB and not just commercial. She understood the need for the residences that front Park Avenue to have a potential underground common parking structure, but it would greatly impact traffic on Park Avenue if all the residential HCB access parking off of Park Avenue. Ms. Guercio preferred to see an exclusion for all the HCB uses, including residential. She believed that uses on Park Avenue should access from Park Avenue and the HR-2 should service the HCB residential. Ms. Guercio referred to Mechanical Service on page 59, and the language "No free-standing outdoor mechanical equipment for

commercial use in the adjacent zoning districts is allowed in the HR-2. She requested that the language also include residential and not just commercial.

Ms. Guercio was pleased that the Private Residence Club was removed because it was not in keeping with the historic character of Park Avenue. She encouraged the Planning Commission to continue to carefully review and assess the need for proposed amendments in the HR-2 Zone and the MPD provisions in Chapter 6.

Ms. Guercio stated that Park Avenue is a one-way street in the winter time, but the proposed amendments should not be a one-way street for developers. Any amendments recommended to the City Council should carefully consider the likely and potential impacts of existing Park Avenue single-family residences. Any adopted amendment should represent a two-way street of balance and reciprocal give and take between the HR-2, HCB developers and the residents of Park Avenue.

Ralph Guercio, a resident at 371 Park Avenue, stated that one goal of the Mission Statement is to protect the spirit of Old Town in Park City. He believes the best way to protect Old Town is to make sure that when new development is brought in, the historic character of Park City and of Old Town, which is the core of Park City, is protected. Mr. Guercio. He stated that Ms. Guercio had mentioned specific elements that were important for the Planning Commission to consider. He did not favor density transfers and he thought setbacks should be consistent with the HR-1 zone. Mechanical services should not affect the HR-1 zone. Mr. Guercio believed there should be a buffer between the HCB, HR-2 and HR-1 to protect the character of Old Town as these amendments move forward.

Doug Stephens referred to page 44, 15-2.3-3 (E) that addressed parking requirements. He read, "The Planning Commission may waive parking requirements for Historic Structures and may consider in-lieu fees for all or a portion of parking." Mr. Stephens asked if the language referred to historic and non-historic structures.

Planner Whetstone replied that it was an in-lieu fee for parking requirement programs for master planned developments. Director Eddington pointed out that the remainder of the language was continued on page 45.

Mr. Stephens clarified that the in-lieu fee pertained to both existing and new structures. Planner Whetstone replied that this was correct.

Mr. Stephens read language on page 45 that addressed parking for historic structures. "The Planning Commission may allow on-street parallel parking adjacent to the front yard to count as parking for historic structures."

Planner Whetstone explained that it would only be allowed for existing structures.

Mr. Stephens asked if historic structures have a parking requirement. Director Eddington answered no. Mr. Stephens was unsure why that language was written if it only applied to historic structures.

Since there are only a few historic structures on the west side of Park Avenue, he thought the language should also apply to new construction. Based on the size of the vacant lots, Mr. Stephens believed the MPDs in the HR-2 would be on a smaller scale.

Planner Whetstone noted that it was existing language and the only change was to allow it within a master planned development. The language itself remained the same. Director Eddington pointed out that the current language has no meaning because parking is not required for historic structures. He understood that Mr. Stephens suggesting a change to allow some of that parking to count as parking for an MPD development. He offered to talk to Matt Cassel and Kent Cashel, since they are currently working on a transportation plan addressing Old Town. He would speak with them before making changes to that particularly section.

Commissioner Peek referred to the five level drawing and noted that the two levels of commercial uses coming off the HCB zone could exist under a historic structure. This could create a condominium that would create a parking demand and the Planning Commission could allow an in-lieu fee for parallel parking on the street. Planner Whetstone noted that parallel parking is not allowed on Park Avenue for a commercial use.

Mr. Stephens referred to page 51, Existing Historic Structures, Exception (A) with regards to detached single car garages, and understood that it only applies to historic buildings. He commented on the building patterns that exist in Park City. Some structures were built near the rear property lines with flat terrain in front and a detached garage in front. Another situation is where there is steep terrain on the uphill side, and existing house high above the street level with a garage down two street levels in the setbacks. Mr. Stephens noted that those situations do not exist with historic homes on the east side of Park Avenue. A home would have to be close to the rear property line before they could see a detached garage. Even though the language as written works, it could never occur on Park Avenue. Using Chair Wintzer's comment as an example of pushing the building back on the lot, Mr. Stephens believed that better designs could be achieved if they allow the opportunity to put a garage in the front yard setback. Regarding the issue of fire egress, Mr. Stephens stated that personally he would put his fire egress behind the garage, if he could move the garage forward.

Mr. Stephens referred to Page 57, Item 13, "The maximum building width above final grade is 40 feet." He stated that they have a tendency to let multiple building go through the design process that are the same width. He would not like to see people maximize a wide lot by allowing 40 foot wide buildings. It is rare to see multiple buildings on Park Avenue that are 40 feet wide. He believed those structures should be interspersed with typical 19 foot wide buildings. Mr. Stephens thought the issue could be handled through the design review process, but suggested that it might be worth writing into the language.

Chair Wintzer remarked that if an owner combines two lots and constructs a wider building, they could not restrict the neighboring owner from doing the same thing just because the previous owner did it first.

The Staff and Mr. Stephens discussed setbacks. Chair Wintzer understood from the language on page 51 that setbacks could not be increased or decreased in an MPD. Commissioner Pettit

pointed out that page 71 under the MPD indicates that the Planning Commission may decrease the required 25 foot setback. Commissioner Pettit referred to the language, "In some cases, that setback may be increased to retain existing significant vegetation or natural features or to create an adequate buffer to adjacent uses." She noted that this was the basis upon which setbacks could be increased, but the language does not talk about increasing the setbacks to maintain the general character in terms of mass and scale. Commissioner Pettit suggested adding language for when it is appropriate to increase the setbacks.

Regarding the buffer to adjacent uses, Commissioner Peek believed the City Engineer requires 18 feet from the garage face to back of curb. With that requirement they would not get the situation Mr. Stephens had described for a garage at the curb line.

Chair Wintzer closed the public hearing.

Chair Wintzer thanked the public for their great comments. Commissioner Peek suggested that some of the comments be included in the amendments. Chair Wintzer agreed.

Planner Whetstone reviewed the public comments. She believed questions regarding the setback exception had been clarified to address the concern for reducing the front yard setback. She did not believe there were language changes to the setbacks.

Commissioner Strachan pointed out that Commissioner Pettit had requested that language be added to allow the Planning Commission to increase the setbacks for certain elements. Director Eddington drafted language to say, "Or if appropriate to meet compatibility requirements." Commissioner Pettit was not comfortable with leaving the ability to increase setbacks only for existing significant vegetation, because an increase could be appropriate in that district for other reasons. Director Eddington suggested adding language to the end of the list of reasons for increasing a setback. The added language would read, "...or if appropriate to meet historic compatibility requirements." Commissioner Strachan requested that the beginning of the sentence be changed to indicate that setbacks can be "increased or decreased" for the stated reasons.

Commissioner Peek asked if the Staff analysis for the next meeting could include opinions and comments from the City Engineer on the issue of pulling cars off the street and/or clearing the curb.

On the public comments regarding open space, Planner Whetstone reported that in the HCB District, which would be part of the MPD in the HRC zone, there are zero lot line setbacks. Therefore, open space needs to be created in a different manner in the MPD. Director Eddington noted that a request was made for a minimum of 15% open space if the 30% requirement is reduced for project enhancement. He was unsure if that 15% minimum should be spelled out in the amendments, because the amendment alters the open space requirement for all MPDs in all zones. Director Eddington pointed that the setbacks in the HR-2 zone would provide some open space. He was concerned that specifying a 15% minimum could adversely affect open space in other zones. Director Eddington suggested leaving the open space requirement open-ended to protect the ability for good design.

Planner Whetstone noted that another public comment was to create landscaping buffer along public ways, especially on Park Avenue. She stated that it is not typical to see a boulevard landscape strip on a historic street and it does not meet the historic character of the zone. Commissioner Peek recalled that Park Avenue was historically a tree-lined street with large trees. He was unsure if that had been the case on upper Park Avenue. Commissioner Peek commented on the front porch area elements of three historic homes and the front porches on the Deer Valley Drive affordable housing project. He stated that people use those front porches and he would like to promote that same type of development.

Commissioner Strachan agreed with Commissioner Peek. If lots are small, people would not waste lot space on landscaping buffers. Commissioner Strachan did not think the language should be changed.

On concerns regarding density, Commissioner Strachan felt it was important to change the language. However, because the language was in the MPD section it applies citywide. Commissioner Strachan felt language should be added that specifically prohibits density transfers between HCB and HR-1. Planner Whetstone agreed that a carve-out made sense. Commissioner Strachan pointed out that the carved-out language should be in Paragraph A, and not in the exceptions. Director Eddington agreed. The Staff would draft the language.

Regarding comments on parking, Planner Whetstone referred to page 58 and noted that parking in the HR-2 is not intended to be used for any HCB uses. She suggested striking "commercial" from the language. The Planning Commission and Staff discussed language changes for the Mechanical Equipment on page 59 and determined that the language should remain as written.

Planner Whetstone asked for comments about adding "historic character" throughout Chapter 2.3 as suggested by Ms. Meintsma. Commissioner Strachan thought it was a valid point. The Commissioners concurred.

In terms of the detached single-car garage, Planner Whetstone offered to look into options as suggested by Mr. Stephens.

Commissioner Pettit referred to page 57, Item 13 and requested that the language be changed to read, "The maximum building width above final grade is up to 40 feet." She felt the language as written implies that 40 feet is a given width. Commissioner Pettit stated that in thinking about lot combinations and the comments regarding detached single-car garages, she wondered if they could create incentives for lot combinations to break up the 40 foot width. For instance, an incentive could be that the detached garage would not count as part of the footprint. Commissioner Pettit was interested in trying to create a pattern that is historically compatible and residential. She has always favored the idea of providing a parking structure that is separate from the house, because it is consistent with existing situations in town. Commissioner Pettit thought they should think about ways to meld the two together to provide flexibility and creativity.

Chair Wintzer stated that if they give owners an additional 200 square foot footprint in Old Town , they would see detached garages. If that were the case, he believed that would be compatible.

Commissioner Strachan clarified that Commissioner Pettit was suggesting that they provide incentives that would encourage detached garages. Commissioner Pettit thought the Planning Commission should at least think about it in terms of alternative design solutions. She was concerned about the pattern and series of 40 foot wide facades along the street, and whether they could incentivize people to break up the facade.

Chair Wintzer stated that if they do nothing they will have 40 foot wide structures all the way up the street, because people will combine lots to build a 40 foot wide house. He was unsure if any property on Park Avenue was large enough to allow the opportunity to break up the facade.

Commissioner Strachan assumed that the Planning Commission would have the power at both the MPD and the CUP stage to impose restrictions on an eight lot subdivision or a combination of two lots to avoid a 40 foot wide wall. If the Staff could find ways to address Commissioner Pettit's idea for incentives, he would support that suggestion. However, in terms of preventing a series of 40 foot facades, Commissioner Strachan felt the Planning Commission already had the necessary tools.

Commissioner Pettit was unsure if those tools were adequate to accomplish the goal. Chair Wintzer thought the Planning Commission had the tools, but they tend not to impose them.

Director Eddington stated that the Staff could further research Commissioner Pettit's suggestion. They could also take quick measurements of the majority of structures on that side of Park Avenue to see if the 40 feet number may need to be reduced. Commissioner Strachan offered another option of staggering the setbacks.

Commissioner Peek suggested that if they survey incentives for a detached single car garage, they should also survey to find the historic fabric of those structures.

MOTION: Commissioner Strachan made a motion to CONTINUE the amendments to the Land Management Code Chapters 2.3, 6,10, and 12 to March 24, 2010. Commissioner Pettit seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Peek moved to CONTINUE the LMC amendments for Chapter 11 to a date uncertain. Commissioner Hontz seconded the motion.

VOTE: The motion passed unanimously.

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

Planning Commission Meeting  
February 10, 2010  
Page 13

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