

PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
JANUARY 13, 2010

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO:

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

=====

REGULAR MEETING - 6:30 p.m.

**I. ROLL CALL**

Chair Wintzer called the meeting to order at 6:30 p.m. and noted that all Commissioners were present except Commissioner Luskin, who was excused.

**II ADOPTION OF MINUTES**

MOTION: Commissioner Peek moved to APPROVE the minutes of December 9<sup>th</sup>, 2009. Commissioner Pettit seconded the motion.

VOTE: The motion passed unanimously.

**III. PUBLIC COMMENT**

There was no comment.

**IV. STAFF & COMMISSIONERS' COMMUNICATIONS/DISCLOSURES**

Planning Director, Thomas Eddington, reported that the application for 637 Woodside had been withdrawn by the new property owner, Zions Bank. Therefore, the Planning Commission would not be hearing that appeal.

Director Eddington stated that Treasure Hill was tentatively scheduled to come before the Planning Commission on February 10<sup>th</sup>. Commissioner Pettit stated that she would not be able to attend the February 10<sup>th</sup> meeting.

Director Eddington reported that the City Council held a visioning session on January 11<sup>th</sup> and 12<sup>th</sup> and a few of the Commissioners had attended. The General Plan was discussed with the City Council. Director Eddington stated that a packet was emailed to the Commissioners so they could see what the Staff had proposed with regard to the General Plan.

Director Eddington noted that the Staff still proposed to meet with the Planning Commission on the second meeting of the month to discuss long range planning ideas. Commissioner Pettit asked if the Planning Commission would continue to focus one meeting a month on the General Plan. She commented on the amount of work that needs to be done based on the list of task elements in the proposal. Director Eddington replied that the intent is to dedicate one meeting per month for long range planning. However, there may be times when that is changed to every other month.

Director Eddington stated that the Staff may ask the Planning Commission to discuss establishing sub-committees that could work with the Staff on General Plan elements. Commissioner Pettit stated that she and Commissioner Hontz have had discussions about structure for the General Plan. If they could have an outline for designing the General Plan, it would help the Planning Commission digest input as information comes in from the fact gathering. Director Eddington remarked that during the second meeting in December they initially talked about building off of the four elements in the Community Vision statement. Based on information received at that meeting, the Staff may base it on the six vision statements included in that document. Currently, the Staff is looking at data collection and analysis based on elements, since that is the only way to understand the research component of the General Plan. As they get further into the process, he believed that could lean more towards the six vision statements.

City Council member, Liza Simpson, introduced, Alex Butwinski as the new City Council liaison. Council member Simpson stated that she would be the alternate liaison when Council member Butwinski is unable to attend.

Council member Simpson thanked the Commissioners who attended the Visioning Session. It was a productive conversation and she hoped they would have many more.

Chair Wintzer stated that it was one of the better visioning sessions he has attended.

Principal Planner Brooks Robinson noted that the appeal for 505 Woodside Avenue had been withdrawn and would not be heard this evening.

#### Election of Vice-Chair

MOTION: Commissioner Pettit moved to elect Commissioner Peek as the vice-chair. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

#### **CONTINUATIONS AND PUBLIC HEARINGS**

**Land Management Code - Amendments to Chapters 2.3 (HR-2 District); 5, 6, 10 and 11, regarding the Master Planned Development within HR-2 District and the application and appeal process of the Historic Design Review (Application #PL-09-00787)**

Chair Wintzer opened the public hearing.

MOTION: Commissioner Pettit moved to CONTINUE the Land Management Code Amendments to January 20, 2010. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

**16 Sampson Avenue - Steep Slope CUP**  
**(Application #PL-08-00572)**

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

MOTION: Commissioner Pettit moved to CONTINUE 16 Sampson Avenue Steep Slope CUP to a date uncertain. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

**REGULAR AGENDA/PUBLIC HEARINGS**

1. **1200 Little Kate Road, Racquet Club - Master Planned Development**  
**(Application #PL-09-00785)**

Commissioner Wintzer recused himself due to a potential business conflict and left the room. Vice-Chair Peek assumed the Chair.

Planner Kayla Sintz introduced Selesia Carson and Brent Tippetts with VCBO Architecture, Ken Fisher, Park City Recreation Manager, and Steve Brown, the project manager from Millcreek Consulting and Development. At the request of Planner Sintz, Mr. Brown provided a brief background of his credentials and the projects he has been involved with in the area.

Planner Sintz reported that the Racquet Club project was before the Planning Commission on December 9<sup>th</sup>, at which time the Commissioners provided significant feedback. The Staff report contained a summary of their comments, as well as a list of elements that were changed to address those issues. The Staff was pleased with the direction of the modifications.

Planner Sintz clarified that the Staff and applicant were looking for additional comments on the general architecture and construction mitigation, and to hear public comment. The applicants would return on January 20<sup>th</sup> for a full MPD review and possible action.

Commissioner Pettit was uncomfortable setting a precedent for discussing applications at the General Plan meeting and for making a special exception for this project.

Director Eddington explained that the Staff was also requesting that some of the Land Management Code amendments be continued to January 20<sup>th</sup>. Since Treasure Hill was scheduled for February 10<sup>th</sup>, the Staff preferred that the Planning Commission take action on the Racquet Club prior to February. Director Eddington anticipated a shorter General Plan discussion on January 20<sup>th</sup> and he believed there would be time to discuss the Racquet Club.

Vice-Chair Peek was willing to share the General Plan meeting with other applications, as long as the meetings would not go too late. Director Eddington remarked that action on projects have been delayed because meeting schedules were changed to accommodate the holidays and Sundance. He did not expect to have this same problem for future General Plan meetings.

Commissioner Pettit clarified that her only concern was making special exceptions for certain applicants. In addition, if they continue to use the General Plan meeting for overflow projects, it could affect their progress on the General Plan. She recalled a previous discussion about having a special meeting for Treasure Hill.

Commissioner Strachan remarked that when the idea of a special meeting for Treasure Hill was discussed, the Planning Commission decided against it because of the precedence issue and to avoid the perception of special treatment for certain applicants. He was comfortable addressing the Racquet Club at the General Plan meeting if it helped alleviate a back log situation going in to the winter months.

Planner Sintz reviewed the concerns expressed at the last meeting regarding the master planned development for the Park City Racquet Club, as outlined in the Staff report.

The first concern related to the proposed architecture, specifically the entry element not being compatible with the neighborhood. Specific comments addressed the gray color of the metal panels. Planner Sintz reported that the applicant and the architect modified the color selection and had prepared a color and materials board to present this evening. The new color proposed for the metal panels was a bronze-brown. Planner Sintz pointed out that the color serves a function in dividing up the different masses that occur in the facade. The Staff believed the color worked well with the other earth tones proposed.

Planner Sintz reviewed the elevations and the roof forms. She noted that height was not an item for discussion this evening. However, she pointed out the height in relation to how it affects the different roof elements. Planner Sintz explained how the entry element was changed to be more pedestrian friendly. Another major change was a re-design of the clerestory elements.

Planner Sintz commented on changes made to the parking. She noted that 148 parking stalls are proposed. The applicant would have a parking plan available next week that shows where the 148 parking spaces are located. An exhibit identified the snow storage as required by Chapter 15-4 of the LMC. It also showed the different light pole locations in relation to the overall site plan. Those meet the City requirements for foot candles in a parking lot. Regarding a request for additional landscaping, Planner Sintz noted that the applicant was proposing to add additional mature trees in the existing pocket park.

Planner Sintz addressed construction mitigation. She noted that the conditions proposed by the applicant were directly related to public input and Commissioner comments. The first condition proposed was to limit the work hours between 7:00 a.m. to 6:00 p.m., Monday through Saturday. This would include the start-up time for any equipment. Delivery of materials would also occur within that same time frame. A caveat would be added to allow exceptions for special circumstances that would be worked out with the Chief Building Official to allow for deliveries that might occur outside of the specified time frame.

Planner Sintz remarked that a second condition clarified that staging would occur on the existing hard-surface parking lot on site. The placement of porta-pottys would be done in consideration of the neighbors.

A third condition addressed transportation of labor to and from the job site. Planner Sintz noted that this item would be a condition of the construction contract. On-site parking would be restricted to authorized personnel and controlled by the project superintendent.

A fourth condition requires that the construction mitigation submitted to the City by the General Contractor include appropriate contact information for the neighbors to log complaints and concerns.

Vice-Chair Peek opened the public hearing.

Andre Schoumatoff, Vice-President of the Homeowners Association, stated that their annual Board meeting conflicted with tonight's Planning Commission meeting. For that reason there would be a lack of public input this evening. Mr. Schoumatoff thanked the applicants and the Planning Commission for the process and he believed most everyone would be pleased with the compromises that were made. Mr. Schoumatoff anticipated additional public comment at the next meeting. He would be chairing the HOA annual meeting and would provide an update to the homeowners. He would also instruct his members to forward their comments to Planner Sintz to be forwarded to the Planning Commission.

Lisa Wilson commented on the importance of having a USTA regulation court. She has been playing tennis for 10 years and is a 3.5 player. Ms. Wilson pointed out the difficulties of playing on shorter, non-regulation courts.

Rhonda Schlager supported a USTA-length court. She noted that a regulation tennis court is just as important as a regulation basketball court or football field for those who play tennis.

Len Bowss stated that he is a 4.5 player and he played in the Men's 45 and over tournament. People come from everywhere to play in tournaments and it is important to have the width and length to have a USTA sanctioned tournament come to Park City. Mr. Bowss stated that national tournaments pull people in and it benefits Park City.

Vic White was opposed to the Racquet Club project as proposed. After listening to the previous speakers, he did not believe they were looking at the unintended consequences. He understood that the height was not being discussed this evening, but increasing the height inside also increases

the height outside. Mr. White believes the increased height would not fit with the neighborhood. He had written a letter to the editor where he stated that building the Racquet Club as proposed would be like trying to hide an elephant in short grass. It does not work. The building would end up being six stories high, eight feet per story in a residential area. Mr. White stated that the facility is for the residents and families and not the elite players. If Park City wants a facility for elite players and elite events, they should build it at an appropriate venue and not in the middle of a neighborhood. Trying to bring in major events would only create additional impacts for the neighbors in terms of traffic, people, and parking. Mr. White did not dispute that the Racquet Club needed to be refurbished, but he was opposed to the extent of the renovation in a residential area.

Meeche White stated that she does not play tennis but she is a member of the Recreation Advisory Board. Ms. White believes that an important part of this project is not necessarily to create a world-class tennis facility, but to have a tennis facility that meets regulation play. Ms. White remarked that another important factor with this renovation is that the facility would be made ADA compliant, which did not occur with the last renovation.

Vice-Chair Peek continued the public hearing.

Planner Hontz stated that after reviewing the drawings and the materials board, she was comfortable that her issue regarding color had been addressed. She liked the revisions and believed the facade fits better with the neighborhood. Planner Hontz appreciated the color change on the exterior materials. She felt that all her issues had been addressed and she was comfortable with the information presented.

Commissioner Pettit echoed Commissioner Hontz. The design changes addressed her previous concerns. She endorsed the construction mitigation as outlined and felt the hours proposed was a reasonable work schedule in a residential area. Commissioner Pettit felt it was important for the public in the area to understand the conditions and who they should contact if those conditions are violated. She thanked the applicant for specifying that in the construction mitigation plan.

Commissioner Strachan echoed the comments of his fellow Commissioners. He was comfortable with the architecture and pointed out that he did not have issues with the original proposal. Commissioner Strachan still had issues with the construction mitigation plan, particularly the 7:00 a.m.- 6:00 p.m. construction hours. He understood the practicality of starting at 7:00 a.m., however, if that start time is necessary, he questioned whether construction needed to occur on Saturday. Monday through Friday is a typical work week and he thought that was reasonable. Commissioner Strachan suggested that the construction hours be changed to 7:00 a.m. to 6:00 p.m. Monday through Friday and that no construction occur on the weekend. Aside from that one issue, he was comfortable with the project.

Vice-Chair Peek agreed with his fellow Commissioners. He requested adding "and the idling of any vehicles" to the condition that prohibits the start-up of heavy equipment prior to 7:00 a.m. This would prohibit workers from sitting in their vehicles waiting for 7:00 a.m.

Planner Sintz asked about the City's idling policy. City Council Member, Liza Simpson, explained that the City has looked at a new city-wide idling policy; however it is not an ordinance. They are asking people to understand that idling is bad for the environment and to personally take measures to stop idling their vehicles. That message is being communicated through Parking Enforcement. If

idling problems occur at the Racquet Club job site, it would be addressed through Building Code Enforcement. Council Member Simpson believed the Planning Commission could reiterate “no idling” in their direction for construction mitigation.

Commissioner Pettit stated that since this is a City project, the General Contractor needs to be made aware of the City’s “no-idling” policy and adhere to that policy.

Steve Brown stated that he polled a number of potential General Contractors when he was trying to write a response to the construction mitigation issues, and he was very specific about the 7:00 a.m. start time. Mr. Brown pointed out that 7:00 a.m. - 3:00 p.m. is industry standard and typical labor hours. However, labor hours are staggered to allow the first trade to do their part so the second trade can follow. Staggering the second trade carries over to the 6:00 p.m. hour. Mr. Brown stated that he was very specific on the vehicle start up time to emphasize that someone could not start their equipment and let it warm up prior to 7:00 a.m. He believed the same would apply to idling and he did not anticipate a problem. Mr. Brown offered to talk to a variety of contractor to make certain they are aware of the idling policy. He pointed out that once equipment is turned on, contractors do not like to turn off their equipment because it is harder on starter motors. However, because they want to be responsive to the noise ordinance of the City and clean air, he believed they could include idling language in the construction mitigation plan.

Mr. Brown noted that labor would be transported off-site and the only people who would bring in vehicles are the project superintendents and the Staff. He expected tight criteria for who comes and when they come.

Vice-Chair Peek requested that auxiliary job-site lighting be restricted to the hours of operation. He would like that specifically addressed in the construction mitigation plan.

Vice-Chair Peek remarked that the findings of fact in the last Staff report relate everything to an interpolated grade. He requested that the Staff put a hard USGS number on those items. Planner Sintz offered to add those numbers. Planner Sintz explained that the height exception was determined from interpolated grade. Therefore, the markers shown on the December 9<sup>th</sup> packet included an associated interpolated grade marker. The numbers they will show at the next meeting will tie to those interpolated markers.

Vice-Chair Peek requested a schematic drawing. Planner Sintz offered to provide the necessary graphics to show how the Staff interpreted the height.

MOTION: Commissioner Pettit moved to CONTINUE the 1200 Little Kate Road, Racquet Club MPD to January 20<sup>th</sup>, 2010. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission meeting adjourned at 7:00 p.m.

Planning Commission Meeting  
January 13, 2010  
Page 8

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