

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
February 22, 2012**

PRESENT: Julia Pettit, Brooke Hontz, Mick Savage, Adam Strachan, Nann Worel, Thomas Eddington, Kirsten Whetstone, Mark Harrington

Commissioners Wintzer and Thomas were excused.

The Planning Commission met in Work Session at 6:45, following the regular meeting.

WORK SESSION ITEMS

**Quinn's Junction Partnership – Annexation
(Application #PL-12-01473)**

Planner Kirsten Whetstone reviewed the request for the Quinn's Junction Partnership Annexation. The proposed zoning is CTRCO, which is Community Transition Regional Commercial Overlay. The property is located on the southwest corner of the intersection of US40 and Highway 248 in the Quinn's Junction area. The requested annexation is contiguous to the existing city limits at the south boundary, with the Park City Heights annexation. The subject property was within the Park City Annexation Expansion Boundary.

Planner Whetstone noted that the annexation petition was accepted by the City Council on January 26th, which allows the process to move forward. The petition was certified by the City Clerk with the help of the City's Legal Department, Planning Department and City Engineer. Notices were sent for the 30 day protest period for the affected entities. Those entities would be any special service district, school districts, the County, etc. The City had conducted a development review on this annexation.

Vice-Chair Pettit asked the representatives to introduce themselves. Peter Pilman with the IBI Group and the director for Utah Practice, stated that he has lived in Park City for 14 years. His background is in architecture. Mr. Pilman introduced Doug Rosecranz, also with IBI Group, who has lived in Park City for 31 years and Dave Nichols was also part of the design group. Mr. Pilman stated that both Dave Rosecranz and Doug Nichols attended the Park City Leadership classes last season. He remarked that IBI Group was the design firm charged with the task of making this annexation positive for Park City.

Planner Whetstone reported that this was not a typical annexation and it must be reviewed under specific parameters. The master plan development site plan would be reviewed concurrently with this annexation and the Planning Commission would not have an opportunity to revisit the MPD. This application needs to move forward to the City Council with the master plan development. There was also a stipulation for a 90 day review, and the 90 day period began in January. She pointed out that there could be some flexibility with the time frame, but only if the applicant agrees to it.

Planner Whetstone noted that the Staff report contained items for discussion that the Staff thought was important. City Attorney Mark Harrington had history with this project and he was present this evening to help answer questions. Planning Director Thomas Eddington has been involved in

meetings and conversations regarding the annexation agreement that was approved by the City Council in January.

Planner Whetstone remarked that the Planning Commission's role in the process was to make sure this annexation produces the best design, the best site plan, and the best amenities possible, given the parameters. The Staff report asked questions that would help the Planning Commission provide the right input to help the Staff and the design team make this the best project possible.

Planner Whetstone outlined key points to acquaint the Planning Commission with the background of this annexation. She noted that the original petition came in 2005, concurrent with Park City Heights, and it was denied. There was a settlement agreement at that time' therefore, there is vested zoning from 2005 when they first applied. Planner Whetstone noted that if the City does not annex and the property is developed in the County, there is a vested zoning for this Film and Media Center and associated uses up to 355,000 square feet, with additional phases possible. The County Settlement Agreement was included in the Staff report.

Planner Whetstone clarified that the request was considered a re-submitted petition, because the court allowed the applicant to resubmit the petition. Therefore, the City needs to consider this petition under the General Plan in effect at that time.

Planner Whetstone stated that the annexation and the MPD review was subject to the City Annexation Agreement that was approved by the City Council. The agreement was included in the Staff report. She noted that the annexed property was north of Park City Heights, east of the Quinn's Recreation Complex, and south of the IHC Hospital and the USSA building. US40 was on the east side.

Planner Whetstone remarked that if the property is not annexed into Park City, the development would be reviewed by Summit County and subject to the County Settlement Agreement. If the property is annexed into Park City, the Annexation Agreement allows for the development of up to 374,000 square feet for a movie film studio campus limited to a 100 room hotel and associated uses. Many of the uses were specified in the agreement.

Planner Whetstone noted that design standards were attached to the Annexation Agreement. The Staff was looking for input from the Planning Commission to help prioritize those standards. Planner Whetstone named a few of the key design parameters. She noted that per the Settlement Agreement, the final plans would be approved by Staff as an administrative CUP.

Planner Whetstone reiterated that the role of the Planning Commission was to facilitate the best possible site plan and design that was not contrary to the Annexation Agreement.

Commissioner Savage wanted to know who would be the arbiter for deciding whether or not something is consistent with the Annexation Agreement.

City Attorney Mark Harrington stated that in this particular case, the City Council would have the final decision on whether or not to move forward with the annexation. If the City Council approves the annexation, there would need to be another final design approval based on the design guidelines attached to the Annexation Agreement.

Commissioner Savage stated that if the Planning Commission is to facilitate the best possible site plan that is not contrary to the Annexation Agreement, he needed to better understand how the Planning Commission could determine what would or would not be contrary. City Attorney Harrington replied that they could not go beyond any of the entitlements that conflict with the LMC. Commissioner Savage clarified that nothing in the Annexation Agreement imposes a different metric of consideration, other than the LMC that existed in 2005. Mr. Harrington stated that as an example, there were no open space requirements or setback requirements imposed by the County. Therefore, those were built into the agreement as a pre-requisite of City authority.

Mr. Harrington remarked that the second component was the recommendation on the annexation in general. The Planning Commission had the ability to incorporate additional elements; however, the preference would be to work within the parameters stated in the Annexation Agreement. He believed that the applicants in their presentation this evening would express their intent to work diligently to come as close as possible to a development that would be approved, irrespective of the Annexation Agreement.

Commissioner Savage requested a timeline of what the Planning Commission could expect to see in terms of their review over the course of the next few weeks. Planner Whetstone offered to provide that information. She believed that some of that information would be addressed in the applicant's presentation.

Vice-Chair Pettit thought it was important to understand that even though the Planning Commission's role was tied to one aspect of the application, their role was also to evaluate the full set of criteria for purposes of the annexation application and the MPD. She recognized that elements of the Annexation Agreement exempted some of those requirements; however that would not preclude the Planning Commission from doing a full scope review based on the criteria they are required to evaluate as a body. Planner Whetstone agreed, but emphasized that their evaluation needed to be done quickly.

Commissioner Hontz echoed Commissioner Pettit's comments. She felt it was challenging to review a design without having all the information required for a proper evaluation. Providing that information would be imperative before the Planning Commission could take the next step. Commissioner Hontz thought the applicant should understand the importance of submitting all the information per all sections of the Code.

Recognizing the limited time frame, Vice-Chair Pettit wanted to see a matrix of all the criteria tied to the annexation approval process and to the MPD, to enable them to check through each criterion to see how the information is presented, what complies, and what is exempted. It would be helpful for the Planning Commission to begin the process with a clear understanding of the criteria.

Commissioner Hontz pointed out that the Planning Commission was unable to review material they did not have. Therefore, the applicant needed to worry about the limited time frame and submit information so the Planning Commission has time to conduct the proper review.

City Attorney Harrington clarified that the 90 day time frame set by the City Council was the trigger for accepting the site plan within the Annexation Agreement. He remarked that the clock was

already ticking and the Planning Commission had two meetings to make that determination. He believed the applicant understood that additional information needed to be submitted. Mr. Harrington stated that the Staff could provide the matrix Vice-Chair Pettit had requested.

Peter Pilman stated that IBI Group was the design firm for the St. Regis, which was also a complicated annexation that occurred. Mr. Pilman clarified that he had not been involved in the settlement agreements or annexation discussion. He was charged with working collaboratively with the City for the best design. He lives in the community and it was important for him to achieve the best possible facility with connectivity of trails systems and aesthetically pleasing buildings. The intent was to hear what issues the Planning Commission had so they could focus on addressing those concerns as they create the design. The goal is to work with the Planning Commission in the best way to meet the imposed time constraints

Mr. Pilman stated that the applicant was passionate about the design and about resolution and consensus. They would like to visit the site with Director Eddington and Planner Whetstone to work through specific site issues as they move forward. Mr. Pilman explained that the objective was to meet with the Planning Commission and hear their feedback before starting on a design. Their input would be incorporated into the design and presented at the next meeting.

Planner Whetstone reviewed the questions for discussion.

The first question asked which MPD site plan issues the Planning Commission felt would be the most important to focus on for the public hearing. She noted that a public hearing was tentatively scheduled for the March 14th meeting.

Vice Chair Pettit remarked that this development was not envisioned by the community or discussed as part of the General Plan. She believed the challenge was how to bring a project that was not envisioned, into the vision of who they are and what they want to be, and make it fit within their community identity. Vice-Chair Pettit stated that the short time frame presented another challenge. Every applicant who submitted an application for a project of this size and scale in that area went through an extensive, lengthy process, which allowed the ability to collectively make those projects the best they could be. She felt the Planning Commission had their hands tied in this process, and she questioned whether that was in the best interest of the applicant. It would be better to have a project that the community embraces versus feeling like it was forced on them.

Vice-Chair Pettit stated that other applicants in the Quinn's Junction area provided modeling that provides a sense of how the project fits on the site and how it fits within the surrounding projects, as well as visual analysis from different viewpoints. Modeling helps the Planning Commission understand how the project fits on the site and how visible it would be from various vantage points.

Commissioner Worel asked about the possibility of extending the 90 day period. City Attorney Harrington replied that the applicant would have to agree to an extension and it would need to be requested through the applicant. Mr. Harrington clarified that the representatives this evening were

the design team and not the owner, so they would not have that authority. Mr. Harrington stated that the City had tried to negotiate a longer period, but had to settle for 90 days. The time was driven by the desire to have a final decision prior to the end of the Legislative session, due to the State's role in this project. Mr. Harrington suggested that a request for an extension might be better received after the Planning Commission held a few more meetings that showed they were making progress with the design team.

Commissioner Strachan referred to an attachment to the Staff report from Sage Accounting regarding the Quinn's Junction Impact Study. Mr. Pilman clarified that his role was to design the project. Since he had not seen that study he was not prepared to answer questions. Mr. Harrington suggested that the Planning Commission ask questions and if an immediate answer was not available, the Staff would have an answer for the next meeting. Commissioner Strachan requested that the applicant have a representative present at the meetings who could answer questions about the submittals provided by the applicant.

Commissioner Strachan pointed out that the study had handwritten notes and it appeared to be a cut and paste from a report that did not apply to this project. He wanted the applicant to explain the study.

Commissioner Strachan asked if the proposed project meets the transit plan for the area. Mr. Rosecranz explained that the intent was to put one or two transit stops within the site to reduce the parking. They hope to be on the Park City Loop and would like to have a discussion with Staff about using the existing Park and Ride for employee parking. Mr. Rosecranz remarked that the plan is to encourage public transportation as much as possible.

Commissioner Strachan asked if anything was in place that would guarantee that the City would provide public transit. Mr. Rosecranz replied that there was nothing beyond comments from Staff indicating that there would be public transit. Planner Whetstone stated that the Transportation Department was currently reviewing some of the information submitted; and additional information would be provided to them following this meeting. Representatives from the Transportation Department would be available at the public hearing to answer questions. Commissioner Strachan asked if that transportation discussion would also include putting a stop at Park City Heights. Planner Whetstone replied that Park City Heights would have a stop once the Quinn's Park and Ride is in use on a regular basis. Prior to that, several improvements need to be made to the road, including installing a signal at Richardson Flat Road. She reiterated that the appropriate people would be available at the next meeting to address those types of questions, as well as phasing and a true route.

City Attorney Harrington stated that there were two elements to be considered. One was the use of the Park and Ride for employee parking to minimize on-site parking. The second was an acceleration of that extension of true public transit to the area. He pointed out that the second element was still in the future, because there would be a greater transportation demand if this project moves forward as planned and Park City Heights is built out.

Mr. Pilman requested feedback from the Planning Commission on key elements such as connectivity, trails, transit, transit connections, parking, etc.

Vice-Chair Pettit reiterated that the challenge was making this project a part of the Park City community rather than a disconnected stand-alone industrial park. She thought the difficulty would be trying to design this project to fit with the theme and characteristics emphasized by the community, such as preserving the mountain resort and the historic character of Park City. In terms of the parking issues, Vice-Chair remarked that the ratio of hard surface to landscaping and the visual impacts would be key elements for review. She personally prefers to under park a project to minimize vast, hardscape surfaces. She believed the design group was heading in the right direction by identifying the key elements Mr. Pilman had mentioned. Vice-Chair Pettit stated that additional elements tied to a LEED perspective and renewable energy would be seen as benefits, but she still thought the hurdle would be making a connection with the community.

Mr. Pilman noted that the guidelines were included as part of the Settlement Agreement and they were all familiar with the existing buildings in the area. They were interested in hearing comment from the Planning Commission on which buildings were successful, which ones break up the mass and which ones have better architectural treatments. Their intent is to comply with the guidelines provided and to incorporate comments and direction from the Planning Commission and Staff, but at the same time work within the elements required for a studio site.

Commissioner Savage thought this meeting may have been premature because it was difficult for the Planning Commission to make comments without having the necessary framework to ask specific questions. He encouraged the applicant to come back with a dimensional image of a preliminary concept with architectural overlays to show more specifically how the structures would look. With the use of available technology, the Planning Commission could then view the project from different perspectives and vantage points to see how the architectural constellation fits into the neighborhood. Commissioner Savage felt it was important to have that information in order to have constructive dialogue.

Commissioner Savage recognized the consistent tendency to make "sour grape" comments. He believed those comments were pointless based on the scope of their review. He encouraged everyone to look to the future on this project rather than spending time talking about how they got to this point.

City Attorney Harrington asked if the Planning Commission could give the Staff and applicant confirmation on some general principles so they would know if they were proceeding in the right direction.

Commissioner Savage felt the view from Highway 248 was important. The most important view would be the view coming south on US40 because it is an entry corridor into Park City. Commissioner Savage remarked that the entire view corridor and how it relates to Park City Heights should be considered carefully. He would be less in favor of the largest buildings being in the far right hand side of the project, and suggested that they be designed in the center of the project.

Planner Whetstone believed it was important for the Planning Commission to visit the site and get a feel for the topography. Commissioner Savage asked if it was possible to provide two different scenarios for the Planning Commission to have on their site visit. It would be helpful to see the site

in conjunction with two conceptual models.

Mr. Pilman stated that his intent was to come to the next meeting with a sketch of the site showing where they think landscaping and other features would be most beneficial for screen and blocking views. They would also have massing studies of the buildings that looks at building heights and building orientation. Mr. Pilman pointed out that functionally the buildings need to work a certain way for the use and there were constraints that would affect the plan. He would like to come back to the next meeting with a package that everyone could react to.

Mr. Rosecranz remarked that there were two sides to this project. One side is secured and one is unsecured. He noted that IBI Group had spent time working with the studio and other potential tenants. They had a different layout with the County and when they came into the City, the City had different ideas and requirements. Mr. Rosecranz stated that due to the tight time frame decisions need to be made quickly; and they had moved forward with more information than what was presented this evening. Rather than bias the Planning Commission with a design, they preferred to hear comments from the Commissioners to see how it compared.

Mr. Rosecranz stated that the applicant has a settlement agreement with the City Council and they need to be careful not to override the parameters specified in that agreement.

Commissioner Worel referred to the annexation agreement on page 86 of the Staff report, which said that the City would request State funding for structured underground parking. She asked if it was common for the State to fund parking on private property. Mr. Harrington answered no, and explained that it was not common for the State to get involved in local projects. He believed that effort was unlikely; however, the City would continue to explore it in mitigating the impacts of this project. Mr. Harrington believed it would manifest itself in road prioritization and public transit. He did not expect to see State funding for parking. Mr. Harrington clarified that the current plan did not assume underground parking.

Diane Foster, interim City Manager of Park City, stated that there were discussions regarding underground parking, but eventually it did not appear to be possible. She noted that Park City has the Highway 248 improvements, which includes the bus lanes between Sidewinder and Richardson Flat Roads. Those improvements are in Phase 1 of Region 2 long-range strategic plan, which means they are one step away from getting on to the Funded State Transportation Program or STP. Once they are on the STP it is only a matter of time until it happens. Park City is part of a legislative bill requesting that funding be moved into the STP. Ms. Foster remarked that currently the Park and Ride was not used because there is no advantage to taking a bus if you are sitting in traffic. The STP would allow that next step to occur. Because it is not currently in the STP it is not a funded project. The City has made this a priority.

Commissioner Hontz stated that the night lights that exist across the street from this proposed development is too much and she would like to see elimination or reduction on this site. Understanding the specific restraints based on this particular use in terms of height, massing, lighting, and security, Commissioner Hontz asked if there were examples of movie studios that the IBI Group has design massaged in the past that created a better result. After seeing studios in Los Angeles, she had a hard time translating that to the property at Quinn's Junction. Commissioner

Hontz noted that several annexations and MPDs have taken place around Park City that did a good job of setting the quality standard. Her expectations for this proposal would be, at a minimum, that same standard of quality in terms of the information presented.

Mr. Pilman remarked that few hospitals are as attractive as the Park City IHC hospital. That building went through the same process and resulted in a nice facility. He stated that the challenge for the IBI Group were to equal that quality or better it. Mr. Rosecranz pointed out that most of the examples used in the guidelines were pictures of the hospital.

Planner Whetstone understood that Commissioner Hontz was commenting on the quality of the application and requested specific feedback on where the application would not meet those standards. Commissioner Hontz clarified that it was two parts. The first was the quality of facility, and she agreed that the hospital was a good example. The second part was the quality of application, which was moving forward from one drawing to another.

Commissioner Savage was more interested in the Matrix that was discussed earlier. It would be important for the Planning Commission to know that each of the boxes in the Matrix had been sufficiently analyzed and configured. Commissioner Savage thought the focus for the next meeting should be the timeline, the matrix and a model

Vice-Chair Pettit felt the Planning Commission has given as much information as they could based on the limited information they were provided with this evening. She understood that it was early in the process and she appreciated that the applicant had not moved too far prior to getting feedback from the Planning Commission.

City Attorney Harrington summarized the comments this evening. A site visit would be arranged with additional plans provided in advance of the site visit. A public hearing would be scheduled for March 14th. The Planning Commission wishes to continue with the same focus as Park City Heights in terms of view corridors, particularly the SR248 Entry Corridor Impacts from 248 leaving town and coming off the US40 south off ramp into town, concerns related to parking, public transit, night lights, trails connectivity, examples of other studio designs and the quality of application materials, as well as a request for a matrix, 3-D modeling and the timeline. The goal should be a design equal to or better than the IHC hospital.

Commissioner Savage stated that they already know the end game because of the 90 day timeline. The question was how to achieve the end game and fill in the matrix in a way that gives people as much comfort as possible.

City Attorney Harrington stated that if the Planning Commission did not want to go through the process, they should direct the Staff to form a recommendation of denial and focus on the submittals they have to explain why they do not want to go through the planning site design exercise. If that is their interest, they should forward that recommendation to the City Council as soon as possible so the Council could decide whether to terminate the annexation or spend their time on the design. Mr. Harrington understood the angst and anxiety because this was not a traditional process; however, he encouraged them to focus the meeting time on the important issues within their purview. He reiterated that they also had the option to recommend denial to the

City Council.

Vice-Chair Pettit commented on the amount of time spent on previous projects and working through the detailed design elements, which resulted in everyone being happy with the end product. The Planning Commission did not have that benefit for this application, yet they were trying to achieve the same level.

Commissioner Strachan thought the choice was clear. If they do not have sufficient time to develop a worthwhile plan, he questioned why they would spend everyone's time working with the designers. A better approach might be to shape a denial of the annexation petition. He believed the Planning Commission is charged with doing two things when an annexation petition comes before them. One is to determine whether it meets the General Plan and the second is to determine whether it meets the requirements of the Land Management Code. Their role is not to brush those two documents aside and begin the design review. Commissioner Strachan stated that if the Planning Commission recommends denial and the City Council believes they can come up with a great design, then the Council could work with the designers and the public. He had no desire to put much effort into a plan that would be difficult, if not impossible, to comply with the General Plan and LMC. It does not provide open space and affordable housing and it does not have setbacks.

Mr. Pilman understood Commissioner Strachan's position, but he felt this was an opportunity for the applicant and the design group to work with the Planning Commission to address the important issues given the constraints, so they would all know that they did the best they could for the City.

Commissioner Strachan stated that the Planning Commission could not provide the input needed to design the project. Due to the 90 day time constraint, there was not enough time to take input from either the Planning Commission or the City Council to the degree required to develop a project that would meet the community's desires. City Attorney Harrington disagreed that the Planning Commission did not have enough time to influence the outcome of this project. The question was whether or not they wanted to do it, and that was their choice. Mr. Harrington thought it was unfair for the Planning Commission to think it was a waste of time. Commissioner Strachan clarified that he did not think it was a complete waste of time; but there was no way to make substantive changes to the design to overcome all of the inconsistencies of the General Plan. He questioned whether the Planning Commission should even be put in a position to ignore General Plan and LMC mandates. Mr. Harrington believed the Planning Commission had a larger role. They already know the end result and they have a chance to influence that outcome.

City Attorney Harrington pointed out that if this project goes back to Summit County, the design review would be done at a Staff level without a public process. In 90 days the City could have five or six public hearings and over that time they could accomplish a lot. He urged the Planning Commission to consider the pragmatic ability to make the project better to mitigate its impacts on the community and to take advantage of IBI's offer to work with the design.

Commissioner Strachan recognized that the project could be much worse if it was sent back to Summit County, but it was a matter of principle. There was not enough time to design a quality product that adheres to the General Plan and LMC. Commissioner Strachan did not believe the

community was well served by prior pragmatic approaches with respect to projects that did not comply with their vision.

Vice-Chair Pettit agreed that the Planning Commission should decide whether or not to engage in substantive design review. However, they should wait make that decision at the next meeting when Commissioners Wintzer and Thomas would be present to express their views. Waiting until the next meeting would also give the Planning Commission the opportunity to review additional information submitted by the applicant. The majority of Commissioners concurred.

Mr. Pilman remarked that the IBI Group had two clients, the applicant and the Planning Commission; and they would like the opportunity to design a quality product. If the Planning Commission decides to move forward, Commissioner Strachan thought the design team should incorporate the standards required of any other applicant by the General Plan, particularly regarding open space, setbacks and trails.