

MINUTES

SNYDERVILLE BASIN PLANNING COMMISSION

REGULAR MEETING
THURSDAY, MARCH 22, 2016
Sheldon Richins Building (Library)
1885 West Ute Boulevard,
Park City, UT

COMMISSIONERS PRESENT:

Bea Peck, *Chair*
Julia Collins
Colin DeFord
Mike Franklin

Canice Harte
Chuck Klingenstein
Greg Lawson

STAFF PRESENT:

Peter Barnes– *Planning and Zoning Administrator*
Amir Caus- *County Planner*
Ray Milliner- *Principal Planner*
Patrick Putt– *Community Development Director*

Jamie Brackin– *Deputy County Attorney*
Tiffanie Northrup-Robinson- *Senior Planner*
Kathy Lewis– *Secretary*

The regular meeting of the Snyderville Basin Planning Commission was called to order at 6:00 PM. **Chair Peck** stated that before they get started on the agenda items, they have an important presentation to make. Former Planning Commissioner, Mike Barnes, was recognized for his years of service. A plaque was presented in appreciation.

WORK SESSION

1. Discussion regarding the proposed Apex Residences Final Site Plan; RC-25, Canyons– *Tiffanie Northrup-Robinson, Senior Planner*

Chair Peck welcomed the applicants, Tony Tyler and John Maxfield. Planner Tiffanie Northrup-Robinson said she will keep her presentation brief as the applicant has prepared a presentation to share. Staff and the applicant are looking for their initial input and direction.

Planner Northrup-Robinson said this proposal is for the Apex Residences at Park City. It is located on parcel RC25. This is located on the west side of High Mountain Road. This

parcel has been designated as a multi-family use in the Canyons SPA and in the Development Agreement land use chart. The project includes 161,000 square feet divided between 63 multi-family units. The maximum height permitted is 2.5 stories.

An aerial photograph of the proposed location was displayed. A review of the condominium plat will occur in connection with this project at a later date. The applicants are working in conjunction with Vail to ensure all easements and requirements are met.

Planner Northrup-Robinson said Staff requests discussion on some of the major items:

- The grading on the site along with the cut and fill.
- The visibility of the project.
- The applicants are working with the service providers including the County Engineer and the Park City Fire District.
- Connectivity.
- The multi-family designation of the lower units.

Planner Northrup-Robinson said there are plans for some ski runs to be completed to the south and west of the project, which will also need some cut and fill. The developers intend to begin on the south end of the property and move north starting with the clubhouse area. The applicant has contacted both the Park City Fire Department and the County Engineer. They are working through their issues.

Planner Northrup-Robinson said there is connectivity with the existing and proposed ski hills. There will be a private ski trail for the residents located by the parking structure. On the lower portion of the road, the units will be connected by a garage. Staff wants to make sure the Commission feels the applicants are meeting the threshold of a multi-family unit.

Commissioner Franklin referred to Exhibit B.2. He asked what will be the percentage of build-out with this project included. Planner Northrup-Robinson said it will be over 25% build-out. The time was then turned out to the applicant, Tony Tyler, who is the owner

representative and the project manager. John Maxfield is the construction manager. Other members of their team were also in attendance.

Mr. Tyler said he is with Columbus Pacific Partners, which is based out of California. He has lived in Tollgate Canyon for the past six years. This is a personal project for him. He likes the Canyons area. He outlined the other projects he has worked on in this area which has helped him to become familiar with the Canyons SPA. They have been working hard to acquire this parcel, design something that Vail would like to see, and have this design fit into the current guidelines.

Mr. Tyler said the Canyons SPA was broken up into several development pods. Eventually High Mountain Road will get to Red Pine, even though it isn't there now. When the SPA was conceived, the buildings in the Resort Core were anticipated to have the highest density and highest height allowances within the Canyons Resort. This property is on the outer edge of the Resort Core. The property is currently going through the subdivision process. They can't buy the land until it exists on the plat. Their goal is to get into construction this year.

Mr. Tyler displayed an overall map of the Canyons in order to show the way that development has occurred. This project will bring the last edge to the Resort Core development. He said none of the developments around them impacts this site.

Mr. Tyler said High Mountain Road is at a substantial lower elevation than the project. The Red Pine development, which will extend off this road, will only have an effect from a traffic stand point. Below them is the Vintage on the Strand development. Their primary neighbor is Vail.

Mr. Tyler said they went to the design guidelines and pulled out the policies and principals that they wanted to focus on in order to be cohesive with the Canyons SPA. He displayed the land use and zoning chart. The RC zoning chart allows 2.5 stories in height and 161,000 square feet in density.

Mr. Tyler said this is a residential multi-family piece, which means this property is allowed to be second homes. The homes will not go into the rental pool. Although this is not anticipated to be nightly rentals they see this as a major use for their buyers. Some of the handouts specify 93 units instead of 63. That is because 30 of the units have a walk-out on the lower floor that could be rented separately.

Mr. Tyler said while they were working on parking, Staff requested to have the calculations placed at 93 units, not 63. He explained they do not intend to sell the 30 units separately. This was a way to be supportive of the overall SPA guidelines of having more nightly rentals. These particular units are relatively large.

Mr. Tyler said they are all but 120 square feet short of the allowed 161,000 square feet. There is 4,200 square feet being used for a clubhouse. This is space he cannot sell, but it adds value to the project. It contributes to the overall guest experience.

An aerial picture was used to show the boundaries of the parcel. Their project will be a little over 10 acres. On the south side, there is the Sunrise lift, which comes out of the Hilton Sunrise. Currently, it is another access point for the Resort Core. The north property boundary line has the Red Pine development. On the upper west of their property is a water tank that services the majority of the Canyons.

A constraint on the property is a massive elevation gain to the north property boundary. This is too steep for driveways. The upper part of the property will remain in steep terrain. A topo map was shown to demonstrate the steepness of the property. Another constraint is the lower portion of High Mountain Road along the northeastern corner. There is a significant rock wall.

Mr. Tyler said entrance to the site will be about in the middle. If they enter before the middle, they would be 30 feet underground by the time they would get to the project. They had to be creative in solving some of the constraints.

Mr. Tyler referred to the site development page in the booklet he distributed. They have an agreement to have the ski trails connected outside of their property boundaries. The entire western and southern portion of the property is going into a ski easement.

Mr. Tyler said one of the unique characteristics of their property is that this is a ski-to-door property. Every unit has the ability for the residents to ski out of the door. Accommodations have been made for mountain bikes for summertime use.

They wanted to have a guest experience that was very resort-like. Arrival at the project is at one central location, which is the clubhouse. There is a 24/7 concierge. An animated video was shown of their vision of the project. The video circled around the entire project. As the video played, Mr. Tyler explained the project.

There are three distinct tiers of development. The lower and middle levels are townhomes followed by an upper row of flat buildings. The concierge will be available to handout keys and arrange shuttle. They are working with Vail to manage the homeowner's association. Other amenities include a fitness center, a hot tub, splash pad, and a fire pit.

Mr. Tyler said the intent is to hide all of the vehicular traffic. They have two plaza areas that are for pedestrians only. All of the units have an entrance that goes directly onto the plaza area. These will be maintained so the guests can walk to the clubhouse. They believe this will encourage people not to go to the parking garage and get into their car. They are planning on having a dedicated shuttle for the development. They don't anticipate any kind of a commercial spa within the project; however, there are rooms available where a massage therapist could come meet a client.

Mr. Tyler said the townhomes on the lower level are condominium units. The buildings are connected both in structure and in appearance. Between the condominium units is a shared parking stall. The middle row has duplex and triplex configurations with three levels. Some

are just barely wider than the typical old-town home. The upper row of flat buildings is a four story building on the front, but a one story building on the back.

Two of the penthouse units walk out directly on grade on the back patio. The other penthouses are buried into the hillside. Buildings C and D and the clubhouse units all have a lock-out level which makes it easy to rent out either the main level or the lower floor. It is up to the buyers if they want to use this feature.

Mr. Tyler next showed a number of renderings of the project. The Red Pine Gondola and the Sunrise Ski Lift was point out on either side of the property. There is a private ski bridge. He described the ease of getting onto the ski slopes from the different units. A rendering of the clubhouse was referred to. They have designed the building to be as low as possible to preserve the view corridor for the buildings above them.

Mr. Tyler said the site will be quite visible. They have clustered the buildings on the lowest part of the property. Within the constraints of the guidelines this was the best configuration they could come up with that didn't impact the view sheds.

Next, was shown a rendering of one of the middle row duplexes. Another rendering was shown of the entrance to the lower parking structure with a duplex next to it. A summertime rendering of the lower plaza was shown. There is a trail that will be a great biking or walking path. It provides greenery between the two rows of units.

Mr. Tyler said the next rendering was created specifically for the Park City Fire Chief, who was concerned with emergency access to the northeast corner of the property. Mr. Tyler explained how the access would be achievable for fire trucks. Fire hydrants will be positioned so water hoses could be hooked up if necessary.

The next rendering was of the back of the flat homes. They want to be sensitive to the view shed of the ski traffic coming down the hillside. From the backside it looks like a single level residence; however, this building is eight units long.

Pedestrian connectivity has been a difficult challenge because there are no sidewalks coming out of the Deer Valley core. The uphill side of High Mountain Road isn't wide enough to put in a side walk. They believe the summertime residents will walk on the trail system beneath the Red Pine Gondola. This is not extremely steep and it is a nice walk in the summertime. Wintertime will be more of a challenge.

Mr. Tyler said they don't want people to get into their cars to drive $\frac{1}{8}$ th of mile to get down the hill to have dinner. They believe the master developer should resolve the connectivity problems. Until that is done, this is about as good as they can get it. They are open to suggestions. From their perspective, they are on the edge of the Resort Core. There are no sidewalks for them to connect to.

Mr. Tyler showed a picture of the Grand Summit Hotel to give an example of what their development's view shed would be similar to. The Grand Summit is lower on the hillside, but is much closer to Highway 224. He said they are trying to preserve as much of the upper hillside for ski terrain. A site section graphic demonstrated the amount of cut that would be needed to stabilize a 2-to-1 slope. He hoped they could increase the slope to a 1-to-1 grade because that would dramatically lessen the scarring along the back of the property. A retaining wall is not advisable with a ski terrain. It can be dangerous.

An illustration showed the scarring created with a 2-to-1 slope connected connected to a Park City golf course. A different illustration demonstrated a 1-to-1 cut. Little to no scarring was visible. The vegetation and the hillside are holding up with this cut.

Mr. Tyler said units were released for marketing on December 15th, but reservations were not taken until one month later. Currently, they have 26 reservations out of 63. It seems very

likely this will be built out in one phase; however, it is set up to be a two phase project if necessary. Phase one would include 31 units and the horizontal work. The plaza would be completed along with the ski trails, the landscaping would be put in. Everything would be completed in Phase 1 except the wood that goes in the air.

Mr. Tyler said he would like to get started by June 1, 2016. He would rather be snowed on during spring days when framing than January days when pouring concrete. He believes that is a realistic time frame. They are the largest project that will be under construction in the Basin this year.

COMMISSION QUESTIONS AND COMMENTS

Commissioner Harte said he likes the direction the developers are taking. He said because this is a ski resort, he expects to see buildings, but he is concerned with the reflectivity of the glass and with the lighting. How much lighting will be visible? How much sun reflection will they see? What measures have they put into place to reduce these concerns?

Mr. Tyler showed a slide which demonstrated that the roofline overhangs the two-story window bay by six or seven feet. Tucking the windows back under the eaves dramatically reduces the reflectivity. When the sun comes up, the windows are shaded. Additionally, the rain screen is situated on the outside of the deck. The windows were changed from a store-front type product with no lines in between the glass panes to a standard window with a substantial column between the panes of glass. With all of these elements combined, the glare from the windows will be dramatically reduced.

Commissioner Harte asked if the windows will have anti-glare tinting. Mr. Tyler said although this is something they have considered, they have yet found one that works. The ones that tint the windows have an off-color inside the house, so these don't work from a marketing perspective. The coatings that do not color it, actually makes the glass more reflective. He is open to this, if the right product can be found.

Commissioner Harte asked if he will speak to the type of lighting they will have, such as area lighting. Mr. Tyler replied they plan on having downward lighting in the two public areas, like the clubhouse. It is a balance to have enough lighting that it is safe for people at night and not have the lighting travel off site. The lighting will be relatively low and dim and will be kept to the plaza areas.

Mr. Tyler said the lights within the units will be seen at night if the residents don't have window coverings. There are no plans to install hanging lights; it will be can and floor lighting. He thinks they have done all they can to keep the light within their own property.

Mr. Maxfield said the pedestrian walkways will be screened by the buildings in front. Mr. Tyler said the front doors, which are on the back side of the units along the plaza areas, will have lights that are controlled internally from the units.

Commissioner Harte asked about the size of the units. How big will the bigger units be? How small are the smaller units? Mr. Tyler said the smallest unit is a townhouse in the middle row. It is a three bedroom with 3.5 baths. It measures over 1,800 square feet. The largest unit is on the clubhouse row with a lock-out unit. It is 3,397 square feet.

Commissioner Harte asked if they have people who want to remove a common wall and combine two units. Mr. Tyler said not so far, but based on his experience that will happen. He discourages it because it creates all kinds of problems.

Commissioner Harte asked what they are doing as far as sustainable practices. Mr. Tyler said the biggest sustainability issue on his other projects has been landscaping. Landscaping is a huge water user that requires constant maintenance. They will use drip irrigation as much as possible.

Mr. Tyler said because they are a California based company, a lot of the building materials come from California, which have more strict standards. They review each of the building

materials to maintain a high level of quality sustainable practices. This includes the production and delivery of the products.

A provision in the CC&Rs allows the residents to add solar panels, if they wish. Solar panels are not feasible from an economic point of view when building 63 townhomes. They will use local products as much as possible. The stone will come from Brown's Canyon. The siding will come from Idaho and not China.

Commissioner Harte asked Mr. Tyler to describe how snow removal will be handled. Mr. Tyler said the temperature in the two parking garages will be kept above freezing. As a result, the plaza areas will act as if it were being heated. The plaza will either be hand shoveled or pushed with a plow. In the lower areas, they anticipate throwing the snow on the ski tail. The plaza will be heated around the pool area.

Commissioner Harte asked about accessibility. They plan on people using the trails, but what if there is an older person, or someone with a disability. Mr. Tyler said circulation within the property will be easily achieved for those who may be in a wheelchair or on crutches. Outside of the property, there is nowhere to connect to. An on-demand shuttle service will be provided. Sidewalks and connectivity is the responsibility of the Canyons SPA master developer. He believes this will happen, but he doesn't know when.

Commissioner Harte said this makes sense and sounds good. Light pollution could be a problem, so this is an area they need to concentrate on. The County is moving towards having a dark sky ordinance. He stated that as a heads up, he would not be in support of removing a common wall.

Commissioner Harte said it sounds like they have the snow removal pretty well covered. He encouraged that a conversation be held with the master developer. When they come back he can report what they are working towards. He liked the visual presentation about the cut of the slope. He will most likely follow what the County recommends.

Mr. Tyler said a challenge he is facing is that there is no Code for lighting. The Canyons SPA doesn't address lighting except for The Colony. There is no standard for him to measure by. **Commissioner DeFord** said they have done a lot to address the issues. He thinks they are moving in the right direction, but lighting needs to be addressed as much as possible.

Commissioner DeFord said this has been a great presentation. It has given a feel of what they are trying to do. He likes the parking. He would like to better understand how the connection is made between the multi-family units. **Chair Peck** asked how Staff feels about this proposal. Planner Northrup-Robinson said because the units are connected by the garage and/or a common wall, Staff can make the finding that the units are attached. A slide was shown of how the connection of the buildings will take place.

The design of the parking was further discussed. It was verified that all the parking is underground. Mr. Tyler said they didn't want to make people walk through the parking garage and up the hill to get to the skiing. Their design will allow the residents to walk out the door, onto the plaza, and onto the ski hill. The parking area was designed to match the façade of the building. This was done in order to connect the buildings architecturally.

Commissioner DeFord asked for the definition of a multi-family unit. Planner Northrup-Robinson said the Code requires three units to be considered a multi-family unit. In the Canyon's Development Agreement, the number of units is not specified. It simply states the units must be attached.

Commissioner DeFord said in the past, the Commission has had a problem with developments wanting to combine two units. Mr. Tyler said they have addressed this by providing the larger 4-bedroom unit with a lock-out.

Commissioner DeFord asked if the cuts will leave a scar, or if it would be re-vegetated. Mr. Tyler said it would leave a scar this is why he would like to get rid of the 2-to-1 cut. It is

basically scraping top soil off to meet the code. Beneath the top soil is rock. To get something to grow, they would have to over excavate it and bring in soil. Generally, this doesn't work. Even with a 2-to-1 slope, the vegetation will slough off.

Planner Northrup-Robinson said the slope issue is an engineering requirement. The applicants have recently submitted a geo-technical report to the Engineering Department. When they come back to the Commission, she believes they will have a decision from the Engineering Department.

Commissioner DeFord said he is disappointed with the walk-ability outside of their project; that they will be relying on a shuttle service. He believes the intent of the Resort Cord was to avoid that. Mr. Tyler said he has had a conversation with the master developer on many different items. He is not sure what is going to be done in this area. There is another ski trail that is going in this area. He doesn't think this can be solved until the master developer designates what they are going to do. Planner Northrup-Robinson said Staff anticipates having a revised master plan to be submitted and will come before the Planning Commission.

Commissioner DeFord asked what the details will be on each end of the project. Will it be a giant concrete wall? Mr. Tyler said it will be a retaining wall that steps down with the hillside. He will have a rendering of this at the next meeting.

Commissioner DeFord asked if it is possible to tilt the windows to help with reflection. Mr. Tyler said it can be done, but it is very expensive. **Commissioner DeFord** asked if this could be done in the specific areas that have high reflective possibility. This will be a sore topic with the community. Mr. Tyler said the problem is that it would be their entire site. That is why they have put the windows back and changed some of the other items.

Commissioner DeFord asked about the snow removal on the plaza levels. Mr. Tyler said the garage underneath the plaza will be heated to above freezing. If needed, they will have a plow push the snow off the edge.

Commissioner DeFord said the key thing with lighting is to have it positioned down and not up. Mr. Tyler said they intend to do that. They will comply with the requirements found in the Snyderville Basin Development Code.

Commissioner Collins said this presentation has been so good it could be used as a “how to” for presenting work sessions. She asked Mr. Tyler to run through the traffic flow from someone checking in, to a pizza guy making a delivery. What would that look like? Mr. Tyler said they only have two short driveways. Both start at the same place, which is by the clubhouse. One driveway goes to the lower parking structure; the other goes to the upper. As people come up High Mountain Road, they will find the entrance on the right hand side. There is a clearly marked area that will have the 24/7 concierge. This is where the nightly rental guests will be given a key fob and a map. The guest will re-enter their car and drive to the appropriate parking structure. An owner would simply pull into their dedicated parking stall. Each unit has two parking stalls. There will be a number of guest parking stalls.

Commissioner Collins said it worries her that there could be some conflicts if multiple things are occurring at the same time, such as a delivery man, a chef that is coming to cook a meal, and little Johnny who is running down to the street to meet his friends. They haven't provided pedestrian or bike connectivity.

Mr. Maxfield said road bikes can exit at the end of the parking structure. Mr. Tyler said from a mountain bike perspective, there are trail on both edges of the plaza. **Commissioner Collins** said it seems that the design is pushing everyone to the shuttle. It is not open to future connectivity. Mr. Tyler said ideally there would be some sort of crosswalk that would get them to the other side of High Mountain Road where they could access a sidewalk, but at this point, it would be a sidewalk that doesn't go anywhere.

Mr. Tyler said the road drops at a much steeper grade than the parking structure. At the middle of the project, the center townhouses are relatively high off the road. There isn't an opportunity to create another trail system. Mr. Maxfield said if he were there in the summer,

he thinks his children would go out the front door and down the trail system on their bikes. He would use the trail. **Commissioner Collins** said the trail would limit some people. They would be forced to take the shuttle. Planner Northrup-Robinson said this is something they will continue to work on.

Commissioner Collins said one of her big concerns is what is going to be seen from Highway 224. Mr. Tyler said the nice thing is that after them, there won't many visible sites on the hillside. When the lower village is built, it will hide their building from Highway 224 until someone actually enters the Canyons. He added they will use muted tones that will blend well with the landscape. He lives here and he doesn't want it to be known that he built the development whose windows shine on the basin every morning.

Commissioner Collins said she is thankful for their quick timeline. She doesn't want to have a crane on the mountain for the next three years. Mr. Tyler said ideally they will be looking at a 24-month construction time period. **Commissioner Collins** asked if there is any commercial aspect connected to the project. Planner Northrup-Robinson said no commercial or retail square footage is allowed. The guests can use the provided space to hire someone to come in for massage services, but there would not be an established SPA facility at the site.

Commissioner Franklin said he appreciates the great presentation. He is also very concerned about the glare. He believes there has to be an engineered method that can address this. **Chair Peck** said when the lower village comes in, the entire problem may be taken care of. **Commissioner Franklin** said his second concern is for the outside lighting to be pointed down. Mr. Tyler said that is required by the Development Code, which they will follow.

Commissioner Lawson said he is still trying to understand the grading on the site. He asked for more details. Mr. Tyler said the grading would be located at the back third of the property. **Commissioner Lawson** asked what the final height of the vertical wall would be on the north corner. Mr. Tyler said the size of the wall doesn't change because they are

building the building into it. It will be a three story wall. **Commissioner Lawson** asked about the height of the street wall on the northeast corner. Mr. Maxfield said the height is about 10 feet. It is already built.

Commissioner Lawson said Staff mentioned the maximum height is 2 ½ stories, but it seems to be more. Planner Northrup-Robinson said the Canyon's SPA allows the average to be used. In this particular elevation, they have four stories on the front and one on the back. Add those figures together to equal five. Divide that by two and they have met the requirement of a 2 ½ story average. This math applies to the other portions of the development. **Commissioner Lawson** said the back of one section is over 40 feet in height. Does that comply with the Code? Planner Northrup-Robinson said that the 32 foot height limit does not apply to the Canyons SPA. Mr. Tyler said because there is a bottom building, as they are looking up the site, they will never see four stories at one time.

Commissioner Lawson asked about the cut on the back. Will they have to build a retaining wall? Mr. Tyler said they are seeking an exception from the Engineering Department to have a steeper stabilized slope. It would essentially change from a 2-to-1 stabilized slope to a 1-to-1 stabilized slope. They have to prove to the Engineering Department that a 1-to-1 slope can be stable. Planner Northrup-Robinson said a stability report will be required. If it isn't feasible, they will have to go with the 2-to-1 slope.

Commissioner Lawson asked if a retaining wall would correct the problems. Mr. Tyler pointed out that a retaining wall on a ski slope would be dangerous. Vail will maintain and operate the ski slope. They will not allow them to put in a rock wall. If he had his way, the scar would be small and would be shielded by the building. **Commissioner Lawson** said he thinks it is time to stop the negative impacts on this hill. He added that he thinks shielding the source of the light would be critical.

Commissioner Klingenstein asked Planner Northrup-Robinson how they got this far up the slope without creating pedestrian connections. She responded that she wasn't involved when

the majority of the Resort Core was developed; therefore, she can't speak to that. In the Development Agreement it is made clear that connectivity is an important component. She doesn't know how this happened.

Commissioner Klingenstein asked who is responsible for building the sidewalks as the development moved up the slopes. He was told it is the master developer. High Mountain Road extension was originally constructed up to Vintage on the Strand.

Commissioner Klingenstein said not everyone will want to take the trail. He doesn't think it is too late to add sidewalks. They may not go anywhere now, but eventually they will. They should correct the problem and not keep making it worse. Planner Northrup-Robinson said because this would be the last development on the hill, she thinks there is time to do that.

Commissioner Klingenstein said they didn't follow through with sidewalks on the last couple of developments. He would like to have this project take a look at it.

Commissioner Klingenstein said the parcels numbers on the County website doesn't coincide with the parcels numbers in the Staff Report. Planner Northrup-Robinson said that is because a plat map hasn't been filed yet. When the plat is recorded, it will make sense.

Commissioner Klingenstein said he hopes the cut issues will be sorted out. He asked if they are addressing the concerns of the Fire Department. Mr. Tyler said the hydrants already exist on High Mountain Road. The units will be sprinkled. There is a turnaround at the end of the upper plaza.

Commissioner Klingenstein asked where the employees will park. Mr. Tyler said they will park in one of the two parking structures. **Commissioner Klingenstein** said it is important when they come to the next meeting, that they address how delivery services will be handled. How will this vehicle traffic be handled, especially during peak times?

Commissioner Klingenstein asked if eventually there will be mass transit heading to Red Pine Hill. Planner Northrup-Robinson answered this is planned to be a through road.

Anyone can drive there. Additionally, it is planned to have shuttles to this location.

Commissioner Klingenstein asked if they have factored in how a bus or shuttle will function within their site. Mr. Tyler said they have allowed sufficient room for a bus to turnaround.

Commissioner Klingenstein asked about the public utilities. Will it have gas? Planner Northrup-Robinson said the units will have gas. They are working to finalize the necessary easements.

Commissioner Klingenstein said an on-demand shuttle sounds great, but what happens during non-peak times. The Commission needs to understand when and how it will function. Mr. Tyler said during the off-season, they will transfer calls from their clubhouse to the operator of the other hotels.

Chair Peck asked that information be provided about how they plan on moving people from the airport to this project without having to get a car. Mr. Tyler said that most of this demographic will hire someone to drop them off at the door. **Chair Peck** asked that this be addressed when they come back.

Commissioner DeFord asked how the trash truck will access the site. Mr. Tyler said the dumpsters will be pulled out of the parking garages and will be dumped. **Commissioner DeFord** asked if this will block the traffic. Mr. Tyler said this only takes a few minutes. It is a lot better than having 63 individual trash cans.

A five minute break was declared.

REGULAR ITEMS

1. General Public Input Items

The general public input session was opened.

Chris Hague wanted to discuss Silver Creek Village. He sent a couple emails to the Commission about a wildlife corridor going through this area. He believes the wildlife study was bogus. The study was taken in July when there wouldn't be any evidence of deer or elk.

Mr. Hague said he emailed to the Commission the pictures he took of the elk prints that are evident throughout the development. He isn't trying to kill the project, but he would like to have the developer be required to conduct a valid study. This would take into account the months of November through March.

Mr. Hague said they need to protect this corridor. They don't want to take the chance of losing the wildlife. The Commission can do something about this by going to the County Council or the County Manager and requesting a new valid study be done. They need to provide a wildlife corridor through the property. Most of the wildlife activity that he has observed is in the north end of the property by I-80. If they visit this area during the migration season after it has snowed, they will see the evidence for themselves.

2. Continued public hearing regarding a proposed Final Site Plan for a 48,565 square-foot commercial building on Lot 4 of the Park city Tech Center Subdivision; 6291 Landmark Drive; Parcel PCTC-4; David Allen on behalf of Boyer Snyderville Junction LC, applicant – Amir Caus, County Planner

Planner Caus said the last time they met with the Commission they discussed three main issues. The first was the number of parking stalls being proposed. Secondly was the parking design, which included landscaping and the stepping of the parking areas. The third item was circulation. This included pedestrian conductivity and aspen draws.

Since that meeting, the applicant met with the Park City Fire Department and the Engineering Department to discuss fire access issues. After this meeting, a revised site plan was submitted to demonstrate some of the key issues brought up by the Planning Commission. Time did not allow the creation of the exhibits as a result of this meeting.

Planner Caus said they have the latest version of what the applicant is proposing. He pointed out the different attributes that have been added to the plan. This plan has been overlaid with the master plan. Dave Allen is present to explain how this is in line with the master plan.

Dave Allen of the Boyer Company introduced Jared Ford who is the project engineer and Jake Boyer who is the president of The Boyer Company. They have worked hard to get a lot done during the last couple of weeks.

Mr. Allen said the block layout of the Tech Center comes from the design guidelines. At the last meeting, there was discussion about utilizing block eight for additional parking. As a result of that discussion, they have restored the service drive. It can't go over the pipeline, so it terminates before that point. When building nine is built, they will be able to extend the service drive to provide fire access to the back of the building. They have moved the parking that had been designated to be in the service drive to lot eight. Another change they made is to widen the aspen draw back to its original 100 feet.

Mr. Allen said Staff asked them to do an analysis of the original Meadows Drive guideline. A display showed where they are in compliance and where they are not. The original design

plan had 24 feet of travel lane. The plan included parallel parking with planter strips and a sidewalk. Mr. Allen said Meadows Drive doesn't front the proposed Skullcandy building, so some adjustments had to be made while trying to preserve the intent as much as possible.

Mr. Allen said when they were unable to move the pipeline they lost a lot of the parking area. They think they have come up with a better plan. They moved the eight-foot travel lane to the side and were able to add extra parking.

Mr. Allen said when this first came to the design review committee, they had 45° angled parking. The design review committee didn't think that was appropriate because there would not be a lot of reason to park there as there is no building on site. The parking area and sidewalks were pointed out. They made the sidewalks a little wider to create more of a plaza-type ease of walking.

Mr. Allen said the travel lanes have moved from 12 feet to 13 feet because most fire departments request 13 feet. He pointed out the terraced parking. Between the top and bottom, there is a 20 foot drop. They believe the landscaping has become more meaningful.

Access will be needed for deliveries and emergencies. Mr. Allen said he believes they have substantially kept with the original intent. They have terraced parking and they have restored the service drive. The meandering sidewalk is more in line with the original plan. They believe these changes will help to achieve greater compliance to the design guidelines. They

are as close as they can get with the constraints that they have. There is a sewer line that places some restrictions on what they can do.

Mr. Allen added the building is proposed to be moved further to the north because of the terrain. By moving the building to the north, they are able to have a more gradual transition and avoid a large retaining wall. He said they are here to answer questions.

Chair Peck said the design guidelines didn't have an aspen draw through the service road. She asked if they are putting one there because the service road was supposed to be located between block five and six. Mr. Allen said that is correct. In their last plan, they eliminated the aspen draw. Mr. Ford said they are trying to find a way to preserve the aspen draw while providing an access easement for the existing sewer. Mr. Allen said all the sewer on Tech Center Drive will drain to that point.

Chair Peck asked how many parking spaces are in this new proposal. Mr. Ford said there are more than 229, but not all would be needed right away. **Chair Peck** asked if this eventually would be exclusive parking for lot eight? Mr. Allen said they don't envision Skullcandy needing this parking in the future, but the potential to put that area into a parking structure, or do something different with it in the future is there. Eventually, all of the parking will meld together.

Chair Peck asked if Administrator Barnes had any comments to add. Administrator Barnes said he has been consistent in asking the applicant to explain the differences and similarities

between the master plan and what they are proposing. As he looked over the newly submitted plans, he made a lot of notes. One of his questions is how wide does the design guidelines require the right of way to be. What are they proposing for the aspen draw? Is the aspen draw carrying out its function as originally laid out? Does the right of way need to be made wider or can it accommodate its original function as is?

Administrator Barnes said Staff received this information from the applicant on Thursday. It was just discussed yesterday. He said that small changes can have large consequences to the master plan, like a domino effect. The relocation of the original right of way will impact block eight.

Meadows Drive has had a kink added that is perhaps half of the width of the road. It has a 60-foot right of way with specific functions inside. These functions are landscaping, screening, parking, and pedestrian access. He asked if the solution equivalent to, better than, or not as good? They don't know this as yet because they don't have the details.

Administrator Barnes said he thinks there is an impact in shifting the road south. He is concerned that the building lot may not be developable. If block eight eventually builds a parking structure, what would the visibility be? As they look at the master plan these look like minor changes, but they could have significant impacts.

Administrator Barnes said the applicant made a choice not to move the pipeline. That choice has pros and cons. Grading will become an issue. He believes the intent of the terraced

parking was to take up the slopes of the grade. The angled cut bisecting the lot will have an impact. They don't know what that will be because they don't have detailed cross sections explaining how the landscape is going to work or how the retaining walls will work.

Administrator Barnes said he believes the intent of the last meeting was to consider if they could have additional parking on the areas that were designed by the master plan to be parking. He thinks the intent of this design is getting there, but he is not convinced that it is carrying out the same intent as the design guidelines. Without more information from the applicant, he doesn't think they have enough information to draw a conclusion.

Commissioner Klingenstein said the gas line can be moved. The decision to not move it was presumably based on economics. This decision seems to be driving many of the changes that are being proposed. Whenever changes are made, they have to look at the entirety of the master plan because changes have a rippling effect.

Commissioner Klingenstein said the Commission is seeing this for the first time. He doesn't know how to react to a plan. There is no grading plan or no cross sections. He is unable to give substantive comment.

Commissioner Klingenstein said he needs to understand the sewer pipes that were referred to. Mr. Ford said when the Boyer Company came in for the Tech Center Drive approval it was determined that the gas line would stay in its current location. They redesigned the grading of the road to be the low point and to take the sewer down the service drive. The sewer will then turn east on Meadows Drive and then tie back into the existing sewer.

Commissioner Klingenstein said this is a road that was built under a grading permit. How does a sewer get installed with a grading permit? Administrator Barnes said this work was completed before he arrived. He said there is a discussion about what records exist and what approval was given. He was told by the County Engineer that the approval was for the completion of Tech Center Drive. Nothing else was permitted. Administrator Barnes said he assumes the construction drawings of Tech Center Drive would have included the sewer. The drawings he saw labeled this as a utility corridor.

Commissioner Klingenstein said he believes it is important to understand what was done at risk and how these changes occurred. There information is needed but hasn't been provided. He hopes they will eventually get a complete Staff Report so the Commission can make a rational decision.

Chair Peck asked how the Commission wants to proceed, taking into account having just seen this for the first time, she can see that the applicants are making an effort.

Commissioner DeFord said he thinks this is a waste of their time. They don't have any details or drawings. **Chair Peck** asked what would be the most practical way for them to move forward. She said the Commission needs to have a chance to look at the materials before reviewing it with the applicants.

Mr. Allen said they have submitted full building plans to Staff. Every time the plan is changed, it has to be completely redone. Although they don't like this parking design as

much, they have submitted this in the spirit of meeting the requirements of the design guidelines. They would like to have feedback from the Commission.

Mr. Allen said they have the landscaping design down to every tree and every plant. As far as setbacks, they have agreed to follow Staff's direction. What would be helpful for them is to hear if the concept of moving the parking to lot eight and redoing the service drive gets them over the parking hurdle.

Mr. Boyer said they really don't want to waste the Commissioner's time. As Mr. Allen mentioned, they are not enamored with this plan, but they are trying to be in compliance. He apologized for not having all of the details. He hoped this proposal shows they are trying to listen and respond to the Commission's requests. **Chair Peck** said she appreciates their effort. If Staff believes that progress is being made, then she feels they are headed in the right direction.

Commissioner Harte said this presentation seems to be moving in the right direction. He thinks the comment that **Commissioner Klingenstein** was spot on. The decision to not move the pipeline was a decision made by them because this was a cost they did not want to bear. The Commission needs to decide if they are willing to accept that decision.

Commissioner Harte said if he accepts the pipeline in place, the aspen draw becomes very critical. He thinks there are items they will need to work out as far as the impacts to lot nine. Moving the Skullcandy building because of the wetlands seems logical.

Commissioner Harte said he wants to see the landscaping and the terracing. He is interested in seeing what the possible small building on lot five would look like. This request is based on the assumption that everyone agrees to leave the pipeline in place. The bigger issue will be if the pipeline stays in place or not.

Commissioner DeFord said he doesn't have enough details to make an educated guess if they are headed in the right direction. There are so many things they cannot see with the site plan that they have. They have to see those details.

Mr. Boyer agreed they need to provide the complete details. He said this is a dramatic departure from what they originally proposed. They are addressing a different parking arrangement than what was originally planned along with a different configuration of the service road. He hopes the Commission can see they are trying to listen and make changes.

Commissioner DeFord said because the pipeline is not being moved he questions if this is the wrong location for this building. He thinks they should seriously consider another location; however, he understands that this is a desirable location.

Commissioner DeFord asked if the lease agreement indicates that Skullcandy does not want to share parking. Mr. Allen answered that Boyer has to provide 230 stalls. Under the lease, they only have to provide enough parking. That could be 230 stalls out of a 500 stall parking lot. **Commissioner DeFord** said the design of the building allows more density inside.

What happens down the road if all the buildings have increased density? He needs to be able to understand the cumulative effect of all the changes.

Commissioner Collins said she would also like more details. It is difficult to make any conclusions with what they have now. She appreciates the intent of the efforts. At the last meeting, they brought up issues such as the use of the building. There will be a retail, event, and warranty center. There will be a lot more than what the Tech Center was intended for. This building will set a pattern how the Commission will look at the other buildings moving forward. Maybe the design guidelines need to be revisited because office space and marketing has changed.

Commissioner Franklin said he echoes what the other commissioners have said. Maybe it is time to step back and review the development agreement and design guidelines.

Commissioner Lawson said he agrees with the other Planning Commissioners. From his perspective, the applicants chose to leave the gas line in place. Now they have to make it work within the guidelines that they agreed to when they started. A positive step was taken when they agreed to setbacks of the perimeter of the property.

Working with Administrator Barnes to come up with a plan that is consistent with the design guidelines is a way to solve the problems. If this site doesn't work for Skullcandy because it can't meet the design guidelines, then they will have to look at different options. Each Commissioner seems to expect the applicant to make this project work within the design

guidelines. When Staff is satisfied this project meets the design guidelines, the Commission will be ready to do business.

Commissioner Klingenstein said a lot eight has been referred to for a temporary parking lot, but it seems like this will be fully improved. Staff's role in this process is to be the applicant's champion. He said having Mr. Boyer in attendance will help Mr. Allen and his team to get together.

Mr. Boyer said he hates to chew up several weeks of design time if there is no way this is going to be approved because of the pipeline's location. **Chair Peck** said that

Commissioner Lawson gave the answer. They should remember they made the choices with the pipeline, sewer, and the design guidelines. Mr. Boyer said when Mr. Sasaki designed the development it was intended to be a guideline. Not every building has to be placed in the exact location indicated.

Chair Peck said she read the minutes from the discussions held by the Planning Commission at the time concentrating on what they liked and didn't like. They liked the aspen draw and the terracing. The decisions they make now may have a domino effect that is perhaps trying to fit a square peg into a round hole. She encouraged the applicants to use Administrator Barnes' expertise.

Mr. Boyer said if they are dead in the water, he would like to know that upfront. **Chair Peck** said they are not at that point, if they can fit in the parking along with the aspen draws, the

setbacks, and the configuration of where the building is going. They have to fit their wish list into what they have left themselves with.

Mr. Allen said they went to the County when the sewer line was approved. They followed the instructions that were given to them. **Chair Peck** said she is going to assume that was properly done. **Commissioner DeFord** said if the Skullcandy building can be built adhering to the guidelines it has a very good chance of being approved. The guidelines are the Commission's rulebook. He encouraged the applicants not to worry about the past, like the sewer line. Mr. Allen said they will work with Staff.

Chair Peck opened the public hearing.

Chris Hague said he is impressed with how the Commission is handling this. All seem to know what is going on. He thanked each member of the Commission. He agrees that this may not be the right site. He understands that business decisions that have to be made; however, there may be a better site that won't cause all of the problems they are having. It may be better for both the Boyer Company and Skullcandy.

Mr. Hague said what made the Tech Center so appealing was the ability to keep traffic down. This could have a huge development without having a lot of impact on the Kimball Junction area. He believes that is why the Commissioners want to hold to the development guidelines that were agreed upon.

Mr. Hague said it is disturbing to find out that Skullcandy wants to have a retail outlet and a warranty center, which will lead to the increase parking need. They want to light up the building on two sides at night so they will essentially have a commercial center instead of a tech center. He believes the Planning Department wants to do everything they can to make the project work, but they applicant should work within the design guidelines. **Chair Peck** thanked Mr. Hague for his comments.

Chair Peck asked if the Commission would like to have another work session. Planner Caus said the next meeting will be on April 12. Mr. Boyer said that Skullcandy is very anxious to know if this project is going to work. Could they have an answer by the next meeting? Administrator Barnes said they are happy to put as much work into this as is necessary. Attorney Brackin said that would require a special meeting of the Planning Commission. **Commissioner DeFord** said spring break is from April 3rd to the 10th. That would only leave one week before the special meeting.

Director Putt said when they presented an alternative scenario at the last meeting it was a departure from the applicant's plan. They realized that turning this around within one week's period of time would be difficult for the applicant to have the time to generate the drawings in time for Staff to review them. What they have is a work in progress.

He said the applicants would like to know, if the pipeline stays in place, are headed in the right direction. Their goal was to achieve substantial compliance with the master plan. It doesn't have to be precise. Secondly, in moving forward with a new plan, are they

comfortable that problems in the future won't be created. Staff is willing to come back during the next week.

Chair Peck asked if April 12th could be a work session or should one be held before that time. Should they continue this public hearing to a date uncertain? Attorney Brackin said if they are going to continue to a date uncertain, she would prefer the public hearing be closed. If no significant changes occur, they may not have to re-notice.

Commissioner Harte said the applicants will be working with Staff during this time. Staff will have a pretty good feeling of how this is going. An extra meeting may not be needed to give Skullcandy an indication of the direction this is taking. If Staff comes to the Commission with the project mostly in compliance, the Commission will react differently.

Commissioner DeFord said in his opinion, this project is too big not to have another work session. He doesn't see that coming together within a week. He recommended another work session on April 12th. There are many unresolved items. April 26th would be when they could make a recommendation to the County Manager. The decision was made to close the public hearing.

Chair Peck closed the public hearing. A work session was scheduled for April 12th. **Chair Peck** said the Commission would like to get this information sooner than later.

3. Approval of Minutes

January 12, 2016:

The minutes were tabled due to the needed changes. The secretary will re-listen to a portion of the recording.

DRC UPDATES

Commissioner DeFord asked about the comments made during the public input session concerning Silver Creek Village. Is it possible to address this issue? **Commissioner Klingenstein** they should let Mr. Hague know they discussed it, but it is too late to do anything. The development agreement has been signed.

COMMISSION ITEMS

Commissioner Klingenstein said he doesn't want to belabor these points, but he does want to learn from mistakes. He would like to learn how the Liberty Apartments got where they are. He is disappointed in himself that he didn't pick up on the pedestrian circulation as the development moved up the hill of the Canyons.

DIRECTOR ITEMS

Director Putt said there are two upcoming official functions. There will be a ribbon cutting ceremony for the new Whole Foods at 3:30 p.m. on Tuesday, March 29th. An RSVP from the Commissioners is requested. The following afternoon the Hyatt Place will have an open house from 5:00 p.m. to 7:00 p.m. An RSVP from the Commissioners is requested.

ADJOURN

The meeting was adjourned at 9:55 p.m.



Approval Signature