

City Council Staff Communication Report



Subject: Request to Amend the 2012 Development Agreement for the Quinn's Junction Partnership Annexation Master Plan Development, 4001 Kearns Blvd.

Application: PL-20-04635

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Date: November 12, 2020

Executive Summary

Quinn Capital Partners, represented by Trent Smith, Architect, submitted a pre-application to amend the 2012 Quinn's Junction [Development Agreement](#) to: 1) allow for Conditional Uses allowed under the RCO zone, but not stipulated in the Annexation Agreement; and 2) modify the number, heights, and footprints of the remaining buildings approved under the 2012 Development Agreement not yet constructed. The applicant believes there are 283,000 square feet of remaining density not yet constructed on the site. An approximately 91,000 square foot film studio exists on the site, but the remainder of the buildings, including a 100 key hotel, have yet to be constructed (Exhibit A - Table of Allowed Square Footage).

Staff Requests direction from Council on whether the Council would like to first discuss the pre-application in a Council Work Session regarding the Settlement Agreement and Annexation Agreement, or direct staff to proceed with a standard pre-application Conference and Work Session with the Planning Commission. This distinction is ultimately a Council decision, and staff desires direction on next steps.

Background

In 2012, the property owners requested annexation into Park City and CT-RCO zoning, contingent upon a Master Plan Development approval, for a 29.55 acre parcel of undeveloped land for the purpose of constructing 374,000 square feet of commercial uses, limited to a movie studio and media campus which, included a 100 room hotel, amphitheater, and associated support uses. The annexation was the result of extensive litigation and an eventual settlement agreement between the property owners and Summit County, for the long term development rights of this parcel.

See 2012 Staff Reports (Exhibit's B and C) for further background information.

Documents that govern the site include:

- The [January 17, 2012 Annexation Agreement](#) and simultaneous Zoning Map Amendment (Annexation Agreement);
- The [January 18, 2012 County Settlement Agreement](#) for Film and Media Campus (Settlement Agreement); and
- The [May 24, 2012 Development Agreement](#) for the Quinn's Junction Partnership Annexation Master Planned Development (Development Agreement), including [Conditions of Approval](#).

Analysis

The proposed amendment is to re-configure the site plan and allow a mixed-use development, including new residential (in the form of affordable housing and market-rate senior-focused housing), small scale retail, restaurant, and general offices. A preliminary determination found that the proposed new uses are inconsistent with the original Approval Documents. Thus, the applicant requested a Work Session to discuss their proposal's possible community benefits and why they warrant amending the approved concept.

The existing site is zoned Community Transition (CT), with an MPD for a Film and Media Campus. Because the density and uses are non-conforming with the CT Zone, the City also added the Regional Commercial Overlay (RCO) to enable the parameters of the Settlement Agreement. The applicant is not currently proposing to change the zoning map, but staff advised that they must also submit a Zone Change application to allow for Uses beyond the Film and Media Campus approved in the Settlement Agreement and other Approval Documents. The RCO zoning was expressly limited to Uses allowed in the Settlement Agreement. Additionally, the application requires City Council approval to amend the Phasing Plan and clarify that the proposed amendment also amends the Annexation Agreement. Amending the Phasing Plan and MPD must be considered separately by both the Planning Commission and City Council. Generally:

1. The CT Zone (parcel base zone/density), a low density zone focused on quasi-public and institutional uses, open space and recreation, allows for 1 unit per 20 acres. Multi-Unit Dwellings are allowed as a Conditional Use within an MPD. The CT Zone does not allow for the proposed amended density.
2. The RCO Zone allows for Commercial Uses on properties not otherwise zoned for Commercial Uses. The applicant's proposed Uses are allowed under the RCO Zone as Conditional Uses but not under the re-zoning ordinance adopted pursuant to the Annexation Agreement. The applicant disagrees.

The City Council should consider if they would like to discuss an amendment to the Annexation Agreement and zoning map amendment at a future Work Session. Alternatively, staff will proceed with the traditional pre-application process and feedback, and the applicant can decide whether to move forward with a fully complete application.

Exhibits

Exhibit A – Attachment C of the [Annexation Agreement](#), Table of Allowed Square Footage

Exhibit B – Annexation and Zoning Map Amendment Staff Report dated 5/17/12

Exhibit C – Annexation and Zoning Map Amendment Staff Report dated 5/24/12

Exhibit D – Applicant's Submittal