

Treasure Hill Conditional Use Permit - Construction Mitigation

Due to a conflict of interest, Commissioner Zimney recused herself from this item.

Planner Kirsten Whetstone remarked that the objective this evening was to allow the applicants the opportunity to address the Planning Commission and the public on the construction mitigation plan and to respond to questions that were raised when this plan was presented at the January 11 meeting.

Planner Whetstone reviewed the list of vantage points outlined in the Staff report, noting that these vantage points were discussed at the work session on January 25. These vantage points will be used for the visual analysis, the modeling, and the volumetric studies. Planner Whetstone anticipated that this information would be presented to the Planning Commission at the end of March or early April, after the applicants have had the opportunity to revise their drawings based on Planning Commission input. Planner Whetstone reported that on January 25, Commissioner Wintzer provided the Staff with a list of traffic questions and the Staff and the applicants are working towards answering those questions. In addition, the applicant's traffic engineer is preparing additional information that will be presented to the Planning Commission on March 1st. Planner Whetstone remarked that this item will be re-noticed and re-posted in an effort to notify any property owners new to the area. She commented on input she received about notifying everyone on Empire and Lowell, in addition to the requirement to notify property owners within 300 feet.

Chair Barth read a list of 10 items submitted by Commissioner Wintzer regarding the traffic study. 1) Commissioner Wintzer requested that someone show him that the recommendations contained in the traffic study could physically work. 2) He requested a scaled aerial photo showing the area with all the improvements recommended in the traffic study, starting at Park Avenue going up to the project. 3) He wanted to see the turning radius for the largest truck that would be allowed on the street at each intersection. 4) He requested that the applicant show how traffic will be handled at the Resort Center and whether any easements will be granted to the City. 5) He wanted to make sure there is enough land in the right-of-way by Cole's and Jan's to widen the road and whether UDOT would allow them to change the road. 6) He wanted to know

how and where they would put walking traffic. 7) He wanted to know what widening Lowell and Empire would do to the existing off street parking. 8) He wanted to know if the City could make the commitment suggested in the traffic study for stepping up snow removal and parking enforcement. 9) He wanted to know how this project will impact the traffic compared to what exists today and to what degree the traffic will be increased. 10) He wanted to know how much additional traffic would be added to the streets during the 10 year build out period.

Pat Sweeney, the applicant, referred to the list of vantage points contained in the Staff report. He understood the Planning Commission had wanted to use the top of 6th Street as a vantage point as if they had built the stairs. He was willing to do 5th Street but he felt the view of the project would be obstructed by the Meadows home. Chair Barth understood Mr. Sweeney's point and requested that he do both vantage points.

Mr. Sweeney remarked that the scope this evening would be limited to construction mitigation and a presentation by Big D Construction. He noted that Jenny Smith with Park City Mountain Resort would talk about coordination with the Resort in terms of deliveries. Mr. Sweeney stated that their basic plan is to provide written answers to the comments and concerns raised by the public and the Planning Commission at the January meetings and to have this ready prior to the March meeting. In addition, Gary Horton, of PEC will answer Commissioner Wintzer's questions about the possibility of future improvements to the road system.

Jim Allison, representing Big D Construction, commented on one-way construction traffic. All deliveries to the project will go up Lowell and down Empire to help mitigate the risk of accidents and minimize the impacts on the surrounding neighborhood. This traffic pattern will also include the shuttles for construction personnel. Mr. Allison stated that there will be visible safety signage around the site so everyone will be aware of the pedestrian areas and where traffic comes into the site. He noted that fencing will be placed around the site to keep the construction separate from the public areas. There will be additional fencing along the frontage of the site to block views of the construction. Mr. Allison stated that a full-time traffic manager will be on-site at the entry way to monitor the safety of the pedestrians.

Chair Barth wanted to know what type of enforcement is planned to ensure that people follow the suggested plan. Chris Grzybowski replied that Big D Construction will know what is being delivered to the project so they will be able to control it. A road map will be included in the packet issued to vendors. Every delivery to this project will run on a specific delivery schedule and nothing will come to the site unless the delivery has been approved. This plan will also be coordinated with the Park City Mountain Resort activities. Jenny Smith, representing Park City Mountain Resort, explained that they are willing to coordinate with the Resort's parking manager and Big D Construction's site traffic control manager on a daily basis if necessary. They will coordinate delivery adjustments for time of year, time of day, weather, and special events. During Christmas through March, they have asked that no deliveries be made from 8:30 a.m. to 10:30 a.m. and no deliveries after 3:00 p.m. More flexibility will be allowed during the shoulder season and during the summer.

Mr. Allison presented a slide showing how the construction traffic will flow. He indicated how construction traffic will be moved off the road as soon as possible to avoid stopping on Lowell Avenue. The trucks are moved completely off the road and out of the way. A parking area offsite will be designated for employees and they will be shuttled to the site.

Commissioner Wintzer assumed that the parking area would be outside of the City. He was told that employee parking has been staged at Kimball Junction in the past but parking for this project has not yet been determined. Mr. Allison estimated the proposed materials for the site and added the number of truckloads which averaged 10 vehicles per hour. They plan on using a regular 5 day work week from 7:00 a.m. to 3:30 p.m. during the summer and 7:30 a.m. to 4:00 p.m. during the winter. Mr. Allison remarked that deliveries can be flexible with the exception of concrete pours which have to be delivered at certain times. Those would be limited to large deck pours which need to be early morning pours. He understood that the noise ordinance allows work to begin at 7:00 a.m. Mr. Allison stated that major deliveries will also require street flagging on Park Avenue to the stop light. He indicated the areas where they would stage flag men if special deliveries were being made, such as extra long or extra wide loads.

Corey Moore, with Big D Construction, reviewed an overlay showing the turning radius of a 70 foot semi-truck from Park Avenue to Empire Avenue, as well as both turns from Empire onto Manor and from Manor onto Lowell. The traffic engineer believes these turning radius are adequate and he will address this issue at the March 1 meeting. Mr. Moore remarked that Big D is proposing to do some major things that most construction sites do not offer in the way of traffic control. One is to eliminate construction traffic altogether by keeping all excavation material on-site. This should save 150 trucks per day. Mr. Grzybowski stated that this site is totally self-contained. They will schedule the haul-in of all major equipment, dump trucks, and conveying equipment and those trucks will stay on-site until the site has been completely excavated. He felt it was important to note that the Sweeney's have a soils mitigation plan.

Mr. Grzybowski noted that two employee shuttle buses will run in continuous cycles in the morning from 6:30-8:30 a.m. and 3-5 p.m. in the afternoon. This is a general time frame that can be adjusted based on the season. Mr. Grzybowski remarked that using shuttles will significantly reduce traffic impacts.

Mr. Grzybowski provided an overview of codes and policies, including noise levels. He noted that they will offer a monthly newsletter outlining constructions plans for the upcoming month, they will publish an access plan so people in the neighborhood will know how things will be going in and out of the site, and they will update their website daily to inform people of what is happening and let them know of any schedule changes, etc. Mr. Grzybowski commented on a communication tree which is a methodology for communicating with the neighbors, the City, and other stake holders around the project. Mr. Moore noted that previous meeting minutes mentioned a 10 years project duration, however they have accelerated this project and the actual duration is four to five years, with an orderly construction sequence. He explained how they intend to set up the construction site so it will be buffered and less intrusive to the neighborhood. Mr. Grzybowski presented a slide showing a truck wash for trucks leaving the site to keep construction debris from spilling onto the road. The site will be watered several times daily to mitigate excessive dust through the neighborhood.

Commissioner Wintzer recalled that the traffic mitigation plan talked about widening Lowell and Empire. He wanted to know how this would work with their plan for

construction traffic since they would be tearing up the road they propose to use as an entrance. Mr. Sweeney was not prepared to respond and offered to find answers to this question. He stated that for a significant amount of time they would only be doing site excavation and moving dirt and material on-site and this could be a good time to rebuild the roads. Mr. Sweeney noted that Ron Ivie and Eric DeHaan may have another perspective which would trump any other ideas. Mr. Moore pointed out that there is at least a year of design time left on this project which would allow lead time for planning and executing the road work. Commissioner Wintzer was unsure if the road could take five years of construction traffic in its present condition and he wanted to make sure this issue is addressed.

RESPONSE: The Applicant will coordinate with and follow the lead of the City Engineer with respect to road improvements and timing.

Commissioner Wintzer asked if they were willing to commit to working hours and a working schedule. Mr. Grzybowski replied that Big D Construction has worked in residential neighbors where they have had to commit to a working schedule. With the exception of some necessary unique pours that may require a special permit, he was comfortable committing to a work schedule.

Commissioner Wintzer asked if it is possible to leave excavated material on-site during the spring and fall when the ground is muddy. Mr. Grzybowski felt there would be some limitations and the engineers will help them determine the right approach based on conditions and what can and cannot be done with certain soils. Commissioner Wintzer asked if the materials would have to be removed from the site. Mr. Grzybowski reiterated that nothing would be taken offsite. Planner Whetstone explained that a study has been done on some of the mining adits and that study will be discussed with the applicants, an environmental specialist, and Ron Ivie. There are some mines and they need to find out whether that material can be capped on site or if it needs to be removed. She clarified that the City and the applicant may need to allow for flexibility if it becomes necessary to remove some material from the site. Planner Whetstone suggested that the Planning Commission highlight any points offered in the construction mitigation plan that they would like to see occur regardless of what construction company would do this project.

RESPONSE: The Applicant will meet all federal, state, and local standards with respect to mine waste mitigation. To the extent allowable by law, all material will remain on-site. There is an estimated 3,340 cubic yards of material some of which contains elevated levels of metals. This material was removed from the mines and dumped because it did not contain ore that was worth milling. No milling took place on-site. If necessary, any such mineralized material will be removed from the site in trucks importing material, for example gravel, thus not creating additional truck trips.

Commissioner Wintzer believed they would need to extend the hauling delivery dates to include Christmas, President's Birthday, and other peak days. He assumed they would be required to have hydrants and other fire protection measures in place before beginning construction.

RESPONSE: The intent of the Applicant is to avoid all major holiday peaks.

Chair Barth opened the public hearing.

Brian Van Hecke stated that the roads are not safe now and he did not understand how they could be safe for the future. He wondered why an alternate road above Lowell Avenue has not been considered as an option. Mr. Van Hecke was particularly concerned about Empire Avenue and he could not understand how construction traffic would get through when cars and pedestrians are also moving up and down the road. Mr. Van Hecke wanted to see the graphic display drawn to scale with the Old Town buildings and from different vantage points. He encouraged each Commissioner to visit the area after a snow fall to appreciate what the local people are facing. Mr. Van Hecke understood that when a house is being built the neighbors are notified via mail and he wondered why this is not being done with for this project since it affects all of Old Town.

RESPONSE: Treasure Hill is not responsible for existing traffic. Treasure Hill will cooperate with the City and neighbors to improve upon the existing traffic situation. Treasure Hill will provide hard improvements, impact fees, and additional tax base. Treasure Hill traffic will not diminish the current level of service according to two independent experts. A number of access alternatives were considered in the master plan process. It was determined that Lowell-Empire would be the access to the main

element of the hillside portion of the Sweeney Master Plan. The City has provided the notice required by code and, in addition, Treasure Hill is providing a website. A revised graphic presentation is being prepared.

Chair Barth noted that a courtesy notice is mailed to people within 300 feet of the project per the Land Management Code. He felt this was a good question and he did not disagree. Planner Whetstone noted that there are other methods of noticing which include posting the property, radio announcements, posting agendas around town, and the newspaper.

Mr. Van Hecke believed that most residents were unaware that this meeting was taking place because they do not read the newspapers or listen to the radio. People always read their mail and he believed this was the best way to notify the public. RESPONSE: There are statutory requirements set forth in the City Code related to notification. If the City follows those requirements notice is sufficient. Mr. Van Hecke is not an expert on what people read or not read or what people do and don't listen to.

Mike Allred asked to see the slide showing delivery traffic circulation. He keeps bringing up the issue that no plan will be more safe than its weakest point but that issue has not yet been addressed. He explained why he did not believe the proposed traffic circulation would work and pointed out the weakest link in their delivery schedule plan. Mr. Allred remarked that until PCMR opens Lowell Avenue for the use of this project, this situation will not be remedied. He believed that the applicants should plan their construction deliveries with the understanding that there has to be two-way traffic at a certain point. If they cannot figure it out they will not be able to make deliveries successfully. Mr. Allred noted that one of Commissioner Wintzer's ten questions related to the impacts of this development on the human resources of this neighborhood. He felt the presentation this evening demonstrated his previous comment that Big D Construction is a good general contractor but not a good neighbor. They are saying that for four to five years ten trucks an hour or 80 trucks a day will be going up and down Lowell and Empire, along with 20 additional trips for shuttles. The excavation will take 518 days which means the neighbors will be listening to excavation equipment for at least that long. Mr. Allred remarked that the key component of a conditional use permit is that the project is compatible with the surrounding area and he believes the

presentation this evening shows that this project is not compatible in any way. The traffic that the neighbors are being asked to deal with is very significant and the streets are incapable of handling the current traffic. Mr. Allred asked the Planning Commission to consider this as they continue on with the project.

RESPONSE: A one-way construction traffic pattern is proposed and has been shown as part of a number of presentations, copies of which are found on the website: www.treasurehillpc.com. Where the construction traffic becomes two-way at Manor and Empire human traffic control will be used. There will be an estimated peak of ten trucks per hour not necessarily 80 trucks a day. The excavation Mr. Allred refers to is a hypothetical used to demonstrate the impact if we were to export the material off-site. Since we are keeping the material on-site, we anticipate a much shorter excavation period and accordingly much less impact. PCMR has not closed the portion of Lowell Avenue in front of the Resort Center to construction traffic, however PCMR does feel it is important to retain the one-way use of the this section of road. PCMR will work with the developers on accessing Lowell Avenue via Empire to Silver King, traveling south (uphill) along Lowell to the project during the shoulder and summer seasons. PCMR feels this route would be difficult if not impossible during the busy period of the ski season because of the extremely heavy pedestrian use along the route as well as the increased bus traffic. Please be aware that at some point over the next several years the First Time and Silver King lots will be under development and further discussion regarding traffic mitigation will need to occur depending on the timing of construction activities. Treasure Hill's on-site traffic manager will be responsible for any impacts that may arise from use of this Empire/Silver King/Lowell route. The PCMR parking manager will assist as needed. From November 15th through April 15th PCMR requests that construction traffic use the Empire/Manor/Lowell avenue route.

Peter Barnes asked if on-site concrete batching has been considered to reduce the number of concrete deliveries. Mr. Barnes felt they needed to address the issue of blasting. Blasting can be done safely but it is noisy and the noise will impact the neighborhood. He suggested that blasting be addressed in the construction mitigation plan. Mr. Barnes favored the truck washing. He remarked that road construction and lowering the road to five feet will be the bigger impact to the neighborhood. He referred to the applicant's comment that the project was modified based on the assumption that

Lowell Avenue would be lowered by 5 feet and he wondered if that has already been decided. He referred to a drawing at the last meeting which showed a reduction in height. He noticed an 8'4" floor to floor height on one of the interior levels of the multi-story parking structure and assumed that was an error since you cannot build a multi-story with an 8 foot floor to floor height. He referred to Building 4B, Level 45, noting that if you read across that level it reads different heights from one side of the building to the other. He was looking forward to the next set of drawings in hopes that it would clear up the confusion. RESPONSE: On-site batching is not practical and would increase the environmental impacts on the neighborhood. Please see attached letter from Norm Anderson Manager of Jack B. Parson Companies. Blasting itself does not have to be noisy. There is drilling noise involved but this is comparable to conventional ripping. Ultimately, if needed, blasting will shorten the excavation process and therefore lessen the impact. Please see attached blasting analyses report.

Gary Knudsen, a resident at the corner of Manor Way and Empire, stated that on Saturday, around 10:00 a.m., cars are parked on both sides of the street and after a storm, you are lucky to move one-way traffic through there. There are no parking signs and parking is wide open. Mr. Knudsen understood that development is planned for the lower parking lot and he was unsure what will happen with parking if that occurs. Mr. Knudsen encouraged the Commissioners to drive through that area on Saturday so they can see how parked cars overflow on to the streets. He has expressed his concerns at several meetings and he has not seen any improvement in the traffic pattern. Mr. Knudsen was not against development but he believes they need to come up with an alternate plan for traffic. RESPONSE: Mr. Knudsen's concern is an enforcement issue. Any road without appropriate enforcement of parking restrictions would fail.

Annie Lewis Garda, a resident at 923 Lowell Avenue, noted that one slide presented showed the fencing going across Creole One and the access to it. She recalled that when she spoke with Mr. Sweeney several years ago he felt that the run would be placed in a different location. She wondered if that had changed.

Mr. Sweeney replied that it is important for the lift to run every season and that factor is built into their understanding with the ski area. He noted that other people who depend on that lift have also helped make it possible. Mr. Sweeney did not anticipate closing

any of the runs coming down Creole for more than one year. He used the two houses built on Upper Norfolk as an example of not having to close the trail. The houses on 5th Street are another example where the construction is on-going and the ski run goes right through it. Their objective is to maintain the current ski runs or alternative ski runs so the system works reasonably well.

Ms. Garda remarked that this is the first time she has heard the four to five year project time. She recalled that the applicant had requested that the architectural portion of the larger buildings not be defined right now because they do not know who is going to build it. She wondered if this meant they would not begin the project until someone is lined up and they know the project can be completed in four to five years. In anticipation of the next meeting, Ms. Garda requested that a traffic count be done at Crescent Tram and Empire. Currently, the traffic study recommends that there be no right turns on to Crescent Tram or on to Empire coming down from Lowell and no left turns off of Crescent Tram. She could understand that recommendation but she did not think any consideration has been given to the fact that all of those cars will be going down Empire which will increase the traffic in that area. She noted that the residents do not have mail delivery which requires all of them to make one round trip per day to the Post Office. Ms. Garda stated that another recommendation is that Empire and Lowell become first priority snow removal streets. She reported that the residents received a brochure in the fall which indicated that they are already a first priority snow removal street. She was curious to know what difference this would be from the current situation and for any future situations. Ms. Garda commented on the issue of notification and felt it was reasonable to notify all the residents on Empire Avenue about meetings that deal with widening those streets. RESPONSE: A traffic count was performed at Crescent and Empire on February 19th, 2005 and summarized in a letter dated April 6, 2005 to the Park City Engineer. Ultimately, it will be up to the City Engineer through the appropriate process to determine the necessary restrictions with respect to Crescent. Treasure Hill is doing everything possible to limit its contribution to traffic on Crescent, most importantly on-site amenities and the cabriolet connection to Main Street and the City bus system.

Chair Barth agreed and asked Planner Whetstone if this could be done. Planner Whetstone stated that she has had numerous discussions with the City Engineer and

changes to Empire and Lowell or many other City streets has a separate process which includes neighborhood workshops and public meetings. Planner Whetstone clarified that the City does not anticipate widening Empire and Lowell for this project. If there were to be specific changes to those streets the City would follow the proper process. Chair Barth offered to talk with the Legal Department regarding noticing.

Ms. Garda was confused because the spread sheet previously presented had specific cross sections showing how much is needed for pedestrians, for snow, and for the street. Now they are saying that the streets will not be made wider and she was unsure how they could reconcile those two things. If the plan that comes back on March 1 does not have a plan for pedestrian safety on Empire it will be a failure.

RESPONSE: There will be opportunities to widen Lowell. Whether or not this is the best thing for the community is a decision that will not be made in this CUP process but rather by the City through the appropriate process.

Gary Knudsen stated that when people cannot find parking on the lower parking lot they will park by the Town Lift. He was unsure how they could control that situation and felt this needed to be considered. RESPONSE: The necessary parking restrictions are in place and are enforced; in addition there is covered parking (Town Lift Plaza) that can accommodate 100 plus vehicles.

Jeff Love, a resident on Woodside, referred to Commissioner Wintzer's comment about restricting work hours on the project. He wondered if restricting the hours would cause the project to extend beyond four or five years. Mr. Love noted that the City has set guidelines for times and days when work can begin and end and he felt it was inappropriate to restrict this project beyond what the City has established as a guideline. RESPONSE: We agree.

Chair Barth continued the public hearing.

Director Putt asked the applicant about a time frame for when the materials will be available for the Staff to review prior to scheduling this on an agenda. Mr. Sweeney remarked that their plan is to take public comments and Commissioners comments from

the minutes of this meeting and address each one in writing. He believed they could have a comprehensive written document well in advance of the March 1 meeting for the Staff and Planning Commission to review. Any additional questions or comments can be addressed at the next meeting. Director Putt suggested that they schedule a public hearing on March 1, assuming that the information can be coordinated between Staff and the applicant in a timely submittal. He remarked that the applicants have done a good job in outlining the frame work of where they are going with construction mitigation and he believes the Staff owes the public their response to that plan. If they can work with the applicant on a reasonable time frame, he recommended that they continue to March 1. Director Putt requested clear direction on what the Planning Commission would like to discuss at the next meeting so they can work with the applicants on specific items. Chair Barth felt that the questions raised during the public hearing were well thought out and he would like responses to those questions and the questions submitted by Commission Wintzer.

Commissioner Wintzer noted that the conclusions of the traffic study are based on the fact that the road will be widened. If the road is not widened he was unsure if the traffic study would work. RESPONSE: Commissioner Wintzer is misinformed; the conclusions of the traffic studies where base on existing road widths. He requested that the City Engineer address what the City plans to do regarding this matter. Mr. Sweeney stated that the work will be done by PEC Engineering Consultants and they will present some of the possibilities at the next meeting. Planner Whetstone requested that the traffic engineers present their material well in advance of the March 1 meeting so Eric DeHaan can review it and plan to attend the meeting to make comment and answer questions.

Director Putt summarized that the public hearing will be continued to March 1, at which time they will address the questions submitted by Commissioner Wintzer and questions raised by the public this evening. The minutes will be given to Mr. Sweeney in a timely manner and specific questions contained in the minutes will be used as their points of discussion. The applicants will continue to work on some of the exhibits that show the most recent and refined site plan and the massing for review and discussion at a subsequent meeting.

Chair Barth worried about a heavy agenda on March 1 and whether applicants would be given proper time considerations for their projects. Director Putt remarked that there are a number of items that were rolled over from the February 22 meeting; however most of the applications should not be time consuming. He offered to organize the agenda so those applicants can be heard first.

Planner Whetstone offered to provide additional input from other City Departments to address some of the questions raised this evening. Commissioner Wintzer remarked that snow removal is a huge issue that needs to be addressed.

Commissioner Sletten stated that he has had an office at the Park City Mountain Resort since 1992 and has driven those streets in everything from Suburus to Suburbans. He remarked that the issues articulated by the public this evening are real concerns and he has personally experienced some of the problems mentioned. Commissioner Sletten stated that traffic issues related to the existing parking and the existing pedestrian access for the residents are extraordinary and mitigation for the on-street parking that exists needs to be addressed for all weather conditions, not just snow. This is a major issue and he was unsure how it could be mitigated.

MOTION: Commissioner Wintzer moved to CONTINUE this item to March 1, 2006. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.