

Commission may require the submittal of a Construction Mitigation Plan and a historic preservation plan prior to final action.

14. The proposed project complies with the General Plan but will need to comply with applicable criteria outlined in the Land Management Code, including but not limited to Mater Planned Development, Historic District Design Guideline review, and subdivision requirements.
15. Planning Commission action for General Plan compliance does not constitute approval of a Master Planned Development application, including a final design, unit configuration, and site design.

Conclusions of Law - 801-817 Park Avenue

1. The pre-application submittal complies with the Land Management Code, Section 15-6-4(B) Pre-Application Public Meeting and Determination of Compliance.
2. The proposed Master Planned Development concept complies with the Park City General Plan.

Conditions of Approval - 801-817 Park Avenue

1. Approval of a historic preservation plan is a condition precedent to the issuance of an MPD approval.
8. Treasure Hill - Conditional use permit for single, multi-family, hotel, and commercial uses

Planner Kirsten Whetstone distributed copies of e-mails she had received and a draft scope of work from the City Engineer on the Treasure Hill independent traffic analysis. The City Engineer has requested comments from the Planning Commission, and Planner Whetstone asked to have those comments by Friday. Planner Whetstone noted that the Treasure Hill CUP is the last phase of the Sweeney Master Plan which was approved in 1985 by the Planning Commission and in 1986 by the City Council. She reviewed the request for 277 unit equivalents on 123 acres. She stated that the purpose of the meeting this evening is to respond to a request from the community for a better understanding of the history of the Master Plan and the details of the proposed project. She noted that the outline of the CUP criteria are not contained in the staff report and explained that she plans to have them available prior to the next meeting. She noted that the Staff has reviewed all 15 criteria and agree on possible conditions of approval to mitigate certain items, with the exception of traffic and architecture. The approved Master Plan details densities, height zones, land uses, and public improvements among others. The Planning Commission and the community have requested the history, approval documents, and findings of the Master Plan, which are included in the staff report. The Staff recommended that the Planning Commission conduct a public hearing and focus the discussion on outstanding questions regarding compliance with the Sweeney Properties Master Plan and any additional information the applicant should provide for future meetings.

Pat Sweeney, the applicant, provided a history of the master plan and explained where the Sweeney family came from and how they reached this point. He explained that his father acquired the property known as Treasure Hill and the property at the base of the Town Lift in the 1950's. During the 1970's, a number of plans were proposed for the property, and he became involved in 1979. In the early 1980's, his family approached the City and went through a process to determine the best way to develop those properties, which resulted in the Sweeney Master Plan. Part of that plan includes the Treasure Hill site. At that time, the Planning Commission, the Staff, and the City Council felt that the best approach would be to put all the density at the base of Creole Gulch at the top of Lowell/Empire Avenues. At that time, approximately 400+ unit equivalents were proposed, and through the process, the Sweeneys agreed to less than half that amount. Over the last 20 years that Master Plan had been carried out, and Treasure Hill is the last piece to be built. As part of the Master Plan they committed 110 acres of the 123 acres on Treasure Hill to open space. Some of that land has been deeded to the City and zoned ROS. They also committed to build bike trails, and with help from friends and his brothers, those trails were built in the early 1990's. Over the years the Sweeney family has had a great relationship with Park City Mountain Resort and has worked with the Resort to obtain the necessary zoning for the Town Lift. He noted that system goes through the Treasure Hill project. The Master Plan was approved for 2.2 units per acre compared to the density of the surrounding neighborhoods at 8 to 16 units per acre.

Mr. Sweeney provided a visual presentation. He explained that the primary community benefit is open space. Benefits from the clustered approach include the customer base for Main Street and a positive tax base. The 1986 City Council approval of findings sums up their belief that the clustered development concept is consistent with the comprehensive plan and underlying zone and that the site planning standards were met at that time or could be met in the future. Mr. Sweeney commented that, fundamentally, the Master Plan requirements boil down to height zones, open space requirements, a certain number of residential unit equivalents and commercial unit equivalents. Mr. Sweeney stated that he believes they have met or exceeded all the requirements. They are well under the height zones with respect to the Creole site and Mid-Station. Average open space of the project's development parcels is 75%, with 80% in Mid-Station and 70% in Creole Gulch. He commented on other elements of the project, such as parking, buildings, ski trails, and the lift. He explained that, in order to fit the project into the Creole Gulch and Mid-Station site, they have developed a concept to expose natural rock and re-vegetate it as a backdrop for the project.

Mr. Sweeney presented the site plan and reviewed the circulation plan for the project. He indicated the funicular which will allow pedestrians to move from one level of the project to another. A member of the public asked about noise related to the funicular. Mr. Sweeney stated that he did not believe the noise would be heard off site. He reviewed the amenities

and features of the plan. He explained that they propose native trees and shrubs, and the cliffs will be cut to water the vegetation through natural drainage. Mr. Sweeney commented on other management issues, which include erosion control, rock fall hazard, snow management, which will be handled by a snow melt system, skier safety, run maintenance, and fire safety. He stated that they have worked with the County Fire Department and Chief Building Official as well as the consultant used by Park City during the Olympics to develop a fire and safety plan satisfactory to everyone. He reviewed the new and improved runs that will be a community benefit of the project. The capacity of the proposed lift would be 2,600 people per hour, which would be a five-minute ride from the project to the top of Pay Day. The cabriolet connection will have the same capacity. Other improvements include a stairway on 6<sup>th</sup> Street that will connect the existing 6<sup>th</sup> Street and 6<sup>th</sup> Street plaza. Crescent walkway will be improved and include a connection to Crescent walkway from the project which would in turn connect to the ski run and Heber Avenue.

Commissioner Thomas asked about Mr. Sweeney's proposal to expose natural stone, age it, and stain it. Mr. Sweeney explained that the process involves spraying on a commercial product which contains iron to oxidize the stone. He noted that this process has been used in National Parks and in other locations. The intent is to darken the bright white stone and accelerate the aging process.

Chair Barth opened the public hearing.

Brian Van Hecke stated that he helped to organize a group called THINC, which stands for Treasure Hill Impact Neighborhood Coalition. The goal of THINC is to increase participation and awareness and encourage people to provide input.

Nathan Holz, a resident at 920 Lowell Avenue, stated that he is President of the Yellow Slickers Homeowners Association. He commented that a number of impact issues have not been adequately addressed. He understood that the transportation study was still in process and that 277 units are proposed, but the approval was for 197. He stated that he has heard that this project anticipates 2,000 occupants. He asked how many cars are projected to be used by the occupants, particularly at the height of the ski season. He stated that his primary concern is traffic volume. He presented photographs showing the condition of Lowell and Empire during the height of the ski season. Chair Barth explained that the Staff and Planning Commission have been analyzing this project for some time and are focused on traffic conditions during heavy snow times. Mr. Holz presented a photo of a situation on Empire where cars have to wait while another car passes in the opposite direction. He felt it was important to know the number of vehicles projected and also the number of trips per day. He assumed that Lowell and Empire are the sole access to the site and commented that access from the other direction would help alleviate some of the traffic problems. He noted that service trucks pose another issue relative to traffic impacts. He commented that both Lowell and Empire are used for pedestrian traffic and asked if

sidewalks are planned. He asked if parking will still be permitted on both sides of the street and how residents on Empire will be impacted if the parking they traditionally use is taken away. He expressed concern about local access to the runs, particularly the Creole run, and to the hiking and bike trails. He commented on lighting and noise issues associated with the project and asked about hours of operation for pools and other project amenities. He was concerned about the large, multi-story buildings and commented that, if the tallest building is seven stories high, it will substantially impact the appearance of the adjacent residential area and will look out character with Old Town. Mr. Holz remarked that the volume of people and traffic proposed for this project is extremely large for the area. He felt that area of Old Town is unique, and he wanted this project to keep with the character of the surrounding neighborhood and with Old Town.

Chair Barth explained that the City has been processing this application for nearly two years, and it has been vested since 1984. He noted that the comments expressed are excellent and that the Planning Commission has wrestled with the same issues for quite a while.

Mike Allred, a homeowner at 1102 Empire Avenue, stated that he is a builder and developer by profession, and he commended the Sweeneys on the clustering and the architecture. He stated that his primary concern is traffic. He asked if Lowell Avenue could be abandoned in front of Park City Mountain Resort to allow traffic to flow down Lowell to Silver King. It appeared to him that Lowell Avenue is the conduit which was designed to handle the proposed density in the original master plan. Lowell is 30 feet wide and connects to Silver King, but Park City Mountain Resort has taken over and shut down Lowell Avenue. Mr. Allred stated that he has been building two homes on Empire Avenue in the last 12 months and he is very much aware of the traffic being diverted off of Lowell onto Empire Avenue. After being there on a daily basis for the past year, he could not conceive of additional traffic, particularly during the ski season. He believed the problems could be mitigated if the Sweeneys and Park City Mountain Resort could find a way to use Lowell Avenue in front of the resort so traffic can continue down and tie into Silver King. He encouraged additional cooperation and studies to see if traffic could be better suited on Lowell and not diverted down Empire. He also expressed concern about noise from rooftop units and similar things and asked that consideration be given those items.

Chair Barth clarified that the applicant presented a traffic study which was reviewed by the Planning Commission, and the Planning Commission requested an independent peer review of that traffic study with additional items. He noted that a major focus has been on the traffic, and the independent analysis should be forthcoming within the next few weeks. Mr. Allred asked how Park City Mountain Resort received permission to completely abandon Lowell Avenue. Jenni Smith, representing Park City Mountain Resort, stated that she did not know the complete history of why Lowell Avenue operates the way it does, but she understood it was done in cooperation with the City. The main purpose is to keep

buses flowing so they can stay on schedule. She acknowledged that this creates problems at Manor Way, but opening up Lowell would create more problems at the intersection of Silver King and Empire. She stated that the resort is open to this discussion, but it will take more than the resort to solve the problem.

Thea Leonard, representing the Treasure Mountain Inn, stated that her hotel is in the middle of a residential area, and often the residential inhabitants are a nuisance to the hotelier in terms of noise. The community would do a great service collectively if they would start to think of traffic in terms of pedestrians and try to pedestrianize as much as possible. It would be much better for the mountain atmosphere. She stated that, as a hotel operator, she discourages her guests from bringing cars, because the transportation system in Park City is very robust. She encouraged everyone to support the public transportation system and encourage nightly visitors to use it.

Jimmy Tart, a resident at 830 Empire Avenue, noted that the traffic study ignored Crescent Tram and 8<sup>th</sup> Street, and he asked if that could be addressed in the independent study. He noted that the traffic count for the original traffic study was done during the off-season and asked if that would also be different in the new study.

Mr. Sweeney stated that new traffic counts were taken on Saturday, February 19, 2005, and they included the intersection of Crescent Tram and 8<sup>th</sup> Street. He presented a spreadsheet showing the projected traffic counts and actual traffic counts and noted that the traffic counts on February 9 were significantly less than what the traffic consultant projected. Park City Mountain Resort had 9,800 skiers that day, and the town was 80% full. Those numbers have been certified by the traffic consultant and will be reviewed in the independent analysis.

Kyra Parkhurst, a resident at 1058 Empire, stated that they moved to Park City after looking at Vail, Aspen, and Breckenridge. What they found in Park City is a dying entity in the United States, which is a small community where everyone knows and cares about everyone else. She commented that Old Town is changing, and since she has moved here, the traffic on Empire is unbelievable. She felt it was sad to see the neighborhood change and be impacted by construction and delivery trucks. She believed Mr. Sweeney has a right to do what he wants with his property, but she also believed he has a social responsibility with regard to how it will impact the neighbors. She asked if Mr. Sweeney would ever consider breaking his project into 10-12 single-family home sites. She believed the project as proposed goes against the mission of the City.

Mr. Sweeney stated that the number of units and roads were considered in the initial master plan process. It was determined that putting the same amount of density on a road that goes from Lowell/Empire to Upper Norfolk would create the same traffic impacts and less open space. In addition, it would invite people further up to use the toad. These

issues were considered during that process, and based on that process, he has made commitments to a lot of people, including the City. They now have to find a solution that works within the approved master plan.

Peter Barnes encouraged everyone who attended this evening to make comment either verbally or in writing. To him, the main issue is how the building reaches the ground and how it meets the neighborhood. In his opinion, the first 25 feet of the building is the most important, and the applicant needs to make sure this building is not medieval in its planning, and it should not be a city on a hillside. He wanted to see the hill opened up so people in the neighborhood can access the project and the mountain from a human scale. The first priority should be how the project relates to the neighborhood, and he wanted something that looks better than the staircase at the car park. Mr. Sweeney noted that the access which provides fire and safety access to the heart of the project is a 25-foot-wide pathway with a maximum slope of 12%. It will be a public access from Lowell/Empire through the project to a number of locations, including the ski facilities. In addition, two or three stairways will provide public access through the project.

Gary Knudsen, a resident on Empire Avenue, stated that after listening to comments about Park City Mountain Resort and the development, it is evident they have not come up with a solution. Unless the resort works out a plan with the project as suggested by Mr. Allred, all the traffic will be forced down to Empire. Mr. Knudsen stated that he is not opposed to the project, but he wants it done properly.

Brad Stewart, a resident on Empire Avenue, verified with the Commissioners that the independent traffic analysis will address pedestrian flow.

John Benoyce, a resident on Main Street, stated that from a traffic standpoint, the resort traffic should come in from the down valley side and get off at Lowell in order to put traffic back onto Lowell. He stated that it is too congested now in front of the resort, and the existing traffic and bus plan should be re-planned so it all comes together. He requested some consideration for a plan that brings the two projects together. Mr. Sweeney explained that the intent is to make this a pedestrian project from the start.

Julie Ann, a resident on Empire, was concerned with the pedestrian issue and asked if the traffic study will take into account the number of times people call the police to slow down the traffic in their neighborhood. She stated that taxis are a culprit because they shortcut from the resort up to Old Empire. The traffic will be increased with this project, and more people will be speeding in their neighborhood. She stated that she is a new home owner in the area and asked how the City informs residents about this project. She stated that she heard about this project and the public hearing from her neighbors. Chair Barth explained that notices and articles are published in the newspaper, and it is talked about on the radio. Information can also be received through community and neighborhood discussions.

Kevin King, a resident at 314 Upper Norfolk, stated that he prefers to look at solutions rather than pointing out problems. He agreed that Mr. Sweeney is trying to pedestrianize the project, but felt it should go a step further. The City should advertise and promote the fact that a person can walk around Park City and does not need a rental car. If this project is related to the resort, he asked if the City has given any thought or planning effort to the Highway 224 entry corridor where traffic bottlenecks at the Top Stop and the Hotel Park City. He asked if there was any way to streamline traffic and send it right to the resort towards the north side of the resort parking lot area which would keep traffic away from the intersection where Lowell meets Manor Way and make it less likely for traffic to go through Old Town. Mr. King did not believe the project was excessive, but he believed it does need to be massaged. He emphasized the need to promote Park City as a pedestrian town. Ms. Smith explained that most of the lodging community already promotes Park City as a pedestrian town with great public transportation. No one in town has adequate parking for the number of beds they can accommodate. She stated that one reason they are excited about this project is that it gets more people out of the main resort base and up to Treasure Hill and the Silver Star project. It provides two more base areas, which should decrease some of the traffic at the main resort base.

Chair Barth continued the public hearing.

Mr. Sweeney noted that the minutes and presentations from each meeting can be obtained on the web site at [TreasureHillPC.com](http://TreasureHillPC.com). Chair Barth encouraged the public to stay focused and interested in this project.

Planner Whetstone asked that the public hearing be continued to April 27.

Commissioner O'Hara asked if the Staff is looking for a resolution from the Planning Commission this evening as to whether this application meets the Sweeney MPD. Planner Whetstone replied that the Staff is only looking for what additional information the Planning Commission may need in order to make that determination.

Commissioner Erickson stated that he appreciated Mr. Barnes's comments about people not wanting to speak in public. He stated that he is happy to receive e-mails, because it allows the Planning Commission to understand the comments more clearly and to keep a record of the comments. Commissioner Erickson believed the purpose of the debate and discussion this evening was about the impacts they have not considered. The big decision will ultimately be whether this project complies with the Codes and regulations and with the Sweeney Master Plan. He suggested that the public take advantage of Planner Whetstone's previous memo regarding the effect of denying this project and the relevancy of the Sweeney Master Plan. He stated that, prior to taking additional public input, they need to provide additional information to the public relative to the Sweeney Master Plan.

He noted that the Sweeney Master Plan is a contract already in place between the municipality and the Sweeneys. A denial of this permit would leave all the density in place and allows the applicant to return with another plan. He noted that denying this project based on traffic will not make the Sweeney Master Plan disappear. He noted that one failure of the initial traffic study was the lack of analysis with respect to street geometry, such as turning movements and the curb between Lowell and Empire. He suggested that the transportation study address intersection geometry from 8<sup>th</sup> Street to the intersection of Park Avenue and Empire, as well as the 8<sup>th</sup> Street and Crescent Tram geometry. He also suggested that the emphasis on street capacity is relative to emergency services during the winter when the street geometry is approximately half of normal.

9. 1301 Park Avenue - Plat amendment

Planner Whetstone reviewed the request for a subdivision plat to create two platted lots from one metes and bounds parcel located at 1301 Park Avenue. One lot is intended to accommodate an existing, non-historic A-frame structure which may be removed or remodeled in the future. Lot 1 will be 3,003 square feet, and Lot 2 will be 2,838 square feet. Planner Whetstone noted that the HRM District requires a minimum of 3,750 square feet for a duplex and 2,812 square feet for a single-family dwelling. Lot 2 meets the lot size requirements for the existing single-family dwelling. Lot 1 is 747 square feet less than the lot area required for a duplex. The historic structure currently consists of two dwelling units and is technically a duplex, even though one of the units is only 410 sf. The other structure is a single-family dwelling that faces 13<sup>th</sup> Street. Accordingly, the property cannot be subdivided without creating a non-conforming lot for either the duplex at 1301 Park Avenue or the A-frame that faces 13<sup>th</sup> Street. One way to accommodate this without creating a non-conforming lot is addressed in Condition 4, which states that recordation of this subdivision plat shall not occur unless the applicant either obtains approval of a special exception or variance application allowing the duplex to exist on Lot 1 despite not meeting the LMC require lot area or obtains written confirmation from the Chief Building Official that each structure is considered a single-family dwelling. Another option is an accessory apartment. An owner can submit an application for an accessory apartment; however, the applicant must reside in the main unit or the accessory apartment. In this case, the applicant does not reside on the subject property. The City Attorney and City Engineer will review the plat for compliance with the LMC and State law prior to recording. The Staff recommended that the Planning Commission forward a positive recommendation to the City Council according to the findings of fact, conclusions of law and conditions of approval included in the staff report.

Chair Barth opened the public hearing.

There was no comment.

Chair Barth closed the public hearing.