

8. **Treasure Hill Conditional Use Permit for single, multi-family, hotel, and commercial uses**

Chair Barth noted that the discussion this evening relates specifically to massing.

Pat Sweeney, the applicant, presented a height exhibit and indicated the areas where the buildings were tallest, noting that the remainder of the buildings in the project are fairly low. He indicated the area where the buildings are required to be 45 feet below existing grade. The calculation shows 31 feet, which is well below the required average. He noted that the mid-station site is 18 feet above existing grade on average, and the requirement in that areas is 25 feet or less. He noted that this project is low for high-rise buildings. People on the periphery who cannot see into the project should appreciate heights similar to those created by their neighbors. Mr. Sweeney presented a slide showing the buildings on the edge of the project that were moved to reduce the mass. He noted that many of the building height shifts are residential heights. He stated that additional landscaping is proposed to mitigate the heights near the Gardas.

Commissioner Thomas referred to the profile through the existing grade and asked which side of the building is shown. Mr. Sweeney explained that a cut line through the center of the building is being represented. He indicated a slight rise between the project, the Gardas, and the Larsons reflected in the next cut line shown. Mr. Sweeney noted that the mid-station average height is 18.02 feet, and the master plan parameter is 25 feet. The Creole Gulch height is 31.57 feet, and the master plan requirement is 45 feet. These are average heights above existing grade. The open space requirement is 70%, and the project is at 79.5% at the mid-station, 72.3% at Creole Gulch, and 74.7% overall. Mr. Sweeney stated that he believes this demonstrates that the massing proposed is well within the requirements of the master plan.

Commissioner Erickson referred to a clause allowing for utility corridors and structures on the tops of the buildings to be an additional 20 feet above the proposed height and asked if the additional 20 feet is shown on the diagrams presented. Mr. Sweeney indicated where the height was shown. He stated that one of the fire protection requirements is that stairs be provided to the roof with no point on the roof being farther than 150 feet from the stairs.

Chair Barth opened the public hearing.

Bret Fox asked if traffic will be discussed at a later meeting. Chair Barth clarified that the topic being discussed this evening is massing, and traffic will be addressed at the next meeting. Mr. Fox requested a copy of the traffic studies prior to the next meeting. Mr. Sweeney explained that the studies can be download from the web site. Chair Barth stated that the Planning Commission has discussed the possibility of an independent traffic study or an amendment to the existing traffic study through the City. Mr. Fox noted that the staff

report recommends compatibility with surrounding structures in mass, scale, style, and design. He believed that would be difficult since the project is surrounded by single-family homes. He stated that he appreciated the fact that the applicant removed large portions of the buildings, but it still looks like one large building when standing below the project. He felt this project would look out of place in the local community with all the single-family residences along Lowell and Empire.

Rob Brown, a resident at 1212 Lowell Avenue, agreed with Mr. Fox's comments. Mr. Brown referred to a comment about mitigating the 45-foot change in elevation between the top of the structures with landscaping. He stated that he is a landscape contractor and that mitigation with landscaping in a short period of time would be impossible. He stated that he thought the discussion this evening would focus on the impacts of the project rather than size and mass. Chair Barth requested that the Staff include specific topics in future noticing. Planner Whetstone believed the Planning Commission could take any public input this evening if people wish to make comment. Mr. Brown commented on access, impacts, and safety. It appeared that the only vehicular access proposed is on Lowell Avenue. He stated that he lives on Lowell Avenue, and during the winter two cars cannot pass each other. Lowell Avenue has no sidewalks and no street lights. He did not see how the street could be widened, and in the interest of public safety, that would have to occur. He understood that the project would include restaurants, and he believed there would be liability issues if alcohol is served at the restaurants and the only access is through residential streets. In terms of massing, Mr. Brown could not think of anything in the area that is close to the scale of this project.

Tom Peek stated that he and his wife own 732 Crescent Tramway, which is an abandoned vacant house adjacent to the proposed 8th Street stairway. He stated that he does not object to the project specifically. He is developing a few homes on Woodside and was required to provide a streetscape showing how the homes fit in with the homes above and below them on the street. He stated that he has spent a lot of time on the web site and has looked at the massing. He asked if a study was done that specifically ties in the adjacent homes, particularly near the entrance. Mr. Sweeney replied that the homes were modeled in the sense that their heights were inserted on the sections which were presented at a previous meeting. They are called separation sections and can be found on the web site. He noted that photo renderings were also done and clarified that the photo renderings have not been updated with this massing.

Mr. Fox remarked that many skiers ski out to the top of Lowell and Empire and walk to the resort. He did not believe this design would provide easy access to ski out customers. He expressed concern that people would drive to the resort or shuttle their children back and forth, which will increase traffic. He commented on items he would like to see addressed in the traffic study, including construction traffic, employee traffic, commercial traffic including food and other deliveries, maintenance traffic, and short-stay arrivals. Compared to the

size of collector streets going to other resort centers, Lowell and Empire are very small, and he did not see how Lowell and Empire could handle the traffic without another access to Park Avenue.

Brad Stewart, a homeowner at 1159 Empire Avenue, echoed the previous comments. He appreciated the applicant's effort to reduce the massing but stated that it does not go far enough. He did not believe any high-rise project would be compatible with single-family homes.

Chair Barth continued the public hearing.

Commissioner Thomas stated that he could not look at massing without considering the impacts on grading. He referred to the building cross section and noted that the lowest parking structure is at 7,143 feet. Existing natural grade at that location is 7,249 feet. He noted that a 105-foot cut is shown in that location against the building site and stated that he was unsure about the soil conditions or the ramifications of excavation. Normally a 1-to-1 cut is considered for the angle proposed, and the diagram shows a substantially higher cut. He noted that the cut line goes beyond the lot line and stated that he wants to be clear about the ramifications of a mass this substantial and a cut this low against the hillside as the ramifications of protecting the hillside are great. He commented that another consideration is the relationship between the project at this location and the closest houses on the north side. He was concerned about the visual impacts and impacts from the power lines. He noted that the building heights in some locations are above the power lines, which could have a severe impact on residents to the north of this project.

Mr. Sweeney stated that the power line was surveyed, and at only one point high on the hill is the building the same height as the power lines. With respect to the cuts, he replied that this part of the project is challenging, and it was the only way he could put the project in a hole. He did not believe the height of the building would be seen looking up from the street. Instead, the landscaping on the slope and a small part of the shorter building will be seen. The remainder will be hidden behind other buildings. Mr. Sweeney stated that 15-20 foot trees will be planted. He noted that a soils opinion was given by a reputable engineer, and he believes this project is feasible.

Commissioner O'Hara was concerned about the immensity of the project and the impacts on the City. He read the definition of compatible from the LMC and noted that compatible does not mean "the same as." In his opinion, the definition translates to no net loss or enhances and makes better. He believed the mass, bulk, and scale could be compatible, but that will be driven by architecture. He was not yet prepared to say that the project meets the compatibility test, but with the proper architecture, he believed it could.

Commissioner Volkman agreed that architecture would drive the project and requested that the applicant go further in reducing the severity of the edge as it meets the surrounding neighborhood.

Commissioner O'Hara asked Planner Whetstone to provide the number of pillows anticipated for the entire project so the information will be available for the traffic discussion. Mr. Sweeney stated that the traffic study represents the worst case scenario. Commissioner O'Hara requested that the Staff revisit a previous traffic study which was done when changes were proposed for the Park City Mountain Resort. He believed it would be appropriate to tie that traffic study in with this project. Planner Whetstone noted that the traffic study included this project. Chair Barth asked Commissioner O'Hara to work with Planner Whetstone to develop this discussion for the next meeting.

9. Grand Lodge at Empire Pass - Conditional Use Permit

Planner Robinson reviewed the conditional use permit for the Grand Lodge at Empire Pass on Lot D of the North Side Village Phase 2 subdivision. On November 10, 2004, the Planning Commission discussed this item during work session and reviewed the initial design and volumetrics of the building layout as it relates to the adjacent Ironwood project, the northside lift, and Marsac Avenue. The applicant provided revised sketches including materials and colors. The most significant change is that the top roof elevation has been lowered. The Staff has conducted an analysis and found that the plans are in general conformance with the volumetrics. The numbers are slightly off, but the Staff recommended a finding for compliance. Findings of fact, conclusions of law, and conditions of approval have been provided for consideration after a public hearing.

Chair Barth opened the public hearing.

There was no comment.

Chair Barth closed the public hearing.

MOTION: Commissioner Erickson moved to APPROVE the Conditional Use Permit for the Grand Lodge at Empire Pass in accordance with the findings of fact, conclusions of law, and conditions of approval in the staff report. Commissioner Powers seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Grand Lodge at Empire Pass

1. The Grand Lodge at Empire Pass Conditional Use Permit is located at 8777 Marsac Avenue in the RD-MPD zoning district of Pod B1 of the Village at Empire Pass.