

**Planning Commission
Staff Report**



Author: Kirsten Whetstone *KAW*
Subject: Treasure Hill CUP
Date: May 25, 2005
Type of Item: Administrative

Planning Department

Summary Recommendations:

Staff requests the Commission continue the review and discussion of the Treasure Hill conditional use permit and conduct a public hearing which was continued from the May 11, 2005 meeting. Staff has included as an exhibit the previous report for reference, including the previous review of Land Management Code Section 15-1-10- Conditional Use Review Criteria. Staff recommends the Commission provide direction to staff on the CUP review criteria and continue the public hearing to the July 13, 2005 meeting. See attached April 27, 2005 staff report for the description and background information on this proposal.

Exhibits

- A. April 27, 2005 staff report
- B. Review of the CUP criteria, LMC Section 15-1-10, discussed to date. Discussion of these criteria was continued to the May 25, 2005 meeting.

Planning Commission Staff Report



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Summary Recommendations:

Staff requests the Commission review and discuss the Treasure Hill conditional use permit and conduct a public hearing which was continued from the May 11, 2005 meeting.

Description:

A. Topic:

Project Name: Treasure Hill (Mid-station and Creole Gulch parcels of the Sweeney Properties Master Planned Development)
Applicant: Sweeney Brothers, Sweeney Land Co
Location: Empire/Lowell Avenue
Proposal: Request for approval of a CUP and preliminary subdivision plat for 197 residential unit equivalents (approximately 282 condominium/townhouse/hotel suites ranging in size from 650 sf to >2,500 sf), 19 commercial unit equivalents (19,000 sf (net) resort commercial uses), 473 parking spaces, and up to 10% of the gross floor area for meeting rooms and other support uses on 62.5 acres. Resort related amenities are also proposed, such as pools, spas, etc. The proposal includes approximately 51 acres of dedicated open space for ski runs, trails, and passive use with an additional 70% of the 11.5 acre development site as open space.
Zoning: E-MPD (Sweeney Properties MPD) and ROS
Adjacent Uses: Park City Mountain Resort and related uses, single-family residences, condominiums, bed & breakfast inns, open space.
Date of Application: January 13, 2004
Project Planner: Kirsten Whetstone

B. Background

On December 18, 1985 the Planning Commission approved a Master Planned Development for the Treasure Hill/Sweeney Properties, consisting of 277 unit equivalents (UE) on a 123.59- acre site. The Master Planned Development was approved with a detailed description of densities, height zones, land uses, access, utility and public improvement requirements, a phasing plan (20+ years), a trail plan, and other conditions and development parameters as stated in the approval documents (see Exhibit A).

EXHIBIT A.

Density determination

A detailed density determination was conducted during review and approval of the Sweeney Properties MPD, at which time the entire site was reviewed for base density, slopes, visual and view shed analysis, open space, among other factors.

At the time of the MPD review the property owner could have requested in excess of 450 units due to the zoning and codes in place at that time. To quote the December 18, 1985 staff report, "it does reveal that a significant reduction in total density proposed has been incorporated into the project. Each area proposed for development has been evaluated on its own merits. During the course of review, numerous concepts were considered with densities shifted around." The approved total MPD density is 258 residential and 19 commercial unit equivalents over the 125.6 acre property. The Mid-station and Creole Gulch sites have a combined density of 197 residential unit equivalents and 19 commercial unit equivalents. **The revised Treasure Hill CUP plans comply with the approved density and all development is contained within the identified development parcels.**

Alternative development concepts reviewed

Several possible development alternatives (at one time 11 alternatives were reviewed and evaluated in a matrix- see Exhibit B) and development concepts were reviewed for their associated impacts on the community. To quote the staff report, "the staff, Planning Commission, and general public have all favored the clustering of development as opposed to spreading it out. The approved MPD represents a refined version of the cluster approach to development."

It was determined at that time, after a lengthy review by staff, Planning Commission and the general public that the 450 units of potential density should be reduced to 277, removed from the steeper hillsides and Main Street area, and clustered in the least sensitive locations, namely on the Mid-station and Creole Gulch parcels. A few larger lots were allocated for the King Road, Upper Norfolk, and Fifth Street parcels. During this review the bulk, scale, and density of the Main Street and Park Avenue parcels was reduced to be more compatible with the Historic District. **The current Treasure Hill CUP plans comply with the clustered development concept approved with the Sweeney MPD.**

Compatibility, Scale, and Concentration of density in Creole Gulch area

The 1985 staff report states that the "overall scale and massiveness of the (entire MPD) project has been of primary concern. Located within the Historic District, it is important for the project design to be compatible with the scale already established. The cluster concept minimized the impacts in some areas and resulted in additional scale considerations in others. The focus of the MPD review of alternatives was to examine different ways of accommodating the development of the property while being mindful of and sensitive to the surrounding neighborhood. The 1985 report states that "the relocation of density from the Town Lift site (Sweeney Town Lift parcels, not the Summit Watch parcels which are not part of the Sweeney MPD) was partly in response to this issue."

The report also states that "the concentration of density into the Creole Gulch area, which because of its topography and substantial mountain backdrop helps alleviate some of the concern, and the requested height variation necessary in order to reduce the mass perceived (higher versus lower and wider), have greatly improved the overall scale of the cluster approach. The sites along Park Avenue have been conceptually planned to minimize scale and have provided stepped facades and smaller-scale buildings to serve as a transition." The Creole site was chosen for the bulk of the density because it was not directly above historic Main Street. The Treasure Hill development is 4-5 blocks due west of the new developments on Lower Main Street and 4-5 blocks south of the new developments at the Park City Mountain Resort base area.

The cluster concept was approved because "rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed towards this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space". The 1985 report also points out that a number of the MPD conditions are "directed towards minimizing the potential conflicts related to neighborhood compatibility considerations". **The current Treasure Hill CUP plans comply with the cluster concept approved with the Sweeney MPD.**

Preservation of Open Space

Over 110 acres of open space, for ski trails, bike and pedestrian trails, and other passive open space uses, were designated in the approved Master Plan. In August of 1990, the applicant agreed to an Ordinance re-zoning 109 acres of property on Treasure Hill to the Recreation Open Space zone. Approximately 55 acres of open space were dedicated with the Treasure Hill Phase I Subdivision plat. The currently proposed Treasure Hill Phase III subdivision plat dedicates an additional approximately 51 acres of open space. The remaining open space was dedicated during the Treasure Hill Phase II plat approval (2 lots off of Fifth Street and Woodside Avenue).

Regarding Open Space, the 1985 Staff report states the following:

"A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as a part of the proposed Master Plan. In excess of 110 acres will actually be rezoned to Recreation Open Space (ROS) in addition to 70% open space provided within each of the development parcels. Alternative concepts reviewed involving the extension of Norfolk Avenue would significantly have reduced the amount of open space retained. The potential for the subdivision and scattered development of the hillside would also have drastically affected the goal of preserving the mountain substantially intact and pristine."

The open space that resulted from the Sweeney Master Plan is currently utilized by skiers in the winter, on the Creole, Quittin Time, and the top of King Crown ski

runs, as well as by hikers and bikers on the various Treasure Mountain trails in the summer. The open space is an important amenity for the entire community. In addition, this open space provides a direct connection between the adjacent mountains and Old Town Park City. **The current plans comply with the MPD open space requirements.**

Building Heights

In order to minimize site disturbance and coverage, the clustering of density necessitated consideration of building heights in excess of that which was permitted in the underlying zoning. The various concept plans were reviewed in detail for the trade-offs between height and site coverage and open space. The MPD approval includes an exhibit defining building envelopes to define areas where increased building heights can be accommodated with the least amount of impact. During City Council approval the final conditions read as follows:

"The Creole Gulch site shall be limited to a maximum height of 75 feet. An average overall height of less than 45 feet shall be provided and no portion of any building shall exceed either elevation 7,250 feet for the easternmost building or elevation 7,275 feet for the balance of the project."

The Mid-station development was similarly restricted to 45 feet maximum height and an overall average height of 25' measured from natural grade. No portion of any building is to exceed an elevation of 7,240 feet. **Staff has determined that the revised plans for the Treasure Hill CUP comply with the height and elevation standards approved with the Sweeney MPD.**

Park City Council approval of the Sweeney Master Plan

On October 16, 1986 the Park City Council approved the Sweeney Properties MPD, on an appeal. During this approval the Council made various revisions to the Commission approval, including revisions to the building height zones (maximum heights, average heights, etc.) for the Creole Gulch and Mid-station parcels (see Exhibit A). **The Sweeney Master Plan is an active MPD.**

Access

The 1985 report states that "all of the different concepts reviewed would result in similar access concerns." As it relates to the Creole Gulch and Mid-station parcels, the report states "the development of the Hillside Properties will undoubtedly impact not only Empire and Lowell Avenues but other local streets as well. " MPD condition #8 (a) specifically states that Empire Avenue and Lowell Avenue will be the "main access routes to the Creole Gulch site." The condition also states the following:

...during construction these roads will need to carry heavy traffic, probably in the vicinity of up to 300 heavy trucks per day. At the present time and until the Creole Gulch site develops, Empire and Lowell south of Manor Way are and will be low-volume residential streets, with a pavement quality, width, and thickness that won't support that type of truck traffic. The City will continue to maintain the streets as low-volume residential streets, including pavement overlays and/or reconstruction. None of that work will be designed for the

heavy truck traffic out in order to save money for the developer of the Creole Gulch site, he or she is encouraged to keep the City Public Works Director notified as to the timetable of construction at Creole Gulch.

The condition goes on in detail regarding costs of providing necessary upgrades and identifies the developer's responsibility of a portion of the reconstruction of Lowell and Empire south of Manor Way to accommodate the future development, including various timing factors in the overall cost of these upgrades. From this condition it is evident that the City anticipated an increase in traffic and use of these streets as a result of the Sweeney Master Plan. **The Treasure Hill CUP plans comply with the Sweeney MPD approved access on Lowell and Empire Avenues. Additional conditions of approval would be required to address mitigation of construction and traffic impacts on these streets, as well as maintenance, snow removal, and pedestrian access.**

General Plan

The Park City General Plan indicates that the Creole Gulch and Midstation parcels are an area of Medium Density Residential development. The proximity to activities at the Park City Mountain Resort and the Main Street Commercial District were factors in this designation, as well as in the approval of the clustered plan. The Park City Mountain Resort master plan approval for approximately 502 unit equivalents occurred after the Sweeney Master Plan approval. Residential density in Old Town is in the range of 12-15 units per acre. Typical low density residential neighborhoods, such as Park Meadows, Aspen Springs, and Thayne's Canyon are in the range of 3-5 units per acre.

Proposed density of the Treasure Hill project is 3.15 unit equivalents per acre (197 unit equivalents on 62.5 acres). This includes only the 51 acres of open space associated with this phase of the master plan. Net density is approximately 17 u.e. per acre (197 u.e. on the 11.5 acres development parcel). By comparison, the net density of the Mountainside development at PCMR is 30 units per acre.

According to the City's inventory, there are about 424 existing units on Lowell and Empire Avenues in the 5 and 1/2 blocks south of Manor Way to the Empire/Lowell switchback. Sweetwater Condominiums consists of 89 units (located on approximately 50 Old Town lots) and Mountainside Marriot consists of 183 units. There are approximately 82 dwelling units on Empire, not including Victoria Village (24 units) and Skiers Lodge (16 units) condominiums, and 30 units on Lowell Avenue.

In a review of the building permits issued for single family and duplex units on Lowell Avenue south of Manor Way, staff found that 28 of the 30 dwelling units on Lowell Avenue were constructed since approval of the Sweeney Master Plan. Although it was platted in 1878, Lowell Avenue is not considered an historic Old Town street. Development on Lowell is relatively recent and is more closely associated with Park City's transition to a resort town. In fact, 22 of the 30 dwellings on Lowell Avenue were constructed following the awarding of Salt Lake City as host of the 2002 Olympic Winter Games. **The current Treasure Hill CUP plans comply with the**

Park City General Plan regarding location of medium density resort related development.

Review of individual parcels as a Conditional Use

According to the approved Sweeney MPD, development on individual parcels is reviewed as a conditional use. The Creole Gulch and Mid-station parcels are the last parcels of the MPD to undergo development review. Development on the Coalition East (Caledonian Condominiums and Sweeney Town Lift plaza), Coalition West (Town Run and Ski Bridge), tunnel off of Woodside to access the Fifth Street lots, and the other hill side lots (single family homes) have all been reviewed as conditional use permits by the Planning Commission. **The development has been reviewed by staff for compliance with the CUP criteria, Section 15-1-10 (see Exhibit C).**

C. Treasure Hill CUP Project Description

The current proposal is for a mixed-use development of condominiums, townhouses, potential hotel or condo/hotel suites, resort related support commercial uses, ski runs and lifts, trails and public plazas, underground parking, and other resort related amenities. The applicants will present an overview of the proposal at the meeting and indicate the modifications they have made to date.

The project site is located on the Treasure Hill west of Old Town Park City, generally south of the Empire Avenue and Lowell Avenue switch back with access to the site from Empire and Lowell Avenues. Included in the proposal is a request for a preliminary subdivision plat for the Creole and Mid-station parcels and associated open space lands of the Sweeney Properties Master Plan.

Site Area:

TOTAL SITE TREASURE HILL III	123.59 ACRES
MIDSTATION DEVELOPMENT PARCEL	3.75 ACRES
CREOLE DEVELOPMENT PARCEL	7.75 ACRES
TOTAL OPEN SPACE PARCELS	110 ACRES
OPEN SPACE WITH TREASURE HILL III	51 ACRES

Units/Density:

RESIDENTIAL:

MIDSTATION – 35.5 UE – maximum allowed (approx. 71,000 SF)

Condominium/townhouses: 2 at <1,000 sf, 9 at <1500 sf, 8 at <2,000 sf, and 14 at greater than 2,000 sf.

Approx. 33.25 UE proposed (depends on size of units > 2,000 sf).

Parking: 60 spaces required, 63 spaces proposed in underground structure.

CREOLE - 161.5 UE – maximum allowed (approx. 323,000 SF)

Hotel/Suites: 37 at <650 sf

Condominium units: 41 at <1,000 sf, 77 at <1,500 sf, 81 at <2,000 sf, and 14 at greater than 2,000 sf.

Approx. 161 UE proposed (depends on size of units >2,000 sf).

Parking: 372 spaces required, 410 spaces proposed in underground structure.

COMMERCIAL:

Maximum allowed per MPD- 19 UE COMMERCIAL USES (19,000 SF)

Proposed at the MIDSTATION- Support commercial: approximately 3,748 sf (gross), 3,500 sf (net). **Maximum allowed is 3,500 sf. Proposed is 3,500 sf (net).**

Proposed at CREOLE- Support commercial: approximately 18,905 sf (gross), 15,500 sf (net). **Maximum allowed is 15,500 sf. Proposed in 15,500 sf (net).**

Meeting space and support commercial (10% of the total approved floor area) per Land Management Code (15-6-8.) is allowed per the MPD, in addition to the 19 UE of commercial uses. Additional square footage is allowed for back of house and other ancillary uses, such as storage, mechanical, common space, etc.

Open Space Requirements:

The MPD requires 70% open space (plazas, pedestrian trails and ways, landscaped areas, etc.) within the 11.5- acre development parcels in addition to the approx. 51 acres identified as dedicated open space (ROS zoned), for ski trails and lifts, pedestrian/bike trails, and other passive open space uses. The current proposal meets these requirements given that there is limited area taken up by driveways and all parking is located under buildings. **The Treasure Hill CUP plans and preliminary plat comply with the MPD approved open space, ski trail easements, ski lift, and public trail requirements in terms of dedicated easements and public access.**

Height Zones:

CREOLE- The approved Master Plan Development allows a maximum building height of 75' measured from existing grade, with up to an additional 20' for access shafts (elevators). The average overall building height shall be 45' or less as measured from existing grade. The building heights shall conform to the height zones and maximum elevations as shown on Sheet 22 of the approved MPD. At the next meeting the Planning staff will provide a detailed analysis of these height zones as they relate to the proposed building volumetric. It is the intent of the applicant to follow the height guidelines and not request any variations to the required height limits.

MIDSTATION-The approved Master Plan Development allows a maximum building height of 45' measured from existing grade, with up to an additional 20' for access shafts (elevators). The height of at least 90% of the total above grade building volume shall be 35' or less. The average building height measured from existing grade shall be 25' or less. The building heights shall conform to the height zones and maximum elevations as shown on Sheet 22 of the approved MPD.

The revised Treasure Hill CUP plans are consistent with these heights and volumetrics. Individual buildings will be required to go through a specific architectural design review at the time of building permit issuance at which time compliance with CUP specified building height/volumetric and general architectural character would be reviewed in greater detail.

Zoning:

The Creole Gulch and Mid-station development parcels are zoned E-MPD, and are subject to the approved Sweeney Properties Master Plan. The Sweeney Properties MPD allows hotel, condominium, townhouse, resort support commercial uses, and ski runs, lifts, etc. with the maximum densities and heights as outlined above. Open space parcels are zoned ROS. **The current Treasure Hill CUP plans comply with the existing zoning.**

Applicability of the Sensitive Lands Overlay:

The 1985 Master Planned Development approval predates the establishment of the Land Management Code Sensitive Lands Overlay (SLO) standards. The Conditional Use Permit application is not subject to the SLO review, however, the plan will be reviewed per site design and site suitability criteria found in the Conditional Use Permit review criteria. This is consistent with the Commission's review of individual parcels of the Deer Valley MPD.

During the 1985 approval process the entire 123.59-acre Treasure Hill site was reviewed for site suitability during the density determination phase. Parcels approved for development, including the Creole Gulch and Mid-station sites, were identified and zoned. Staff's preliminary analysis finds that the development parcels shown on the subdivision plat do concur with both the zoning map and the Sweeney Properties MPD. **Staff has reviewed the Treasure Hill CUP site plan for site suitability from the perspective of both the location of buildings on the site, grading, slope retention, cliff-scape designs and the visual analysis from a variety of vantage points, namely Park City Golf Course, Marsac Building, Heber Avenue and Main Street intersection, City Park at Deer Valley Drive, and Lowell Avenue and finds that the project complies with the site design and site suitability criteria of the LMC Section 15-1-10, although specific conditions of approval will be required to address details of the grading plan, cliff scape design, retaining walls, and other elements of the site plan.**

Parking:

All parking will be in underground parking structures and calculated according to parking ratios established during Master Planned Development approval. **The current proposal for 63 parking spaces on the Mid-station site and 410 parking spaces on the Creole site complies with the MPD approval.**

Access to Old Town/Main Street:

Access to Old Town/Main Street is provided via a proposed cabriolet type gondola from the project's plaza area to the Town Lift Plaza, as well as via stairs to be constructed within the 6th Street and 8th Street rights-of-way, improvements to Crescent walkway to the Town Bridge, and ski/pedestrian/bike trails, depending on the season. The cabriolet gondola from the Town Lift plaza and Main Street is intended to run into the evening hours to provide pedestrian "bus" service to Main Street. This cabriolet/gondola will provide a 90 second connection to the base terminal of a proposed "new Town Lift" (see below) which will be located in an area between the Mid-station development and the Creole

Gulch development. **Additional review of this connection, including design details and conditions will be required.**

Access to Park City Mountain Resort:

Access to the Park City Mountain Resort (PCMR) is provided via the Creole and Quittin' Time Runs that traverse the site. These runs will be improved and re-graded with excavated material from the proposed development. The trails will generally remain in the current locations and will continue to provide access to the Town Lift plaza, over the Town Lift Bridge. A "new Town Lift" high-speed chair (probably a detachable quad type of lift) is the PCMR's preferred option to connect the Old Town area to the Crescent Ridge (above Claim jumper), putting skiers from the Old Town area higher on the mountain while continuing to allow repeat skiing on Treasure Hill. Adjacent neighborhood access to the PCMR is maintained via walkways and public easements through the plaza area, to the runs and lifts. Pedestrian and bike access is maintained for summer use. **Staff and the applicants are continuing to discuss this aspect of the project, as it relates to the long term PCMR master plan.**

Architectural intent and Cliff-scapes

The applicants have presented information regarding a general architectural theme for the project that reflects the historic district but does not try to replicate or duplicate historic buildings. The Planning Department finds that the project should be compatible with the historic district in terms of architectural character, but it needs to reflect its own time and place. The plan calls for several different types of buildings, from attached units about the size and scale of old town homes, to townhouses, condominium buildings of varying sizes, and larger hotel buildings. **A more detailed review of the architectural concept will occur at a future meeting.**

The applicants have fairly extensive plans for the grading, retaining, and revegetation of the cut-slopes, in what is termed "cliff-scapes". The design booklet explains this concept in detail indicating that these cliff-scapes will be a combination of natural rock, block retaining walls, exposed rock "cliffs" with varying degrees of stepping and landscaping. **Specific conditions will be required to address this issue.**

Subdivision plat

The subdivision plat was submitted with two development lots and two open space lots. The development lots coincide with the two development parcels of the Master Plan, namely the Creole Gulch parcel and the Mid-station parcel. The open space parcels include all of the remaining property (approx. 51 acres, including a 3,332 sf parcel on the inside of the Empire/Lowell switchback). Staff recommends that all building/parking development associated with the proposed Treasure Mountain CUP be located on a single lot, rather than 2 parcels. Individual buildings can be condominiumized for individual sale of units. Locating the entire development on a single lot resolves problems and issues related to utilities, access, fire and emergency, maintenance, lot lines, etc. The applicants have agreed to this revision. A preliminary utility plan was submitted and is being

reviewed by staff. **Additional analysis regarding utilities and requirements for public improvements, including off-site improvements mentioned in the Master Planned Development approval documents will need to be conducted by the Staff and discussed at a future meeting. Approval of complete utility, drainage and grading plans; mining related mitigation and geotechnical reports; and detailed construction mitigation plans will be required prior to issuance of any building permits, as well as posting of all required financial guarantees.**

D. Departmental Review

The Treasure Hill CUP and preliminary subdivision plat were discussed at staff review meetings on May 7, October 14, February 3, June 10, July 6, and September 22, 2004. Additional staff review meetings will be held in response to revised plans.

The primary item for discussion at the first couple of staff review meetings was emergency access and the fire protection plan. The applicant worked with a consultant who specializes in fire protection plans to revise the originally submitted plans significantly to come up with a site plan, circulation system, general building and plaza layout, and other technical additions that address the Fire Department and Building Department concerns regarding these issues. **The fire protection plan and technical documents are complete to the extent that the Fire Marshall and Chief Building Official are in agreement that the site plan, circulation, building locations, access, etc. are acceptable and defensible. The technical documents spell out a wide range of conditions that have to be met and maintained throughout the life of the project in order for the project to continue to be in compliance. Any changes to the general site plan regarding building configuration and heights, access, circulation, type of construction, etc. would require a complete review and approval by the Fire Marshall and Chief Building Official for compliance with the approved fire protection plan and associated technical documents.**

Subsequent staff reviews have focused discussion on the following items 1) emergency and fire protection plan, 2) circulation throughout the project (vehicular, pedestrian, and skier/boarder), 3) utility service, maintenance, and public improvements (water, water tank, sewer, power, cable, phone, storm water, and down stream or on-site storm detention facilities, 4) interface with the resort (gondola and Town Lift, ski run improvements, Ski Area master plan, future of the interconnect, and trails), 5) site plan and location of various land uses within and adjacent to the project, 6) general building design, architecture, and massing, 7) cliff-scape design, 8) traffic issues, and 9) construction mitigation and phasing.

RECOMMENDATION

The applicants will present the Treasure Hill CUP proposal to the community as a re-introduction to this final phase of the Sweeney Properties Master Plan. For the benefit of the community who have not attended the previous public hearings, the applicants will provide background information, details about the project, and will explain the goals and objectives of the project as they relate to the site, PCMR, the Town Lift, adjacent

properties, and Old Town Park City (ie, Main Street and the surrounding area). Staff recommends the Commission conduct a public hearing and focus their discussion on the following items.

- ❖ questions regarding compliance with the Sweeney Properties Master Plan
- ❖ questions regarding compliance with the Conditional Use Permit criteria (with the exception of traffic and architectural concepts) (continued to the next meeting)
- ❖ any additional information the applicants should present for future meetings

An update on the traffic study situation will be presented by the Staff at the April 27th public hearing, provided staff has any new information at that time.

Exhibits

- A. 1985 Sweeney Properties MPD staff report**
- B. Alternative development concepts matrix from the 1985 MPD review**
- C. Summary review of the CUP criteria, LMC Section 15-1-10, discussed to date (attached under separate cover) (continued to the next meeting)**

not attached ←
attached as Exhibit B to the May 25, 2005 Report. ←

Conditional Use Permit Review of the Treasure Hill CUP

1) Size and location of the Site

Complies, the size and location of the site are appropriate for the proposed density, as approved by the underlying Master Planned Development. During the 1985 approval process the entire 123.59 acre Treasure Hill property was reviewed for site suitability during the density determination phase of the Master Plan approval. Parcels approved for development, including the Creole Gulch and Mid-station sites, were identified and zoned.

Staff has reviewed the legal descriptions for the Mid-station and Creole Gulch development parcels shown on the preliminary subdivision plat and finds that the Treasure Hill CUP site plan complies with the identified development parcels and concurs with the City zoning map.

Staff recommends that all development associated with the proposed Treasure Mountain CUP be located on a single lot, rather than 2 parcels. Locating the entire development on a single lot resolves problems and issues related to utilities, access, fire and emergency, maintenance, lot lines, etc. The applicants have agreed to this revision, which will be reflected on the subdivision plat.

Gross density for the proposal is 3.15 UE per acre (197 UE on 62.5 acres) with a net density of 17 UE per acre (197 UE on 11.5 acres). By comparison, density of a typical acre in Old Town is in the range of 12-15 units per acre.

2) Traffic considerations including capacity of the existing Streets in the Area.

Additional discussion required. Staff has reviewed the final traffic study prepared by Project Engineering Consultants, Ltd. and submitted with the Treasure Hill CUP application. Staff is preparing a scope of services for an independent peer review of the traffic study. The results of this review will be made available to the Commission as soon as possible.

3) Utility capacity

Complies, with additional conditions recommended. The applicants submitted a preliminary utility plan with the Treasure Hill CUP application. Compliance with this criterion is dependent upon various conditions of CUP and subdivision plat approval regarding timing, maintenance, and guarantees posted for all required utility improvements. The Sweeney Properties MPD approval also outlines conditions regarding utilities.

EXHIBIT D.

Water, Sewer, and storm water

The MPD describes substantial off-site improvements that are likely to be required to provide water and storm water services. The applicant's engineers have reviewed the MPD requirements and will continue to work with the City on addressing all of the City's requirements for utilities. Coordination of these items with the City Engineer, City Public Works Director, and Snyderville Basin Water Reclamation District in terms of a subdivision plat, utility plan, financial guarantees for completion, as well as specific conditions of approval will be necessary to comply with this criterion.

Electric power, natural gas, phone, TV, Internet, etc.

The applicants have met with these service providers regarding this proposal. It is feasible to provide the site with these utilities. An important component of the utility plan review will be to have a utility coordination meeting to discuss the various utilities.

4) Emergency vehicle Access

Complies, as detailed in the approved Fire Protection Plan, with additional conditions recommended regarding changes. Emergency access and a fire protection plan are addressed in detail in the Fire Protection Plan submitted by Pete Mulvihill, the applicant's consultant who specializes in fire protection plans (see green technical addenda). The original submittal was significantly revised to address this criterion, based on the approved fire protection plan. The current site plan and circulation system, general building and plaza layout, and other technical specifications address the Fire District and Building Department concerns with the Treasure Hill conditional use permit as submitted at this stage.

The fire protection plan and technical documents are complete to the extent that the Fire Marshall and Chief Building Official are in agreement that the site plan, circulation, building locations, access, etc. are acceptable and defensible as proposed. The technical documents spell out a wide range of conditions that have to be met and maintained throughout the life of the project.

A condition of approval would be necessary to address any changes to the plan that would affect the fire protection plan, including changes to the location of elevators, driveways, tunnels, pathways, major entrances and exits, and building orientation and location, building separation, type of construction, and exterior materials. These changes could result in subsequent changes to the fire protection plan as it is a detailed plan.

5) Location and amount of off-street parking

Complies. All parking is proposed to be located in underground parking structures and calculated according to parking ratios established during Master Planned Development approval (identified on Sweeney MPD sheet #22). The current proposal is for 63 parking spaces on the Mid-station site within an underground parking structure (60 required with current building configuration and density) and 410 parking spaces on the Creole site (333 required based on the current building configuration and density). The proposal complies with the parking requirements.

The Commission may want to discuss during the traffic impact analysis whether the additional parking should be reduced and/or restricted. Parking is an important component of a construction mitigation plan for this project. A phasing and construction mitigation plan was submitted and reviewed by the Planning Commission at the public hearing on January 26, 2005.

6) Internal vehicular and pedestrian circulation system

Complies, with conditions recommended to address timing of proposed improvements and guarantees for construction and continuation of such improvements, including maintenance. Internal vehicular circulation occurs within the parking structures and on private driveways. All service and delivery activity occurs within the project. Not on public streets. Pedestrian circulation within the site is facilitated with pedestrian walkways, elevators, a cog train type elevator system, stairways, etc. Pedestrian access to Old Town/Main Street is provided by the following improvements:

- Stairs to be constructed within the 6th Street ROW (from the Midstation area of the project to Woodside Avenue) and 8th Street ROW (from the Creole Gulch area of the project to the Crescent walkway above Norfolk Avenue),
- Improvements to Crescent walkway with new paving (from the new proposed 8th Street stairs to Woodside Avenue just above where the new 7th Street connects to Woodside) at the skier bridge site,
- Installation of a cabriolet type gondola/people mover from the project's plaza area to the Town Lift plaza intended to operate daily and into the evening hours to provide pedestrian "bus" service to Main Street. The gondola would provide a 90 second connection from the Town Lift plaza to the base terminal of a proposed "new Town Lift" which would be located in an area between the Mid-station development and the Creole Gulch development.
- Improved and existing ski/pedestrian/bike trails, depending on the season. Access to the Park City Mountain Resort (PCMR) is

provided via the Creole and Quittin Time ski runs that traverse the site. These runs would be improved and re-graded with excavated material from the proposed development, but are proposed to remain in the current locations and will continue to provide access to the Town Lift plaza, over the Town Lift Bridge. A "new Town Lift" high-speed chair (probably a detachable quad type of lift) is PCMR's preferred option to connect the Old Town area to a location higher on the mountain while continuing to allow repeat skiing on Treasure Hill.

Adjacent neighborhood access to the ski runs and trails would be maintained via walkways and public easements through the plaza area. Pedestrian and bike access is maintained for summer use. Conditions of approval requiring such easements to be addressed with the plat are recommended.

7) Fencing, screening and landscaping to separate the Use from adjoining Uses.

Complies, with recommended conditions regarding approval of a landscape plan that addresses detailed landscaping along the northern and eastern perimeters of the development, as well as posting of guarantees for all required landscaping and site improvements.

The applicants propose landscaping along the northern and eastern perimeter, in varying degrees, to provide additional screening for adjacent properties (in addition to landscaping within the development). The applicants have reviewed with the Commission in detail the screening and buffering proposed to provide additional separation for the North Star Subdivision lots. Fencing is not proposed.

Staff recommends that a final landscape, grading, and cliff-scape plan, consistent with the preliminary plans, be a condition precedent to building permit issuance. The landscape plan should ultimately describe detailed grading, retaining, irrigation, plant materials, as well as plaza amenities and materials. Appropriate guarantees shall also be posted.

Internal separation of uses has been described in detail by the applicant and includes pedestrian oriented, multi-level plazas with a variety of amenities. Support commercial uses are located on lower levels and oriented towards the internal site, ski runs, and plazas. Residential uses are located on multi-levels as well. A preliminary landscape sketch, including a cliff-scape schematic identifies a landscape concept for both the internal and external spaces.

8) Building mass, bulk, orientation and location on site, including orientation to adjacent buildings or lots.

Requires additional discussion. The Planning Commission discussed the building mass, orientation and location on the site, as well as orientation to adjacent buildings and lots, at previous meetings. The applicants provided numerous exhibits, including cross sections, massing models, visual analysis from various vantage points, and made a series of changes to the building massing, orientation, and building location based on comments by the Commission. The bulk of the development is situated in the Creole Gulch area as required by the approved master plan, and is not located above the historic Main Street core area.

The Commission requested the applicant provide additional architectural information to better demonstrate how these architectural elements affect the overall building massing and bulk (such as window and balcony locations; exterior elements that would identify vertical and horizontal articulation and shadowing; general examples of cornices, trims, roofing, examples of exteriors, etc. (in broad terms rather than specific details). The Commission also requested more information regarding the general architectural theme (see #12 below). The applicant has requested returning to this criterion for continued discussion after the traffic discussion has concluded.

9) Usable open space.

Complies. The Sweeney Master Plan provides approximately 110 acres of dedicated usable open space, in terms of trails, ski runs, ski lift easements, and large areas of open land. Approximately 51 acres of that open space are identified on the associated Treasure Hill Phase III subdivision plat as open space parcels (ROS) with possible dedication to the City at the time of plat recordation, if that is the City's desire. The remaining open space was identified on the recorded Treasure Hill Phase I and Treasure Hill Phase II subdivision plats.

Within the 11.5 acre Creole Gulch and Mid-station development site, the current plan identifies approximately 8.63 acres of open space. This is about 75% of the 11.5 acre development area. This is more than the 70% open space required by the Sweeney master plan and more than the 60% required by the Land Management code for master planned developments. The open space is usable in terms of providing plazas (public and private), ski runs, walkways, pedestrian and bicycle trails, and garden/outdoor spa and pool areas. Because parking and vehicle circulation are located under ground the majority of the above ground land that is not occupied by buildings is open space.

10) Signs and lighting.

Complies, with recommended conditions requiring approval of a master sign plan for the entire project prior to installation of any signs, as well as conditions regarding compliance with the City's Land Management Code related to exterior lighting.

Typically signs and lighting are subject to separate permit review. A condition regarding approval of a master sign plan for the entire project is recommended. The sign plan should also address directional signs that could help with traffic mitigation. Lighting will be addressed in detail by the applicant prior to issuance of any full building permits.

Staff recommends a condition that lighting shall be addressed in detail by the applicant prior to issuance of any full building permits and that all exterior lighting shall comply with the City's lighting ordinance and shall be subdued, shielded, and in general down directed.

11) Physical design and compatibility with surrounding structures in mass, scale and style, design, and architectural detailing.

Requires further discussion. The Commission previously discussed the proposed project in terms of the mass, scale, and bulk (see #8 above) and requested additional architectural information prior to making any findings regarding this criterion.

12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-site.

Complies with recommended conditions standard for projects of this type (similar to the conditions of approval for the Four Seasons CUP, Deer Crest Hotel CUP, and Empire Pass CUP). Specific information regarding mechanical vents and the location of these vents will be provided at the time of building permit application. Staff recommends conditions requiring review of all building permit applications to pay specific attention to mechanical vent locations and types prior to issuance of any permits. All mechanical vents shall be painted, hidden with architectural features, and/or landscaped to mitigate negative impacts on the architectural intent of the project. The location of all mechanical activity shall be such that noise, vibration, odors, steams and other factors are minimized and impacts on neighboring properties are not significant. Electrical transformers and similar equipment must be visible and accessible to the utility provider, making complete screening impossible. Screening and mitigation of impacts of this equipment are reviewed at the time of building permit and landscape plan approval.

13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pick-up Areas.

Complies, with recommended conditions. Utilizing the underground parking structure for loading and unloading, as well as delivery and service vehicles, minimizes the impacts of this activity on surrounding properties. Having a centrally located area or areas for trash compaction, recycling, and pick-up allows all users and tenants of the Treasure Hill development to coordinate these related activities. Trash collection bins will need to be located in a convenient area within the parking structure. Staff recommends that approval of the location of these bins be a condition of approval.

Staff recommends conditions of approval that prior to final building permit issuance these various service and delivery functions and locations will need to be specified on the plans. Staff will direct the applicant to work with BFI to verify that the plan is acceptable to them and provide documentation from BFI. It is reasonable to recommend a condition of approval that delivery and service shall occur at off-peak times, in terms of traffic. Various conditions of approval will be required to address this criterion, as was done for the Four Seasons CUP, Deer Crest Hotel CUP, and other similar projects.

14) Expected Ownership and management of the property. **Complies, with recommended conditions.**

The proposal consists of a combination of detached single family condominiums, townhouse condominiums, stacked flat condominiums, and condo-hotel type units, in addition to the resort commercial and support uses as approved with the Sweeney MPD.

The development parcels/property would be platted to be contained within a single lot of record. It is expected that individuals will own the condominium units and the condo-hotel units will be operated primarily as a traditional hotel (with various units in a rental pool). This form of ownership is allowed in the Estate zone and was approved with the approved Master Plan.

At this time the LMC does not allow timeshare units or club ownership units in the Estate zone. Nightly rental of residential units is permitted by the LMC.

Staff recommends a condition of approval that the entire project be subject to a Master Owner's Association, with individual associations formed for the various types of units and commercial areas. A majority of the project would likely be operated by a resort management or hotel resort company, with common management, check-in, housekeeping, and guest services.

Staff recommends a condition that a condominium record of survey plat shall have been reviewed and approved by the Planning Commission and City Council and recorded prior to sale of units to individuals.

15) Within and adjoining the Site, impacts on Sensitive Lands, slope retention, and appropriateness of the proposed Structures to the topography of the Site. Complies with additional conditions recommended.

The location of the proposed development parcels was the result of an extensive site suitability study that occurred at the time of approval of the Sweeney MPD, where 11 alternatives to development of the 123.59 acre site were reviewed. The MPD predates the Sensitive Lands Ordinance; therefore the Sensitive Lands Overlay Zone does not specifically apply in terms of a density determination and site suitability analysis.

The MPD approval process determined a potential density and identified those portions of the entire MPD property that were most suitable for development, given the location and topography of the site. The MPD also identified appropriate height zones and maximum elevations, as well as average overall height for the various development parcels (identified on Sheets 22, 23 and 24 of the Sweeney Properties MPD approval). The MPD density was clustered on the lower areas of the 123.59 acre site near existing streets and development with a significant amount of open space left undeveloped (with allowances for ski runs, ski lifts, and pedestrian trails).

The sites proposed for the Treasure Hill CUP development are consistent with the parcels identified by the MPD. The proposed buildings are consistent with the approved height zones, maximum elevations, and average overall heights allowed for the development parcels. The Treasure Hill CUP is consistent with the MPD approval in terms of location of buildings on the site. The bulk of the development is located in the Creole Gulch, away from the historic Main Street core. The smaller detached single family and townhouse units are located closest to the historic Main Street core.

Staff recommends various conditions of approval to address slope stability, retaining walls, and mitigation of any impacts on mining sites and mining soils, mitigation of erosion and run-off during and after construction, as well as other appropriate conditions to mitigate impacts on environmentally sensitive lands. Additional discussions regarding the specific buildings, bulk, massing, and architecture are contemplated in #8 and #12 above.