

Vice-Chair O'Hara stated that he would prefer not to grant a waiver because of the precedent it could set. Commissioner Erickson was unsure why creating a 50-foot-wide lot with a non-conforming setback on Lot 1 would be a problem. Director Putt replied that the problem is that separation between construction of houses in Old Town is usually a minimum of 6 feet. This request would result in two houses that do not meet that standard.

As part of the consideration for platting Lot 2, the Planning Commission could require the additional setback off the north property line. Commissioner Erickson stated that he would be comfortable with that approach unless it would create a hardship. Director Putt stated that this would not be a problem for the Planning Department, but he wanted to be sure Mr. Totora recognizes the potential impacts. It would create an 18-foot-wide building, which has been done before. The finding to prevent setting a precedent would be that this proposal meets the spirit and intent of the separation between buildings.

Mr. Totora stated that the object of the distance between structures has to do with the fire code. He felt that the difference between 19 feet and 18 feet was significant and stated that he would be willing to add an extra fire wall or windows to make it safe on that side of the house. Director Putt asked if Mr. Totora would entertain a typical snow release easement between the two lots that would run along the common property line. Mr. Totora replied that he would.

Regular Agenda

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

Commissioner Powers stated that he was on Lowell and Empire today and the road was barely wide enough for two cars on a portion of Lowell. Vice-Chair O'Hara assumed there would be a consensus among the Commissioners for additional traffic study work. The additional study should include winter months, pedestrian traffic, parking, and snow storage. Commissioner Thomas stated that he understood that they would be getting additional results in March regarding winter data.

Commissioner Erickson felt the Commissioners should be careful about what they ask for. If they continue to talk in terms of the traffic study, they will continue to get level of service discussions, which are irrelevant. He noted that Deer Valley Drive and Bonanza Drive were operating at Levels C and D this afternoon, which means they were operating at full capacity. Establishing a level of service C on Empire Avenue does not work given the fact that the road is half the size it needs to be to accommodate that capacity. If the Planning Commission is going to ask for additional studies, they should specifically define what they are asking for.

Vice-Chair O'Hara questioned whether the Planning Commission has the expertise to ask for specifics to get the numbers they want. He was more concerned with safety than with the speed of traffic and traffic congestion. Commissioner Powers stated that he wanted to see a more definitive calculation of the number of workers going up and down the road. Commissioner Erickson believed the trip generation numbers are fairly close. The problem is applying those trips on a daily basis. Commissioner Powers clarified that he was talking about construction workers, not employees.

Commissioner Volkman expressed concern about the health, safety, and welfare of pedestrian traffic. He felt it would be virtually impossible to make it all fit. Commissioner Erickson recalled that the development agreement requires the Sweeneys to make a number of improvements on Empire and Lowell Avenue, but he could not recall the specifics of the agreement. Director Putt offered to look through the development agreement for those answers.

Commissioner Powers asked how many homes were in the area before the agreement was signed with the Sweeneys. Commissioner Erickson stated that North Star, where the Gardas live, was probably being completed at the time. The condominiums on the west side of Lowell were not there, but the two Sweetwater projects were. He noted that Sweetwater does not have parking, and all the cars parked from the houses down toward the Resort offices belong to guests or owners. Vice-Chair O'Hara stated that they park in no-parking zones, and the police have not been able to enforce it because of the difficulty of finding parking. Commissioner Powers noted that the little huts also pre-date the development agreement.

After further discussion, Vice-Chair O'Hara commented that he did not believe there is an opportunity to significantly increase the road width, add sidewalks, and provide parking for existing homes. There may be future improvements on Lowell and Empire, but he could not see that the traffic way would change significantly.

City Engineer Eric DeHaan commented that he felt it was good for the Planning Commission to look at the problems and stated that he expected to hear public input this evening with the same concerns. He is trying to list the things he is not comfortable with, but he doubted they could come up with good solutions. He understood that the development agreement did not require the improvements to widen Empire and Lowell but rather to reconstruct them in the same dimensions so the pavement can withstand the construction impacts.

Commissioner Powers stated that sidewalks are necessary in order to make the road safe. Mr. DeHaan pointed out that Park City has sidewalks all over town that are covered with snow.

Commissioner Erickson referred to the list submitted by the applicant and expressed concern about trying to digway each of the units into a location. He would be willing to consider the dugway on the southern portion of the site because it would yield a better site plan. However, creating a dugway for the driveway only to Unit 39 would create a significantly different problem with respect to snow removal and access into the unit. He believed a dugway would be problematic for the location of that unit and questioned whether that unit is part of the cluster. He noted that the applicant indicated that this is the only suitable terrain per the SLO to accommodate the contemplated density. According to the slope analysis, not only is Unit 39 too close to the 40% slope area, it is also located in the 25-40% slope area, which is a location where density is not generally applied.

Assistant City Attorney Tim Twardowski commented that the discussion this evening has centered around the SLO Ordinance. Yet to come will be the MPD review in which there will be some overlap with density, site planning, grading, and other issues discussed with specific criteria in the MPD chapter of the LMC. He wanted the record to clearly show that the discussion this evening does not address those MPD requirements and should not be construed as any implied approval or granting of compliance with specific criteria in the MPD chapter of the LMC.

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

Planner Kirsten Whetstone reviewed the request for a CUP for the Mid-Station and Creole Gulch parcels of the 1986 Sweeney Properties MPD. The project is located south of the Empire/Lowell Avenue switchback west of Norfolk Avenue and consists of approximately 197 residential unit equivalents and 19 commercial unit equivalents, resulting in 282 condominiums and hotel suites ranging in size from 650 square feet to 2,500 square feet. The applicant is requesting 19,000 resort-related support commercial and other amenities, such as pools and spas. The project includes 51 acres of dedicated open space for ski runs, trails, and other uses. The proposal also includes a revised Town Lift chair lift and cabriolet system from the site to the Town Lift Base and a reconfiguration of the current Town Lift leading from the project site to an area higher on the mountain. This evening is a continuation of the Planning Commission discussion of the conditional use criteria, specifically Criteria 2 and 12 related to traffic and service and delivery. On January 12, 2005, the Planning Commission received public input, although it was not an official public hearing. The purpose of this evening's meeting is to hold a public hearing on the project focusing on traffic and service and delivery, including construction-related traffic. The Staff has requested additional information from the applicant regarding more accurate winter counts, more documentation and information regarding the applicant's assumptions for trip reductions, and more information and ideas about the ability to further reduce trips with the centralization of certain activities. Planner Whetstone reported on the e-mails and phone

calls she had received and stated that she spoke with Carol Larson, Annie Lewis Garda, Linda McReynolds, Chris Alman, Mike McAvoy, and representatives from the Woodside Homeowners Association. Their comments and concerns focused on traffic and snow plow issues. The Staff requested that the Planning Commission discuss the traffic study submitted as part of the application and provide specific input and direction. Planner Whetstone recommended that the Planning Commission conduct a public hearing, provide specific comment related to the two criteria, and continue the public hearing to the March 9, 2005, meeting to allow the applicant time to respond to questions and comments.

Planner Whetstone distributed copies of a decision matrix the Planning Commission requested at the last meeting which outlines general consequences of various decisions and potential next steps. She noted that, in the case of a denial of the CUP, there is still an underlying MPD with existing development parameters. Any changes to the master plan that may result from negotiations or purchase of development rights may require an amendment to the approved master plan or the CUP.

Pat Sweeney, representing the applicant, responded to comments raised at the last meeting with respect to traffic. He explained that in 1986 the Staff, Planning Commission, and City Council agreed on a master planned approach to Treasure Hill and chose from eight options. That decision came down to 110 acres of open space, seven single family houses on the perimeter, and clustered density in the Creole Gulch area amounting to approximately two Marriott Mountainside projects and the Legacy Lodge. Access was primary to that MPD discussion, and Lowell/Empire played a major role in all eight scenarios. Other access to the property includes Lower Norfolk, Upper Norfolk, 5th Street and King Road. If they had not participated in the master plan process, the permitted use would have been approximately 60 single-family homes along a route from Lowell/Empire and Upper Norfolk and another 35 very large homes on the Estate portion of the property. There would have been a road system from Lowell/Empire to Upper Norfolk, Lower King Road, and Upper King Road. Mr. Sweeney felt it was important for the residents living on Lowell and Empire to understand that doing nothing was never part of the equation.

Mr. Sweeney stated that, after the master plan was approved, they tried several time to get open space people to purchase their property, but no one was interested. They have gone beyond that point and would like to build this project. Mr. Sweeney felt it was important to understand that, without their contribution of land for the Lowell/Empire turnaround, Lowell Avenue would not exist.

Mr. Sweeney addressed specific comments from the public at the last meeting. He noted that Annie Garda expressed concerns about snowfall and pedestrians in the street and explained that this happens on all streets in Park City and particularly in Old Town. He believed the experience could be safe, and he could not remember a time when a pedestrian was seriously injured by a vehicle in the Old Town area. He believed

promoting safer speeds and technical improvements could address the problem. He stated that the applicants are committed to implementing whatever is needed to make the roads safe and passable. He disagreed with Mrs. Garda's comment that the traffic study is a best guess estimate. It is a well done report, and traffic consultant Gary Horton is experienced in working with municipalities and other public entities, including the Park City Municipal Corporation. His job is to determine the level of service and make suggestions for improvement.

Gary Horton provided a brief overview of the conclusions drawn from the traffic study. He stated that the traffic study determined that the roads are sufficient to handle the capacity proposed for this project along with existing vehicles. Eight recommendations are part of that study to be sure the roads are safe and usable.

Mr. Sweeney referred to a comment from Ms. Garda that the roads are blocked with accidents and delivery trucks and stated that he could not argue with that statement. He stated that this happens everywhere and is part of life that people must deal with. He stated that the emergency technicians know how to deal with these situations. Ms. Garda had commented that Empire is only safe to the extent that drivers are polite and pedestrians are careful. Mr. Sweeney agreed with that statement but disagreed with her statement that tourists who do not care about the neighborhood are the problem. Ms. Garda had commented on emergency access. Mr. Sweeney stated that in their first discussions with the City, Kelly Gee made it clear that they needed to work with him first, and they spent many months working on the emergency access. He noted that Mr. Gee and other officials were not concerned about Lowell/Empire being a road block. Their bigger concern was with high rise buildings, and they applied tight restrictions. Mr. Sweeney believed better plowing and parking enforcement was the solution for safety on Lowell and Empire. He agreed with Ms. Garda that delivery trucks are a problem and believed they had a solution to the problem because their delivery trucks will have a place to park completely off the road, which is a benefit they are giving to the community with this project. Ms. Garda talked about the Swede Alley rules not working, and Mr. Sweeney believed that was a conceptual idea. They have ideas for service deliveries and circulation that works for this project and will develop those ideas as they move forward. He noted that the Staff intends to analyze this project on an ongoing basis and implement those measures needed based on previous experience. Mr. Sweeney addressed parking and noted that all parking for this project will be off street for cars, construction vehicles, and service vehicles.

In response to Peter Barnes's comment about the berm, Mr. Sweeney stated that any landscaping will have two purposes, one being safety and the other being lowering of the building several feet. The berm will be properly landscaped and no steeper than what exists. Mr. Sweeney stated that he did not believe the berm would have any impact on Mr. Barnes's client. Mr. Sweeney noted that Mike McAvoy talked about improving the grade on

the turnaround and stated that is what they plan to do. They have agreed to provide whatever improvements the City Engineer feels are necessary to make the roads safer. Mr. McAvoy also commented on quality of life, and Mr. Sweeney enumerated the things they have done with this project to mitigate the negative impacts and create positive ones. Mr. Sweeney referred to Carol Shepard's concern about the massive increase in traffic and noted that the current numbers show that in the peak winter hours the traffic at the intersection of Lowell/Empire went from 213 to 272. In the morning the traffic count goes from 57 to 99. Mr. Sweeney agreed that the increase is significant, but he did not consider it massive.

Responding to Commissioner Erickson's comment regarding a contract with the City, Mr. Sweeney stated that they have always relied on the master plan. It may not have been their first choice when it was approved, but they agreed to it and made huge commitments. All the factors being discussed were fundamental considerations of the master plan. At that time, the decision was made for workable solutions when the time came for development, and he expected the applicant, the Staff, and the Planning Commission to work toward those solutions. He noted that Commissioner Powers commented that the roads needed to be reconstructed and responded that the applicant intends to do that. Regarding human health and safety issues, Mr. Sweeney felt they had already passed the test with the Fire Department and Ron Ivie. He disagreed with Commissioner Volkman's comment about King Road being a comparable street. The grade on King Road is 16%, the road is 18 feet wide, and it is one road, which is a different situation. In response to Chair Barth's question about a buy down, Mr. Sweeney stated that they are not interested.

Rob Moore, representing Big D Construction, provided an overview and outline of the construction mitigation plan, which includes project phasing, construction staging, traffic control patterns, parking and trip reduction, a seasonal events analysis, and environmental controls. Upon closure of this process, a detailed construction mitigation plan will be presented. Mr. Moore discussed the project phasing, stating that Phase I will be the hotel element, portions of the retail and commercial element, and an underground parking structure. Phase II is an elevated aspect of the project with condominium and residential units. Phase III is single family homes with a parking structure underneath and includes the lifts down to Main Street and the lifts going up the hill. He noted that while they are constructing in Phase I it will be important to construct a lay down area for traffic mitigation. The plan is to stage product and to be a self-contained site. Due to the phasing, they will excavate the site and move the excavated material from each phase up the hill to avoid creating traffic and noise. He stated that a goal of the project is to keep the ski runs operating throughout the phases. He stated that they will have trained people on site to mitigate traffic patterns and communicate traffic flow. Mr. Moore stated that another major aspect is employee off-site parking with plans to bus employees in. Another thought for reducing traffic will be to park at the ski resort during off seasons. He stated that traffic signage and direction will be evaluated and communicated so people who bring products

into the site clearly understand the requirements and defined traffic patterns. He stated that they also have creative ideas for communicating and keeping the neighborhoods informed.

Mr. Moore referred to the number of projects he has been involved with in Park City as well as five Olympic venues where he had to focus on traffic and mitigate problems and stated that he draw from all that experience for this project. He stated that he has had mountain experience and knows how to work around seasonal events. He stated that environmental control is a huge concern, and Big D will use best management practices to address all the environmental control issues. He outlined the procedures that would be used to implement their plan. Mr. Moore noted that there is only one entrance into the project, which will help mitigate some of the problems associated with multiple entrances.

Vice-Chair O'Hara asked if there are any known mining impacts in the area. Mr. Sweeney replied that he has an original survey of the Creole Mine, and there are shafts midway up Creole, most of which have long since caved in. There has been no smelting on site, and there is no toxic material.

Vice-Chair O'Hara opened the public hearing.

Bret Fox, a resident at 1226 Lowell Avenue, stated that he has heard discussion of appropriate action and the City needing to abide by an agreement made 20 years ago. He stated that he purchased a residential building lot 11 years ago, at which time he was allowed to build a house 40 feet tall, but there is now a 32-foot height restriction on his house. Many things have changed in the last 20 years, and he hoped people were smarter about development and had learned to do a better job. He stated that Lowell and Empire Avenue have not been built or improved in the last 20 years to support a development this size and that he has never seen a project this size served by roads that are 10 to 20 feet wide. He had heard comparisons to accidents and traffic congestion on I-80, but these roads cannot be compared to I-80. Mr. Fox believed Big D Construction would do their best to mitigate construction impacts, but that may not be enough. He provided photographs showing the congestion on Lowell and Empire. One picture showed a dump truck that was stuck on Lowell Avenue and backed up traffic for six hours. He provided a picture of the crane that pulled the truck out to the job site. The remaining photos were taken on different days in different types of weather, and Mr. Fox believed each photo demonstrates the congestion on Lowell Avenue and how the road fails regularly. He noted that there is not enough parking for the Sweetwater Condominium Timeshare Owners. They park on the street year round, and it is impossible to plow the snow if cars are parked on the road. Unless Lowell Avenue and Empire Avenue are widened with sidewalks, there will not be enough room to park cars and move snow. He noted that the traffic analysis was conducted in June, and the report uses occupancy as a barometer to project traffic

during ski season. He did not believe occupancy was a valid criterion, because a number of skiers commute from around the region and do not occupy the local condominiums. He believed the traffic study came up short by only discussing a.m./p.m. peak hour traffic counts. He felt it was important to know the current 24-hour traffic count and how much it will increase after the project is built. The traffic report claims to project the additional trips and traffic generated for the commercial space, yet it claims there are only p.m. trips to the commercial space. Mr. Fox believed that was illogical, because delivery people, employees, and others will make the trip in the morning. He believed the traffic report was flawed and that the traffic count should be conducted midweek and weekends during the ski season and on a holiday or other high skier day. A total 24-hour daily traffic count should be included in the report to accurately reflect the total impact of the traffic created by this project. Mr. Fox believed the traffic report optimistically overstates the width of Lowell and Empire. The study is based on a 25-foot road, not an 8- or 10-foot-wide road which will impact the ability and failure of the intersections. Mr. Fox noted that no consideration was given to pedestrians on Lowell and Empire, yet every day dozens of pedestrians use those roads to get to the Park City Mountain Resort. There are no sidewalks, and pedestrians are forced to walk down the middle of the road. Mr. Fox agreed with the statement in the report that over 75% of the traffic will access the Treasure Hill development from Lowell Avenue. Because Lowell Avenue will be impacted the most, he believed it was unfair for Lowell Avenue residents to carry 75% of the burden created by this development. He believed the only fair solution would be to construct and provide another access. Mr. Fox stated that traffic impacts and the amount of increased traffic is understated and misrepresented in the traffic report and that the City should require traffic counts to be done during the ski season. He thanked Planner Whetstone and the Planning Commission for requesting additional information from the applicant to get a clearer picture of the impacts created by this project.

Rob Brown, a resident at 1212 Lowell Avenue, agreed with the comments made by Mr. Fox. He believed the City had put itself into a quandary by working out past agreements with this project. He stated that he does not object to this project, but he does object to the access, and he stated that he is pro-safety. The City, as part of its due diligence process, needs to talk to their insurance carriers regarding future liability due to this project. He did not believe poor design and poor access should be perpetuated. The City has an obligation to make this community a better place, and he did not believe they should sit back and accept something that was done 20 years ago, whether it is good for the community now or not. He believed the pictures submitted by Mr. Fox show the reality of what Lowell and Empire look like. Mr. Brown agreed with comments about the fallacy of the traffic report and hoped a reasonable and prudent solution could be worked out.

Alan Larson, a resident at 911 Lowell Avenue, stated that his sentiments are similar to those of the two previous speakers. He stated that he is neither for nor against this project, but he is for the health, safety, and welfare of his family and neighbors. He stated that he

found Mr. Moore's presentation to be very enlightening. He stated that he has followed this project for many months and looked at the plans, and the enormity of the project struck him as he listened to Mr. Moore discuss the number of cubic yards of earth to be moved. He also detected a change in the phasing of this project from what he had seen previously. Mr. Larson stated that he has lived at 911 Lowell Avenue for 10 years and has heard a lot of discussion about agreements for this project from 20 years ago. In the 10 years he has lived on Lowell Avenue, the number of residences in the affected area of Empire and Lowell has increased at least 50%, and the number may have increased 100% since the commitment was made 20 years ago. He believed the number of residences has changed the dynamics considerably from what was envisioned 20 years ago when this agreement was entered into. He underscored the importance of traffic and wondered if the City should conduct its own traffic study based on the high level of concern raised by the residents.

Kris May, a resident at 830 Empire Avenue on the corner of Crescent Tram and Empire, stated that a major concern is what will happen with access to Main Street. Crescent Tram is 6 feet across now and 8 feet wide on a summer day, and that needs to be taken into consideration. Ms. May noted that people do not drive 25 miles an hour on Empire or Lowell, and she was concerned about animals and pedestrians being hit by cars. She asked about accountability for people who drive too fast and what will happen when someone is hit due to unsafe conditions. She echoed the comments of the previous speakers.

Kathy Kinsman, representing Citizens Allied for Responsible Growth, stated that she understood from the staff report that there would be another traffic study from the applicant. However, Mr. Sweeney indicated that he is satisfied with the study submitted. Ms. Kinsman stated that CARG took the position that there would be another study and made the decision not to address the numbers in this report because they are so facetious.

Vice-Chair O'Hara stated that he was unable to give Ms. Kinsman a definitive answer as to whether there would be another traffic study, because that is a discussion item for the Planning Commission after the public hearing. Ms. Kinsman stated that, if Mr. Sweeney believes the traffic study is fine and he can propose a project this size without performing a snow season study, it raises questions as to the veracity of his other submittals on this application. Ms. Kinsman asked if the Planning Commission will continue this public hearing and continue to take public input. She also wanted to know if the public would have an opportunity to comment on another traffic study if one is completed. Vice-Chair O'Hara replied that this public hearing will be continued for further input, and the public will have an opportunity to comment on a new study if one is done.

Ms. Kinsman agreed that the traffic study does not address the connection to 8th Street, the Crescent Tram Road, which is a one-car-wide road with a blind curve. This street is a direct access from Main Street to the 473 proposed parking spaces for this development, which she believed was a major oversight that needs to be addressed. She noted that the level of service presented in the traffic study is for June, and there needs to be a study for

the winter season. She noted that Mr. Sweeney did not dispute the concerns raised by Mrs. Garda and other residents, and his only response was that they will manage it. She wanted to know how they plan to manage it. She stated that this is the time to propose ways to fix the issues, and Mr. Sweeney is not offering any resolution to the problems. She asked if the Sweeney's are responsible for fixing the problems or whether it will fall on the shoulders of the taxpayers. She commented on problems the City has with snow removal after a heavy snow storm and asked how that would change with this development. She commented that the public safety issues are major. She noted that the projects listed by Big D Construction do not show any roads similar to Empire and Lowell. She appreciated the fact that they are cognizant of the problem ahead of them, but she was unsure if they fully understand the scope of the issues they will face. Ms. Kinsman commented on soil removal and asked if a Phase I environmental site assessment was done on this property. She stated that not finding tailings piles does not eliminate the possibility of soil contamination. She noted that the applicant plans to dump the soil into the land they propose as open space and questioned the impact this would have on open space. She asked the Planning Commission to address that issue. Ms. Kinsman stated that the Staff report talks about 52 acres of open space, and Mr. Sweeney talks about the 110 acres he is giving as a benefit to the community. Planner Whetstone explained that the other open space was dedicated in the first phase of the Treasure Hill subdivision plat. Ms. Kinsman asked where the soil will be dumped. Planner Whetstone replied that it will be dumped on the existing ski runs which is zoned open space and allows ski runs and grading. Ms. Kinsman asked if there are restrictions on the type of soil that can be dumped. Planner Whetstone did not believe there was a restriction, but a grading permit will be required.

Ms. Kinsman referred to a comment that Big D Construction plans to use open space on Highway 40 for off-site parking lots and asked if that has been negotiated with the City or the County for the land to be annexed. She was unsure if off-site construction parking lots are considered an open space use. Ms. Kinsman disputed Mr. Sweeney's comment that everyone is part of the problem, because the scope and size of this development is proportionately greater than any other development in this part of Old Town to date. He is proposing a much grander problem with greater impacts on Old Town that need to be looked at very closely.

Jimmy Tart, a resident at 830 Empire Avenue, agreed with the previous comments. He referred to Mr. Sweeney's comment that no one has been seriously injured on Lowell or Empire and noted that he was not seriously injured, but he has been hit twice walking to work on Empire Avenue. Adding more cars to the mix along with construction trucks will make the problem much worse. He commented that it is easy to throw out rosy numbers and figures and tell him it will be okay when the applicant does not live on the street.

Gary Knudsen stated that he lives in the area where Lowell goes down Manor Way and connects to Empire. He commented on the bottleneck which is created at the

Lowell/Empire merge, particularly on weekends. He stated that there were problems during the Olympics with trailers trying to make the turn. Two weeks ago after a storm the snow plow was unable to get down the road, and the police had to impound all the parked cars. He stated that these are just a few of the problems encountered on Lowell and Empire. He suggested that the applicants cut a new road or do something to keep the traffic off Lowell and Empire instead of running everything into the bottleneck. He noted that the Resort does not provide employee parking, so the employees park on Empire. He did not want to belittle the project, but he was unsure how the impacts could be handled.

Vice-Chair O'Hara continued the public hearing.

Vice-Chair O'Hara reiterated that his greatest concern is human health and safety. If Kelly Gee and Ron Ivie believe this is not a problem, he would accept their opinion. He requested that Planner Whetstone arrange a meeting so the Planning Commission can discuss this issue with them. Planner Whetstone suggested that Eric DeHaan and Jerry Gibbs also be involved in that discussion. Vice-Chair O'Hara believed it would be important to see a traffic study that includes winter traffic counts and also proposed direction of traffic flow or mitigation of traffic flow to assist in mitigating traffic impacts of this project. He was unsure how to quantify safety to pedestrians and safety issues for emergency vehicle access under traffic and weather conditions such as those experienced the last two weeks. He referred to a comment about a roundabout proposal with Four Seasons and suggested that they not count on that being built. He recalled that the Four Seasons developer admitted that the roundabout would not have any impact on traffic flow during peak times of the year. He referred to page 100 of the report and the statement that traffic control measures for a project of this complexity need to be reviewed after each year of operation for a number of years to re-examine conclusions and determine whether changes need to be implemented. He objected to that statement and stated that he did not want the applicant coming back each year after the project is built to band-aid the mistakes.

Commissioner Thomas agreed with Vice-Chair O'Hara. He stated that he has grave concerns about emergency vehicle access and would like to hear expert opinion from City officials. He concurred with Vice-Chair O'Hara's comments about the band-aid approach and stated that they need to solve the problems now.

Commissioner Powers stated that he was on Lowell and Empire today and had to pull over to the side of the road four times to let a car get past.

Commissioner Volkman expressed disappointment that Mr. Sweeney was not willing to enter into negotiations with the City. He understood Mr. Sweeney's frustration with the bargaining that was done a few years ago, and he was unsure of the reason behind the decisions made at that time, but circumstances have changed, and it would be in the best

interests of the citizens of Park City for Mr. Sweeney to reconsider. Commissioner Volkman suggested that the City reconsider its procedures. Independent engineers are hired for traffic studies, but the client is the developer. He did not want to impugn the integrity of the traffic engineer, but numerous things are missing from the traffic study that the City would like to see, and he felt it would be beneficial to the City to require a new traffic study. He recommended that the City be the client and pay for the traffic study.

Commissioner Erickson agreed with the need for an additional traffic study. He clarified that the Planning Commission asked the traffic engineer to consider 100% occupancy as an alternative in the traffic study. The engineer was asked to consider the level of service on the road as a measure of safety, and his equations are presented in terms of level of service. However, the Planning Commission needs to ask for more information. Some of the points made by the public this evening need to be brought forward to the City Council as they consider additional traffic information. He noted that Mr. Knudsen's comments were exceptionally well taken, and it is important for the City to know the effect of this project on the current bottleneck at the corner of Manor Way and Empire. Commissioner Erickson believed the trip generation from this project as reflected in the traffic study is buried in the trip generation of the departing traffic from the resort at any point north of Manor Way. He referred to public comment regarding the Crescent Tramway and stated that he will look at the traffic study again to see what was addressed in terms of additional trips on Crescent Tramway. He believed the traffic study should address the vehicle turning radius on Crescent Tramway. He was unsure if it would be helpful to count traffic all winter or every weekend, but the analysis should indicate how many times Lowell and Empire could or would fail, and he expected the neighbors to provide input into that information. He suggested that the City Council hear from the neighbors on the issues they want addressed in the traffic study. Commissioner Erickson stated that he was pleased with the decision matrix and confirmed with the Staff that it be made available to the public. He recommended that the citizens concerned with this project look at the decision matrix and be aware of the effects of the Planning Commission's decisions. He felt the public should also be aware that in almost all cases of denial by the Planning Commission, the development agreement would remain in place.

Vice-Chair O'Hara recalled that when the Four Seasons conducted their traffic study they used 4:00 p.m. on President's Day weekend as a peak time.

Planner Whetstone stated that the Staff is looking for more information on the direction of flow. She did not think the numbers from the Sweeney project at the bottlenecks would be large because the skiers would be residing in those condominiums, and that is an assumption that needs to be looked at. Commissioner Erickson noted that the skier numbers are an additive number of skiers staying at the project, and they neither add to nor subtract from the total number of trips generated at peak hour departure. He assumed the traffic engineer estimated the peak hour departure accurately in terms of trip generation

from the hotel. However, the traffic engineer was not asked to address the intersections or what will happen when the road width narrows to 10 feet with parking on one side and snow on the other.

Vice-Chair O'Hara stated that when he counted the numbers, he was mainly concerned with everything above Manor. He counted the lowest numbers prior to the project going up and down Lowell and Empire. Counting the numbers after the project resulted in a 35% increase in traffic. He found it interesting that the number of trips going up Lowell were equal to the number of trips going down Empire and vice versa.

Commissioner Erickson commented that one reason they try to promote hotels is that trip generation does not peak like resort departures and single-family homes. He noted that hotel traffic will not show up in the traffic study because it does not peak. Commissioner Thomas noted that construction traffic will peak in the morning and afternoon. Commissioner Erickson agreed and felt that should be considered. He suggested that the Planning Commission and Staff find a way to ask the questions correctly and find a way to be sure the information is answered and believable.

Vice-Chair O'Hara clarified that the Planning Commission concurs with the recommendation that the City do an independent traffic study. If the City Council or City Engineer wants input from individual Commissioners, they will be happy to explain their concerns.

14. Hwy. 248 Recreation Complex - Master Planned Development

Director Putt reported that a public hearing is scheduled this evening for two applications, an MPD and a CUP for a public recreation facility in the ROS-MPD zone on Highway 248. The applicant is Park City Municipal Corporation. The site is located in the southwest corner of the Quinn's Junction quadrant east of Fairway Hills Phase 2 and west of SR248 approximately one-eighth mile south of the SR248 and I-40 interchange. The property is zoned Recreation Open Space with an underlying MPD application within the Frontage Protection Zone. The adjacent land uses are the National Ability Center, Fairway Hills Phase 2, and the undeveloped City-purchased open space land located immediately to the south, east, and north. The property was annexed into Park City in October 2004. The proposal for the 70-acre site is a 46,000-square-foot ice facility, playing fields, and support buildings. The project meets all setback requirements, including the required 25-foot perimeter setback from the property boundary. The staff report show a calculation of approximately 83% open space, which exceed the 60% requirement. The project is consistent with the underlying land uses in the LMC, the ROS zone, and the underlying MPD. Director Putt noted that there is a request for additional height on the proposed ice facility building. The base zone height in this case must be exceeded to an overall height of 41 square feet, and the Staff believes this meets the findings necessary for a height