

# Planning Commission Staff Report

**Author:** Kirsten Whetstone  
**Subject:** Treasure Hill CUP  
**Date:** April 27, 2005  
**Type of Item:** Administrative



Planning

## 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).

### **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, but 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 and 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 6<sup>th</sup> Street and 8<sup>th</sup> 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)
- ❖ 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 27<sup>th</sup> 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)**

Note: Exhibits A and B are not attached to the May 25, 2005 staff report with this April 27, 2005 report. These are available at the Planning Department. Exhibit C is attached to the May 25, 2005 staff report as Exhibit B.