

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 8, 2006

COMMISSIONERS IN ATTENDANCE:

Chair Jim Barth, Michael O'Hara, Mark Sletten, Jack Thomas, Andrew Volkman, Charlie Wintzer

EX OFFICIO:

Patrick Putt, Planning Director; Kirsten Whetstone Planner; Ray Milliner, Planner; Brooks Robinson, Planner; David Maloney, Planner; Polly McLean, Assistant City Attorney

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REGULAR MEETING - 6:30 p.m.

I. ROLL CALL

Chair Barth called the meeting to order at 6:30 p.m. and noted that all Commissioners were present except for Commissioner Zimney who was excused.

II. PUBLIC COMMUNICATIONS

There was no comment.

III. STAFF & COMMISSIONERS' COMMUNICATIONS

Commissioner Wintzer recognized Burnis Watts who passed away. Mr. Watts had served on the Planning Commission for many years during an important part of Park City's Deer Valley Planning process and he was sad to see him go.

REGULAR AGENDA/PUBLIC HEARINGS

1. Treasure Hill Conditional Use Permit

Planning Director Patrick Putt noted that a public hearing would be held this evening following a presentation by the applicant. The purpose of this meeting was to hear the applicant's response to all the questions and comments generated from the January 11 and February 8, 2006 Planning Commission public hearings. The applicant's response also included questions raised by the Planning Commission in general and specific questions from Commissioner Wintzer.

Director Putt provided an overview of the process that would take place beyond tonight. He was looking for specific direction from the Planning Commission on three general questions. Once they have that direction, the Staff will prepare a formal report that enumerates and lists the development parameters that came out of the 1985 Development Agreement with the master plan, as well as the fifteen conditional use permit criteria. The purpose is to begin to sift through what they know, what they can conclude, and what they need to know in order to move forward to draft findings. Director Putt expressed an interest in moving forward towards a recommendation for the benefit of the applicant, the public, and the Planning Commission. He asked if the Planning Commission needed additional information on the previously submitted trip generation analysis in order to make specific findings related to traffic. He asked if there were additional off-site improvements beyond those proposed by the applicant that should be considered in regards to addressing traffic/pedestrian impacts. He asked if there were any additional construction mitigation plan impacts that the Staff or applicants have overlooked.

Director Putt noted that the Staff met with the applicants on February 21 to review soils issues and related impacts and the construction mitigation plan. The applicants are expected to initiate a voluntary clean up consistent with the State DEQ for the site. Pending finalization of that plan, the Staff will come back and characterize the worst case scenario for truck related impacts. Director Putt stated that the applicants and Staff have a plan of action on the soils issue and they will report back on additional construction mitigation or truck impacts.

Commissioner O'Hara stated that he was not at the meeting when the soils issue was raised and he wondered by the DEQ was involved. Director Putt explained that a few locations on the site within the general development area have a mining history and they want to determine the extent of those piles and the nature of the material and go through the necessary State clean up process.

Pat Sweeney, representing the applicants, noted that their responses to questions and comments from the January 11 and February 8 meetings were posted on the web site. He was prepared to focus on any issue in particular that the Planning Commission would like to discuss but in the interest of time, he felt it was best to focus on answering the questions raised by Commissioner Wintzer, to give a presentation on blasting, and another presentation on batch plant. Mr. Sweeney stated that Brent Giles, from Park City Mountain Resort, was available this evening to answer questions. Chris Krisbowski and Cory Moore from Big D Construction were also available to answer questions regarding construction.

Gary Horton, with PEC, responded to an overview of questions regarding the traffic study. He stated that the roadways in general work for the majority of the hours needed. There are peak hour conditions at the Deer Valley/Park Avenue intersection and at the Silver

King/Empire Avenue intersection during peak seasons when those particular intersections run into existing conditions that create traffic congestion. With these exceptions, the traffic engineers do not anticipate a traffic problem. Mr. Horton understood that the applicant is required to improve the road from Manor Way along Empire and Lowell which would involve reconstructing the asphalt and replacing any curb and gutter that might be damaged during construction.

Mr. Horton responded to a question regarding the truck traffic needed to deliver materials to the site during construction. After talking with Big D Construction about the minimum number of trucks they could operate with, Mr. Horton had prepared a template showing the primary truck routes and alternate routes. The only potential issues are at the Empire/Manor/Lowell intersection and Big D Construction plans to have a flagger at that intersection when large trucks are coming in. Mr. Horton noted that the trucks can easily make the turning movements.

Brent Giles responded to a question regarding plans to handle traffic. He explained that the Resort has a parking manager and that person would coordinate closely with the Treasure Hill traffic control manager on a daily basis if necessary. They have asked that no deliveries occur between the hours of 8:30 and 10:30 a.m. or after 3:00 p.m. during the ski season. Further restrictions may be necessary during holidays and special events. Mr. Giles stated that more flexibility will be offered during the shoulder and summer seasons.

In response to the question of whether the Resort would grant easements to the City, Mr. Giles stated that the Resort would work with the City and the potential developer of the main parking lot area to grant the easements necessary to increase turning radius capabilities on the Manor/Empire corner and/or the Manor/Lower corner.

Mr. Horton responded to the question of whether there is enough right-of-way and road width at the Park Avenue/Empire intersection to make the improvements recommended in the traffic study. He explained that widening the existing roadway along Park Avenue would need to occur and additional right-of-way would be required to make these improvements. He presented a slide showing the layout of the traffic flow as recommended by the traffic study. In response to a question about Empire Avenue and Silver King Drive, Mr. Horton noted that the traffic signal at the Empire intersection is a UDOT roadway and they came up with two alternatives for potential improvements at the Silver King Drive/Empire Avenue intersection. The City currently does not own, maintain, and operate traffic signals so one option is a roundabout. The other alternative would be a traffic signal based on whether or not the City wants to get involved in owning and maintaining those signals. Road widening would need to occur with the roundabout option. A traffic signal would require utilities easements on corners where traffic signal poles would be located. With regard to pedestrian traffic, Mr. Horton stated that pedestrians would use the existing sidewalks and if improvements are made to those

intersections, pedestrian accommodations would be taken into consideration.

Mr. Horton commented on concerns regarding pedestrians and parking along Empire and Lowell Avenue. He noted that existing conditions back of curb to back of curb is 29 feet of roadway width. He presented an alternative to have two travel lanes 10 feet wide which meets the standards of the American Association of State Highway Transportation Officials. They could then have curb and gutter and still fit a 5 foot sidewalk. This would all fit within the existing 29 foot roadway prism. Mr. Horton stated that another alternative would require widening the road and retaining walls on the uphill side. A third alternative would increase parking but eliminate any pedestrian walkway. A fourth alternative is a combination of parking and pedestrians and that would accommodate two 10 foot travel lanes, 8 feet of parking, curb and gutter, and a sidewalk. Mr. Horton noted that the last two alternatives are above and beyond what the applicants currently anticipate as their commitment to road improvements. He remarked that the 50 foot right-of-way is available but there would be some constraints to the geometric conditions.

Mr. Horton believed that the City should respond to questions regarding snow removal and parking enforcement since these are functions outside of his capacity. In response to a question regarding the increase in traffic compared to the existing conditions, Mr. Horton had prepared a table to depict that information. It is a minor impact at the Empire/Park Avenue intersection because the majority of existing traffic is already there. Moving closer to the development, the percentage of traffic will increase. He noted that at peak hours 130 cars at any intersection still provides a Level of Service A. Responding to questions about the capacity of traffic during construction, Mr. Horton pointed out that the amount of traffic during construction will be higher than what is anticipated once the project is completed. He noted that the existing traffic is 15-18% of the road capacity so the roads can still handle the construction vehicles.

Commissioner Sletten referred to his previous question about the points where trucks and other construction vehicles will be accessing. In reading the report, he saw several references to what could be concurrent development of parcels, B, C, D, and E of the Park City Mountain Resort, particularly parcel B which has been referred to as the main lot. He asked if the Resort has looked at the impacts of trying to develop parcel B or any of the other parcels concurrently with the Treasure Hill project. Mr. Giles replied that they have looked at the impacts of developing any of these parcels. He recognized the potential for increased traffic but believed the impacts could be mitigated. Commissioner Sletten could not see how a 300,000 square foot building at that location being built concurrently with Treasure Hill could not impact the Resort. Mr. Giles stated that he did not have those figures. Commissioner Sletten pointed out that these were the numbers approved in their prior application. Commissioner Sletten wanted to see what impacts development in any of those parking lots would have on traffic with respect to construction access to Treasure Hill and its impact on the Park City Mountain Resort.

Mr. Sweeney asked if Mr. Horton was familiar with the study that was done for the proposed Four Seasons project. He recalled that when the Four Seasons project was approved for similar density, the traffic study determined that the system could handle the project. Commissioner Sletten suggested that Powder Corp. might have that study. Mr. Horton stated that when the study was completed, it incorporated the development that was planned for Treasure Hill and Park City Mountain Resort. He was unsure if the study considered concurrent building of these projects. Commissioner Sletten felt this was an important aspect and requested that they look into their archives for this study.

Commissioner O'Hara did not recall that the Four Seasons study included Treasure Hill. He asked if the approval for the construction of those parking lots has expired. Director Putt replied that the conditional use permit has expired, however the underlying MPD remains in effect.

Mike Sweeney, the applicant, provided a presentation on the blasting analysis. Mr. Sweeney gave a background of his education and experience, noting that he has a degree in geology from Westminster College and a minor in chemistry. He also has a masters degree in mineral economics and operations research from the Colorado School of Mines. He has a twenty year history in the mining industry from working in the mines to an executive spearheading an operation in California. Mr. Sweeney stated that he used his experience in California to gather information for this blasting analysis. He also had the chairman of the Mining and Engineering Department at the University of Utah review this presentation and the blasting analysis being presented this evening.

Mr. Sweeney reported that the analysis concluded that blasting can be done safely if the engineering is done properly prior to blasting. In this analysis, they have made proposals to the City since the City does not have a standard to follow. They are proposing to choose the lowest end of the Federal Government standards and go slightly lower than that so they know they will not be causing harm to anyone's property. Mr. Sweeney noted that they will be using blasting mats to reduce the fly rock. The surface will always be wetted to reduce the amount of dust during a blast. Mr. Sweeney commented on the effort to keep the noise level very low. He noted that blasting noise is typically not loud and what is heard is the sound bouncing off of a wall or window and you get vibrations from the air over blast. He stated that someone will monitor every blast to make sure the air over pressure or the underground vibration does not exceed the standards proposed. In addition, they are offering any neighbor within a certain distance of the property a free blasting inspection. Mr. Sweeney proposed to limit the hours from 10:00 a.m. to 4:00 p.m. and they will always make sure that the public knows the exact time that blasting will occur. They will also make sure that the blasting does not exceed 0.5 inches per peak particle velocity per second. This is a low standard to making sure that the blasting will not destroy or damage historic buildings. Mr. Sweeney reviewed a chart showing environmental

activities with respect to inches per second and the kinds of vibration they can expect to see. He also showed a video of a typical blasting. Pat Sweeney remarked that the whole point of blasting is to make the excavation process go faster.

Commissioner Volkman asked for an estimate of the number of times they expect to blast. Mike Sweeney hoped they could do the excavation in one or two months. Two blasts a day would be the maximum if they blast everyday, however they do not plan to blast every day.

Commissioner Wintzer agreed that the biggest noise in blasting is drilling the holes. He believes the blast itself is not big at all and it can be done safely.

Mike Sweeney addressed a question regarding the concrete batch plant, noting that an on-site batch plant is not feasible. It is too large and would take up most of the building area.

Chair Barth opened the public hearing.

Brian Van Hecke, referred to Mr. Horton's comment that the width of the street is 29 feet. He noted that the width is reduced considerably during the winter. In terms of widening the roads, he calculated that 30,000 trucks per year go down that road and he did not want those trucks any closer to his living room than they already are. Mr. Van Hecke stated that the roads are not safe now and he did not understand how they can make them safe with additional traffic and how they can separate the pedestrian traffic from vehicle traffic. He noted that the original traffic study used 2004-2005 figures. This was a record year with record traffic and each year will continue to be a record year with record traffic. Mr. Van Hecke pointed out that Treasure Hill plans to have the biggest convention center in Park City and he did not believe this was the right location for something that large. He commented on a question raised about a soils study. With all the development on Empire and elsewhere, he wondered if a soils study should be considered.

Mike Allred, a civil engineer and general contractor, commented on the applicants' presentation this evening. He noted that the numbers presented are only calculations in regards to street widening and traffic. Managing this amount of traffic on the roads is all theoretical and the actual conditions that exist are undeniable. The streets cannot handle the current traffic and it is unreasonable to think they can handle additional traffic. Mr. Allred stated that he measured Empire Avenue throughout the winter and it was 16 feet wide. The City does their best job to maintain it but the snow encroaches on both sides and people park there. To say that there is 29 feet of road available is a theoretical figure and not the representation of the actual conditions of the street. Mr. Allred believed that putting a retaining wall on the uphill side of the street would dramatically change the slope of the driveways entering into homes to the point of being unacceptable or unusable. He noted that the traffic study shows a 100% increase in traffic at Lowell, Empire, and Manor

Way above what exists today. Mr. Allred stated that it all goes back to theory versus actual conditions. The City has not demonstrated in any way that they are in a position to manage or maintain the streets any more than what they already do. Mr. Allred suggested that the Planning Commission visit the Grand Summit Lodge at the Canyon Resort and notice the major roadway that accesses those huge resort/convention facilities. They are not being accessed through a neighborhood. He believed this is the only feasible and logical way to access this type of development. Mr. Allred stated that the more the applicants present, the more they show why this development is not in any way compatible with this neighborhood. He pointed out that compatibility is the fundamental criteria of a conditional use permit.

Kyra Parkhurst stated that she was tired of seeing a beautiful picture of a green mountain portrayed as Treasure Hill when in reality that is not what Treasure Hill is going to be. She wanted to see a video of Treasure Hill being blown up and blasted for two months because that is the reality. It would be wonderful if it could be preserved as the beautiful green mountain it is or if the project could be scaled down. Ms. Parkhurst believed there was no way a sidewalk could go up either side of that road because there is parking for the hotel. She did not think the public has seen great pictures and they still do not know what the project will look like. She wanted to know when they would be able to see what the project will actually look like from various vantage points because it will not be that beautiful green hill. Ms. Parkhurst stated that she is nearly hit by a car every time she shovels her driveway and there is no room to widen Empire Avenue for any reason.

Annie Lewis Garda, a resident on North Star Drive, at the top of Lowell, noted that in a previous meeting Commissioner Wintzer expressed real concern about the practicality of the recommendations of the traffic study and asked for an area photograph showing exactly how these recommendations would be handled. She was looking forward to that this evening but instead they were given another visual that was helpful to a point but it did not show what actually happens. Ms. Garda believed the only doable alternative presented in terms of vertical parking along Empire Drive, is the option that takes 29 feet which is theoretically there now. She emphasized that 29 feet is theoretical. She stated that Empire and Lowell Avenue is a priority one road already, and on February 9, after five days and nights of no snow and moderate temperatures, the Empire/Lowell switchback measured 14-1/2 feet of drivable space. It was 18 feet and 17 feet above and below where Crescent Tram cuts in and the rest of the road measured 14 feet snow bank to snow bank.

If they are already a priority one, she was unsure how they could make it any better. Ms. Garda also noted that according to the City bus schedules, fifteen buses every hour come on and off of Manor Way from Lowell and Empire. She tried to picture how this would work when a bus is stopped at the intersection and a 70' foot rig needs two lanes to turn. Ms. Garda referred to language in the report that says in the event of traffic backup, the trucks would be held up and not allowed to travel through the intersections. She wanted to know where the trucks would wait.

Mary Whitesides stated that she took the time to break down the types of possible traffic currently using these streets. She calculated local traffic, guest traffic, event traffic, ski traffic, foot traffic, bike traffic, construction traffic, waste disposal traffic, snow removal, and special delivery traffic. The proposed project will generate an inordinate amount of construction traffic, and when it is completed, there will be more guest traffic going back and forth. In addition, there will be more residential traffic coming from 250 condos, as well as foot traffic and service and delivery trucks. Ms. Whitesides pointed out that even if the theoretical traffic study works like it says, the residents still have to put up with that amount of traffic.

Kaitlin McHugh, referred to the presentation and the City Engineer's recommendation that the intersection at Cole's needs to be expanded and concluded that this would be an improvement to an existing condition. She agreed that the intersection at Cole's is an existing condition, however the City Engineer did not say how that could happen or if it could legally happen. Ms. McHugh referred to statements that the utility easements are the only potential conflicts and she wondered if these conflicts could be resolved. She noted that they have not yet seen a solution to the vehicular/pedestrian/parking problem. She echoed comments from Mr. Van Hecke and Mr. Allred regarding the 29 foot width of the road, noting that it is only 16 feet at the narrowest point. She reiterated the issues they raised with regards to parked cars, snow banks, retaining walls, etc. Ms. McHugh believes the scale of the diagram is inadequate and she did not believe the applicants have any sense of scale or the way things will resolve themselves. After the last meeting she was told that the vantage points were posted on the web site but she could not find them. Ms. McHugh noted that residents have been asking about snow removal since January. The applicants believe the City should respond to that question and the City keeps asking the applicant to address it. To date, the residents have not been given an answer.

Chair Barth stated that the Planning Commission will be drafting the framework that lists these questions. He is experiencing the same frustration and they owe answers to the public and the applicant.

Mike Allred asked whether the applicants do or do not have the right-of-way at Empire and Park Avenue to install the improvements. Mr. Horton replied that it is a UDOT roadway and UDOT would need to approve the improvements. He does a lot of work for UDOT and he believed they would favor this proposal and share the cost. Pat Sweeney clarified that there is not enough right-of-way to make the improvements but there is enough vacant property at those intersections. Mr. Horton stated that there is room but the landscaping would be impacted.

Linda McReynolds had asked Planner Whetstone to fax her the 20-year old approval to help her understand what was approved 20 years ago and how it could be affecting Park City 20 years later. Ms. McReynolds asked if the ability to mitigate traffic off-site by widening the streets was part of the original approval. She felt the residents in Old Town are at a disadvantage because they do not have a homeowners association. Any other neighborhood would have hired an attorney to pick apart this 20 year old approval. Old Town residents do not have that ability and she beseeched the Planning Commission to do this for them.

Abby McNulty, a resident at 921 Norfolk, understood that Treasure Hill is one of the largest projects that will take place in Old Town and she felt they were looking at it in a vacuum from Empire and Lowell. If they are talking about 30,000 extra trucks for the next five or ten years, she assumed all that traffic will be displaced on Woodside, Park Avenue, and Norfolk. She wanted to know how this project would affect her and all of Old Town, and not just the residents on Lowell and Empire.

Chair Barth explained that the Sweeney family has a vested right dating back to 1972 and a 1985 master planned development based on that vested right. An actual development agreement is in place between the Sweeney family and the City. The Sweeney's have acted on some of that development agreement resulting in the Town Lift and a few other projects. This is the last piece of that overall development agreement. Chair Barth clarified that this is a set density that the City needs to deal with. They are dealing with an older submittal and working it through an analysis of the original master planned development, as well as an analysis for the conditional use. Chair Barth pointed out that the Planning Commission is somewhat confined in their review of this project.

Elaine Stevens, a property owner on Lowell Avenue, questioned the overall safety of the development once the project is completed. She wondered about evacuation and fire access to the buildings. She lives in a community outside of Park City and those residents were forced to put millions of dollars into additional equipment because they approved a building that they were not capable of servicing. Before the Planning Commission considers approval, she wanted to make sure that those capabilities are in place or, if a bond is posted, that the owners will help pay for it.

Chair Barth understood that as part of the overall utility plan, the Chief Fire Marshall has looked at this and preliminarily signed off on it.

Ms. Stevens stated that she had looked at the preliminary site plan. When she skis at Park City Mountain Resort she has the pleasure of skiing down on to Lowell Avenue and walking home. She noticed that the trail to Lowell Avenue is being removed in order to build additional buildings and she wanted to know why this is happening.

Chair Barth did not believe this had anything to do with Treasure Hill. He understood that a number of homes are being built and he expected that this was affecting the trails. Chair Barth felt that the question was whether this ski access to Lowell Avenue will be replaced and he encouraged Ms. Stevens to keep asking it.

Chair Barth closed the public hearing.

Commissioner Volkman stated that several scenarios were presented for improving Lowell and Empire, however he did not have a clear picture of what the applicant is proposing.

Pat Sweeney stated that they were willing to do whatever the process requires. Currently he anticipates rebuilding the road base and the asphalt section and the curb and gutter. They will work with the City on the road width and everything else.

Eric DeHaan, the City Engineer, explained that when a need is identified for roadway improvements, the City works with its available resources such as the existing rights-of-way, the existing driveway, utilities poles and other constraints. Mr. DeHaan stated that they try not to apply a cross-section from top to bottom and no one is saying that is appropriate. They try to develop parking in areas where parking is important and provide pedestrian improvements where pedestrians are most important. He noted that there is no cross section that they would apply top to bottom from Silver King to the Lowell/Empire turnaround and back down to Silver King. Mr. DeHaan promised a process to listen to all the requested improvements. He stated that all the improvements being discussed in this conditional use application are issues that the City and residents need to agree on separate from Treasure Hill, since Treasure Hill is a ski run in the trees and not a hotel and commercial density. Mr. DeHaan stated that these issues would be investigated on a case by case basis to make the necessary improvements as capital improvements to Park City.

Mr. DeHaan explained that under the existing development agreement, the Sweeney family is obligated to structurally improve the road to handle all the construction trucks. Even back then, the City recognized that widening the road would create problems for adjacent steep driveways and affect parking. Mr. DeHaan remarked that the City's approach would be to work with the developer. Timing is a question because they would not want to improve the road a year before heavy construction begins. They would try to coordinate the timing as well as the design and take into consideration all of the comments heard. Mr. DeHaan clarified that in the development of Treasure Hill, the Sweeney family is obligated to replace the existing roads with a thicker pavement section so it is structurally capable of handling the heavy traffic. The City is obligated to make the other improvements as necessary. Mr. DeHaan pointed out that he has not yet agreed that all those improvements are necessary. He hoped the Staff could create findings for approval of this project that would not obligate the City to a date certain or to specific improvements other

than structural improvements of the road, unless the Planning Commission feels that such specificity is required.

Commissioner Volkman remarked that a huge issue for him in looking at this project is maintaining the health, safety, and welfare of the residents in that neighborhood, as well as visitors; both pedestrians and those in vehicles. Although two traffic studies have stated that this is feasible and they can still keep people safe, he and other Commissioners have visited the site at times when that appears not to be the reality of the situation. In order to approve this project, he needs to feel satisfied that people in the neighborhood can use those streets safely. In his opinion, certain points of the street need to be widened to accommodate parking and sidewalks to avoid conflicts between pedestrians and vehicles.

Mr. DeHaan believed he could come back with additional information, recognizing that the community may need to make choices. In some areas they will not get sidewalks, off-street parking, on-street parking, and two wide traffic lanes. Trade-offs need to be made and he believes it can be done.

Commissioner Thomas felt the public comments made this evening were very good and the same issues keep coming out. He asked the traffic engineer if doing this project would increase the impact on congestion and traffic and pedestrian safety. Mr. Horton acknowledged that this project will add traffic. With regards to safety, he could not judge the driving habits of individuals. He noted that a level of service A-F also measures the safety of the road. When motorists become impatient safety becomes an inhibitor. He noted that a Level of Service A is generally a very good condition with free movement. In a Level of Service F or D, movements are inhibited and people become less patient. Safety tends to follow those routes.

Commissioner Wintzer understood that many of the questions he had asked were not a concern of the Treasure Hill project, but he felt it was important for someone to answer them. He wondered how the City could take the road that narrows down to 16 feet and keep it at 29 feet. Commissioner Wintzer stated that the City needs to come back and show that they can maintain the snow off that road in a timely manner. The studies may say that it can work, but at the end of the day the reality is that it does not work well and someone needs to show another way that it can work.

Chair Barth stated that he had gone through the original MPD and had questions regarding the original agreement. Page 3 of the MPD states that support commercial is to be for on site use and not designed to attract off-site customers. He questioned why there is a cabriolet in the base of the Town Lift starting at the base of the project. Chair Barth noted that at a previous meeting the Planning Commission separated architectural review from the massing. Pursuant to the 1985 MPD, all buildings should be reviewed for conformance with Historic District Guidelines and related architectural requirements at the

time of CUP. Chair Barth noted that Page 4 of the MPD states that the utility plans are supposed to include water, fire flow, sewer, storm drain, gas, and utilities in detailed analysis at the time of the CUP. He asked to see detailed utility plans. Chair Barth remarked that within the 1985 MPD is a statement that Empire and Lowell were considered low volume residential streets at the time of that approval. He wanted to see an aerial of Empire and Lowell in 1985 and an aerial of Empire and Lowell today so he can compare the thought process at the time the MPD was approved. As already discussed, Chair Barth noted that the MPD requires that the developer reconstruct 4600 feet of Lowell and Empire at the developers cost. He will be looking for further analysis on that requirement. Chair Barth noted that Page 6 of the MPD requires on-site stockpiling and staging. In addition, cut and fill should be balanced and distributed on site whenever practical and any waste hauled over any City specified routes will be controlled by the City. Chair Barth remarked that employee housing will be reviewed at the time of CUP submittal. Chair Barth stated that the MPD refers to a dedication of land for a reasonable turnaround for upper Norfolk. He was unsure what that meant and wanted to understand the background for that dedication. Chair Barth noted that Page 11 refers to an exhibit attached to the MPD approval further defining the business envelope limitations and he wanted to know what that exhibit is. He referred to language on Page 13 of the MPD which states, "Off-site utility work details to be resolved at time of the conditional use permit". He wanted to understand the specifics of off-site utility work. Chair Barth noted that Page 13 also identifies pedestrian circulation as walkways and plazas with off-site improvements to be made to facilitate area wide access. He wanted to understand how this would work. Chair Barth noted that according to the MPD, a detailed definition of limits of disturbance was deferred until the conditional use permit. Since they are at the CUP process he would like to see this addressed. Chair Barth remarked that Page 15 states that a detailed time line should be developed as an attachment to the MPD. He wanted to understand what that meant. Chair Barth was curious about the statement that "Inactivity over 2 years would be cause for the termination of the approval". He noted that the MPD stated that, "No additional snow removal is to be required by the City. On-site snow storage to be safely and reasonably handled on site." He asked if the reference to "no additional snow removal required by the City" relates to on-site or off-site.

2. 1021 Norfolk Avenue - Plat Amendment

Planner David Maloney reviewed the application to replat Lots 7, 8, 9, 10, 11, half of Lot 12 and portions of Lots 21, 22, 23, 24, 25 and 26 of Block 16 of Park City Survey in order to create five lots, identified as Lots 1-5 on Exhibit C. An existing historic house is located on Lot 7, Lot 8, and a portion of Lot 9. A garage, which is to be demolished, is located on Lot 7. The house is proposed to be moved to Lot 1 as part of this plat amendment. Planner Maloney noted that this application was presented at the January 25 Planning Commission meeting at which time the Staff recommended approval. Concerns were raised with regard to the proposed density. Currently, only two building permits could be