

# PLANNING COMMISSION

## Staff Report



**Planner:** Patrick J. Putt  
**Subject:** TREASURE HILL  
CONDITIONAL USE PERMIT  
**Date:** April 12, 2006  
**Type of Item:** Administrative

PLANNING DEPARTMENT

At the March 8, 2006 Planning Commission meeting, Staff committed to prepare a comprehensive response regarding the Treasure Hill Condition Use Permit application's compliance with the approved 1985 Treasure Hill Master Planned Development "development parameters and conditions." On December 18, 1985, the Planning Commission approved a Large Scale Master Plan for the Sweeney Properties which included the subject Treasure Hill area. The approval included ten (10) specific findings and ten (10) conditions of approval. A copy of the December 18, 1985 staff report is attached.

Staff has listed the 1985 findings below and has provided a response regarding the pending conditional use permit application's compliance with the 1985 conditions of approval. (see Exhibit A) ***Staff's responses are bolded and in italics.***

### **I. December 18, 1985 Sweeney Master Plan Findings:**

1. The proposed clustered development concept and associated projects are consistent with both the Park City Comprehensive Master Plan and the underlying zoning.
2. The uses proposed and general design of the project is or will be compatible with the character of the development in surrounding area.
3. The open space preserved and conceptual site planning attributes resulting from the cluster approach to the development of the hillside is sufficient justification for the requested height variation necessary, and that the review criteria outlined in Section 10.9 (e) have been duly considered.
4. The commercial uses will be oriented and provide convenient service to those residing within the project.
5. The required parking can readily be provided on-site and in enclosed structures.
6. The proposed phasing plan and conditions outlined will result in the logical and economic development of the project including the extension of the requisite utility services.
7. The proposed setbacks will provide adequate separation and buffering.

8. The anticipated nightly/rental and/or transient use is appropriate and compatible with the surrounding area.
9. The provision of easements and rights-of-way for existing utility lines and streets is a benefit that would only be obtained without cost to the residents of Park City through such master planning efforts.
10. The site planning standards as set forth in Section 10.9 (g) of the Land Management Code have either been satisfied at this stage of review or practical solutions can be reasonably achieved at the time of conditional use review/approval. *(A copy of the 1985 Land Management Code's Master Planned Development chapter in effect at the time of approval is attached to this report—see Exhibit B.)*

**II. December 18, 1985 Master Planned Development--Development Parameters and Conditions:**

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan. ***Staff Response: Determination of compliance pending. The subject conditional use permit application was submitted on January 13, 2004 and must be found to comply with the requirements of the Land Management Code, Section 15-1-10: Conditional Use Permit Review Process, and Section 15-7.0 through 15-7.3:Subdivisions. The applicant has stated that revised plans are currently in development. Staff has not yet received, reviewed and/or analyzed any revised plans for compliance with the MPD development parameters and conditions or the requisite current LMC requirements. Staff review will take place upon receipt of complete, revised plans.***
2. Upon final approval of the proposed Master Plan, a recordable document (in accordance with the Land Management Code) shall be prepared and submitted. The Official Zone Map will be amended to clearly identify those properties included within the Master Plan and the hillside property not included within either the Town Lift Mid-Station or Creole Gulch sites (approximately 110 acres) shall be rezoned to Recreation Open Space. At the time of conditional use review, final building configurations and heights will be reviewed in accordance with the approved Master Plan, applicable zoning codes and related ordinances. A minimum of 70% open space shall be provided within each of the development parcels created except for the Coalition properties. ***Staff Response: Discussion Requested. Staff has no record of a recordable document or recorded MPD document. Thirteen (13) full-size (24" x 36") exhibits from the 1985 Master Planned Development approval are part of the 1985 MPD file. City Council approved a revised Official Zoning Map reflecting the rezoning of 109 acres of the Sweeney property from Estate to Recreation Open Space (ROS) on August 23, 1990. Staff is awaiting revised MPD plans from the applicant to render a final***

**determination that all building heights are within the approved MPD height limits and that the 70% open space requirement within the development parcels has been met.**

3. The approved densities are those attached as an Exhibit, and shall be limited to the maximums identified thereon. Parking shall be provided on-site in enclosed structures and reviewed in accordance with either the table or the approved Restrictions and Requirements Exhibit or the adopted ordinances at the time of project approval. All support commercial uses shall be oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas. ***Staff Response: Discussion Requested. Staff cannot confirm that the proposed densities are consistent until complete, revised MPD plans, including unit configuration and floor plans have been submitted and fully analyzed. The current application includes an overall project building area square footage and parking calculation; however, individual unit configuration and sizes have not yet been submitted so Staff has not had an opportunity to precisely determine the unit equivalents in this proposal.***

***As currently designed, the applicants propose to provide on-site parking in underground parking structures. Once the exact unit sizes/configurations are determined, Staff will be able to analyze the parking requirement.***

***No specific support commercial uses, other than possible meeting room space, have been identified by the applicant. As with other mixed-use resort developments within the City, resort support commercial uses are meant as a primary benefit to the owners, guests, and patrons of the project. Although public use of the project's support commercial is not expressly prohibited, it is intended to be limited. Given neighborhood concerns regarding the project's potential traffic generation, Staff recommends that applicant provide more detail as to the proposed uses and the associated square footage breakdowns for discussion. Meeting room space, coffee shops/lounges, gift/signature stores, ski rental facilities, etc., are consistent with other resort support commercial uses which target owners and guests. Full service restaurants, bars/private clubs, and certain types of retail stores, may inadvertently result in additional traffic to the site.***

***Staff supports on-site support resort commercial uses as a mechanism to reduce vehicle trips; however, a more clear understanding of the applicant's proposed support commercial program may allow for the development of reasonable conditions aimed at minimizing additional local/non-guest vehicular trips.***

4. Access to the Town Lift and Creole sites shall be provided by a private roadway with acceptable emergency access and utility easements provided. No city maintenance of these streets is expected. All utility lines shall be provided underground with private maintenance required wherever located in inaccessible locations or outside approved easements. ***Staff Response: Access to the Creole and Mid-Station sites is by way of Lowell and Empire Avenues. On-site circulation is via private driveways and private access. A preliminary fire access plan has been reviewed by the Chief Building Official and Fire Marshall, Ron Ivie. The fire***

**access plan has been determined to be acceptable based on the current plan. Once the complete, revised MPD plans are received, Staff will coordinate with Ron Ivie to confirm that acceptable emergency access remains. All necessary utilities are located near the project area. The improvement of certain utilities may be necessary. Review and approval of a project utility plan is conducted by the City Engineer and affected utility providers prior to the issuance of a project building permit. An adjacent property owner located to the east across Lowell Avenue has expressed concern that future utility construction will cross his property. There has been no formal/final response to this issue from the applicant. The City Engineer has not approved a utility a plan to date.**

5. Building heights shall be limited to the maximum envelope described on the Restrictions and Requirements Exhibit. At the time of conditional use approval, projects shall be reviewed for conformance with the heights prescribed thereon, and the following:
  - a) The various parcels located within the Historic Residential (HR-1) zone district shall abide by the Land Management Code and no height exceptions will be considered. Maximum building height on the single family lots shall be limited to 25' in order to reduce potential visibility.
  - b) The Coalition East sites are limited to a maximum building height of 55', subject to compliance with the stepped façade (as shown on the applicable plans) concept submitted and the setbacks provided.
  - c) The Coalition West properties are limited to a 35' maximum building height adjacent to Park Avenue and a 28' height along Woodside Avenue; subject to the footprints defined, common underground parking and access, and no commercial uses allowed.
  - d) The Town Lift Mid-Station development is restricted to a maximum height of 45' for at least 90% of the total unit equivalent volume of all above-grade buildings (exclusive of elevator shafts, mechanical equipment, and non-habitable areas) and an overall average height of less than 25' measured from natural, undisturbed grade. Additionally, no portion of any building shall exceed the elevation of 7240' above mean sea level.
  - e) The Creole Gulch site shall be limited to a maximum building height of 75' for at least 83% of the total unit equivalent volume of all above-grade buildings combined. An average overall height of less than 45' shall be provided and no portion of any building shall exceed either elevation 7250' for the eastern-most building or the elevation of 7275' for the balance of the project (above mean sea level).

The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards. ***Staff Response: Compliance Determination Pending. The pending revised MPD plans will include building height calculations. Public hearing input raised questions regarding potential discrepancies between floor elevations within certain structures. Staff will conduct a follow-up review of the proposed building heights for conformance with the limitations set forth in the approved 1985 MPD approval and have its***

**analysis peer-reviewed by the Building Department prior to a final recommendation.**

6. At the time of project review and approval, all buildings shall be reviewed for conformance with the Historic District Design Guidelines and related architectural requirements. No mechanical equipment or similar protuberances (i.e.: antennae, flags, etc.) shall be permitted to be visible on any building roof-tops or shall any bright or flashing lights be allowed. ***Staff Response: Compliance Determination Pending. No specific architecture has been proposed to date given the amount of review time put into site planning, traffic, and construction mitigation issues. Land Management Code, Section 15-1-10(E).11: Conditional Use Permits--Review specifies that the Planning Commission must consider the "physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing" when considering conditional use permits. The Land Management Code currently sets forth an administrative (interdepartmental staff Historic District design review) process for determining compliance with the Historic District Design Guidelines. The Historic Preservation Board reviews appeals of Staff decisions relating to the Historic District design review.***

***The Planning Department agrees with recent Planning Commission input that it is difficult to make final findings regarding site design and building massing without a relatively clear understanding of the individual buildings' architecture. Inasmuch as Land Management Code, Section 15—1-10(E).11 requires the Planning Commission to review the project design and architecture, Staff recommends that the applicant prepare preliminary architectural drawings for each of the proposed building which illustrate size, building form and massing, roof shapes, exterior details including materials, window to wall ratios, decks, plaza/outdoor spaces, retaining walls, etc., for Planning Commission review as part of its' action on the conditional use permit. At the time of Planning Commission action, Staff recommends that a condition of approval be made requiring that final design review approval be conducted by a task force made up of Planning Commission members and two representatives of the Historic Preservation Board. This approach is similar to process used in reviewing the Town Lift neighborhood (through the Town Lift Design Review Task Force).***

7. All easements, deeds, and/or rights-of-way shall be provided without cost to the City and in accordance with the Master Plan documents and phasing plan approved. Likewise, it shall be the developer's sole responsibility to secure all easements necessary for the provision of utility services to the project. ***Staff Response: No Utility plan has been approved to date. All required rights-of-way and easements will be memorialized as part of any final action on the conditional use permit and any subsequent subdivision application.***
8. Master Planned Development approval only conceptually established the ability of local utility service providers to supply service to the projects. It does not constitute any formal approval per se. The applicant has been notified that substantial off-site improvements will be necessary and that the burden is on the future developer(s) to secure various easements and upsize whatever utility lines may be necessary in order to serve this project. Prior to resale of this property in which this MPD

approval is carried forward, or prior to any conditional use application for any portion of the MPD, a utility plan addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, and natural gas shall be prepared for review and approval by City Staff and the Snyderville Basin Sewer Improvement District. Part of the plan shall be cost estimates for each item of utility construction as it is anticipated that major costs for these utilities will be necessary. All such costs shall be paid by the developer unless otherwise provided. If further subdivision of the MPD property occurs, the necessary utility and access improvements (see below) will need to be guaranteed in roads, and access questions which will need to be resolved or upgraded by the developers at their cost (in addition to impact fees, water development and connection fees, and all other fees required by City Ordinances are as follows:

- a) Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, 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. If the City is notified that the construction is pending such that an improved pavement section can be incorporated into normal City maintenance projects, then it is anticipated that the incremental additional cost of the additional pavement thickness (which is like to be in the vicinity of 3 additional inches of asphalt over the entire 46,000 linear feet [25-foot asphalt width] of Lowell/Empire south of Manor Way, or approximately \$80,000 additional cost in 1986 dollars) could be paid by the developer with said amount deducted from future impact fees paid to the City as long as it did not exceed the total future impact fees. However, if the increased pavement section is not coordinated with the City by the developer such that the pavement of Lowell and Empire south of Manor Way remains inadequate at the time the Creole Gulch site is developed, then the developer shall essentially reconstruct the entire 4,600-foot length of Lowell and Empire south of Manor Way at his or her cost, which with excavation and reconstruction of an anticipated 6-inch asphalt thickness on top of 10 inches of road base, plus all other normal construction items and costs, would be in the approximately cost range of \$300,000 to \$400,000 in 1986 dollars. Further, because that reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents and the cost therefore would not be deductible from any developer impact fees.
- b) Contribute to the Park City Village, or other water tanks, determined to be necessary by the City Engineer in order to serve the project with culinary and fire storage. Based on a Type 1 fire resistive construction, it is

assumed that the contribution would be on the order of 500,000 gallons at a cost of approximately \$300,000, although the exact figures would need to be determined in a detailed study using adopted City standards.

- c) Construct pumped pressure system(s) with backup emergency power to provide a means of delivery of fire flows to the project. Construct a meter vault at the edge of the road adjacent to the project, beyond which all water facilities would be privately maintained. It is anticipated that in the vicinity of 2,500 feet of 12-inch water line with appurtenances may be required. Such pipe would cost about \$70,000 in 1986 dollars exclusive of the pumps and backup power, which are even more expensive.
- d) Provide an easement, or pay all costs related to condemnation by Park City of an easement, suitable for construction and maintenance of a storm drain from the project site to Silver Creek or McLeod Creek. All City streets and any public utility drainage easements normally provided in the course of other private development shall be available for utility construction related to this MPD subject to reasonable construction techniques and City standards. Pay for downstream detention basin construction costs in accordance with the ratio of increased runoff from the project during the 50-year flood event to the total design volume of the basin.
- e) Construct a storm drain line to Silver Creek or McLeod Creek adequate to contain the runoff running through and off the site during the 50-year flood event. It is assumed that a minimum of 36-inch concrete storm drain line will need to be installed solely for Creole Gulch drainage. It is further assumed that special clean-out boxes and inlet boxes will need to be designed to address difficult hydraulic problems. Such boxes are expensive.
- f) Provide revegetation over all on-site and off-site areas disturbed for project-related utilities.
- g) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of \$100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines.
- h) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of \$100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines. ***Staff Response: Discussion Requested. This extensive list of road and utility improvements has not been contested by the applicant to date. The Planning Staff is currently unaware of any utility issue that cannot be technically mitigated; however, significant utility improvements will be necessary. The utility plan issues addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, require technical***



**reviews and approval by City Engineer, Chief Building Official/Fire Marshall, Public Works Director and the Snyderville Basin Water Reclamation District prior to the issuance of a building permit. The above-outlined road reconstruction commitments require the applicant to reconstruct the vertical road section to specific standards in order to mitigate the impacts from heavy truck traffic during construction.**

**The Treasure Hill public hearing process has resulted in public comments regarding Lowell Avenue and Empire Avenue's ability to handle vehicular and pedestrian traffic safely. Staff is seeking a discussion with the Planning Commission as to reasonable measures to mitigate the potential vehicular/pedestrian conflicts. At the March 8, 2006 meeting, the applicant's traffic consultant, Project Engineering Consultants, proposed four (4) possible road widening scenarios to address the circulation, parking, and pedestrian safety issues raised by the public. Staff suggests that Planning Commission time be spent prioritizing the concerns expressed by the public and provide direction on possible street improvements in specific areas necessary to mitigate the project impacts to the greatest degree possible. In certain areas it may be necessary to provide pedestrian improvements such as sidewalks or pathways. In other areas it may be necessary to provide wider drive aisles/road surface, parking, and/or snow storage areas. Widening the road for vehicular/pedestrian mitigation may come at the expense of impacting existing "parking" and "yard areas."**

**The Planning Department requests a more systematic discussion on this matter. What are the most important aspects of street to protect: circulation/accessibility, safe pedestrian circulation, currently available on-street parking, existing streetscape? What mitigation solutions best address the primary concerns? Where, and in what form, should the mitigation occur? If the Planning Commission can help provide direction on the fundamental priorities, Staff recommends that the applicant be asked to prepare a street mitigation plan to address those fundamental concerns.**

9. To minimize additional construction traffic impacts, on-site material stockpiling/staging and parking shall be provided during the course of construction. Similarly, cut and fill shall be balanced and distributed on-site whenever practicable, with any waste material to be hauled over City specified routes. Also at the time of conditional use review/approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans. **Staff Response: Discussion Requested. The applicants assert that an on-site material storage area/batch plant is infeasible due to problems associated with hauling large quantities of materials to the site, noise management of operations (trucks, equipment, back-up beepers, etc), dust management, and the limit of disturbance footprint necessary for the materials storage and equipment. (See February 20, 2006 letter from Norm Anderson of Jack B. Parsons Co.—Exhibit C) Staff shares the concerns that on-site material storage and processing may have greater impacts on the site and**



**surrounding neighborhood. Staff requests that the applicant investigate whether or not there are certain limited materials that could be stored/processed on site which could be accomplished without significant neighborhood impacts and which would help limit construction truck traffic. Should such an alternative staging plan be developed, Staff could support a reconsideration of MPD Condition of Approval No. 9.**

**Additional detailed information regarding vegetation protection and landscaping is needed by Staff prior to a final recommendation. With the requirement to keep excavated materials on-site, Staff requests a visual analysis of the impacts of moving the significant amount of excavated material onto the ski runs and other areas of the MPD.**

10. As projects are submitted for conditional use approval, the City shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application. **Staff Response: No employee/affordable housing mitigation plan has been submitted to Staff to date. A preliminary employee/affordable housing calculation for this application indicate a mitigation requirement of 47 affordable Unit Equivalents. Submittal of an employee/affordable housing mitigation plan will be necessary prior to a Staff recommendation. (See attached Exhibit D—"Preliminary Employee/Affordable Housing Calculation.")**

### **III. Project Building Setback Issue:**

An issue related to the 1985 Master Planned Development setbacks has been raised by the Planning Commission and members of the public. No specific Master Planned Development condition of approval relating to setbacks was memorialized as part of the 1985 MPD approval; however, several exhibits illustrating setbacks are part of the Planning Department's record.

The staff report narrative which was prepared for the December 18, 1985 Planning Commission action on the Sweeney Properties Master Planned Development makes the following statement in regards to setbacks:

***"Setbacks – All the development sites provide sufficient setbacks. The Coalition properties conceptually show a stepped building façade with a minimum of 10' setback for the West site (in keeping with the HRC zoning) and a 20' average setback for the East sites. The Hillside properties provide substantial 100'+ setbacks from the road, with buildings sited considerably farther from the closest residence." (December 18, 1985 Revised Staff Report, Page 15, Paragraph 2)***

**a. What the Sweeney Properties MPD Exhibits Illustrate:** The above-cited statement is not clearly consistent with the exhibits associated with the 1985 Master Planned Development approval. Several discrepancies have been noted by Staff. The setbacks for above-ground structures vary to some degree from one MPD exhibit to another. The Sweeney Properties 200 Scale Site Plan, Sheet No. 2 (dated May 5, 1985—See Exhibit E) shows approximately an **80 ft. to 100 ft.** setback from the back of pavement of Lowell/Empire Avenue switchback to the closest "above-ground" building footprint. The

Sweeney Properties 50 Scale Site Plan & Grading Sheet No. 8 (dated May 10, 1985—See Exhibit F) indicates approximately a **90 ft.** setback from the back of pavement of Lowell/Empire Avenue switchback to the closest building footprint. The Town Lift Midstation & Creole Site Plan, Sheet 17, Scheme E (dated November 13, 1985 and updated on November 27, 1985 and July 7, 1986—See Exhibit G) indicates a minimum building setback of as close as approximately **75 feet.**

The MPD exhibits illustrating the underground parking plans indicate setbacks ranging roughly from 20 to 25 feet (Creole Parking Plan Sheet 19, dated June 10, 1989—See Exhibit H.) The Town Lift Midstation & Creole Height Zones Sheet 22—Development Requirements and Restrictions (dated July 7, 1986—See Exhibit I) identify maximum building heights and show a **0 ft.** maximum building height approximately **40 ft.** back from the Lowell/Empire Avenue switchback.

**b. What the Current Treasure Hill Conditional Use Permit Site Plan Illustrates:**

The current Treasure Hill Conditional Use Permit site plan shows a **35 ft.** setback from the Lowell/Empire Avenue switchback to the closest face of the parking garage/plaza-level funicular base. The closest “above-ground” building is a small staircase structure which is setback **40 ft.** from the Lowell/Empire Avenue switchback. The closest primary “above-ground” buildings, Buildings 3B and 4A are approximately **75-80 ft.** from the Lowell/Empire Avenue switchback (see *Exhibit J: Current Site Plan*).

**c. Planning Department Position on the Setback Issue:** The current Treasure Hill conditional use permit site plan is not consistent with the 1985 staff report narrative that states “*substantial 100'+ setbacks from the road*” are provided. The staff report statement is unclear whether it refers to “above-ground” or “below-ground structures”. Even if the author intended the statement to mean above-ground buildings and not Land Management Code defined “Structures” which include parking garages and retaining walls, the small staircase building on the plaza (**with a 40 ft. setback**) and Buildings 3b and 4a (**with setbacks ranging from approximately 75-80 ft.**) do not meet the “substantial 100 ft. setback from the road” description.

Staff’s analysis of the current conditional use permit site suggests that the proposed setbacks for the above-ground primary buildings (*not including the parking garage/plaza and associated retaining walls*) generally relate to the range of setbacks shown on the 1985 MPD exhibits which indicate “above-ground” building setbacks from roughly 75-100 ft. back of the Lowell/Empire Avenue switchback.

Rather than debate staff report narrative versus MPD exhibits, the Planning Department suggests time be spent achieving a design which best meets the original MPD design intent. Staff believes that the original intent of the 1985 MPD was to establish a sizeable setback, landscape buffer, transition area between the edge of the street/neighborhood residences and the proposed vertical construction. Staff defines “vertical construction” to mean buildings, retaining walls, rock walls, parking garage entrances, etc. It is the nature, scale, and design, as well as the pedestrian character of these vertical features within this interface area which will be critical in determining “neighborhood compatibility.” Staff is still unclear as to exact heights, setbacks, design and materials of garage entrances, pedestrian ways, retaining walls, and rock walls along the front of the project. Revised project plans, including visual analysis from specific vantage points are in the process of being prepared by the applicant, but have not been provided for Staff review to date.

The proposed setbacks may be appropriate in the context of an overall design which provides pedestrian-scale steps in retaining walls and building massing, as well a strong sense of arrival for pedestrians. Staff recommends that the applicant provide a complete set of revised project plans (including details on the project street-edge—setbacks, retaining wall and rock wall heights, entrance details, pedestrian pathway connections, landscaping etc.) and the visual analysis. Once received and fully reviewed by the Planning, Engineering, and Building Departments, Staff will return with a recommendation on the project setbacks.

**Staff Recommendation:** The Planning Department recommends that the Planning Commission review material set forth in this report as well as information provided by the applicant at the meeting. Staff and the applicant will be present at the meeting to answer any Commission questions. This matter has been scheduled as a public hearing therefore Staff asks that public comment be taken. Peter Barnes, a representative for an adjacent property owner, has requested an opportunity to address the Planning Commission regarding the project design (see attached Exhibit K). Staff has set aside time during the work session for this purpose.

Staff asks that the Planning Commission provide input and/or specific direction on the following:

1. Should more detailed information regarding the amount and type of resort support commercial be provided as part of the conditional use permit review to ensure compliance that such uses primarily provide services to the guests and patrons of the project, thus limiting the potential for additional traffic through the neighborhood?
2. What are the most important aspects of Lowell and Empire Avenues which need to be protected: circulation/accessibility, safe pedestrian circulation, currently available on-street parking, existing streetscape? What mitigation solutions best address the primary concerns? Where, and in what form, should the mitigation occur? What additional mitigation is necessary to address these concerns?
3. What level of architectural information is necessary to prepare findings that the proposed project design and architecture is compatible with the surrounding neighborhood?
4. Does the Commission favor the creation of an architectural design review task force made up of Planning Commission and Historic Preservation Board members to review final detailed project architecture subsequent to final action on the conditional use permit?
5. Is the Planning Commission open to revising/reducing the requirement for on-site material storage and staging so as to reduce neighborhood impacts?

Staff recommends that the applicant provide the following information: A complete set of revised project plans, including details relating to:

1. all site plan and grading details (including vegetation protection and excavated material relocated on site)
2. open space calculations;
3. building setbacks for all structures;
4. building height compliance with approved building volumetrics;

5. residential unit size and configuration so as to verify density and parking compliance;
6. project streetscape detailing the design of project entrances, retaining walls, landscape areas, pedestrian ways;
7. preliminary landscape plan;
8. ski lift and funicular design

Once a complete set of revised plans are received and analyzed, Staff will return with a comprehensive staff report addressing the conditional use permit standards of review set forth in Land Management Code Section 15-1-10 D and E. The Planning Commission may wish to discuss hold a separate Planning Commission meeting to discuss issues and take public comment relating to this application.

### **EXHIBITS**

Exhibit A: December 12, 1985 Revised Master Planned Development Staff Report

Exhibit B: 1985 Land Management Code, Master Planned Development Chapter

Exhibit C: February 26, 2006 Norm Anderson/JB Parsons Letter

Exhibit D: Preliminary Employee/Affordable Housing Mitigation Calculation

Exhibit E: Sweeney Properties 200 Scale Site Plan, Sheet No. 2

Exhibit F: Sweeney Properties 200 Scale Site Plan and Grading, Sheet No. 8

Exhibit G: Town Lift Midstation & Creole Site Plan Sheet 17, Scheme E

Exhibit H: Creole Parking Plan, Sheet 19

Exhibit I: Town Lift Midstation & Creole Height Zones, Sheet 2

Exhibit J: Current Treasure Hill CUP Site Plan

Exhibit K: April 6, 2006 Peter Barnes Letter

## Treasure Hill CUP Summary

<b>MPD</b> Zoning	<b>ALLOWED MPD</b> E-MPD	<b>PROPOSED CUP</b> E-MPD
Acres of entire MPD	123.59 acres	
Acres rezoned to ROS	110 acres (open space)	
Open Space of entire MPD	97%	n/a
Acres of Treasure Hill CUP	51 acres	51 acres
Acres of Creole Gulch parcel of the Treasure Hill CUP	7.75 acres	7.75 acres
Acres of Mid-station parcel of the Treasure Hill CUP	3.75 acres	3.75 acres
Acres of ROS open space in Treasure Hill CUP	39.50 acres	39.5 acres
Residential Density- Creole -Mid-station	161.5 UE* 35.5 UE	161.5 UE 35.5 UE
Commercial Density Support Commercial/meeting space	19,000 sf 5%/5% of gross FA	19,000 sf 5%/5% of gross FA
Open Space- MPD/Treasure Hill CUP not including open space within the individual parcels)	not in MPD	77.4%
Open Space- within individual parcels	min of 70%	Creole-71.9% Mid-station- 80%
Maximum Height- Creole - Mid-station	75' 45'	75' 45'
Average Height- Creole - Mid-station	45' 25'	32' 20'
Parking – Creole Mid-station	60 spaces 333 spaces	66 spaces 410 spaces
Setbacks (per sheet #22 of the MPD)**	40' from edge of Lowell 50' along east P/L	40' -70' 50' -75'

\* UE = Unit Equivalents (One Residential UE is approximately 2,000 sf)

\*\*The MPD staff report (1986) text refers to an illustrative site plan and indicates that buildings are setback 100' from the road, with the parking structure setback about 40' from the street. The actual MPD Development Parameters and Conditions of approval (Exhibit A) refer to a Height Zone Exhibit (Sheet 22- see Exhibit B) that requires a no-build (0' Maximum Building Height) area within the first 40' of Lowell Avenue. For the next 40' the MBH is specified at 25'. The LMC required front setback in the Estate Zone is 30' and the required front setback for an MPD (per LMC Chapter 6) is 25'. Front setback for single family homes on old town lots is generally 10'.

Staff measured the drawings with an appropriate scale to determine whether setbacks conform to the MPD approval shown in Sheet #22. The setbacks measured by staff are to the closest structure, whether that is the parking structure wall or a building.

This analysis is based on a thorough review of the plans submitted with the CUP application (Exhibit C). The plans are being revised to reflect public input and the new technical drawings are not yet available. Upon submittal of revised technical plans, Staff will conduct the same detailed review as was done with the original submittal including a review of all of the technical cross sections to make sure that heights are in compliance with the MPD approval, including average heights as specified in the MPD approval (see Exhibit D).

Staff reviewed the proposed square footage of each unit to determine the UE count, as well as examined in detail the size of the units and the specific parking requirement or each unit based on the size. Staff counted the parking spaces diagramed in the submittal documents.

Staff also reviewed the applicant's analysis for square footage of building and hard surface paving in reviewing the open space calculations.

A detailed height analysis, using the USGS certified topography information and the final structural and dimensioned plans, will be required to make a final determination as to building height and MPD/CUP compliance at the time of building permit issuance. No building permit will be issued if any portion of the structures is not in compliance with heights, setbacks, square footage, open space, parking, etc. A detailed review of the actual unit areas and parking spaces must also be reviewed at the time of any condo plat review and again at the time of the building permit reviews.

Without detailed structural and architectural plans and detailed elevations it is not possible to determine the exact heights of the buildings at this time. Staff recommends conditions that all of the MPD/CUP requirements regarding unit equivalents, height, open space, setbacks, etc. be met and demonstrated on all final architectural plans submitted for building permits. Plans being reviewed currently, for the CUP illustrate that the MPD development parameters have been met.

DEVELOPMENT PARAMETERS and CONDITIONS

The staff's recommendation that the Sweeney Properties Large Scale Master Planned Development be approved by the Planning Commission, and subsequently by the City Council, is predicated upon the following terms and conditions. Upon approval, MPE Inc./Sweeney Land Company, its successors or assignees, shall become bound by and obligated for the performance of the following:

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan.
2. Upon final approval of the proposed Master Plan, a recordable document (in accordance with the Land Management Code) shall be prepared and submitted. The Official Zone Map will be amended to clearly identify those properties included within the Master Plan and the hillside property not included within either the Town Life Mid-Station or Creole Gulch sites (approximately 110 acres) shall be rezoned to Recreation Open Space. At the time of conditional use review, final building configurations and heights will be reviewed in accordance with the approved Master Plan, applicable zoning codes and related ordinances. A minimum of 70% open space shall be provided within each of the development parcels created except for the Coalition properties.
3. The approved densities are those attached as an Exhibit, and shall be limited to the maximums identified thereon. Parking shall be provided on-site in enclosed structures and reviewed in accordance with either the table on the approved Restrictions and Requirements Exhibit or the adopted ordinances at the time of project approval. All support commercial uses shall be oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas.
4. Access to the Town Lift and Creole sites shall be provided by a private roadway with acceptable emergency access and utility easements provided. No city maintenance of these streets is expected. All utility lines shall be provided underground with private maintenance required wherever located in inaccessible locations or outside approved easements.
5. Building heights shall be limited to the maximum envelope described on the Restrictions and Requirements Exhibit. At the time of conditional use approval, projects shall be reviewed for



conformance with the heights prescribed thereon, and the following:

- (a) The various parcels located within the Historic Residential (HR-1) zone district shall abide by the Land Management Code and no height exceptions will be considered. Maximum building height on the single family lots shall be limited to 25' in order to reduce potential visibility.
- (b) The Coalition East sites are limited to a maximum building height of 55', subject to compliance with the stepped facade (as shown on the applicable plans) concept submitted and the setbacks provided.
- (c) The Coalition West properties are limited to a 35' maximum building height adjacent to Park Avenue and a 28' height along Woodside Avenue; subject to the footprints defined, common underground parking and access, and no commercial uses allowed.
- (d) The Town Lift Mid-Station development is restricted to a maximum height of 45' for at least 90% of the total unit equivalent volume of all above-grade buildings (exclusive of elevator shafts, mechanical equipment, and non-habitable areas) and an overall average height of less than 25' measured from natural, undisturbed grade. Additionally, no portion of any building shall exceed the elevation of 7240' above mean sea level.
- (e) The Creole Gulch site shall be limited to a maximum building height of 75' for at least 83% of the total unit equivalent volume of all above-grade buildings combined. An average overall height of less than 45' shall be provided and no portion of any building shall exceed either elevation 7250' for the eastern-most building or the elevation of 7275' for the balance of the project (above mean sea level).

*See  
minutes*

*See  
minutes*

The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards.

- 6. At the time of project review and approval, all buildings shall be reviewed for conformance with the Historic District Design Guidelines and related architectural requirements. No mechanical equipment or similar protuberances (i.e: antennae, flags, etc.) shall be permitted to be visible on any building roof-tops or shall any bright or flashing lights be allowed.
- 7. All easements, deeds, and/or rights-of-way shall be provided without cost to the city and in accordance with the master plan documents and phasing plan approved. Likewise, it shall be the developer's sole responsibility to secure all easements necessary for the provision of utility services to the project.

8. Master Planned Development approval only conceptually established the ability of local utility service providers to supply service to the projects. It does not constitute any formal approval per se. The applicant has been notified that substantial off-site improvements will be necessary and that the burden is on the future developer(s) to secure various easements and upsize whatever utility lines may be necessary in order to serve this project. Prior to resale of this property in which this MPD approval is carried forward, or prior to any conditional use application for any portion of the MPD, a utility plan addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, and natural gas shall be prepared for review and approval by City Staff and the Snyderville Basin Sewer Improvement District. Part of the plan shall be cost estimates for each item of utility construction as it is anticipated that major costs for these utilities will be necessary. All such costs shall be paid by the developer unless otherwise provided. If further subdivision of the MPD property occurs, the necessary utility and access improvements (see below) will need to be guaranteed in accordance with city subdivision ordinances. Public utilities, roads, and access questions which will need to be resolved or upgraded by the developers at their cost (in addition to impact fees, water development and connection fees, and all other fees required by city ordinances) are as follows:

- ~~C~~ ~~X~~
- (a) Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, 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. If the City is notified that the construction is pending such that an improved pavement section can be incorporated into normal City maintenance projects, then it is anticipated that the incremental additional cost of the additional pavement thickness (which is likely to be in the vicinity of 3 additional inches of asphalt over the entire 4,6000 linear feet [25-foot asphalt width] of Lowell/Empire south of Manor Way, or approximately \$80,000 additional cost in 1986 dollars) could be paid by the developer with said amount deducted from future impact fees paid to the City as long as it did not exceed the total future impact fees. However, if the increased pavement section is not coordinated with the City by the developer such that the pavement of Lowell and Empire south of Manor Way remains inadequate at the time the Creole Gulch site is

developed, then the developer shall essentially reconstruct the entire 4,600-foot length of Lowell and Empire south of Manor Way at his or her cost, which with excavation and reconstruction of an anticipated 6-inch asphalt thickness on top of 10 inches of road base, plus all other normal construction items and costs, would be in the approximate cost range of \$300,000 to \$400,000 in 1986 dollars. Further, because that reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents and the cost therefore would not be deductible from any developer impact fees.

- (b) Contribute to the Park City Village, or other water tanks, determined to be necessary by the City Engineer in order to serve the project with culinary and fire storage. Based on a Type 1 fire resistive construction, it is assumed that the contribution would be on the order of 500,000 gallons at a cost of approximately \$300,000.00, although the exact figures would need to be determined in a detailed study using adopted City standards.
- (c) Construct pumped pressure system(s) with backup emergency power to provide a means of delivery of fire flows to the project. Construct a meter vault at the edge of the road adjacent to the project, beyond which all water facilities would be privately maintained. It is anticipated that in the vicinity of 2,500 feet of 12-inch water line with appurtenances may be required. Such pipe would cost about \$70,000 in 1986 dollars exclusive of the pumps and backup power, which are even more expensive.
- (d) Provide an easement, or pay all costs related to condemnation by Park City of an easement, suitable for construction and maintenance of a storm drain from the project site to Silver Creek or McLeod Creek. All City streets and any public utility drainage easements normally provided in the course of other private development shall be available for utility construction related to this MPD subject to reasonable construction techniques and City standards.
- (e) Pay for downstream detention basin construction costs in accordance with the ratio of increased runoff from the project during the 50-year flood event to the total design volume of the basin.
- (f) Construct a storm drain line to Silver Creek or McLeod Creek adequate to contain the runoff running through and off the site during the 50-year flood event. It is assumed that a minimum of 36-inch concrete storm drain line will need to be installed solely for Creole Gulch drainage. It is further assumed that special clean-out boxes and inlet boxes will need

to be designed to address difficult hydraulic problems. Such boxes are expensive.

- (g) Provide revegetation over all on-site and off-site areas disturbed for project-related utilities.
  - (h) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of \$100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines.
9. To minimize additional construction traffic impacts, on-site material stockpiling/staging and parking shall be provided during the course of construction. Similarly, cut and fill shall be balanced and distributed on-site whenever practicable, with any waste material to be hauled over City specified routes. Also at the time of conditional use review/approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans.
- 10 As projects are submitted for conditional use approval, the city shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application.

SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

Parcel	Acres	Residential Unit Equivalents	Commercial Unit Equivalents	Maximum Building Height	Minimum Open Space
<b>Coalition Properties</b>					
East	0.986	40	Maximum Commercial space not to exceed FAR of 1:1	55'	39.8 <sup>1</sup>
West	0.543	13	---	35'	54.9
<b>Hillside Properties</b>					
Creole Gulch	7.75	161.5	15.5	<del>98'</del> * 75'	70
Town Lift Mid-Station	3.75	35.5	3.5	<del>55'</del> * 46'	70
Three 1/4-acre Single Family Lots	1.5	3	---	25'	83.9
<b>Develop IIR-1 Properties</b>					
Carr-Sheen	0.288	3	---	28'	60
MPE	0.161	$\frac{2}{258 \text{ U.E.}}$	$\frac{19 \text{ U.E.}}$		

<sup>1</sup> Does not include Town Lift base facility

<sup>2</sup> Maximum roof height, excludes elevator shaft

\* Subject to revised conditions as stated in the Motion by City Council

opposite of the philosophies expressed during that interview and although in his mind's eye Jim Santy does not see it that way -- the perception that Mr. Doilney had at least as one individual, couldn't have been stronger that that was where Mr. Santy was philosophically and for that reason Mr. Doilney felt that it was fair to appoint someone with similar views who would replace Al Horrigan. The commitment to development principles is one that isn't subject to change of opinion and he urged Mr. Santy to consider the position he is taking.

Tom Shellenberger reminded Councilman Doilney that as long as he has been on the Council, he couldn't remember anyone who changed his mind more than Al Horrigan. Mr. Shellenberger continued that during the interview process he did recall Jim Santy using the word "moratorium" but interpreted it to be in generalities and didn't feel it was directed at the Sweeney Project. The Mayor called for a vote.

ABE1117

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

Motion carried.

4. Approval of Height Exception for Sweeney Master Plan Approval - The City Manager explained that the height exception would pertain to the following parcels: Coalition East on Park Avenue for 40 units for 55 feet (permitted height 28 feet); the Coalition West, zoned for 13 units for 35 feet (HR-1 - permitted height 28 feet); Creole Gulch 161.5 unit equivalents for 95 feet (permitted 28 feet); Town Lift Mid-Station 55.5 unit equivalents for 55 feet (permitted 28 feet). These can be acted on together or individually by Council.

Ann MacQuoid, "I move that with the height exceptions there are four height exceptions requested and that those height exceptions be approved by Council with the following modification. That is that in the what is called the Creole Gulch where the request is for a maximum of 95 feet that that be limited to 75 feet and that specifically the condition that is 5(e) in the conditional permit read:

"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 other revision would be that at the Town Lift Mid-Station instead of 55 feet, the height be limited to 45 feet and that condition 5(d) be revised:

"The Town Lift Mid-Station development is restricted to a maximum height of 45 feet. The maximum height of 35 feet is required for at least 90% of the total unit equivalent volume of all above grade buildings and an overall average height of less than 25 feet measured from natural undisturbed grade. No portion of any building shall exceed the elevation 7,240 feet above main sea level."

And that the rest of the conditions outlined in the height exception request which does specify the rezoning of the 110 acres to ROS zoning be maintained as approved by the Planning Commission."

Tom Shellenberger seconded. Craig Smith emphasized that at the time of Planning Commission approval, it was unclear when the ROS zoning would take place and felt that language to the motion should be added which he believed to be the intent of the petitions: "that the area designated for ROS zoning take place before a plat, building permit, or conditional use permit is approved by the City". Ann MacQuoid, "I would add that to my motion". Tom Shellenberger amended his second.

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

XII NEW BUSINESS

Award of Bid to Intermountain Coach for Elderly/Handicapped Van for Senior Citizens in the Amount of \$34,435 (Federal 80%/City 20%) - Bids were received and opened September 19, 1986 for one four-wheel drive elderly/handicapped van for one Park City's senior citizens as follows:

Collins Industries	\$31,033
Intermountain Coach	34,435
National Coach	38,000
Hasco Inc.	39,637
Tates Inc.	42,690

Collins Industries is the low bidder, however, they do not meet specifications as to the warranty provision, interior height and aisle width. Staff recommends acceptance of the Intermountain Coach bid subject to specified delivery date of 90 days. Although they are over the \$30,000 budgeted (\$4,435 over budget), the federal government has concurred with awarding the bid to the second lowest bidder, Intermountain Coach.

Federal participation will occur only if there is an under-run somewhere in the other line items of this particular grant. If an under-run does not occur, possibly we will have to pick up the costs with the completion of the overall grant. It is also feasible that UDOT may have money available when they audit to cover it for us at an 80%/20% split on the over-run. Cost factors involve:

	<u>Federal 80%</u>	<u>City 20%</u>
Budgeted \$30,000	\$24,000	\$ 6,000
Bid at 34,435	27,578	6,887

Budget revision:

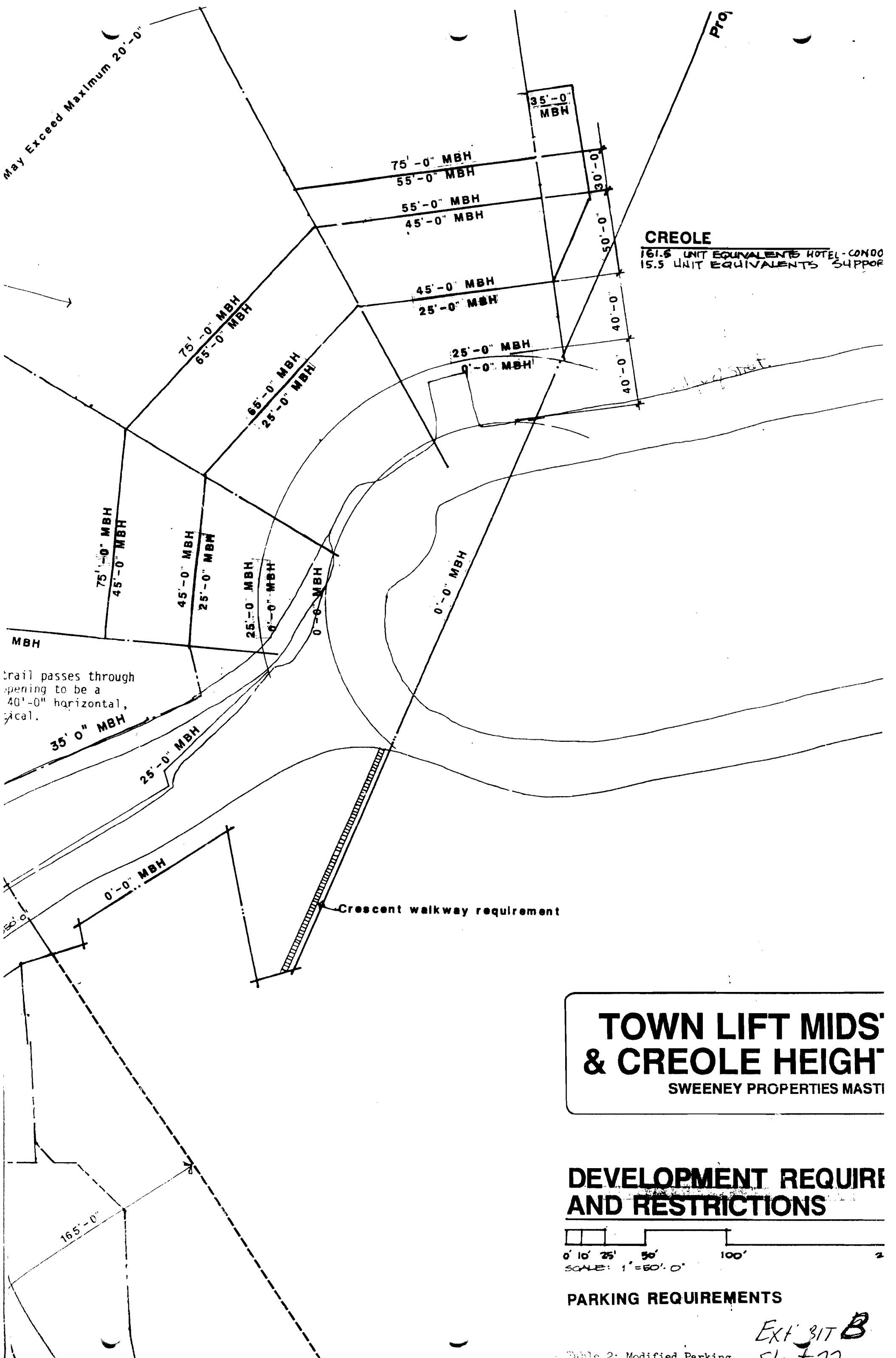
With federal participation	\$ 887
Without federal participation	4,435

The Transportation Department has been working with Park City School District to find a solution to the transportation needs of a paraplegic student at Park City High School. The School District does not have a wheelchair lift-equipped vehicle and has requested to use the City's. All aspects of this arrangement have been determined to the satisfaction of both parties involved, and has been in place on a trial basis until formally approved by Council.

Tom Shellenberger, "I move approval". Jim Santy seconded. Motion carried unanimously.

XIII ADJOURNMENT





May Exceed Maximum 20'-0"

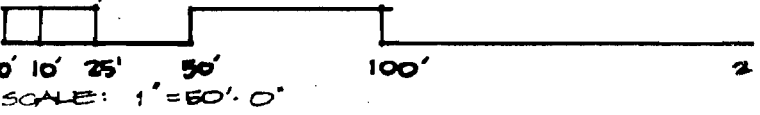
**CREOLE**  
 161.5 UNIT EQUIVALENTS HOTEL-CONDO  
 15.5 UNIT EQUIVALENTS SUPPOR

trail passes through  
 opening to be a  
 40'-0" horizontal,  
 typical.

Crescent walkway requirement

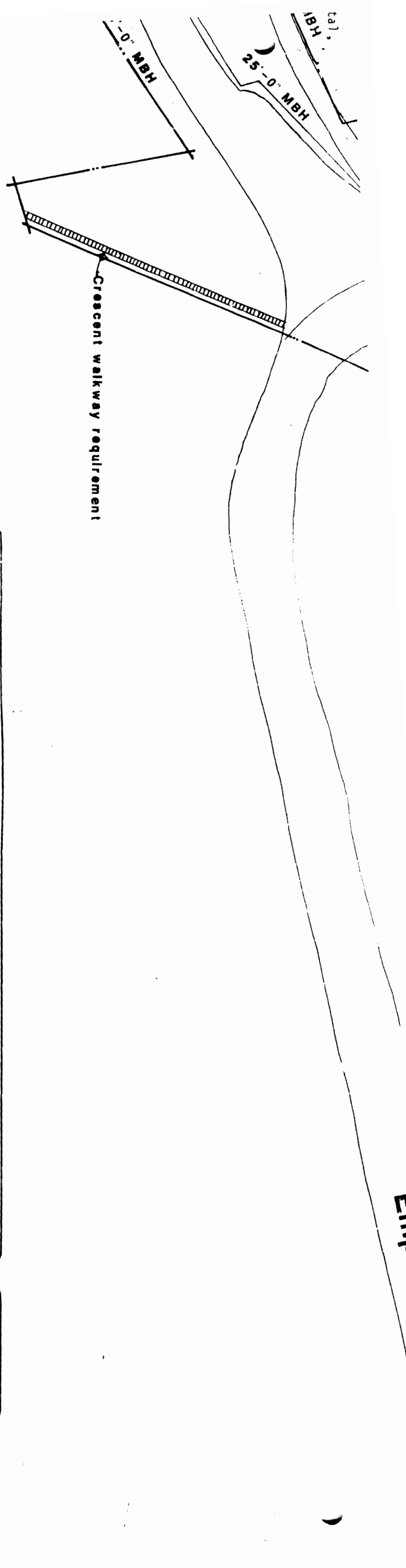
**TOWN LIFT MIDS  
 & CREOLE HEIGHT**  
 SWEENEY PROPERTIES MASTI

**DEVELOPMENT REQUIRE  
 AND RESTRICTIONS**



**PARKING REQUIREMENTS**

Table 2: Modified Parking  
 EXT 31T B  
 Sheet 22



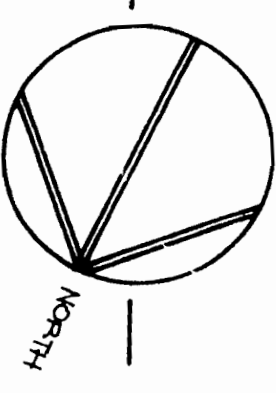
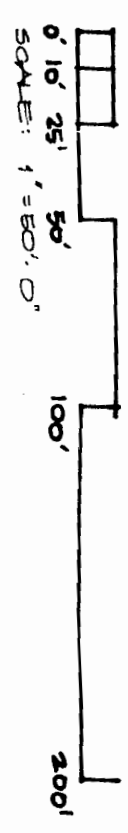
# TOWN LIFT MIDSTATION & CREOLE HEIGHT ZONES

SWEENEY PROPERTIES MASTER PLAN

MPE INC.  
P.O. BOX 2429  
PARK CITY, UT 84060  
(801) 649-7077

22  
DATE 3-8-89

## DEVELOPMENT REQUIREMENTS AND RESTRICTIONS

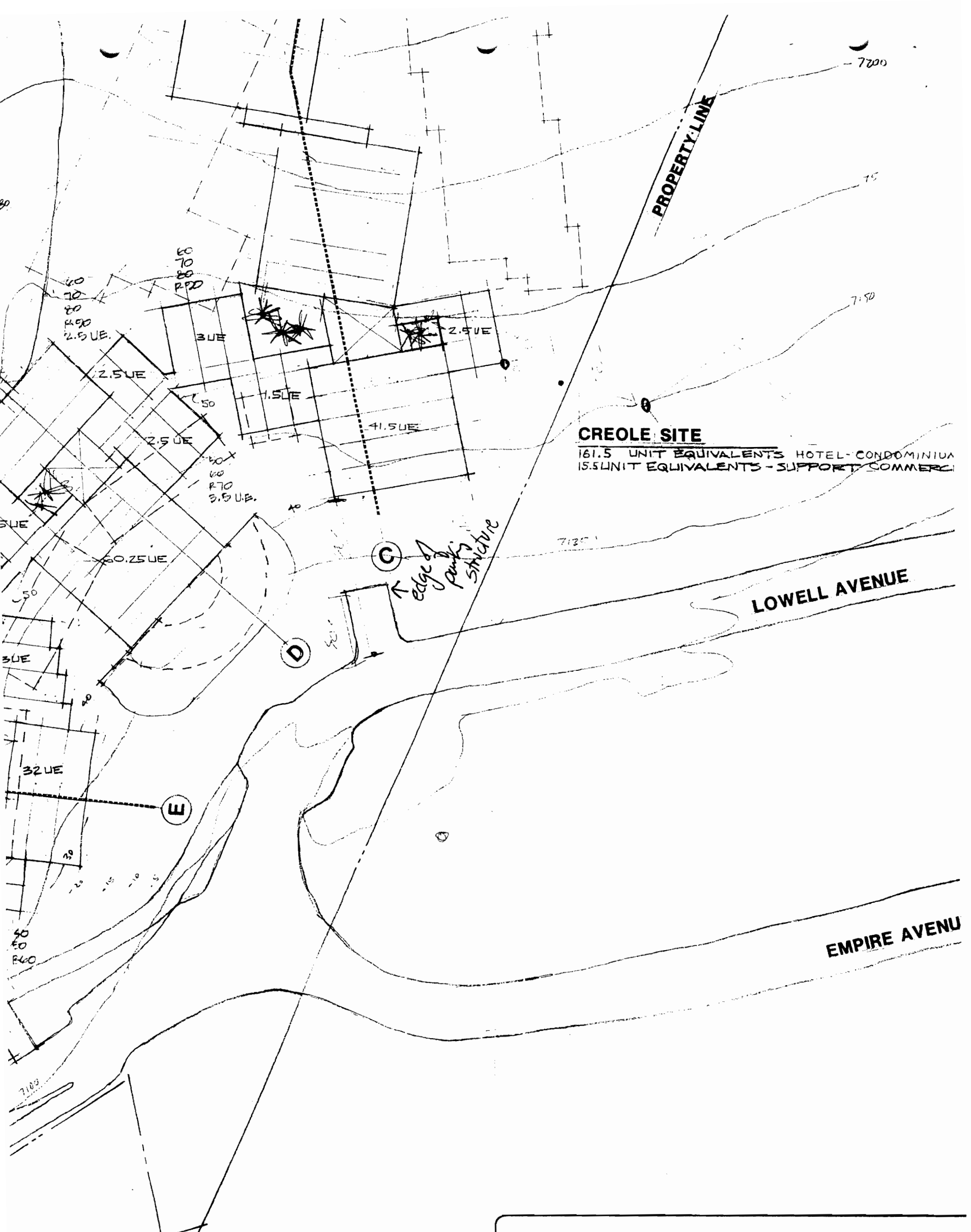


### PARKING REQUIREMENTS

Table 2: Modified Parking

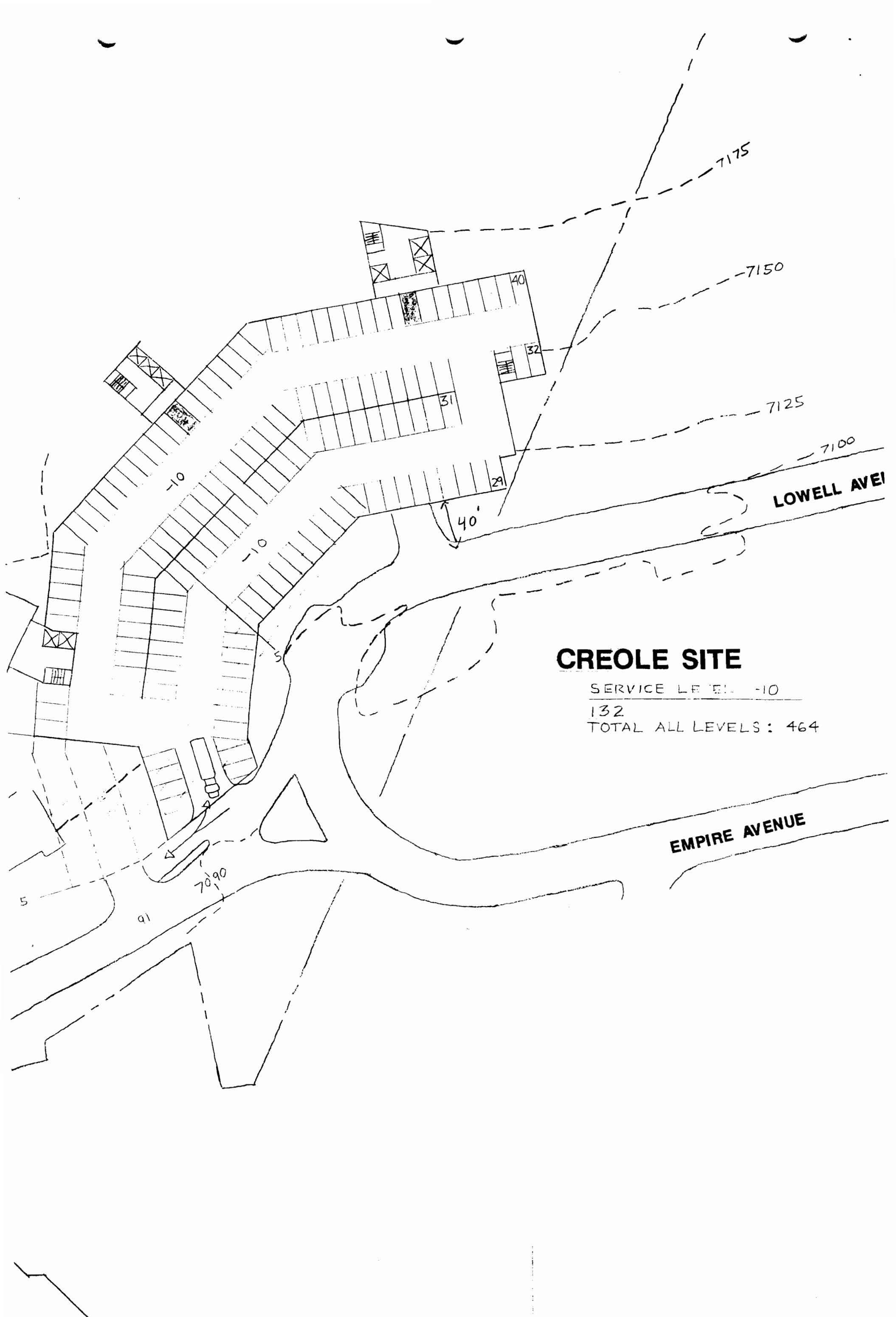
# of Parking Spaces -	Hotel Room/ Suite not to Exceed 650 s.f.		Apt. not to Exceed 1000 s.f.		Apt. not to Exceed 1500 s.f.		Apt. not to Exceed 2000 s.f.		Apt. in Excess of 2000 s.f.	
	1	1.5	2	2	2	2	2	2		
.66	1	1.5	2	2	2	2	2	2	2	

MBH = maximum building height above natural grade



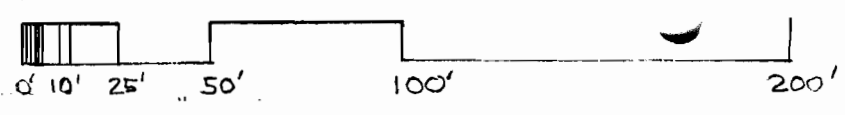
**TOWN LIFT MIDSTATION  
& CREOLE SITE PLAN**  
SWEENEY PROPERTIES MASTER PLAN

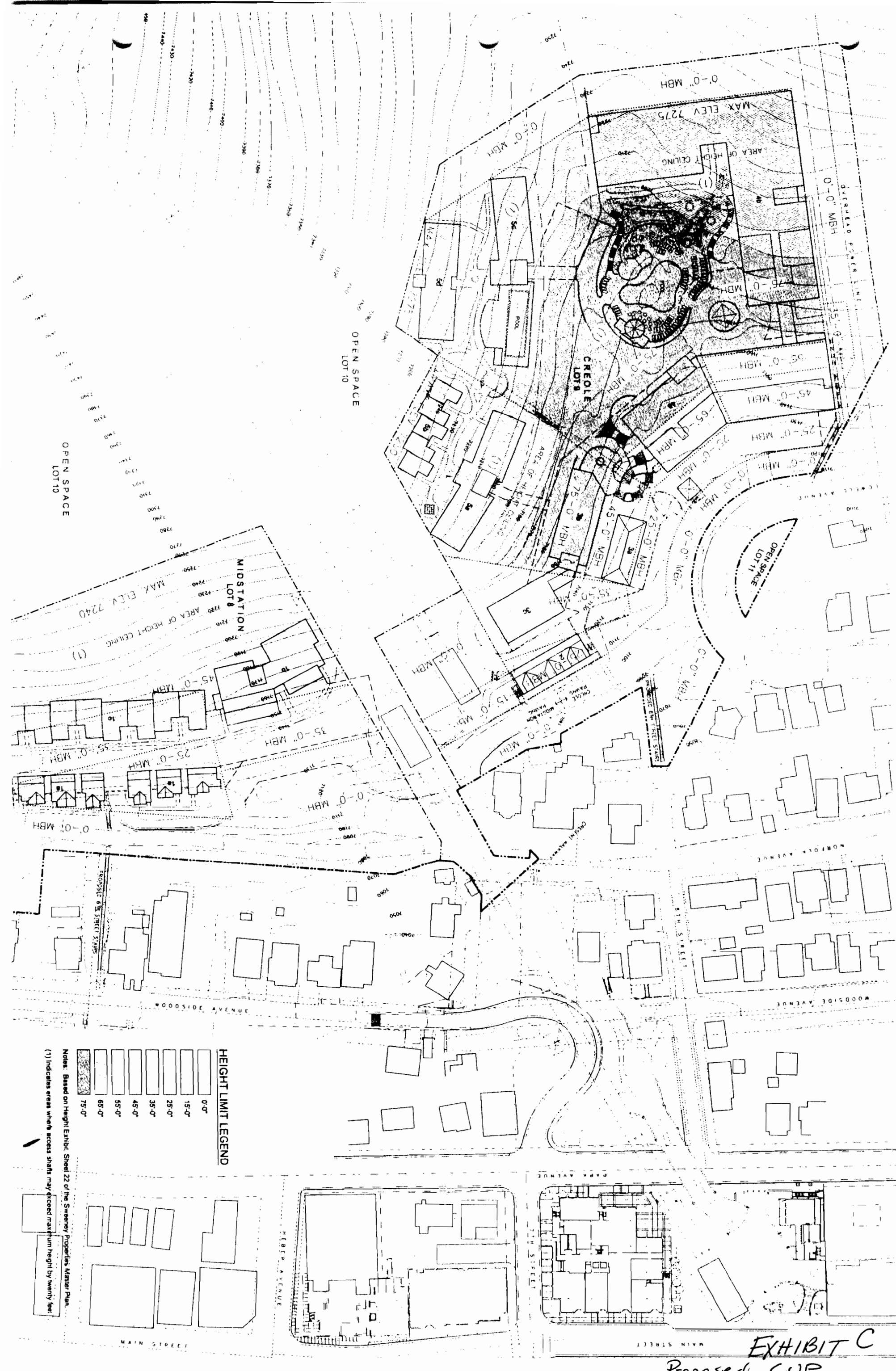
*Illustrative Plan*



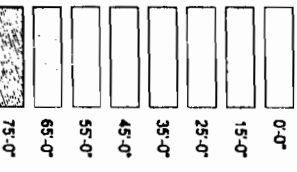
# CREOLE SITE

SERVICE LEVEL: -10  
132  
TOTAL ALL LEVELS: 464





**HEIGHT LIMIT LEGEND**



Notes: Based on Height Exhibit Sheet 22 of the Sweeney Properties Master Plan.  
 (1) Indicates areas where access shafts may exceed maximum height by twenty feet.

**EXHIBIT C**  
**Proposed CUP**



**AVERAGE ROOF HEIGHT CALCULATION RELATIVE TO EXISTING GRADE**

BLDG	BELOW EXISTG GRADE	AVERAGE HEIGHT ABOVE EXISTING GRADE							BLDG. TOTAL
		0 - 15'	15+ - 25'	25+ - 35'	35+ - 45'	45+ - 55'	55+ - 65'	65+ - 75'	
1A	0	0	5,565 S.F.	0	0	0	0	0	5,565 S.F.
1B	0	268 S.F.	1,296	4,378 S.F.	2,298 S.F.	0	0	0	8,240
1C	0	6,809	2,951	0	0	0	0	0	9,760
SUBTOTAL	0	7,077 S.F.	9,812 S.F.	4,378 S.F.	2,298 S.F.	0	0	0	23,565 S.F.
x Ave. Ht. *		x 7.5'	x 20'	x 30'	x 40'				472,578 C.F.
VOLUME		53,078 C.F.	196,240 C.F.	131,340 C.F.	91,920 C.F.				23,565 S.F.
± Total Area									20.1'
<b>AVERAGE HEIGHT ABOVE EXISTING GRADE</b>									
2	0	0	2,672 S.F.	0	0	0	0	0	2,672 S.F.
3A	0	0	0	2,482 S.F.	0	0	0	0	2,482
3B	0	0	0	0	2,776 S.F.	2,010 S.F.	0	0	4,786
3C	0	406 S.F.	1,075	2,714	0	0	0	0	4,195
ELEV.	0	0	0	387	0	0	0	0	387
4A	0	0	1,973	5,659	6,282	4,948	932	0	19,794
4B	0	945	1,196	2,009	4,815	6,844	11,497 S.F.	4,760 S.F.	32,066
POOL	0	0	746	0	0	0	0	0	746
5A	0	3,350	3,443	0	0	0	0	0	6,793
5B	747 S.F.	2,684	0	0	0	0	0	0	3,431
5C	6,332	3,500	0	0	0	0	0	0	9,832
5D	89	3,035	2,122	212	0	0	0	0	5,458
SUBTOTAL	7,168 S.F.	13,920 S.F.	13,227 S.F.	13,463 S.F.	13,873 S.F.	13,802 S.F.	12,429 S.F.	4,760 S.F.	92,642 S.F.
x Ave. Ht. *		x 7.5'	x 20'	x 30'	x 40'	x 50'	x 60'	x 70'	3,096,790 C.F.
VOLUME		104,400 C.F.	264,540 C.F.	403,890 C.F.	554,920 C.F.	690,100 C.F.	745,740 C.F.	333,200 C.F.	92,642 S.F.
± Total Area									33.4'
<b>AVERAGE HEIGHT ABOVE EXISTING GRADE</b>									

\* AVERAGE HEIGHT WITHIN EACH ZONE ASSUMED TO BE THE MID-POINT BETWEEN MINIMUM AND MAXIMUM HEIGHTS FOR THAT ZONE

PARK CITY PLANNING DEPARTMENT  
REVISED Staff Report

TO: Planning Commission  
FROM: Planning Staff  
DATE: December 18, 1985  
RE: SWEENEY PROPERTIES MASTER PLAN

*→ Oct 1986  
approved by  
City Council*

I. PROJECT STATISTICS:

Applicant: MPE, Inc.  
Sweeney Land Company, owner  
Proposal: Large Scale Master Planned Development  
Location: Various parcels throughout Historic District  
Parcel Size: 125.6 acres  
Existing Zoning: Historic Residential (HR-1); Estate (E); and, Historic Recreation Commercial (HRC) currently, although Historic Commercial Business (HCB) at the time of formal application  
Comprehensive Plan: Historic Residential and Estate  
Surrounding Uses: Ski area, residential, vacant  
Application Date: May 21, 1985

II. STAFF'S RECOMMENDATION and FINDINGS

The Planning Department Staff recommends that the Planning Commission APPROVE, and forward a positive recommendation to the City Council on the proposed height variation required and rezoning of the hillside (approximately 110 acres) to Recreation Open Space, the proposed Sweeney Properties Large Scale Master Planned Development. The project has been considered in accordance with the review procedures and criteria outlined in Sections 1 and 10 of the Park City Land Management Code, effective January 1, 1984, as amended. The following plans and exhibits, in addition to this report and the project file, constitute the complete development permit.

1. Sweeney Properties Master Plan, sheets 1-16, 19-26, and 38-43 prepared by DelaMare, Woodruff, Stepan Associates, Inc.
2. Sweeney Properties Master Plan document and Fact Sheet, dated May 15, 1985, and subsequent amendments.
3. Sweeney Properties Master Plan Application.
4. Sweeney Properties Master Plan Phasing Exhibit.
5. Sweeney Properties Master Plan Density Exhibit.
6. Sweeney Properties Master Plan Development Restrictions and Requirements Exhibit.

In support of our recommendation to the Planning Commission to approve the proposed Large Scale Master Planned Development, the staff has made the



following Findings based upon the information submitted in conjunction with this application.

1. The proposed clustered development concept and associated projects are consistent with both the Park City Comprehensive Master Plan and the underlying zoning.
2. The uses proposed and general design of the project is or will be compatible with the character of development in the surrounding area.
3. The open space preserved and conceptual site planning attributes resulting from the cluster approach to the development of the hillside is sufficient justification for the requested height variation necessary, and that the review criteria outlined in Section 10.9 (e) have been duly considered.
4. The commercial uses proposed will be oriented and provide convenient service to those residing within the project.
5. The required parking can readily be provided on-site and in enclosed structures.
6. The proposed phasing plan and conditions outlined will result in the logical and economic development of the project including the extension of requisite utility services.
7. The proposed setbacks will provide adequate separation and buffering.
8. The anticipated nightly/rental and/or transient use is appropriate and compatible with the surrounding area.
9. The provision of easements and rights-of-way for existing utility lines and streets is a benefit that would only be obtained without cost to the residents of Park City through such a master planning effort.
10. The site planning standards as set forth in Section 10.9(g) of the Land Management Code have either been satisfied at this stage of review or practical solutions can be reasonably achieved at the time of conditional use review/approval.

### III. DEVELOPMENT PARAMETERS and CONDITIONS

The staff's recommendation that the Sweeney Properties Large Scale Master Planned Development be approved by the Planning Commission, and subsequently by the City Council, is predicated upon the following terms and conditions. Upon approval, MPE Inc./Sweeney Land Company, its successors or assignees, shall become bound by and obligated for the performance of the following:

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan.
2. Upon final approval of the proposed Master Plan, a recordable document (in accordance with the Land Management Code) shall be prepared and submitted. The Official Zone Map will be amended to clearly identify those properties included within the Master Plan, and the hillside property not included within either the Town Life Mid-Station or Creole Gulch sites (approximately 110 acres) shall be rezoned to Recreation Open Space. At the time of conditional use review, final building configurations and heights will be reviewed in accordance with the approved Master Plan, applicable zoning codes and related ordinances. A minimum of 70% open space shall be provided within each of the development parcels created except for the Coalition properties.
3. The approved densities are those attached as an Exhibit, and shall be limited to the maximums identified thereon. Parking shall be provided on-site in enclosed structures and reviewed in accordance with either the table on the approved Restrictions and Requirements Exhibit or the adopted ordinances at the time of project approval. All support commercial uses shall be oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas.
4. Access to the Town Lift and Creole sites shall be provided by a private roadway with acceptable emergency access and utility easements provided. No city maintenance of these streets is expected. All utility lines shall be provided underground with private maintenance required wherever located in inaccessible locations or outside approved easements.
5. Building heights shall be limited to the maximum envelope described on the Restrictions and Requirements Exhibit. At the time of conditional use approval, projects shall be reviewed for conformance with the heights prescribed thereon, and the following:
  - (a) The various parcels located within the Historic Residential (HR-1) zone district shall abide by the Land Management Code and no height exceptions will be considered. Maximum building height on the single

family lots shall be limited to 25' in order to reduce potential visibility.

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restrictions\**
- (b) The Coalition East sites are limited to a maximum building height of 55', subject to compliance with the stepped facade (as shown on the applicable plans) concept submitted and the setbacks provided.
  - (c) The Coalition West properties are limited to a 35' maximum building height adjacent to Park Avenue and a 28' height along Woodside Avenue; subject to the footprints defined, common underground parking and access, and no commercial uses allowed.
  - (d) The Town Lift Mid-Station development is restricted to a maximum height of <sup>45'</sup>~~35'~~ for at least 90% of the total unit equivalent volume of all above-grade buildings (exclusive of elevator shafts, mechanical equipment, and non-habitable areas) and an overall average height of less than 25' measured from natural, undisturbed grade. Additionally, no portion of any building shall exceed the elevation of 7240' above mean sea level.
  - (e) The Creole Gulch site shall be limited to a maximum building height of 75' for at least 83% of the total unit equivalent volume of all above-grade buildings combined. An average overall height of less than 45' shall be provided and no portion of any building shall exceed either elevation 7250' for the eastern-most building or the elevation of 7275' for the balance of the project (above mean sea level).

The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards.

- 6. At the time of project review and approval, all buildings shall be reviewed for conformance with the Historic District Design Guidelines and related architectural requirements. No mechanical equipment or similar protuberances (i.e: antennae, flags, etc.) shall be permitted to be visible on any building roof-tops or shall any bright or flashing lights be allowed.
- 7. All easements, deeds, and/or rights-of-way shall be provided without cost to the city and in accordance with the master plan documents and phasing plan approved. Likewise, it shall be the developer's sole responsibility to secure all easements necessary for the provision of utility services to the project.
- 8. Master Planned Development approval only conceptually established the ability of local utility service providers to supply service to the projects. It does not constitute any formal approval per se. The applicant has been notified that substantial off-site improvements will be necessary and that the burden is on the future developer(s) to secure various easements and upsize whatever utility lines may be necessary in order to serve this project. Prior to resale of this property in which this MPD approval is carried forward, or prior to any conditional use application for any portion of the MPD, a utility plan addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, and natural gas shall be prepared for review and approval by City Staff and the

Snyderville Basin Sewer Improvement District. Part of the plan shall be cost estimates for each item of utility construction as it is anticipated that major costs for these utilities will be necessary. All such costs shall be paid by the developer unless otherwise provided. If further subdivision of the MPD property occurs, the necessary utility and access improvements (see below) will need to be guaranteed in accordance with city subdivision ordinances. Public utilities, roads, and access questions which will need to be resolved or upgraded by the developers at their cost (in addition to impact fees, water development and connection fees, and all other fees required by city ordinances) are as follows:

- (a) Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, 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. If the City is notified that the construction is pending such that an improved pavement section can be incorporated into normal City maintenance projects, then it is anticipated that the incremental additional cost of the additional pavement thickness (which is likely to be in the vicinity of 3 additional inches of asphalt over the entire 4,6000 linear feet [25-foot asphalt width] of Lowell/Empire south of Manor Way, or approximately \$80,000 additional cost in 1986 dollars) could be paid by the developer with said amount deducted from future impact fees paid to the City as long as it did not exceed the total future impact fees. However, if the increased pavement section is not coordinated with the City by the developer such that the pavement of Lowell and Empire south of Manor Way remains inadequate at the time the Creole Gulch site is developed, then the developer shall essentially reconstruct the entire 4,600-foot length of Lowell and Empire south of Manor Way at his or her cost, which with excavation and reconstruction of an anticipated 6-inch asphalt thickness on top of 10 inches of roadbase, plus all other normal construction items and costs, would be in the approximate cost range of \$300,000 to \$400,000 in 1986 dollars. Further, because that reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents and the cost therefore would not be deductible from any developer impact fees.
- (b) Contribute to the Park City Village, or other water tanks, determined to be necessary by the City Engineer in order to serve the project with culinary and fire storage. Based on a Type 1 fire resistive construction, it is assumed that the contribution would be on the order of 500,000 gallons at a cost of approximately \$300,000.00,

although the exact figures would need to be determined in a detailed study using adopted City standards.

- (c) Construct pumped pressure system(s) with backup emergency power to provide a means of delivery of fire flows to the project. Construct a meter vault at the edge of the road adjacent to the project, beyond which all water facilities would be privately maintained. It is anticipated that in the vicinity of 2,500 feet of 12-inch water line with appurtenances may be required. Such pipe would cost about \$70,000 in 1986 dollars exclusive of the pumps and backup power, which are even more expensive.
  - (d) Provide an easement, or pay all costs related to condemnation by Park City of an easement, suitable for construction and maintenance of a storm drain from the project site to Silver Creek or McLeod Creek. All City streets and any public utility drainage easements normally provided in the course of other private development shall be available for utility construction related to this MPD subject to reasonable construction techniques and City standards.
  - (e) Pay for downstream detention basin construction costs in accordance with the ratio of increased runoff from the project during the 50-year flood event to the total design volume of the basin.
  - (f) Construct a storm drain line to Silver Creek or McLeod Creek adequate to contain the runoff running through and off the site during the 50-year flood event. It is assumed that a minimum of 36-inch concrete storm drain line will need to be installed solely for Creole Gulch drainage. It is further assumed that special cleanout boxes and inlet boxes will need to be designed to address difficult hydraulic problems. Such boxes are expensive.
  - (g) Provide revegetation over all on-site and off-site areas disturbed for project-related utilities.
  - (h) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of \$100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines.
9. To minimize additional construction traffic impacts, on-site material stockpiling/staging and parking shall be provided during the course of construction. Similarly, cut and fill shall be balanced and distributed on-site whenever practicable, with any waste material to be hauled over City specified routes. Also at the time of conditional use review/approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans.
- 10 As projects are submitted for conditional use approval, the city shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application.

#### IV. BACKGROUND

An application for Large Scale Master Planned Development was submitted on May 21, 1985, in accordance with Sections 1 and 10 of the Park City Land Management Code. The applicant requested that only general development concept and density be approved at this juncture. Final unit configuration and mix may be adjusted by future developers at the time of conditional use review. A legal description of the total property involved in the area being master planned shall be recorded with Summit County. The general nature of the development and pertinent details of the transferring of densities from one area to another shall be adequately described and of sufficient depth to apprise potential land purchasers or developers that the property has been included within a Master Plan.

A variety of development concepts were submitted during the course of reviewing the proposed Master Plan. A total of eight distinct approaches to the development of the Hillside Properties were evaluated. The alternative concepts ranged from a "conventional" subdivision approach involving the extension of Norfolk Avenue, to a modern high-rise concept. The staff, Planning Commission and general public have all favored the clustering of development as opposed to spreading it out. Several of the alternatives prepared were in response to specific concerns expressed relative to the scale and mass of buildings necessary to accommodate the density proposed. The latest concept developed represents a refined version of the cluster approach originally submitted.

#### V. NARRATIVE

The Sweeney Properties Master Plan involves a number of individual development parcels. Combined, a total of 277 unit equivalents are proposed; including, 258 residential and 19 unit equivalents worth of support commercial space. Based upon the zoning in effect at this time, in excess of 450 units could be requested. While this may be somewhat misleading due to certain physical and technical constraints (i.e: access, slope, utilities), 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 various parcels of land included within the Sweeney Properties Master Plan are scattered about the Historic District and are detailed on the attached Exhibit. For additional clarity a brief narrative description of each development area follows:

##### Coalition Properties

The three sites comprising the Coalition Properties are located adjacent to the new Town Lift base station on Park Avenue at 8th Street, and contain a total of 1.73 acres (1.46 acres HRC, .27 acres HR-1).

The Coalition East North and South parcels are separated by an easement granted for the ski liftway. Although this property was included within the recent rezoning of the Depot Area from Historic Commercial Business (HCB) to Historic Recreation Commercial (HRC), the application was submitted prior to this action and the former zoning is thereby "grandfathered" (if, in fact, the

application is approved). The development concept proposed entails a predominantly residential project with some ground level commercial uses anticipated. In an effort to reduce densities elsewhere within the Master Plan, the originally proposed density has been increased from 37 to 40 unit equivalents. Preliminary building footprints and massing drawings show structures with a stepped facade reaching a maximum height of fifty-five feet. Parking will be provided within an enclosed structure beneath the buildings and in accordance with the Table on the Restrictions and Requirements Exhibit or the Land Management Code (to be determined at the time of conditional use approval).

The Coalition West property is located south of and adjacent to 8th Street in the Historic Recreation Commercial (HRC) zone recently created. The concept for this particular site is in keeping with the previous zoning (Historic Residential, HR-1) and provides a buffer for properties located to its west. Also in response to preferred reductions in density elsewhere in the Master Plan, the originally proposed ten unit equivalents have been increased to thirteen total. In order to accommodate this additional density, a floor was added to several of the buildings. Building heights adjacent to Park Avenue have been shown at 35', while those abutting Woodside Avenue will be restricted to a 28' height. Individual structures have been conceptually designed in keeping with the scale of the Historic District will all code required parking to be provided below the buildings and accessed from a single common driveway.

#### HR-1 Properties

These project parcels consist of the MPE and Carr-Sheen properties and total less than  $\frac{1}{2}$  acre (.45) in size. Zoned HR-1 at present, the Master Plan proposes to limit densities on these sites to 2 and 3 unit equivalents accordingly, or a reduction of 44% (i.e: 4 units total). In addition, easements shall be provided for a stairway connecting the Empire-Lowell switchback to the Crescent walkway. The Fletcher parcel included within the Master Plan will be preserved as open space in addition to several quit claim deeds provided to the city for existing streets located outside platted rights-of-way.

#### Hillside Properties

By far the largest area included within the proposed Master Plan, the Hillside Properties involve over 123 acres currently zoned PR-1 (approximately 15 acres) and Estate (108 acres). The development concept proposed would cluster the bulk of the density derived into two locations; the Town Lift Mid-Station site and the Creole Gulch area. A total of 197 residential and an additional 19 commercial unit equivalents are proposed between the two developments with over 90% of the hillside (locally referred to as Treasure Mountain) preserved as open space. As part of the Master Plan, the land not included within the development area boundary will be rezoned to Recreation Open Space (ROS).

The Town Lift Mid-Station site contains roughly 3.75 acres and is located west of Woodside Avenue at approximately 6th Street. The majority of the developable area is situated southeast of the mid-station loading area. A total of 35.5 residential unit equivalents are proposed with 3.5 equivalents worth of support commercial space as well. The concept plan shows a number of low profile buildings located on the downhill side of the access road containing 9 unit equivalents. Two larger buildings are shown above the road with 9.5 and 17



units envisioned. The average building height for the Town Lift site is less than 25' with over 85% of the building volume fitting within a 35' height envelope. Parking will be provided within enclosed structures, accessed via a private road originating from the Empire-Lowell switchback. The closest neighboring residence is currently located in excess of 200 feet away.

The Creole Gulch site is comprised of 7.75 acres and situated basically south of the Empire-Lowell switchback at approximately 8th Street. The majority of the property is currently zoned Estate (E). A total of 161.5 residential unit equivalents are proposed. In addition, 15.5 unit equivalents of support commercial space is included as part of the Master Plan. Average building heights are proposed to be less than 45' with a maximum of 95' for the highest point. As conceptually proposed, in excess of 80% of the building volume is within a 75' height envelope measured from existing grade. It is expected that the Creole Gulch site will be subdivided into specific development parcels at some future date. Parking is accessed directly from the Empire-Lowell switchback and will be provided within multi-level enclosed structures. Depending upon the character of development and unit configuration/mix proposed at conditional use approval, the actual numbers of parking spaces necessary could vary substantially. Buildings have been set back from the adjacent road approximately 100' and a comparable distance to the nearest adjoining residence.

#### Miscellaneous Properties

In addition to the development areas described above, the proposed Master Plan identifies three distinct single-family lots; one of which is located above Woodside Avenue adjacent to and north of platted 5th Street, a second to be accessed from Upper Norfolk, and a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet.

#### VI. MAJOR ISSUES

Many concerns were raised and issues identified through the review process. A project of this scale and complexity would pose similar and considerable consternation no matter where it was proposed to be built. Because this particular site is located both within and adjacent to the Historic District, many of the concerns expressed related to the more subjective kinds of considerations. The Master Planned Development procedure attempts to deal with the general concept of the proposed development and defer or relegate the very detailed project review elements to the conditional use stage of review. At conditional use review, the following issues will be examined in considerable detail with technical solutions sought.

Comprehensive Plan - The city's Comprehensive Master Plan identifies the Hillside property as a key scenic area and recommends that development be limited to the lower portions of the mountain. The existing HR-1 ground included in the Sweeney Master Plan is shown as being retained for residential use similar to the existing pattern of development. The Coalition West site is also recommended for Historic Residential use with the East parcels included within a Historic Commercial area. The proposed Sweeney

Properties MPD is in conformance with the land use designations outlined in the Park City Comprehensive Master Plan.

Scale - The overall scale and massiveness of the project has been of primary concern. Located within the Historic District, it is important for project designed to be compatible with the scale already established. The cluster concept for development of the hillside area, while minimizing the impacts in other areas, does result in additional scale considerations. The focus or thrust of the review process has been to examine different ways of accommodating the development of the property while being mindful of and sensitive to the surrounding neighborhood. The relocation of density from the Town Lift site was partly in response to this issue. The concentration of density into the Creole Gulch area, which because of its topography and the substantial mountain backdrop which 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.

Zoning - Currently, the land involved in the proposed MPD is comprised of three (actually four) distinct zoning designations. The Coalition East parcel is currently zoned Historic Recreation Commercial (HRC) although it was zoned (and is therefore, technically "grandfathered" or vested) Historic Commercial Business at the time the application was submitted. The West site is also now zoned HRC. The Hillside Properties (i.e: Town Lift Mid-Station and Creole Gulch sites) are zoned Historic Residential (HR-1) and Estate (E). The Carr-Sheen, MPE, and two of the three single-family lots are all zoned HR-1 as well. The single-family lot adjacent to property owned by United Park City Mines is zoned Estate.

The current zoning will basically remain unaltered as a result of the proposed Master Plan except that over 110 acres of the mountain will be rezoned to Recreation Open Space (ROS), and the hillside properties will be designated as being subject to a Master Planned Development document/approval (i.e: E/HR1-MPD).

Neighborhood Compatibility - In reviewing the general compatibility of a project of this scale, an evaluation of possible alternative approaches was undertaken. In light of those other development concepts and associated impacts, the proposed clustering approach was deemed the most compatible. 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 toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space. The non-hillside project sites have also been planned in accordance with both the Historic District guidelines and in keeping with the scale of existing residences. The long build-out period envisioned will also enable a more detailed review at the time when specific project proposals are developed. A number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations.

Open Space - 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.

Access - All of the different concepts reviewed would result in similar access concerns. The Coalition properties along Park Avenue have excellent access as a result and efforts were, therefore, limited to combining driveways to minimize the number of curb cuts (i.e: ingress/egress points). The development of the Hillside Properties will undoubtedly impact not only Empire and Lowell Avenues but other local streets as well. While certain assumptions could be made as to the type or character of development proposed and possible corresponding differences in traffic patterns, many of the questions raised would remain unanswered. While it is true that the Norfolk Avenue extended alternative would best deal with the current problem of poor access to that area, it would not have solved all of the access issues. The proposed Master Plan will provide sufficient ground, to be dedicated to the city, for purposes of developing a reasonable turnaround for Upper Norfolk.

Visibility - The issue of visibility is one which varies with the different concepts proposed and vantage or view points selected. The very detailed visual analyses prepared graphically demonstrated how the various proposals might look from key points around town. The cluster approach, although highly visible from certain areas, does not impose massive structures in the most prominent areas. Instead, the tallest buildings have been tucked into Creole Gulch where topography combines with the densely vegetated mountainside to effectively reduce the buildings' visibility. The height and reduction in density at the Mid-Station site has been partly in response to this concern. The staff has included a condition that an exhibit be attached to the Master Plan approval that further defines building envelope limitations and architectural considerations.

Building Height - In order to minimize site disturbance and coverage, the clustering of density necessitated consideration of building heights in excess of that which is permitted in the underlying zoning (28' to the mid-point of a pitched roof with a maximum ridge height of 33'). The various iterations submitted for review demonstrated the trade-offs between height and site coverage. The proposed concept for the Mid-Station area results in buildings that would average only 18' above grade with portions (primarily the elevator access shafts likely to be required) approaching 75' in the worst-case situation. The concept reviewed for the Creole Gulch area entails portions of buildings as high as 100', but with an overall average of less than 40'. The Coalition East property, as a result of transferring additional density to it, is proposed to go as high as 55'; whereas, the Coalition West site approaches 35' along the Park Avenue frontage and 28' adjacent Woodside Avenue. As a part of the Master Planned Development process, height variations can be approved in light of other

planning considerations (see Section 10.9(e) of the Land Management Code). Throughout the review, considerable effort has been directed at minimizing overall building height and related impacts while still accommodating the proposed density in a cluster type of development.

The staff has developed a number of recommended conditions in response to the concerns expressed over building heights. An exhibit defining building "envelopes" has been developed to define areas where increased building heights can be accommodated with the least amount of impact. It is our recommendation that maximum building heights be restricted to <sup>40</sup>35' and 75' at the Town Lift Mid-Station and Creole Gulch sites, respectively, for the bulk of (at least 83%) the building volumes. Similarly, we recommend that the building envelope proposed for the Coalition properties be limited in accordance with the exhibits prepared and made a part of the approval documents.

Overall Concept - The concept of clustering densities on the lower portion of the hillside with some transferring to the Coalition properties has evolved from both previous proposals submitted and this most recent review process. The Park City Comprehensive Master Plan update that was recently enacted encourages the clustering of permitted density to those areas of the property better able to accommodate development. In order to preserve scenic areas in town and mitigate potentially adverse impacts on the environment, the Master Planned Development concept was devised. The Sweeney Properties MPD was submitted after a number of different development concepts had been reviewed; including, several versions of the Silver Mountain proposal and various designs that were predicated on the extension of Norfolk Avenue through to the Empire-Lowell Avenues area. After considerable staff discussion and input, the cluster concept was developed. Because of the underlying zoning and resultant density currently in place, the cluster approach to developing on the hillside has been favored throughout the formal review and Hearing process.

Land Uses - The predominant land uses envisioned at this time are transient-oriented residential development(s) with some limited support commercial. The building forms and massing as well as location lend themselves to hotel-type development. Although future developers of projects within the Master Plan have the flexibility to build a variety of unit types in different combinations or configurations, the likelihood is that these projects will likely be geared toward the visitor looking for more of a destination-type of accommodation. The property involved in the Master Plan is directly connected to the Park City Ski Area and as such can provide ski-to and ski-from access. A number of smaller projects in the area are similarly oriented to the transient lodger. Although certainly a different kind of residential use than that which historically has developed in the old town area, it is still primarily residential in nature. The inclusion of attached townhomes serving to buffer between the existing residences and the denser areas of development will also help provide a transition of sorts. The amount of commercial space included within the Master Plan will be of the size and type to provide convenient service to those residing within the project, rather than possibly be in competition with the city's existing commercial areas.

*Recommendations approved by City Council*

Traffic - Any form of development proposed in this area of town would certainly impact existing streets. Although the majority of traffic generated will use Empire and Lowell Avenues, other roads will also be affected. The concept of extending Norfolk Avenue would have improved access to the south end of old town, but would also have added additional traffic to Empire and Lowell as a result. It is expected that both Empire and Lowell will be improved in several years in order to facilitate traffic movement in general. Even without this project, some upgrading has been planned as identified through the development of the Streets Master Plan.

In evaluating traffic impacts, both construction and future automobile demand are considered. Many related issues also come into play, such as efforts to minimize site grading and waste export. The Master Plan review process affords the opportunity to address these issues in considerable detail whereas other reviews would not. Several of the conditions proposed deal with the issue of traffic and efforts directed at mitigating the impacts created. Traffic within the project will be handled on private roadways with minimal impact.

Utilities - The various utility providers have all reviewed the proposed development concept and do not oppose granting Master Plan approval. Substantial improvements to existing infrastructure will be necessary, however, and the developer has been apprised of his responsibility. Considerable off-site work will be required, the details of which will be resolved at the time of conditional use approval. Depending upon the timing of actual development or the possible subdivision of the property, participation in upgrading existing utility lines and roadway improvements may be required ahead of schedule. A number of parameters/conditions recommended further detail these issues and serve to verify the nature of MPD concept approval.

Fiscal - The proposed dense clustering of development is by far the most economic to service. In contrast to other concepts proposed involving the extension of Norfolk Avenue and possible scattered development of the hillside, the cluster approach represents a positive impact on the city's and other public entities budgets. The nature of development anticipated and lack of additional roadway and utility line extensions requiring maintenance will not create significant additional demands for service.

Tenancy - The likely occupancy and tenancy of the projects comprising the Master Plan will be transient in nature. Rather than housing significant numbers of year-round permanent residents, it is expected that the orientation will instead be toward the short-term visitor.

Circulation - Circulation within the primary development sites will be on foot. Private roadways/drives access the project parking areas with vehicular circulation provided between projects and for service/delivery, construction, and emergency purposes. Pedestrian circulation within the projects will be provided via walkways and plazas with off-site improvements made to facilitate area-wide access. Several nearby stairways will be (re)constructed in accordance with the approved phasing and project plans.

Easements/Rights-of-Way - The Sweeneys have included the dedication and and/or deeding of several easements and sections of rights-of-way to improve the city's title. As a part of the Master Plan, several roadway sections and utility/access corridors will be deeded over. In addition, a right-of-way will be supplied for the construction of a hammerhead-type turnaround for Upper Norfolk Avenue.

Norfolk Avenue - Although several staff members supported the idea of extending Norfolk Avenue through to Empire-Lowell, the consensus was in support of the clustering approach to development. Technical as well as fiscal concerns were discussed relative to the access benefits that would result. Similarly, although the resultant scale of HR-1 development that would have been likely is closer to that prevalent in the Historic District today, the spreading-out of the impacts of road and development construction would have been exacerbated. In lieu of extending Norfolk Avenue, the Sweeney's have consented to deed to the city sufficient land for a turnaround and to participate in the formation of a special improvement district for roadway improvements (in addition to providing an easement for the existing water line).

Grading - The proposed cluster concept will result in less grading than the alternatives considered. The MPD review enabled the staff, Planning Commission, and developer the opportunity to consider this kind of concern early in the project design process. The concept plans developed have examined the level of site work required and how potential impacts can be mitigated. Various conditions supported by staff have been suggested in order to verify the efforts to be taken to minimize the amount of grading necessary and correlated issues identified.

Disturbance - The eight distinct development scenarios presented each had a varying degree of associated site disturbance. The current concept results in considerably less site clearing and grading than any of the others presented (except the total high-rise approach). A balance between site disturbance and scale/visibility has been attained through the course of reviewing alternate concepts. General development parameters have been proposed for Master Plan approval with the detailed definition of "limits of disturbance" deferred until conditional use review.

Density - The proposed densities are well within the maximum allowed and actually about one-half of that which the underlying zones would permit. While it would not be practical or feasible to develop to the full extent of the "paper density", the proposed Master Plan does represent a considerable reduction from that which could be proposed. During the course of review, numerous comparables were presented which demonstrated that the overall density proposed (1.77 unit equivalents per acre of the Hillside Properties and 2.20 for the entire MPD) is the lowest of any large scale project recently approved. The net densities proposed for the hillside properties, while seemingly quite high, are in actuality lower than the density of the surrounding area. Thus, even though a transferring and congregation of development density is occurring, the overall gross and net densities are well within ranges approved for other projects. ||| \*

Phasing - The build-out of the entire Master Plan is expected to take somewhere between 15-20 years. The Coalition properties will likely be

Treasure Hill CUP = 62.5 acres  
Development Parcel = 11.5 acres  
Open Space " = 51.0 acres  
197 UE

14 Norfolk Ave Density = 30 UE/ac  
Treasure Hill CUP = 3.2 UE/ac  
" " (just dev parcel) = 17 UE/ac

developed within 5-10 years with development of the Hillside area not expected for at least 10 years. Because of the scope of the project and the various related improvements necessary to accommodate a project of this nature, a detailed time line has been developed as an attachment to the MPD approval documents. While some flexibility is built-into the approved Master Plan, any period of inactivity in excess of two years would be cause for Planning Commission to consider terminating the approval.

Setbacks - All of the development sites provide sufficient setbacks. The Coalition properties conceptually show a stepped building facade with a minimum 10' setback for the West site (in keeping with the HRC zoning) and a 20' average setback for the East sites. The Hillside properties provide substantial 100'+ setbacks from the road, with buildings sited considerably farther from the closest residence.

Fire Safety - The clustering of development proposed affords better overall fire protection capabilities than would a more scattered form. Buildings will be equipped with sprinkler systems and typical "high-rise" fire protection requirements will be implemented. The proposed development concept locates buildings in areas to avoid cutting and removing significant evergreens existing on the site. Specific parameters have been recommended by the staff with actual details proposed to be deferred until conditional use review.

Snow Removal/Storage - The cluster approach to development results in less roadway or associated hard-surfaced area and thereby reduces the amount of snow storage/removal necessary. Considerable effort has been devoted in looking at everything from snow melting systems to where pitched roofs will shed. No additional snow removal will be required of the city. At conditional use approval, additional consideration will be appropriate to ensure that snow storage can safely and reasonably be handled on-site.

Employee Housing - At the time of conditional use approval, individual projects shall be reviewed for impacts on and the possible provision of employee housing in accordance with applicable city ordinances in effect.

Landscaping/Erosion Control - Detailed landscaping plans and erosion control/revegetation methodologies for minimizing site impacts will be required at the time of conditional use review. Plantings shall be reviewed for their ability to provide visual interest and blend with existing native materials.

Trails - The proposed phasing plan identifies the timing of construction for summertime hiking trails and related pedestrian connections. Trails, stairways, and sidewalks accessing or traversing the various properties will be required in accordance with both the approved phasing plan and at the time of conditional use review/approval.



DEVELOPMENT PARAMETERS and CONDITIONS

The staff's recommendation that the Sweeney Properties Large Scale Master Planned Development be approved by the Planning Commission, and subsequently by the City Council, is predicated upon the following terms and conditions. Upon approval, MPE Inc./Sweeney Land Company, its successors or assignees, shall become bound by and obligated for the performance of the following:

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan.
2. Upon final approval of the proposed Master Plan, a recordable document (in accordance with the Land Management Code) shall be prepared and submitted. The Official Zone Map will be amended to clearly identify those properties included within the Master Plan and the hillside property not included within either the Town Life Mid-Station or Creole Gulch sites (approximately 110 acres) shall be rezoned to Recreation Open Space. At the time of conditional use review, final building configurations and heights will be reviewed in accordance with the approved Master Plan, applicable zoning codes and related ordinances. A minimum of 70% open space shall be provided within each of the development parcels created except for the Coalition properties.
3. The approved densities are those attached as an Exhibit, and shall be limited to the maximums identified thereon. Parking shall be provided on-site in enclosed structures and reviewed in accordance with either the table on the approved Restrictions and Requirements Exhibit or the adopted ordinances at the time of project approval. All support commercial uses shall be oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas.
4. Access to the Town Lift and Creole sites shall be provided by a private roadway with acceptable emergency access and utility easements provided. No city maintenance of these streets is expected. All utility lines shall be provided underground with private maintenance required wherever located in inaccessible locations or outside approved easements.
5. Building heights shall be limited to the maximum envelope described on the Restrictions and Requirements Exhibit. At the time of conditional use approval, projects shall be reviewed for



conformance with the heights prescribed thereon, and the following:

- (a) The various parcels located within the Historic Residential (HR-1) zone district shall abide by the Land Management Code and no height exceptions will be considered. Maximum building height on the single family lots shall be limited to 25' in order to reduce potential visibility.
- (b) The Coalition East sites are limited to a maximum building height of 55', subject to compliance with the stepped facade (as shown on the applicable plans) concept submitted and the setbacks provided.
- (c) The Coalition West properties are limited to a 35' maximum building height adjacent to Park Avenue and a 28' height along Woodside Avenue; subject to the footprints defined, common underground parking and access, and no commercial uses allowed.
- (d) The Town Lift Mid-Station development is restricted to a maximum height of 45' for at least 90% of the total unit equivalent volume of all above-grade buildings (exclusive of elevator shafts, mechanical equipment, and non-habitable areas) and an overall average height of less than 25' measured from natural, undisturbed grade. Additionally, no portion of any building shall exceed the elevation of 7240' above mean sea level.
- (e) The Creole Gulch site shall be limited to a maximum building height of 75' for at least 83% of the total unit equivalent volume of all above-grade buildings combined. An average overall height of less than 45' shall be provided and no portion of any building shall exceed either elevation 7250' for the eastern-most building or the elevation of 7275' for the balance of the project (above mean sea level).

The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards.

6. At the time of project review and approval, all buildings shall be reviewed for conformance with the Historic District Design Guidelines and related architectural requirements. No mechanical equipment or similar protuberances (i.e: antennae, flags, etc.) shall be permitted to be visible on any building roof-tops or shall any bright or flashing lights be allowed.
7. All easements, deeds, and/or rights-of-way shall be provided without cost to the city and in accordance with the master plan documents and phasing plan approved. Likewise, it shall be the developer's sole responsibility to secure all easements necessary for the provision of utility services to the project.

8. Master Planned Development approval only conceptually established the ability of local utility service providers to supply service to the projects. It does not constitute any formal approval per se. The applicant has been notified that substantial off-site improvements will be necessary and that the burden is on the future developer(s) to secure various easements and upsize whatever utility lines may be necessary in order to serve this project. Prior to resale of this property in which this MPD approval is carried forward, or prior to any conditional use application for any portion of the MPD, a utility plan addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, and natural gas shall be prepared for review and approval by City Staff and the Snyderville Basin Sewer Improvement District. Part of the plan shall be cost estimates for each item of utility construction as it is anticipated that major costs for these utilities will be necessary. All such costs shall be paid by the developer unless otherwise provided. If further subdivision of the MPD property occurs, the necessary utility and access improvements (see below) will need to be guaranteed in accordance with city subdivision ordinances. Public utilities, roads, and access questions which will need to be resolved or upgraded by the developers at their cost (in addition to impact fees, water development and connection fees, and all other fees required by city ordinances) are as follows:

- ~~X~~
- (a) Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, 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. If the City is notified that the construction is pending such that an improved pavement section can be incorporated into normal City maintenance projects, then it is anticipated that the incremental additional cost of the additional pavement thickness (which is likely to be in the vicinity of 3 additional inches of asphalt over the entire 4,6000 linear feet [25-foot asphalt width] of Lowell/Empire south of Manor Way, or approximately \$80,000 additional cost in 1986 dollars) could be paid by the developer with said amount deducted from future impact fees paid to the City as long as it did not exceed the total future impact fees. However, if the increased pavement section is not coordinated with the City by the developer such that the pavement of Lowell and Empire south of Manor Way remains inadequate at the time the Creole Gulch site is

developed, then the developer shall essentially reconstruct the entire 4,600-foot length of Lowell and Empire south of Manor Way at his or her cost, which with excavation and reconstruction of an anticipated 6-inch asphalt thickness on top of 10 inches of road base, plus all other normal construction items and costs, would be in the approximate cost range of \$300,000 to \$400,000 in 1986 dollars. Further, because that reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents and the cost therefore would not be deductible from any developer impact fees.

- (b) Contribute to the Park City Village, or other water tanks, determined to be necessary by the City Engineer in order to serve the project with culinary and fire storage. Based on a Type 1 fire resistive construction, it is assumed that the contribution would be on the order of 500,000 gallons at a cost of approximately \$300,000.00, although the exact figures would need to be determined in a detailed study using adopted City standards.
- (c) Construct pumped pressure system(s) with backup emergency power to provide a means of delivery of fire flows to the project. Construct a meter vault at the edge of the road adjacent to the project, beyond which all water facilities would be privately maintained. It is anticipated that in the vicinity of 2,500 feet of 12-inch water line with appurtenances may be required. Such pipe would cost about \$70,000 in 1986 dollars exclusive of the pumps and backup power, which are even more expensive.
- (d) Provide an easement, or pay all costs related to condemnation by Park City of an easement, suitable for construction and maintenance of a storm drain from the project site to Silver Creek or McLeod Creek. All City streets and any public utility drainage easements normally provided in the course of other private development shall be available for utility construction related to this MPD subject to reasonable construction techniques and City standards.
- (e) Pay for downstream detention basin construction costs in accordance with the ratio of increased runoff from the project during the 50-year flood event to the total design volume of the basin.
- (f) Construct a storm drain line to Silver Creek or McLeod Creek adequate to contain the runoff running through and off the site during the 50-year flood event. It is assumed that a minimum of 36-inch concrete storm drain line will need to be installed solely for Creole Gulch drainage. It is further assumed that special clean-out boxes and inlet boxes will need

to be designed to address difficult hydraulic problems. Such boxes are expensive.

- (g) Provide revegetation over all on-site and off-site areas disturbed for project-related utilities.
  - (h) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of \$100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines.
9. To minimize additional construction traffic impacts, on-site material stockpiling/staging and parking shall be provided during the course of construction. Similarly, cut and fill shall be balanced and distributed on-site whenever practicable, with any waste material to be hauled over City specified routes. Also at the time of conditional use review/approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans.
- 10 As projects are submitted for conditional use approval, the city shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application.

SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

Parcel	Acage	Residential Unit Equivalents	Commercial Unit Equivalents	Maximum Building Height	Minimum Open Space (%)
<b>Coalition Properties</b>					
East	0.986	40	Maximum Commercial space not to exceed FAR of 1:1	55'	39.8 <sup>1</sup>
West	0.543	13	---	35'	54.9
<b>Hillside Properties</b>					
Creole Gulch	7.75	161.5	15.5	<del>98'</del> * 75'	70
Town Lift Mid-Station	3.75	35.5	3.5	<del>58'</del> * 35'	70
Three 1/4-acre Single Family Lots open space	1.5	3	---	25'	83.9
<b>Develop IIR-1 Properties</b>					
Carr-Sheen	0.288	3	---	28'	60
MPE	0.161	<u>2</u> 258 U.E.	<u>19 U.E.</u>		

<sup>1</sup> Does not include Town Lift base facility  
<sup>2</sup> Maximum roof height, excludes elevator shaft

\* Subject to revised conditions as stated in the Motion by City Council 04/16

Density of Norfolk Ave = 30 units/acre  
 Density of Treasure Hill parcel 197 units/

opposite of the philosophies expressed during that interview and although in his mind's eye Jim Santy does not see it that way -- the perception that Mr. Doilney had at least as one individual, couldn't have been stronger that that was where Mr. Santy was philosophically and for that reason Mr. Doilney felt that it was fair to appoint someone with similar views who would replace Al Horrigan. The commitment to development principles is one that isn't subject to change of opinion and he urged Mr. Santy to consider the position he is taking.

Tom Shellenberger reminded Councilman Doilney that as long as he has been on the Council, he couldn't remember anyone who changed his mind more than Al Horrigan. Mr. Shellenberger continued that during the interview process he did recall Jim Santy using the word "moratorium" but interpreted it to be in generalities and didn't feel it was directed at the Sweeney Project. The Mayor called for a vote.

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

Motion carried.

4. Approval of Height Exception for Sweeney Master Plan Approval - The City Manager explained that the height exception would pertain to the following parcels: Coalition East on Park Avenue for 40 units for 55 feet (permitted height 28 feet); the Coalition West, zoned for 13 units for 35 feet (HR-1 - permitted height 28 feet); Creole Gulch 161.5 unit equivalents for 95 feet (permitted 28 feet); Town Lift Mid-Station 55.5 unit equivalents for 55 feet (permitted 28 feet). These can be acted on together or individually by Council.

~~X~~  
Specific  
City  
Council  
Approval

Ann MacQuoid, "I move that with the height exceptions there are four height exceptions requested and that those height exceptions be approved by Council with the following modification. That is that in the what is called the Creole Gulch where the request is for a maximum of 95 feet that that be limited to 75 feet and that specifically the condition that is 5(e) in the conditional permit read:

"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 other revision would be that at the Town Lift Mid-Station instead of 55 feet, the height be limited to 45 feet and that condition 5(d) be revised:

"The Town Lift Mid-Station development is restricted to a maximum height of 45 feet. The maximum height of 35 feet is required for at least 90% of the total unit equivalent volume of all above grade buildings and an overall average height of less than 25 feet measured from natural undisturbed grade. No portion of any building shall exceed the elevation 7,240 feet above main sea level."

And that the rest of the conditions outlined in the height exception request which does specify the rezoning of the 110 acres to ROS zoning be maintained as approved by the Planning Commission."

ABE117

Tom Shellenberger seconded. Craig Smith emphasized that at the time of Planning Commission approval, it was unclear when the ROS zoning would take place and felt that language to the motion should be added which he believed to be the intent of the petitions: "that the area designated for ROS zoning take place before a plat, building permit, or conditional use permit is approved by the City". Ann MacQuoid, "I would add that to my motion". Tom Shellenberger amended his second.

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

#### XII NEW BUSINESS

Award of Bid to Intermountain Coach for Elderly/Handicapped Van for Senior Citizens in the Amount of \$34,435 (Federal 80%/City 20%) - Bids were received and opened September 19, 1986 for one four-wheel drive elderly/handicapped van for one Park City's senior citizens as follows:

Collins Industries	\$31,033
Intermountain Coach	34,435
National Coach	38,000
Hasco Inc.	39,637
Tates Inc.	42,690

Collins Industries is the low bidder, however, they do not meet specifications as to the warranty provision, interior height and aisle width. Staff recommends acceptance of the Intermountain Coach bid subject to specified delivery date of 90 days. Although they are over the \$30,000 budgeted (\$4,435 over budget), the federal government has concurred with awarding the bid to the second lowest bidder, Intermountain Coach.

Federal participation will occur only if there is an under-run somewhere in the other line items of this particular grant. If an under-run does not occur, possibly we will have to pick up the costs with the completion of the overall grant. It is also feasible that UDOT may have money available when they audit to cover it for us at an 80%/20% split on the over-run. Cost factors involve:

	<u>Federal 80%</u>	<u>City 20%</u>
Budgeted \$30,000	\$24,000	\$ 6,000
Bid at 34,435	27,578	6,887

Budget revision:

With federal participation	\$ 887
Without federal participation	4,435

The Transportation Department has been working with Park City School District to find a solution to the transportation needs of a paraplegic student at Park City High School. The School District does not have a wheelchair lift-equipped vehicle and has requested to use the City's. All aspects of this arrangement have been determined to the satisfaction of both parties involved, and has been in place on a trial basis until formally approved by Council.

Tom Shellenberger, "I move approval". Jim Santy seconded. Motion carried unanimously.

#### XIII ADJOURNMENT

Tom Shellenberger, "I move to extend the one year extention". Ann MacQuoid seconded. Motion carried.

Jim Santy	Aye
Kristen Rogers	Aye
Ann MacQuoid	Aye
Jim Doilney	Abstention
Tom Shellenberger	Aye

Craig Smith emphasized that the one year extension would be until June 1, 1987.

2. Approval of William Reed Settlement - The City Manager reminded Council that this approval of the agreement would clean up the collapsed garage on the entry to Deer Valley. This matter has been held up in lawsuits with respect to squatters right. Kristen Rogers, "I move approval". Jim Santy seconded. Motion unanimously carried.

3. Action on Call-Up Review for Sweeney Master Plan Approval - Arlene Loble stated that City Council called up the Sweeney Master Plan Project in January following its approval by Planning Commission last December. Action on the call-up and the height exception was delayed because of a bankruptcy which was filed with respect to the property involving City approvals to a prior developer. The Sweeneys and the City were cleared from the bankruptcy action and the project was then brought back to a Planning Commission and City Council joint work session held three weeks ago. As a part of the call-up, the Council could deny the total project; approve it as approved by Planning Commission; or make specific revisions to the plan. Action on the height exception is required regardless of the action on the call-up and should be dealt with separately.

Kristen Rogers, "I move that we approve the MPD with modifications: limiting the number of unit equivalents to 170, limiting the height of the hillside properties to 33 feet, and the town view properties to 43 feet". Council member Rogers then requested that the height language be stricken. Jim Doilney seconded subject to changing the motion to "158 units and that the Sweeneys present a phasing plan shorter than 20 years and no development at the Mid Station". Kristen Rogers, "I will amend my motion to include those changes". Motion died.

Jim Santy	Nay
Kristen Rogers	Aye
Ann MacQuoid	Nay
Jim Doilney	Aye
Tom Shellenberger	Nay

Tom Shellenberger, "I move to approve the Master Plan as approved by the Planning Commission". Ann MacQuoid seconded.

Jim Doilney stated for the record that if approved, the Council is creating more value than is presently there. If Mr. Horrigan, the elected member of the



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Kristen Rogers, "I move that we approve the MPD with modifications: limiting the number of unit equivalents to 170, limiting the height of the hillside properties to 55 feet, and the town view properties to 45 feet". Council member Rogers then requested that the height language be stricken. Jim Doilney seconded subject to changing the motion to "158 units and that the Sweeneys present a phasing plan shorter than 20 years and no development at the Mid Station". Kristen Rogers, "I will amend my motion to include those changes". Motion died.

Jim Santy	Nay
Kristen Rogers	Aye
Ann MacQuoid	Nay
Jim Doilney	Aye
Tom Shellenberger	Nay

Tom Shellenberger, "I move to approve the Master Plan as approved by the Planning Commission". Ann MacQuoid seconded.

Jim Doilney stated for the record that if approved, the Council is creating more value than is presently there. If Mr. Horrigan, the elected member of the Council who later resigned, was still in office this 3:2 vote would never occur. He continued that a 20 year approval is creating rights never granted before and memorializing densities that will probably not be achievable. This vote upsets him more than any vote before him in his tenure. Ann MacQuoid added that anticipating what Al Horrigan would have done is strictly speculation and also felt that in terms of the 20 year approval, the approval process is based on a phasing of the project. Within the perimeters of the phasing, the project is only valid as long as the developer is living up to the provisions of that duration. It is important to note that there is nothing specified in the approval that this is a 20

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year approval and there is only an indication that the master plan will take somewhere between 15 and 20 years. If at any time that phasing is not carried out to the degree indicated in the approval, the developer has to come to the Planning Commission for approval once again for the entire project -- not just failure of the phasing period. Ms. MacQuoid continued that just as has happened with other projects, this project is based on the developer carrying out every two years what he has committed. Completion could, however, take place in two years, ten years, or fifteen years. Ms. MacQuoid added that in review of this project, the Planning Commission arrived at an approval that is within the existing density requirements and has been pointed out, may not be economically realistic or feasible but in today's economy many of the projects here in Park City would not be economically feasible yet at one time were. She felt that there never could have been in excess of 400 units built on the hillside. She did believe that at some point in time the hillside could have been stripped with roadways going up and across the hill and that in her view the reason for approving this master plan development is not creating an economic advantage to anyone, or creating density, or debating whether or not the density was allowed. Clearly it is allowed and whether it is feasible is moot. The property had not been rezoned in previous years, and the trade-out for 110 acres (discussed as 101 but later confirmed by staff as 110) of recreational open space zoning on the vegetated hillside is a valid proposal.

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Kristen Rogers urged Council members to consider carefully the vote. She felt that it may be the most important vote that they take in their terms. The project will have the most dramatic effect on the character of Park City in consideration of any project built or approved. It will set a tone for the development of the community that can't be reversed and if the rationale behind its approval is to acquire open space, she emphasized that it may be more costly to acquire open space by allowing these large sky scraper type buildings to be built; than if the City actually bought the land outright. There are other ways to acquire open space that can have less of an affect on the long term of Park City. If the approval would be done in the name of economic development, she would like Council to consider that there are intangibles that are part of economic development not just projects and money. One of the intangibles is the feeling of our town -- the clustering of small houses clinging to hillsides and that these towers will destroy that forever. She again urged Council not to pass the motion.

Tom Shellenberger added that there is a building approved already in a much more visible part of town that is as high as these buildings will be. This project will be in a gulch which will minimize the impact because of the surrounding hillside, and would not have the impact Council member Rogers is visualizing. Kristen Rogers argued that it is her understanding that

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Tom Shellenberger added that there is a building approved already in a much more visible part of town that is as high as these buildings will be. This project will be in a gulch which will minimize the impact because of the surrounding hillside, and would not have the impact Council member Rogers is visualizing. Kristen Rogers argued that it is her understanding that the referred approved building is 75 feet and the Sweeney building is 90 feet and perched up above the town and is much more visible.

Jim Doilney stated that during the replacement interview process of several City Council candidates, he was one of Jim Santy's strongest supporters. During that process, Council explicitly asked how applicants felt about the Sweeney application. Mr. Doilney emphasized that response on this issue was a critical factor and he recalled that Mr. Santy indicated something as strong as a "building moratorium". Although Councilman Doilney respects Councilman Santy, he felt that there has to be a commitment to follow through on the principles discussed during the process which he made to the Council and one that Mr. Doilney took very seriously. This vote would be the polar

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OCTOBER 16, 1986

opposite of the philosophies expressed during that interview and although in his mind's eye Jim Santy does not see it that way -- the perception that Mr. Doilney had at least as one individual, couldn't have been stronger that that was where Mr. Santy was philosophically and for that reason Mr. Doilney felt that it was fair to appoint someone with similar views who would replace Al Horrigan. The commitment to development principles is one that isn't subject to change of opinion and he urged Mr. Santy to consider the position he is taking.

Tom Shellenberger reminded Councilman Doilney that as long as he has been on the Council, he couldn't remember anyone who changed his mind more than Al Horrigan. Mr. Shellenberger continued that during the interview process he did recall Jim Santy using the word "moratorium" but interpreted it to be in generalities and didn't feel it was directed at the Sweeney Project. The Mayor called for a vote.

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

Motion carried.

4. Approval of Height Exception for Sweeney Master Plan Approval - The City Manager explained that the height exception would pertain to the following parcels: Coalition East on Park Avenue for 40 units for 55 feet (permitted height 28 feet); the Coalition West, zoned for 13 units for 35 feet (HR-1 - permitted height 28 feet); Creole Gulch 161.5 unit equivalents for 95 feet (permitted 28 feet); Town Lift Mid-Station 55.5 unit equivalents for 55 feet (permitted 28 feet). These can be acted on together or individually by Council.

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And that the rest of the conditions outlined in the height exception request which does specify the rezoning of the 110 acres to ROS zoning be maintained as approved by the Planning Commission."

Tom Shellenberger seconded. Craig Smith emphasized that at the time of Planning Commission approval, it was unclear when the ROS zoning would take place and felt that language to the motion should be added which he believed to be the intent of the petitions: "that the area designated for ROS zoning take place before a plat, building permit, or conditional use permit is approved by the City". Ann MacQuoid, "I would add that to my motion". Tom Shellenberger amended his second.

Jim Santy	Aye
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Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

XII NEW BUSINESS

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	<u>Federal 80%</u>	<u>City 20%</u>
Budgeted \$30,000	\$24,000	\$ 6,000
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Budget revision:

With federal participation	\$ 887
Without federal participation	4,435