



Treasure Hill Conditional Use
Permit Application
June 8, 2016

Introduction

1. Treasure Hill Properties History
2. Master Planned Development (MPD)
3. Conditional Use Permit (CUP) Application
4. Standards of Review
5. Going Forward

Treasure Hill Properties - History

- Existing Density and Development Rights
- Sweeney Properties Master Planned Development (MPD)
- Park City Planning Commission approved on December 18, 1985
- City Council approved on October 16, 1986

Treasure Hill Property



Owners had 123 acres = 450 unit equivalents



Sweeney Master Plan

MPD Process:

- Planning Commission considered 11 alternatives (8 of them for the hillside)
- Planning Commission, staff, and public favored clustered approach
- Clustering was Park City's preference, not the Sweeneys'

Master Planned Development

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

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

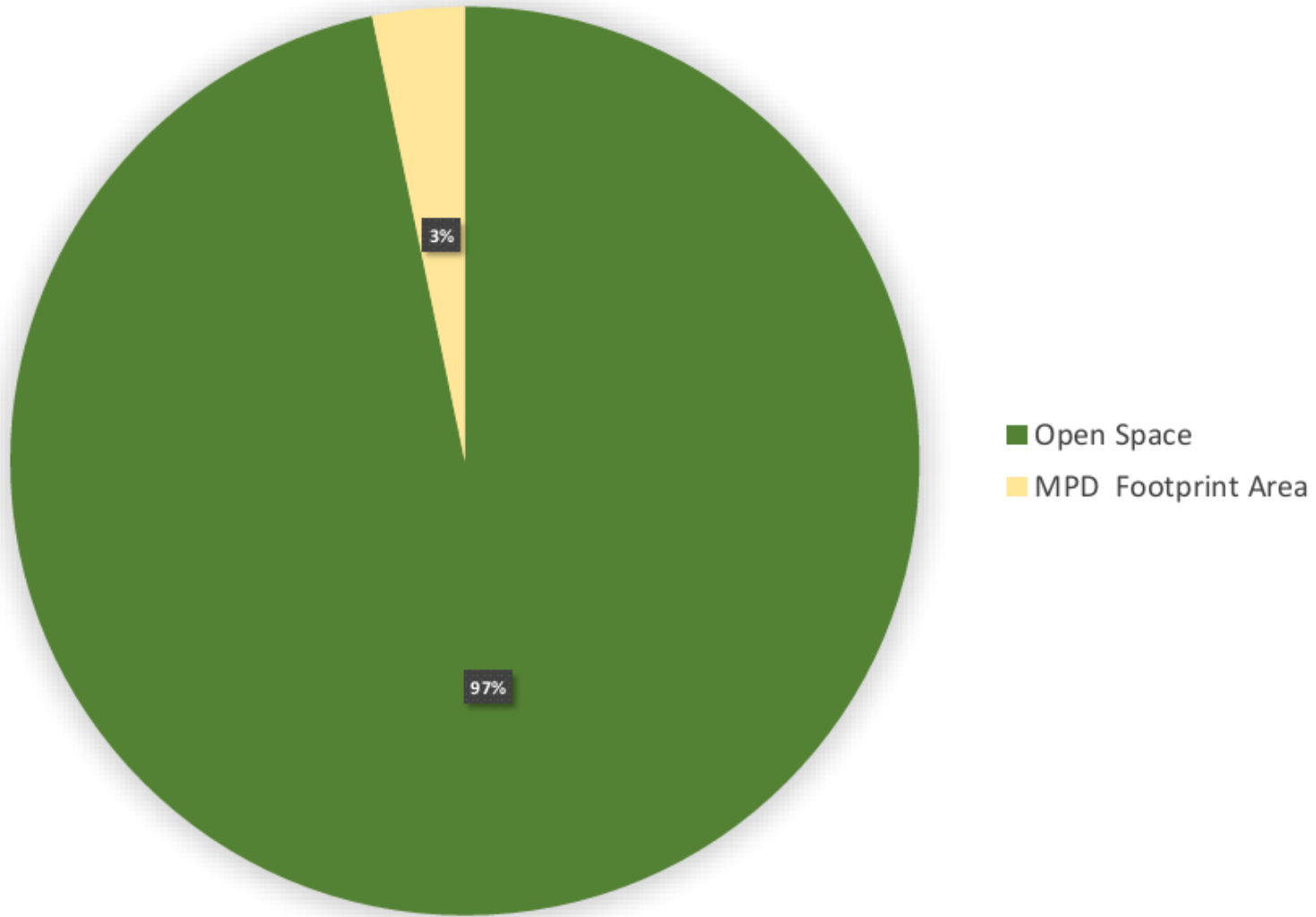
A variety of development concepts were submitted during the course of reviewing the proposed Master Plan. A total of **eight distinct approaches** to the development of the Hillside Properties **were evaluated.** The alternative concepts ranged from a "conventional" subdivision approach involving the 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.

Master Planned Development

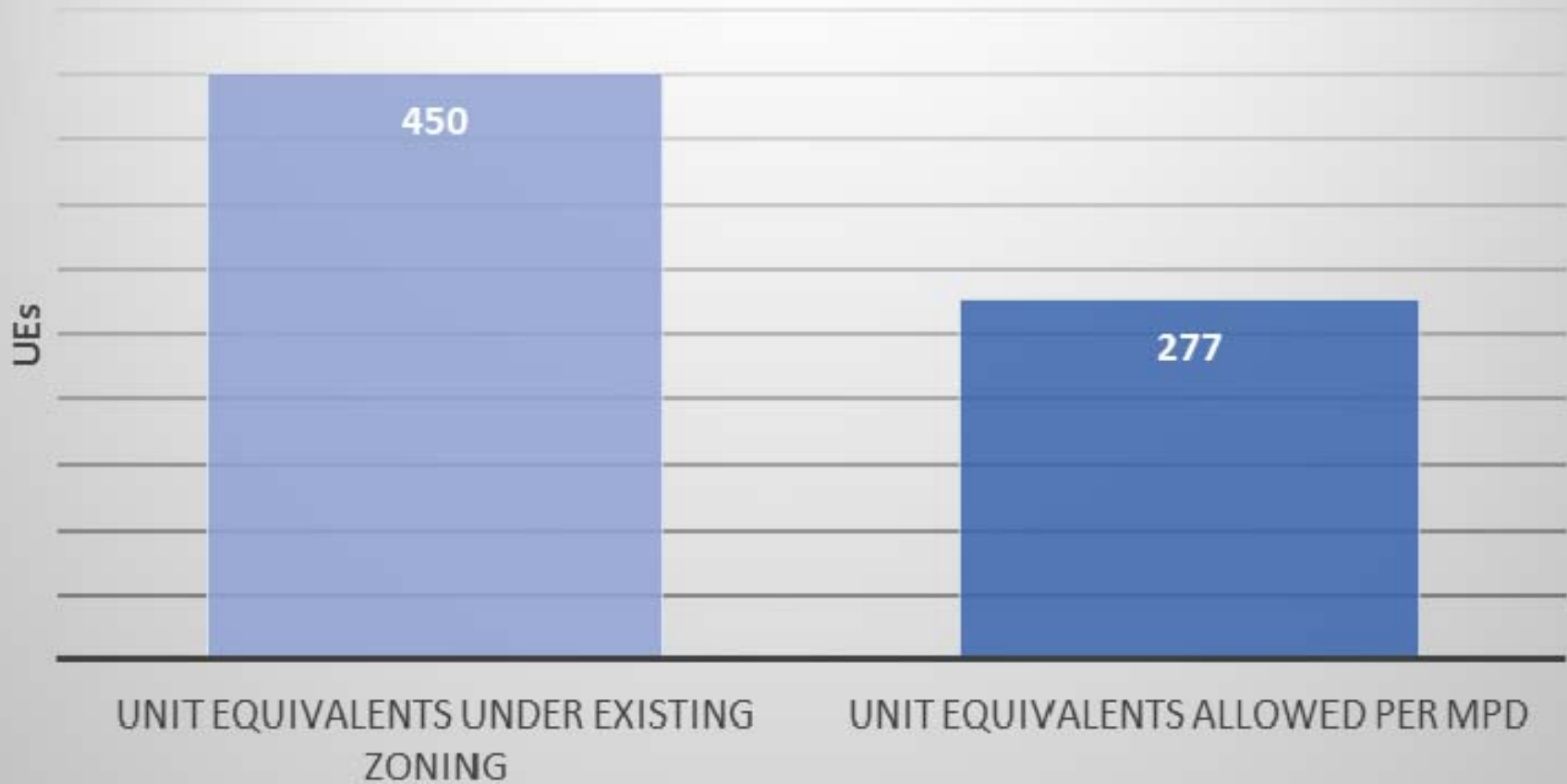
Owners gave

- 109 acres (90%) to Park City as **Open Space**
- 173 unit equivalents (UE) to Park City for **Open Space**
- 70% of Treasure Project (11.5 acres) is also **Open Space**
- Sweeney Switchbacks - 4 miles of trails
- Rights-of-Way
- Utility Easements
- Assisted in building Lowell Avenue

Treasure Open Space vs. Footprint Area



Density



Master Planned Development

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Master Planned Development

In exchange, Park City promised to:

- Allow development of the Hillside
- Honor the deal the City struck

Most of the density is clustered on Treasure Hill

- Mid-station (3.75 ac.) & Creole Gulch (7.75 ac.)
- 197 residential UEs & 19 commercial UEs

Master Planned Development

MEMORANDUM

TO: Planning Commission and Staff
FROM: JIM CARTER
DATE: November 12, 1992
RE: Sweeney MPD

MPD is a Contract


MPD's under the City's Land Management Code are creatures of mixed parentage, being half the exercise of the City's regulatory authority and half a contractual arrangement between the City and the applicant. The regulatory half is fairly well defined by the

Master Planned Development

Sweeneys Have Vested Rights

MEMORANDUM

To: Members of the Park City Planning Commission

From: Jody K Burnett 

Date: April 22, 2009

Re: Advisory Opinion regarding vested rights with respect to Sweeney Master Plan Development

Based on my independent review of the City's records and relevant legal authorities, for the reasons more fully set forth below, I conclude that the Sweeney MPD has continuing vested rights which are valid and therefore advise you to continue processing the pending application for a conditional use permit under the development parameters and conditions established as part of the original Sweeney MPD approval and the conditional use permit review criteria set forth in the Park City Municipal Code.

Sweeneys Have Performed Under the MPD Contract

Although I view this as primarily a vested rights issue, my conclusion is further supported by the partial performance on the part of the Sweeneys of what might be characterized as the quasi-contractual elements of the original MPD approval in the form of the rezoning of a substantial portion of the hillside area to recreation open space, the imposition of deed restrictions for the purpose of the long term preservation of open space, the granting of easements, dedication and construction of trails, etc. Such activities might be also be characterized as establishing the elements of an equitable estoppel theory based on the notion that the applicant has substantially changed their position in good faith reliance on affirmative action by the City in the form of the original MPD approval.

Master Planned Development

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Finding

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.

Conditional Use Permit Application

- Current Application for Treasure Hill Properties
 - Creole Gulch
 - Mid-Station
- Pre-Application Conferences
 - Fire Protection Plan - January 9, 2004
- Application – January 26, 2004
 - First public hearing – April 14, 2004
- Notice & Posting

Conditional Use Permit Standard

“A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use....”

Utah Code § 10-9a-507

MPD/CUP Compliance

- Owners have
 - fully performed under MPD agreement
 - satisfied the CUP criteria
 - avoided impacts where feasible
 - reasonably mitigated all anticipated impacts
- These issues will be addressed in the upcoming meetings



Going Forward

- Site (3 meetings)
 - Open Space, Traffic, Parking, Environmental, Ski Resort Integration, Etc.
- Buildings (3 meetings)
 - Mass, Volume, Scale, Physical Design, Compatibility, Etc.
- Operations (1 meeting)
 - Construction Management, Noise, Deliveries, Snow Management, Etc.
- Wrap-Up (1 meeting)