

Francisco Astorga

From: John Plunkett <john@plunkettkuhr.com>
Sent: Wednesday, November 29, 2017 4:42 PM
To: Bruce Erickson; Francisco Astorga
Cc: Barbara Kuhr; Mary Whitesides; Niels Vernegaard; John Stafsholt; THINC - Brian Van Hecke; John Stafsholt; Stormont Charles
Subject: Public Comment re Treasure Hill Project

To: Park City Planning Commission

C/O Park City Planning Department

Re: Treasure Hill Application

Dear Planning Commissioners,

My wife Barbara Kuhr and I live in the Historic District where we moved 26 years ago.

We've read the current Staff report and would like to thank the Planning Department for taking this important first step, to document the many ways in which this application fails to meet the requirements of the 1985/86 MPD approval.

Now we hope that the Planning Department and Commission will take the important next step, as required by the MPD, to measure this project against the CUP requirements in effect in 2004, when this application was filed..

The applicant claims that times have changed, and that they should not be held to the 1985 MPD. In fact the MPD anticipates this — by requiring that the MPD be modified to meet future CUP requirements.

But we believe a reading of this CUP requires that the above-ground square-footage and building heights should be reduced, not enlarged. Here are some relevant excerpts from the code:

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The 2004 CUP Review Process states that the Planning Commission must conclude that:

(2) the use will be compatible with surrounding structures in use, scale, mass and circulation;

The 1985 MPD is too large above-ground to meet any of these requirements.

(4) the effects of any differences in use or scale have been mitigated through careful planning.

Same as above – The 1985 MPD is too large above-ground to meet any of these requirements.

The CUP Standards of Approval go on to state that the Planning Commission must also review the following:

(11) physical design and compatibility with surrounding structures in mass, scale, style,

Same as above – The 1985 MPD is too large above-ground to meet any of these requirements.

(15) within and adjoining the site, impacts on environmentally sensitive lands, slope retention, and appropriateness of the proposed structure to the topography of the site.

The 1985 MPD could possibly meet these 2004 requirements, if the building heights were reduced

But the most important CUP requirement is number (3). The Planning Commission must conclude that:

the use is consistent with the Park City General Plan, as amended

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A reading of the 1997 General Plan shows that the 1985 MPD’s above-ground square-footage and building-heights are unacceptable. Here are relevant excerpts:

In the Overview section, II. Park City Direction

Goal 1: Preserve the mountain resort and historic character of Park City

New development, both commercial and residential, should be modest in scale...New structures should blend in with the landscape.

Goal 5: Maintain the unique identity and character of an historic community

The community should focus on maintaining the integrity and health of the historic district. The downtown should maintain its historic character marked by pedestrian-friendly buildings of ...modest scale, modest height, and other similar features.

Goal 10: Develop an integrated transportation system to meet the needs of our visitors and residents

The City should not consider proposed transportation mitigation techniques that decrease existing environmental quality or the quality of life of residents and visitors.

Section III. COMMUNITY CHARACTER ELEMENT

Issue Statement

In numerous meetings and surveys, residents proclaim community character is fundamentally important. But the scale of new development ... and other factors threaten the community's character.

Actions

Historic Core

Avoid overwhelming the core with buildings that are too large or tall for their sites, or in relation to adjacent structures.

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Lastly, Utah State Law states the following, in Section **10-9a-406. Public uses to conform to general plan.**

After the legislative body has adopted a general plan, **no street, park, or other public way**, ground, place, or space, no publicly owned building or structure, and no public utility, whether publicly or privately owned, **may be constructed or authorized until and unless it conforms to the current general plan.**

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In summary, we believe the 1985 MPD is too large above-ground, and too tall, to meet the requirements of the Park City CUP and General Plan of 2004.

Therefore we respectfully request that the Planning Commission deny this application, for it's failure to meet so many critical requirements of the 1985 MPD, 2004 CUP, and 2004 General Plan.

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Thank-you for your consideration,

John Plunkett & Barbara Kuhr
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