

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Treasure Hill
Author: Katie Cattan
Date: January 7, 2009
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review the history of the Treasure Hill Conditional Use Permit (CUP) as provided in the staff report and within the staff presentation, allow the applicant to introduce the additional submittals, and provide the applicant and staff with direction on the three items outlined. This is an informational meeting for Planning Commission and the Public. No action or public hearing is requested at this time.

Topic

Applicant: MPE, Inc.
Location: Creole Gulch and Mid-station of Sweeney Properties MPD
Zoning: Estate MPD (E-MPD)
Adjacent Land Use: Ski resort area and residential
Reason for Review: Conditional Use Permit is required per the Sweeney MPD

Background

The Sweeney Properties Master Plan (SPMP) was approved by the Planning Commission on December 18, 1985. The City Council called up the project for review. On October 16, 1986, the City Council approved the SPMP with amendments to the maximum allowed building heights in Creole Gulch and Mid-station locations.

The Sweeney Properties Master Plan approval consisted of 277 unit equivalents on 123.59 acres. The Sweeney Properties were located throughout the western edge of the historic district of Park City. The SPMP included the Coalition properties by the town lift plaza (1.73 acres), the HR-1 properties (.45 acre), the Hillside Properties (123 acres), and three single family lots within Old Town. The Hillside properties consist of Creole Gulch and the Mid-station. These Hillside properties are the last two parcels to be developed within the SPMP. The following is the maximum density allowed for each of the parcels:

- 1) Creole Gulch (161.5 residential UE and 15.5 commercial UE on 7.75 acres)
- 2) Mid-station (35.5 residential UE and 3.5 commercial UE on 3.75 acres).

A combined total of 197 UE residential and 19 UE commercial were approved for the 11.5 acre remaining development parcels. Of the 123 acres of Hillside Property, 110 have become zoned recreation open space due to the agreement within the Sweeney Properties Master Plan. During the original master plan review many development options were reviewed. The Planning Commission and later City Council decided on the most dense option which resulted in the greatest amount of open space.

Under the SPMP, each development parcel is required to attain the approval of a Conditional Use Permit from the Planning Commission. On January 13, 2004, the applicant submitted a Conditional Use Permit application for the Creole Gulch and Mid-station sites. The CUP was reviewed by the Planning Commission from April 14, 2004 until April 26, 2006 in a series of twenty-three (23) separate meetings.

During the April 26, 2006 Planning Commission meeting, staff outlined the additional application requirements which were required to be submitted by the applicant as part of the revised plans in order to continue the full analysis of the proposed development. The applicant was to include:

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. architectural details illustrating size, building form and massing, roof shapes, exterior details including materials, window to wall ratios, decks, plaza/outdoor spaces, retaining walls, etc.;
7. project streetscape detailing the design of project entrances, retaining walls, landscape areas, pedestrian ways;
8. preliminary landscape plan;
9. ski lift and funicular design

A complete set of revised plans were received by staff by October 1, 2008. Staff requested additional details on items 1 and 3, and also requested a description of the affordable housing plan. These additional materials were received by staff on December 18, 2008.

Review Process

The developments of Creole Gulch and Mid-station must be reviewed by the Planning Commission as a Conditional Use Permit and must comply with the development parameters and conditions of the original Sweeney Properties Master Plan approval.

Conditional Use Permit Review

The application has remained active since the April 26, 2006 Planning Commission meeting. The applicant has been in communication with staff through out the past two years to inform them that they have been continuing to work on the additional submittal requirements. The application is vested under the Land Management Code Conditional Use Permit criteria as it existed at the time of the submittal. Within the original Sweeney Properties Master Plan a timeline was established for the development of each property. The applicant has followed the timeline and has obtained CUPs for each of the developments. The Hillside Properties were identified in the timeline as the last

properties to be developed. The Master Plan Development is still valid due to the applicant keeping within the timeline established during the approval.

The fifteen Conditional Use Permit review criteria have not changed since the original submittal. The following are the fifteen criteria in which the application must be evaluated when considering whether or not the proposed conditional use mitigates impacts:

1. size and scale of the location of the site;
2. traffic considerations including capacity of the existing streets in the area;
3. utility capacity;
4. emergency vehicle access;
5. location and amount of off-street parking;
6. internal vehicular and pedestrian circulation system;
7. fencing, screening, and landscaping to separate the use from adjoining uses;
8. building mass, bulk, and orientation, and the location of buildings on the site; including orientation to buildings on adjoining lots;
9. usable open space;
10. signs and lighting;
11. physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing;
12. noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site;
13. control of delivery and service vehicles, loading and unloading zones, and screening of trash
14. expected ownership and managements of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities; and
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.

Master Plan Development Parameters and Conditions

The Planning Commission will also review conformance with the approved master plan of 1986. This include conformance with the development parameters and conditions, as well as the ten findings identified in the original SPMP. The developer of the parcels is legally bound by and obligated to perform the ten development parameters. These parameters outline the unique maximum height envelopes, parking requirements, construction mitigation, employee housing and the obligation of improvement and easements. The following are the master plan findings as well as the development parameters and conditions of the 1986 approval.

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 E)*

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.

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.
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.
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 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 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. (Per City Council amendment on October 16, 1986)
- e) 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. (Per City Council amendment on October 16, 1986)

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 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 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. (Note: The City Engineer will require runoff to meet the current standard. The detention basin must be able to hold the difference between pre and post development based on a 100 year storm event.)
- 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. (Note: the City Engineer will require that the storm drain meet the current standard. The size of the storm drain line should be able to handle the difference between pre and post development with or without a detention pond. This must be calculated and submitted to the City for review.)
- f) Provide re-vegetation 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.

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.

Analysis

The purpose of this public meeting is to reintroduce the Conditional Use Permit for the Mid-station and Creole Gulch of the Sweeney Properties Master Plan. The following analysis is an overview of the project as a whole including the permitted development parameters as outlined in the SPMP including unit equivalents, parking, setbacks, height, and affordable housing. No formal analysis of the CUP criteria is included in this staff report. An outline of how staff plans to proceed with the analysis of the CUP in future meetings is provided following the development parameter analysis.

I. Unit Equivalents

The Treasure Hill Conditional Use Permit consists of the last two development parcels within the Sweeney Properties Master Plan: Creole Gulch parcel and Mid-station parcel. The following is the maximum density allowed for each of the parcels:

- 1) Creole Gulch (161.5 residential UE and 15.5 commercial UE on 7.75 acres)
- 2) Mid-station (35.5 residential UE and 3.5 commercial UE on 3.75 acres).

A combined total of 197 UE residential and 19 UE commercial were approved for the 11.5 acre remaining development parcels.



The application breaks down the building areas into five different sections (1-5). The buildings identified as 1a, 1b, and 1c are located on the mid-station parcel. Building areas 2 – 5 are located on the Creole Gulch Parcel. The submitted plans breakdown each floor level of the total project within pages P.1 – P.15. The summary of the floor levels and the uses is provided on page P.16 of the plan. The following is the project totals of square footage uses as provided by the applicant:

Residential	Common space & circulation	Entitled commercial (MPD UEs)	Support Commercial	Meeting Space	Accessory Space	Parking	Total
398, 845	174,799	18,341	38,727	16,127	132,003	256,175	1,035,017

Within the MPD, the maximum allowed unit equivalents for residential is 197 at 2,000 square feet per unit equivalent. This allows 394,000 square feet of residential. The maximum allowed unit equivalents for commercial are 19 at 1,000 square feet per unit equivalent. This allows up to 19,000 square feet of commercial space. Planning staff will provide a full analysis to the Planning Commission of the unit equivalents and accessory spaces within the next staff report.

II. Parking

The parking for all buildings within the Sweeney Properties Master Plan Development is required to be provided on-site and in enclosed structures (Finding #5 of SPMP). The following parking requirement reflect sheet 22 of the exhibits of the MPD:

	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.
# of parking spaces	.66	1	1.5	2	2

The proposed project contains 433 parking spaces total. Per the MPD, 366 spaces are required for the proposed unit sizes. Below is the breakdown of the parking as provided by the applicant. The proposed parking and parking requirement will be further analyzed during the traffic review.

SUBTOTAL BY UNIT TYPE	TYPE	QTY.	AREA	QTY.	AREA	QTY.	AREA	QTY.	AREA	QTY.	AREA	TOTAL	
	RESIDENCES	0	0	0	0	0	0	4	7,333	42	150,067	46	
	HOTEL	161	76,330	4	3,936	35	37,907	1	1,515	1	2,537	202	
	CLUB	0	0	0	0	13	15,795	11	20,311	33	83,114	57	
REQUIRED PARKING SPACES		161 @ 0.66 =	106	4 @ 1.0 =	4	48 @ 1.5 =	72	16 @ 2.0 =	32	76 @ 2.0 =	152	366	
PARKING STRUCTURE		CREOLE			MIDSTATION		BLDG, 2		BLDG, 4B		BLDG, 5A-D		TOTAL
	LEVEL	USER	QTY.	LEVEL	QTY.	LEVEL	QTY.	LEVEL	QTY.	LEVEL	QTY.		
	L1		96	L1	53	L1	6	L1	23	L1	70		
	L2		39					L2	51				
								L3	51				
								L4	44				
PROVIDED PARKING SPACES			135		53		6		169		70	433	
LESS 1 STALL PER REQUIRED ACCESSIBLE SPACE IN ACCORDANCE WITH I.B.C. ToL 1106.1 (FOR AISLES)												(9)	
NET TOTAL PROVIDED												424	

III. Project Building Setback Issue:

The following analysis is from the April 12, 2006 staff report. According to the Planning Commission minutes, no discussion or decision occurred in regards to the project building setback issue during the April 12, 2006 meeting. Staff requests discussion from the Planning Commission on the project building setback issue. **More specifically, does Planning Commission agree with staff’s position on how to address the setback issue as discussed below?**

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 (emphasis added))

a. What the Sweeney Properties 1985 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 A) shows approximately an 80 ft. to 100 ft. setback from the back of pavement of the 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 the 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 A) indicates a minimum building setback of 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 A.) 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 Analysis of 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 would like the Planning Commission to determine whether or not they agree with staff's analysis that the original Master Plan Development was unclear regarding setbacks. Does the Planning Commission agree that setbacks were to comply with the 1985 MPD exhibits showing maximum building heights and that no above ground buildings may exist within the 0' Maximum Building Height area as shown on the Master Plan Development Exhibits (Exhibit B). All above ground improvements (retaining walls and stairs) within the 0' MBH area must comply with the exceptions allowed for the front, side, or rear yard under the LMC.

IV. Height

The following reflects the October 1986 City Council approval outlined the following building height restrictions for the MPD:

6. *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 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. (Per City Council amendment on October 16, 1986)*
 - e) *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. (Per City Council amendment on October 16, 1986)*

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 has reviewed the exhibits from the original MPD and found that measuring from existing grade is consistent with the MPD approval. The current design complies with the height limitations placed on the MPD, as shown in pages HL.1 and HL.2. Staff is awaiting a final analysis of compliance with the 90% requirement for the town lift mid-station. This requirement was not demonstrated in the recent application.

Within the current CUP application final grade is consistently lower than existing grade throughout the property. Extensive retaining walls set back from the buildings are proposed to create the new final grade. The applicant has brought the buildings lower into the hillside and lowered final grade in an attempt to create less massing above existing grade. By doing so the overall height of building walls is taller, but the massing above original existing grade is less. Exhibit A states the height restrictions and requirements from the original MPD.

V. Affordable Housing

Affordable housing requirements were stated within the tenth development parameter and condition of the original MPD. Number 10 states “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.”

Applicable Housing Resolution

Housing Resolution 17-99 was in effect at the time of application of the Conditional Use Permit. Under this Resolution the applicant is required to mitigate for impacts to affordable housing by satisfying the following requirements.

Affordable Housing Mitigation Requirements

- Fifteen Percent of the total residential units constructed shall be provided as Affordable Unit Equivalents.
- One Affordable Unit Equivalent shall be provided for 20 percent of the employees generated by the retail, restaurant, hotel and office components of the project.
- One Affordable Unit Equivalent is 800 square feet.
- The AUE calculations below are based on the current proposed commercial/residential square footage. The AUEs are subject to change as the residential/commercial mix is refined.

Table 1: Treasure Hill Housing Resolution 17-99 Analysis

Employee Generation (commercial)	17-99
a. Employees per 1,000 sf per Resolution	2.90
b. Proposed Square Feet Commercial per Applicant	19000.00
c. Total Employee Generation Projection (a x b)	55.10
d. Workers per Household per Resolution	1.30
e. Total Worker Households (c ÷ d)	42.38
f. Park City Mitigation Rate per Resolution	0.20
g. Employee Mitigation Required (e x f)	8.48
Subtotal: Affordable UEs (800 sq. feet) Required	4.24
Residential Development	
h. Proposed Residential Units per Applicant	100
i. Park City Mitigation Rate per Resolution	15%
Subtotal: Affordable UEs Required @ 800 sq ft. (h X i)	15
Employee Generation (hotel/commercial)	
j. Employees per hotel room per Resolution	0.60
k. Proposed Number of Room per Applicant	200.00
l. Total Employee Generation Projection (j x k)	120.00
m. Workers per Household per Resolution	1.30
n. Total worker households (l ÷ m)	92.31
o. Park City Mitigation Rate per Resolution	0.20
p. Employee Mitigation Required (n x o)	18.46
Subtotal: Affordable UEs Required	9.23
Total: Affordable Square Feet Required (Total AUEs x 800 square feet per AUE)	22,775.38
Total: Affordable UEs Required	28.47
Total: Affordable UEs proposed to be on-site	5.0
Outstanding AUES	23.47

Location of Affordable Unit Equivalentents

Affordable Unit Equivalentents (AUEs) shall be constructed on the project site, unless the developer can demonstrate to the Housing Authority compelling evidence (density or design) that the project should not accommodate on-site units. Subject to Housing Authority approval, the following alternatives, in order of preference are available:

- Construction of units within the Park City Limits
- Construction of affordable units within the Park City School District Boundaries
- Land donation
- Acquisition of off-site units
- Payment of in-lieu fees. The fee in effect at the time of application is \$59,828 per Affordable UE.

Proposed Housing Mitigation Plan

There are two key elements to the Applicant's Employee Housing Plan.

1. The application is proposing 4,000 net square feet of on-site dorm style seasonal employee housing.

2. The applicant is requesting the option of providing an in-lieu payment to the City for the remaining affordable housing obligation. Attachment D is the Employee Housing Contribution Plan proposed by the Applicant.

On-Site Units

The Applicant is proposing 4,000 net square feet of seasonal dorm-style housing within the project and without increasing the building footprint or height. There is a significant demand in the community for seasonal housing in the community. It is the most difficult type of housing to encourage a developer to provide. The proposed 4,000 square feet would house approximately 26 employees or approximately 15 percent of the projected employees. The Applicant maintains that additional on-site employee housing would require additional density within the project site. As a result the Applicant is requesting the option to make an in-lieu fee payment for the remaining Affordable Unit Equivalents.

In-Lieu Fee

Recognizing that an in-lieu fee is the least preferred option in meeting the employee housing obligation, the Applicant voluntarily offered to meet the more stringent requirements of Housing Resolution 20-07. While this option does not result in any additional AUEs provided by the Applicant, the in-lieu payment option, if approved, would increase significantly. Under Housing Resolution 20-07 the in-lieu payment for the remaining required AUEs would be \$3,569,093. The in-lieu payment under Housing Resolution 17-99 for the remaining required AUEs would be \$1,404,163. One-half of the in-lieu fee shall be paid (or a letter of credit posted) prior to issuance of a building permit for all or any part of the market rate project. The remainder of the fee shall be paid before a certificate of occupancy (temporary or permanent) is issued for any unit in the Residential Development.

Payment of in-lieu fees may be approved if in the Housing Authority's determination (1) no other alternative is feasible, (2) such a payment would result in more immediate development of housing or (3) such a payment would leverage additional resources. The Applicant is proposing an in-lieu payment for the remaining outstanding 18,775 square feet. Assuming an average per unit size of 1,200 square feet this is equivalent to 15.6 affordable units with a construction cost excluding land of approximately \$240,000. The proposed in lieu fee of \$3,569,033 would fund the full construction of a nearly equivalent number of units (14.8 units). The proposed in-lieu payment could be used as a source of construction funding and subsidy for the redevelopment of the Park Avenue Fire Station/Woodside Avenue Senior Center sites for which we are beginning a master plan. Initial concepts include a mix of affordable units along with a Senior Center. While the project is still very conceptual, it is likely that at least 15 units would be programmed within this area. Targeting the in lieu fee to this project does not increase the total supply of affordable housing in Park City because units are already anticipated on this site. The availability of the in lieu fee does, however, significantly increase the affordability of these units thus creating a greater range of housing affordability. While this would be a significant benefit to this project and to the range of affordable housing options in Park City, it does shift the burden and risk for the development, sales and or lease up and management of these units from the Applicant to the City.

Comparison of Housing Resolution 17-99 and 20-07 Housing Mitigation

Employee Generation (commercial)	Resolution 17-99 AUE = 800 sq. ft	Resolution 20-07 AUE = 900 sq. ft
a. Employees per 1,000 sf per Resolution	2.90	2.9
b. Proposed Square Feet Commercial per Applicant	19000	19000
c. Total Employee Generation Projection (a x b)	55.10	55.10
d. Workers per Household per Resolution	1.30	1.5
e. Total Worker Households (c ÷ d)	42.38	36.73
f. Park City Mitigation Rate per Resolution	0.20	.20
g. Employee Mitigation Required (e x f)	8.48	7.35
Subtotal: Affordable UEs Required	4.24	3.67
Residential Development		
h. Proposed Residential Units per Applicant	100	100
i. Park City Mitigation Rate per Resolution	15%	15%
Subtotal: Affordable UEs Required (h X i)	15	15
Employee Generation (commercial)		
j. Employees per hotel room per Resolution	0.60	.60
k. Proposed Number of Room per Applicant	200	200
l. Total Employee Generation Projection (j x k)	120	120
m. Workers per Household per Resolution	1.30	1.5
n. Total worker households (l ÷ m)	92.31	80
o. Park City Mitigation Rate per Resolution	0.20	.20
p. Employee Mitigation Required (n x o)	18.46	16.0
Subtotal: Affordable UEs Required	9.23	8.0
Total: Affordable Square Feet Required (Total AUEs x square feet per AUE)	22,775.38	24006.00
Total: AUEs Required	28.47	26.67
Total: Affordable AUEs proposed to be on-site	5.0	4.44
Total outstanding AUES proposed for in lieu fee	23.47	22.23
In-Lieu Contribution per AUE per Resolution	\$59,828	\$160,553
Total: Proposed In-Lieu Contribution (In lieu contribution x outstanding AUES)	\$1,404,163	\$3,569,093

Note: The AUE calculations are based on the current proposed commercial/residential square footage. The AUEs are subject to change as the residential/commercial mix is refined.

Staff is requesting that the Planning Commission discuss and provide input to Staff on the Applicant's proposed housing plan. This input will be forwarded to the Housing Authority to be considered as part of their review and determination. In particular, Staff is asking for Planning Commission input on the following issues:

1. **On-site units.** The Applicant is proposing 4,000 square feet, or 17% of their obligation, to be provided on-site. The Applicant maintains that providing additional units will require additional density on the site. *Is the Planning Commission comfortable with this general level of on-site units? If not, is the Planning Commission will to consider additional massing to accommodate additional units?*
2. **In Lieu Fee.** The Applicant is proposing to meet the remainder of their housing obligation in an in lieu fee. Staff has identified the Park Avenue/Woodside Avenue redevelopment as a possible area for these funds to be used as discussed above. *Is the Planning Commission willing to consider an in-lieu fee subject to the application of Housing Resolution 20-07 as outlined by the Applicant? If not, would the Planning Commission be willing to recommend an in- lieu fee payment for fewer AUEs than requested by the Applicant, and if so, under what conditions?* Please note that this request for a discussion of alternatives should not be construed as an alternative offer by the Applicant.

Review of Conditional Use Permit

The current application has been before the Planning Commission twenty-three times between 2004 and 2006. In the interest of moving forward efficiently, the Planning Staff plans to prioritize the review of the CUP criteria and MPD parameters. Staff will begin the review of the project by focusing on the major issues raised in previous Planning Commission meetings which have not been determined to be mitigated during the previous review of the project.

The first item to be addressed will be affordable housing. A determination of whether or not the applicant's proposal is adequate must be made by the Planning Commission. If additional affordable housing is to be placed on site, this will effect the design of the development and the review of the current plans.

The second item to be reviewed by the Planning Commission will be traffic consideration including capacity of the existing streets in the area. Much of the Planning Commission and Public's concern with the project was in the interest of traffic and health and safety issues of the roads leading to the project. No final conclusion on traffic has been made in terms of mitigation by the Planning Commission. Included in this discussion will be the proposed uses within the project and how use impacts traffic, analysis of the unit equivalents of the project and total square footage, and an update on the requirements of the original MPD and the current standards outlined by the City Engineer.

The next items of review will include the CUP criteria #8, #11, and #15 as follows:

8. building mass, bulk, and orientation, and the location of buildings on the site; including orientation to buildings on adjoining lots;
11. physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing;

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.

At this step in the review, staff would suggest that a subcommittee be created with a couple of members of the Historic Preservation Board to review the application for conformance with the Historic District Design Guidelines. Conformance with the HDDG is a requirement within the original MPD (Development Parameters and Condition #7).

The review of the remaining criteria of the Conditional Use Permit will follow these first identified steps. Staff will not proceed from one step to the next until the Planning Commission has found the proposed plan mitigates impacts of the conditional use criteria being reviewed during each step. This is in the interest of the applicant and the Planning Commission to address the most critical issues of the Conditional Use Permit in an organized manner. Staff finds a systematic review of the CUP to be necessary due to the size of the project being reviewed.

Staff would like consensus from the Planning Commission that the outlined review process is favored. If Planning Commission would like the staff to proceed with the review differently, comments regarding process would be appreciated.

Recommendation

Staff has requested a work session from the Planning Commission to provide the direction on the following three items. The direction of the Planning Commission will impact the future review of the application by the staff due to lack of clarity in the Master Plan parameters and a difference in comprehension of the original agreement between staff and the applicant. The following questions must be answered prior to full analysis of the Conditional Use Permit:

1. Setbacks. Does the Planning Commission agree with the Planning Staff's position on the setback issue?
2. Process. Does the Planning Commission agree with staff on the outlined review process? Does the Planning Commission have any suggestions to modify the suggested review process? Please outline any additional analysis the Commission would like to receive from staff or the applicant.
3. Affordable Housing. Does the Planning Commission favor the affordable housing proposal? The proposal must be reviewed by the Housing Authority (City Council). What is the Planning Commission recommendation to the Housing Authority?

Exhibits

Exhibit A – MPD Height Restrictions and Requirements Exhibit from original Sweeney Properties Master Plan Development.

Exhibit B – Site plan with setback (V-28)

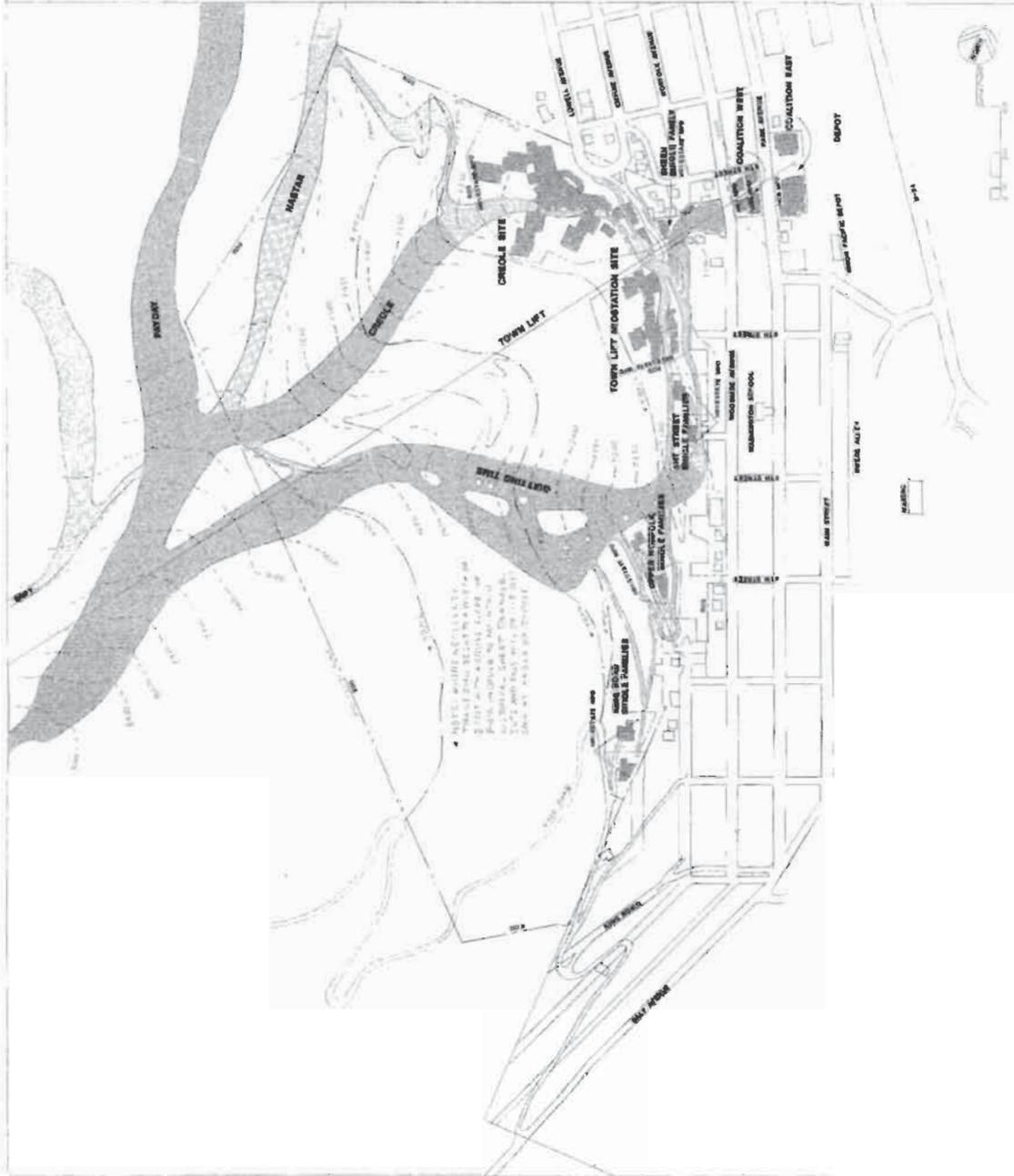
Exhibit C – Site plan with heights (HL.1 and HL.2)

Exhibit D - Affordable Housing Proposal

Exhibit E- The 1985 Land Management Code's Master Planned Development chapter in effect at the time of approval

Exhibit F – 1985 Staff Report of Master Planned Development approval.

Exhibit A: Original Master Plan Development Exhibit for Height



LIST OF DRAWINGS

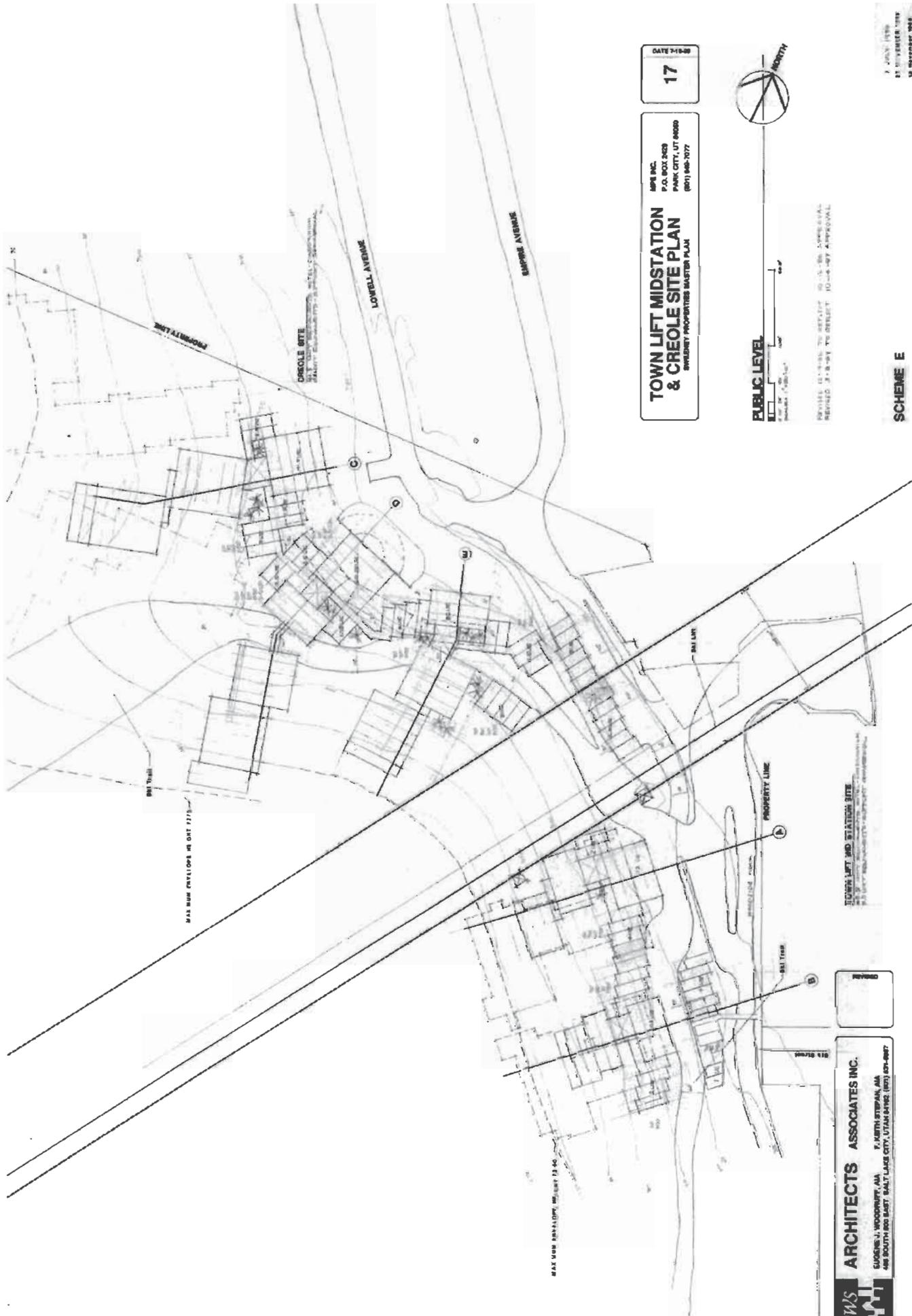
1. SITE PLAN AND OVERVIEW - 200 SCALE
2. ORTHOTOPOGRAPHIC SITE PLAN - 200 SCALE
3. ORTHOTOPOGRAPHIC ORIGINAL DESCRIPTIONS - 200 SCALE
4. ORTHOTOPOGRAPHIC NE SITE WITH BOUNDARIES - 100 SCALE
5. ORTHOTOPOGRAPHIC SE SITE WITH BOUNDARIES - 100 SCALE
6. ORTHOTOPOGRAPHIC SW SITE WITH BOUNDARIES - 100 SCALE
7. ORTHOTOPOGRAPHIC NW SITE WITH BOUNDARIES - 100 SCALE
8. ORTHOTOPOGRAPHIC SITE PLAN LIFT BASE VICINITY - 50 SCALE
9. ORTHOTOPOGRAPHIC SITE PLAN WOODSIDE VICINITY - 50 SCALE
10. COALITION EAST AND WEST PARKING PLAN - 20 SCALE
11. COALITION EAST AND WEST PARKING PLAN - 20 SCALE
12. COALITION EAST AND WEST PARKING PLAN - 20 SCALE
13. WOODSIDE TRAIL & SHEEN SINGLE FAMILY LOT
14. SITE, UTILITIES, AND GRADING PLAN - 20 SCALE
15. 5TH STREET SINGLE FAMILY LOTS
16. SITE, GRADING, AND UTILITIES PLAN - 20 SCALE
17. UPPER MORFOLK SINGLE FAMILY LOTS
18. SITE, GRADING, AND UTILITIES PLAN - 20 SCALE
19. KING ROAD SINGLE FAMILY LOTS
20. SITE, GRADING, AND UTILITIES PLAN - 20 SCALE
21. TOWN LIFT MIDSTATION AND CREOLE SITE PLAN - 50 SCALE
22. TOWN LIFT MIDSTATION AND CREOLE
23. ELEVATIONS STUDY - 50 SCALE
24. CREOLE PARKING PLAN - 50 SCALE
25. TOWN LIFT MIDSTATION AND CREOLE PARKING PLAN - 50 SCALE
26. TOWN LIFT MIDSTATION AND CREOLE PARKING PLAN - 50 SCALE
27. TOWN LIFT MIDSTATION AND CREOLE HEIGHT ZONES - 50 SCALE
28. CREOLE SITE SAMPLE ELEVATIONS
29. CREOLE PARCELS ONE FOOT CONTOUR SURVEY - 20 SCALE
30. EXPANDED - 20 SCALE
31. COALITION EAST BOUNDARIES
32. AND TOWN LIFT BASE LOCATION - 20 SCALE
33. GPCC TOWN LIFT EASEMENTS - 50 SCALE
34. GPCC TOWN LIFT EASEMENTS - 100 SCALE
35. WOODSIDE TRAIL SURVEY - 20 SCALE

DATE: 1-19-09
1

SITE PLAN AND OVERVIEW
MPS INC.
P.O. BOX 2029
PARK CITY, UT 84060
(801) 608-1077

ARCHITECTS ASSOCIATES INC.
EUGENE J. WOODRUP, AIA
P. KEITH STEVAK, AIA
404 SOUTH 600 EAST, SUITE 100
PARK CITY, UT 84060
(801) 608-1077

REVISION
1-19-09



DATE 7-15-09
17
TOWN LIFT MIDSTATION & CREOLE SITE PLAN
 PRELIMINARY PROPOSED MASTER PLAN
 SPS INC.
 P.O. BOX 2029
 PARK CITY, UT 84060
 (801) 968-7077



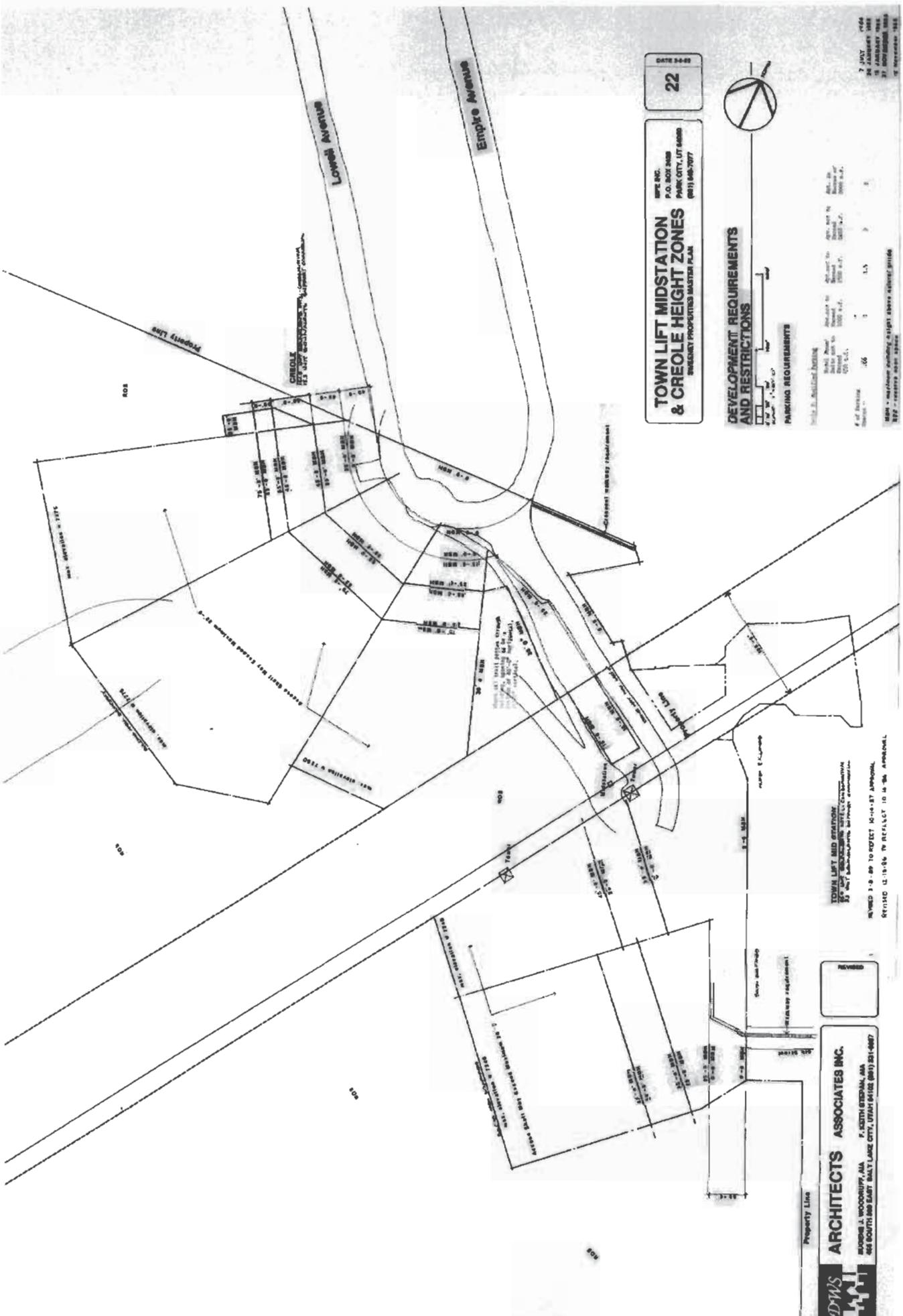
NOTED: IS-1001 TO BE LIFT TO 15-00. CORRECTION
 REVISION 3-1-09 TO BE LIFT TO 10-00-00 APPROVAL

SCHEME E

7 JAN 7 2009
 BY CITY CLERK
 BY MAYOR

TOWN LIFT MID STATION SITE
 SPS INC.
 P.O. BOX 2029
 PARK CITY, UT 84060
 (801) 968-7077

DWS ARCHITECTS ASSOCIATES INC.
 5. KATHY STEPHAN, AIA
 485 SOUTH 200 EAST, SALT LAKE CITY, UTAH 84111 (801) 457-0887



DATE 9-8-09
22
TOWN LIFT MIDSTATION & CREOLE HEIGHT ZONES
 PRELIMINARY PROPOSED MASTER PLAN
 WIFE INC.
 P.O. BOX 2488
 PARK CITY, UT 84060
 (801) 946-7077



DEVELOPMENT REQUIREMENTS AND RESTRICTIONS

PARKING REQUIREMENTS

Table 1. Minimum Parking

Use	Minimum	Maximum
Office	1	1.5
Other	1	1

MIN - minimum number of required parking spaces
 MAX - maximum number of parking spaces

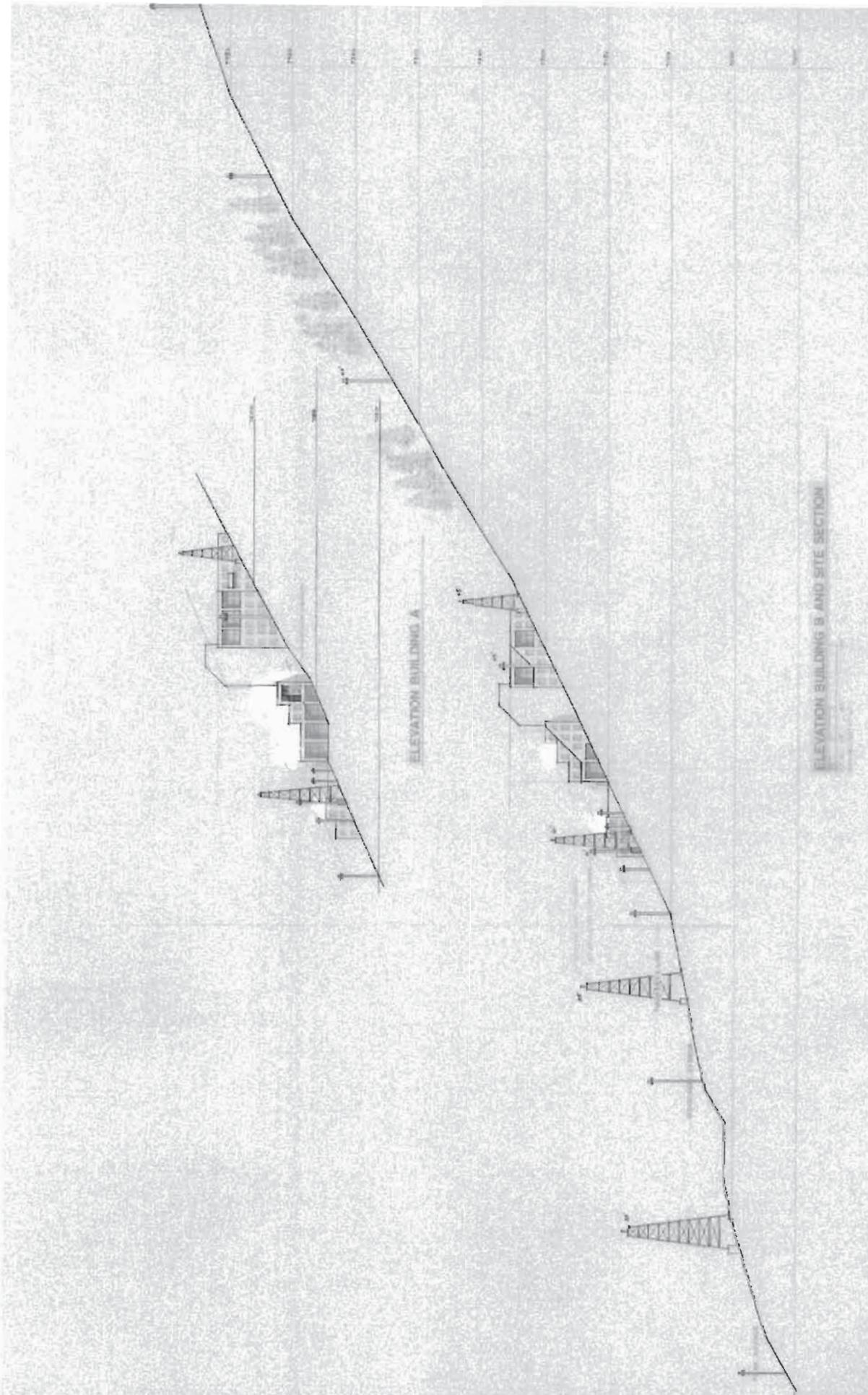
TOWN LIFT MID STATION
 PRELIMINARY SITE PLAN
 PREPARED BY WIFE INC.
 9-8-09

REVISED 3-9-09 TO REFLECT 10-14-07 APPROVAL.
 REVISED 12-15-06 TO REFLECT 10-19-06 APPROVAL.

REVISION

ARCHITECTS ASSOCIATES INC.
 MURDOCH J. WOODRUFF, AIA
 408 SOUTH 1000 EAST SALT LAKE CITY, UTAH 84143 (801) 521-0487





**TOWN LIFT MIDSTATION
 SAMPLE ELEVATIONS**
 CURRENT PROPOSED MASTER PLAN

SWI INC.
 P.O. BOX 2608
 PARK CITY, UT 84000
 (801) 468-7077

REVISED

ARCHITECTS ASSOCIATES INC.
 CLARENCE J. WOODRUFF, AIA
 P. KEITH STEPHAN, AIA
 400 SOUTH 200 EAST SALT LAKE CITY, UT 84103 (801) 457-4887



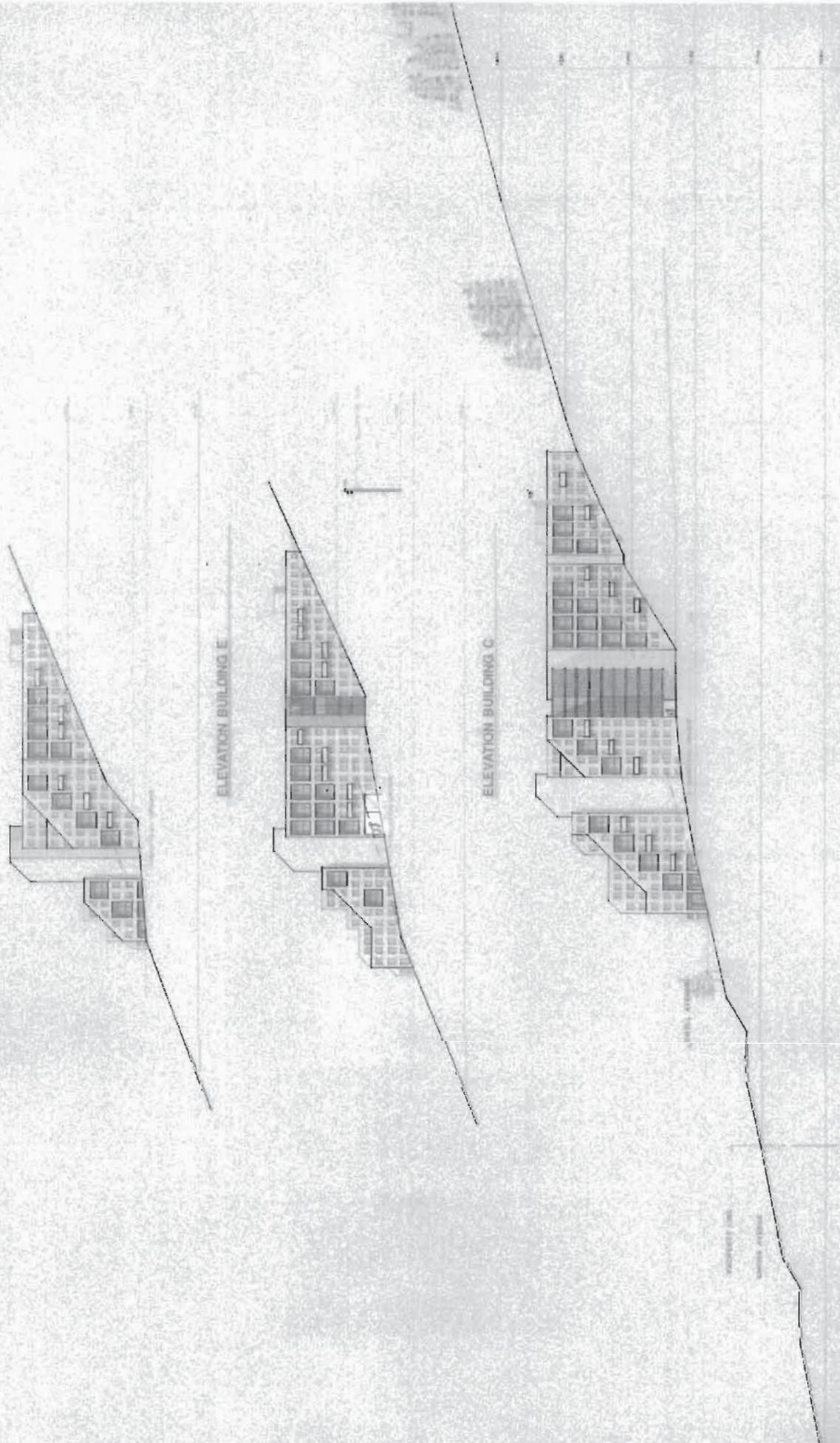


Exhibit B: Site plan with setbacks (V.28)

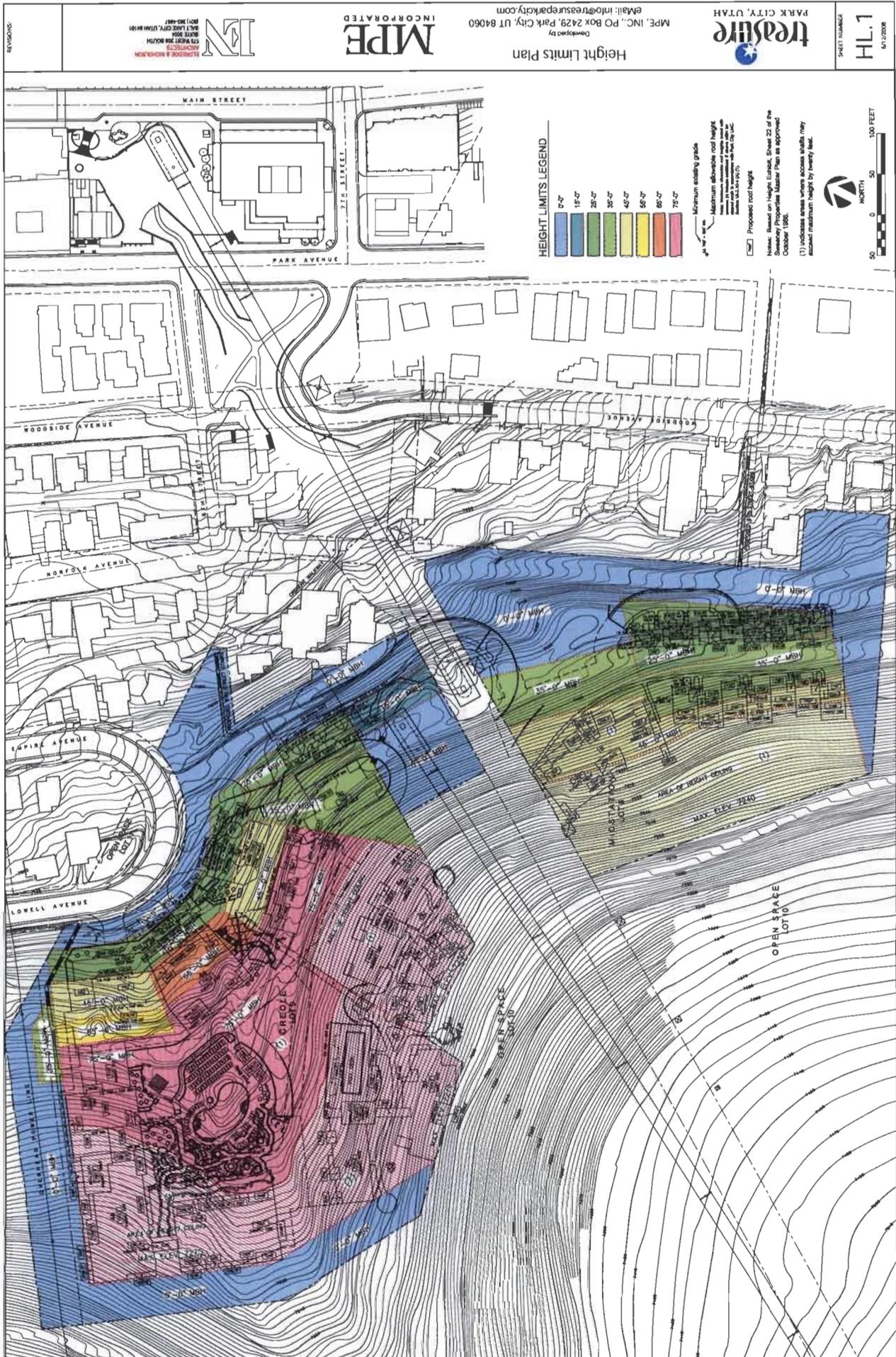


Imported from HL.01

- Demonstrates 0'-0" maximum building height*
- Garage Exterior Wall

*Based on Sheet 22 of the Sweeney Properties Master Plan as approved October 1996.

Exhibit C: Site plan with height (HL.1 and HL.2)



REVISIONS:

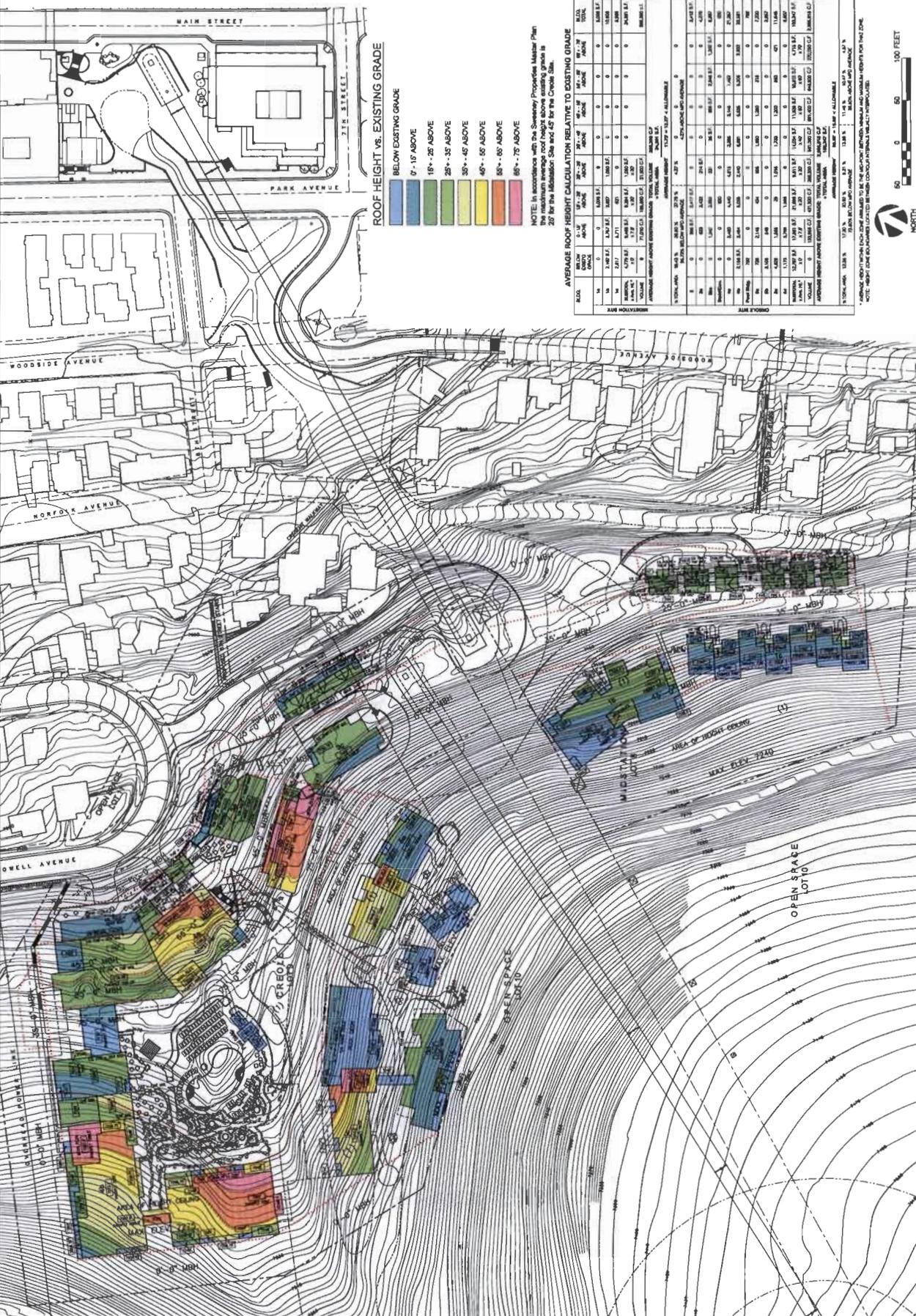
IN
 ARCHITECTS
 2001 MAIN STREET
 SALT LAKE CITY, UTAH 84111
 (801) 462-4444

MPE
 INCORPORATED

Developed by
MPE, INC., PO Box 2429, Park City, UT 84060
 Email: info@treasureparkcity.com

treasure
 PARK CITY, UTAH

SHEET NUMBER
HL-2
 6/1/2008





December 12, 2008

Emailed and Hand Delivered
 Phyllis McDonough Roberson,
 Community and Public Affairs Manager
 Park City Municipal Corporation
 1354 Park Avenue
 P.O. Box 1480
 Park City, Utah 84060-1480

Re: Employee Housing Contribution

Dear Phyllis,

Pursuant to the October 28th, 2008 meeting with you, Mark Harrington, Katie Cattan, Pat Sweeney and Mike Sweeney this letter is being submitted to you to set forth the MPE's position with respect to its 1986 Sweeney Properties Master Plan approval as it pertains to employee housing. It also includes a proposal to contribute to employee housing.

MPE supports the principle of employee housing. Condition No. 10 of the Sweeney Properties Master Plan approved by the Planning Commission on December 18, 1985 and subsequently approved by the City Council on October 16, 1986 specifies that: "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 (emphasis added)." And, in addition, in Section VI, Major Issues, Employee Housing, states: "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 ordinance in effect (emphasis added)."

MPE understands that in 2006 Mr. Pat Putt, on behalf of the City, took the position that "adopted ordinances in effect at the time of application," meant that Resolution 17-99: "*Resolution Adopting Affordable Housing Guidelines and Standards for Park City, Utah*" would apply. Notwithstanding Mr. Putt's letter of June 7, 2006, we believe that the 1999 Resolution pertains to annexations into the City and master planned developments approved after the date of the Resolution. The filing of a conditional use permit "CUP" for a previously approved master planned development would not require compliance with this Resolution. Nonetheless, MPE is prepared to recommend, subject to an acceptable approval and development agreement, a financial contribution to employee housing utilizing the greater 2007 standards rather than the 1999 standards in the Resolution (**see proposal below**) to be located off site of Treasure Project boundaries or to negotiate for other substitutes acceptable to MPE and the other owners and approved by the City Council. Furthermore, MPE proposes that the Treasure Project will

incorporate a limited amount of “seasonal” employee housing on site provided such does not violate the Sweeney Properties Master Plan.

Employee Housing Contribution Proposal

1. Provide 4,000 net square feet of on-site dorm style seasonal employee housing on three levels with 150 square feet of net liveable space per person, without increasing the building footprint or height.
2. Propose to use the Affordable Housing Requirements per Resolution 2007 instead of Resolution 17-99 to calculate the number of affordable unit equivalents “UEs” (26.67 and 28.47 respectively), size of a unit equivalent (900 net square feet and 800 net square feet respectively), affordable square feet required (24,006 square feet and 22,775 square feet respectively) and the Buyout Price (\$3,569,093 and \$1,404,163 respectively). See table below for details of calculations. **These calculations are approximate and are based on the proposed units, unit type and other Treasure Project assumptions that are subject to CUP approval and ultimate buildout of Treasure.** This financial contribution to employee housing can be used to support Affordable/Employee Housing located off-site of the Treasure Project or for other substitutes acceptable to substitutes acceptable to MPE and the other owners and approved by the City Council.

This proposal is sensitive to the neighbors’ and Park City Planning Commission’s concerns with respect to traffic, density, height and massing of the Treasure Project and we believe complies with the Sweeney Properties Master Plan conditions of approval. Moreover it provides an increase of \$2,164,930 in the Buyout Price.

As always, I appreciate working with you.

Sincerely,

MPE, Inc.



Michael E. Sweeney,
Vice President

Mr. Putt's June 7, 2006 Letter

June 7, 2006

Mr. Patrick Sweeney
Mr. Michael Sweeney
Mr. Edward Sweeney
C/o MPE, Inc.
Post Office Box 2429
Park City, Utah 84060

RE: Treasure Hill Employee Housing Requirement

Dear M. Sweeney:

This letter is a follow-up to our meeting on Tuesday, May 30th where you requested the City's position regarding whether or not MPE, Inc. is required to provide employee housing mitigation as part of its' current Treasure Hill conditional use permit application.

Condition No. 10 of the Sweeney Properties Large Scale Master Planned Development approved by the Planning Commission on December 18, 1985 specifies that:

"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."

This condition of approval leaves no room for ambiguity. You submitted a conditional use permit application to the City on January 26, 2004. Resolution 17-99: Resolution Adopting Affordable Housing Guidelines and Standards for Park City, Utah (which includes employee housing) is the affordable housing requirement in effect at the time you submitted your conditional use permit application. The City is currently in the process of reviewing your conditional use permit application.

It is my determination that Resolution 17-99 applies to the Treasure Hill conditional use permit application. I have been unable to find any documentation in my files that demonstrates the City has waived this administrative requirement. Furthermore, I have reviewed my determination with the City Attorney's office. The City Attorney concurs with my determination.

I will be happy to continue to work with you reviewing your revised/updated project plans, including strategies for providing the employee housing required under Condition No. 10.

Please feel free to contact me at (435) 615-5062 should you wish to discuss this matter in greater detail.

Sincerely,

Patrick J. Putt
Planning Director

cc: Mark Harrington, City Attorney
Polly Samuels McLean, Assistant City Attorney
Phyllis Robinson, Affordable Housing Project Manager

SECTION 10. MASTER PLANNED DEVELOPMENTS

10.1 PURPOSE. The Master Planned Development (MPD) concept of development is allowed in Park City in order to encourage the establishment of common open space, achieve economy in the provision and maintenance of public facilities, allow design flexibility in development, and to preserve the natural and scenic features of open areas. To this end, the clustering of structures, whether single or multiple, may be undertaken; structures may be joined by party walls or be separated by minimal but adequate side yards, and conditional uses may be integrated into the development. Densities within clusters may exceed those allowed for standard housing development when appropriate open space and buffer areas are provided elsewhere on the site.

10.2. SCOPE. Application for Master Planned Development may be made for land located in any zoning district. Unless expressly provided in this Chapter, there shall be no density increase or height increase in the number of dwelling units which can be constructed under the applicable basic zone regulations however, there may be density transfer between zoning districts provided the proposed Master Planned Development cluster is found to be compatible in terms of building types and character with the surrounding area and would not alter the essential character of the district.

10.3. LAND USE INTENSITY ALLOWANCE. The density and type of development permitted on a given site will be finally determined as a result of impact and site plan analysis, the following table for absolute maximum densities in Master Planned Developments is provided:

<u>GROSS DENSITY ALLOWED</u> (Total Site)	
<u>Zone</u>	<u>Maximum Allowable Density</u>
Residential Development (RD)	Density up to 5 unit equivalents per acre
Residential Development, Medium Density (RDM)	Density up to 8 unit equivalents per acre
All other zones	Density established by Chapter 7

10.4. PROCESSING. An application for approval of a Master Planned Development may be filed by the owners of the property for which the approval is requested and shall be made on a form provided by the City and must include written consent by the owners of all property to be included in the Master Planned Development. The procedure for review is described in Chapter 1.

10.5. PRE-APPLICATION CONFERENCE. A pre-application conference may be held with the Community Development Department in order for the applicant: (1) to become acquainted with the Master Planned Development procedures and related City requirements; (2) to obtain from the department a written list of what the formal application should include; and (3) to obtain from the department copies of guidelines to the interpretation of provisions of this section.

10.6. THE APPLICATION. The Master Planned Development application must be submitted with a completed application form on a form supplied by the City. The application shall be supported by the following (seven sets required):

(a) Map of Existing Site. A map of the existing site shall show the following information for the site prior to demolition of any existing improvement or alterations to natural vegetation and terrain:

Vicinity map (not less than 1" = 100');

Scale and north arrow;

Site boundaries and dimensions;

Topography with contours at no greater than five foot intervals;

Vegetation, location, and type;

Soil quality;

100 year flood plain and high water areas;

Existing structures and their current uses;

Existing roads and other improvements;

Location of public utilities and utility easement; and

Other data as may be required.

(b) The Site Plan. The site plan portion of the application shall consist of a plan showing the major details of the proposed Master Planned Development prepared at a scale of not less than 1" = 100' (or 1" = 50' for sites of less than one acre). The plan shall contain sufficient detail to evaluate the land planning, building design, and other features of the Master Planned Development proposed. The site plan shall contain, insofar as applicable, the following minimum information:

Scale and north arrow;

Proposed name of the development;

Identity of a subdivision Master Development Plan of which the site may be a part;

Topography with finished contours at no greater than five foot intervals;

The location and size of all existing and proposed buildings, structures, and improvements;

Natural and proposed vegetation and landscaping, streets, walkways, and easements to be reserved for public use;

Location and general dimension of all impervious paved areas such as streets, walks, parking lots, tennis courts, plazas, etc.;

Proposed open spaces with an indication as to use and ultimate ownership, if applicable;

Proposed drainage system;

Proposed utility distribution;

Proposed traffic circulation with anticipated average daily traffic volumes, and access to the existing street system;

Perspective sketches showing general architectural concepts of all new or remodeled buildings;

Maximum height of all buildings, dimensions, and square footage of all lots or parcels proposed with project;

A general landscape plan at time of initial submission to be followed by a detailed landscaping plan, once the site plan has been approved, showing the spacing, sizes, and specific types of landscaping material;

Lighting plan.

- (c) Written Statement. The written statement to be submitted with the Master Planned Development application must contain the following information (only two sets required):

A statement of the present and future ownership and tenancy and a legal description of the land included in the Master Planned Development application, including identification of all mortgages, easements, covenants or restrictions on land use, liens, and judgments which may affect the site;

A development schedule indicating the approximate date when construction of the Master Planned Development, or stages of the development, can be expected to begin and be completed.

Copies of any special agreements, conveyances, restrictions, or covenants, which will govern the use, maintenance, and continued protection of the Master Planned Development and any of its common areas;

A mailing list of the owners of abutting properties and properties located within 100 feet of the property lines of the land included in the Master Planned Development as required by Chapter 1 of this Code.

An explanation of the objectives to be achieved by the Master Planned Development, including building descriptions, variations in building setbacks, parking, height or other requirements that are being sought; sketches of elevations, or other information as may be required to described objectives.

10.7. PROPERTY POSTED, NOTICE MAILED. Upon receipt of a fully completed application form and the submission of the accompanying information, and upon the payment of the fee for review as prescribed by ordinance, the Planning Department shall cause notice to be given as described in Section 1.15.

10.8. FINAL PLAN REQUIREMENTS. The final plan shall be presented in permanent mylar final sheets; all drawings showing proposed site development shall have a scale of no less than 1" = 100' (1" = 50' for sites less than one acre), with one sheet showing the entire project, its vicinity within the City, and a key to the detailed drawings. The final plan shall include all information required by the Master Planned Development application, plus the following:

- (a) Accurate dimensions for all lines, angles, and curves used to describe streets and other public right-of-ways sufficient to satisfy final plat requirements of the Park City Land Subdivision Ordinance.
- (b) Detailed sizes and dimensions for the utility and drainage systems with specific locations of fire hydrants.
- (c) Detailed dimensions and treatment of all common open space, including lighting.
- (d) Architectural drawings of proposed new or remodeled structures with floor plans and elevations at a scale no less than one-eighth inch to a foot. Drawings shall indicate all exterior materials and colors.

10.9. GENERAL CRITERIA FOR REVIEW. A Master Planned Development shall implement the purposes of this ordinance and of this section, and in addition, shall meet the following standards and requirements:

(a) Uses Permitted. The uses in a Master Planned Development must be uses are shown on the land use table in Chapter 7 as permitted or conditional uses in the zoning district in which the Master Planned Development is located. In addition the approving agency may permit limited commercial uses (as shown on the Land Use Table) not generally associated with the residential zone if, in the opinion of the approving agency, such uses are primarily for the service and convenience of the residents of the development and the immediate neighborhood. Such uses, if any, shall not change or destroy the predominantly residential character of the Master Planned Development. The amount of area and type of such uses, if any, to be allowed in a residential Master Planned Development shall be established by the approving agency on the basis of these criteria:

1. Relationship to the Purpose and Policies of the Comprehensive Plan. The Master Planned Development must be consistent with the purposes and policies of the Comprehensive Plan as set forth therein.

2. Relationship to Surroundings. The Master Planned Development's relationship to its surroundings shall be considered in order to avoid adverse impacts caused by traffic circulation, building height or bulk, lack of screening, or intrusions on privacy.

(b) Maximum Density Requirements. The requirements of Section 7 (Use Tables) regarding maximum densities shall apply to all Master Planned Development except that the approving agency may increase the number of permitted units to the maximum bonus levels found in this chapter if it finds that the site plan contains areas allocated for usable open space in a common park area as authorized in this section, or that an increase in density is warranted by the design and amenities incorporated in the Master Planned Development site plan, and the needs of the residents for usable open space can be met.

(c) Off-Street Parking. The number of off-street parking spaces in each Master Planned Development may not be less than the requirements stated in Section 13 (Off Street Parking) except that the reviewing agency may increase or decrease the required number of off-street parking spaces in consideration of the following factors:

1. Probable number of cars owned or required by occupants of dwellings in the Master Planned Development;

2. Parking needs of any non-dwelling uses, including the traffic attracted to commercial uses from off-site;
3. Varying time periods of use, whenever joint use of common parking areas is proposed.
4. Whenever the number of off-street parking spaces is reduced because of the nature of the occupancy, the approving agency shall obtain assurance that the nature of the occupancy will not change. No parking reductions shall be granted for developments requiring eight or fewer parking spaces. Parking requirements are stated in Chapter 13.

(d) Variations in Setbacks. The setback requirements of Section 7 shall apply to Master Planned Developments except that the reviewing agency may reduce setbacks in consideration of site planning issues addressed in this chapter. Variations in setbacks, if requested, shall be addressed in the written statement and shall be specifically called out on the Master Planned Development site plan, or shall be handled through a Master Planned Development control document to be submitted as part of the written statement. Minimum setbacks along the boundaries of the site must be observed.

(e) Variations in Height Requirements. The height requirements of Section 7 shall apply to Master Planned Developments, except that after review by the Planning Commission, the Commission may approve, disapprove, or approve with modifications a request for an increase in the allowable height of some or all of the buildings in the development by up to 25% of the maximum building height established for that zone in Chapter 7 of this Code (not including those adjustments permissible under Section 8.17) after due consideration of the following site specific review standards, in addition to the other standards established for Master Planned Developments by this Chapter. If the requested height increase is greater than 25% of the stated zone maximum, the request shall be reviewed by Planning Commission, then submitted to the City Council with recommendations from the Commission, with final approval, disapproval, or approval with modifications of the request to be made by the City Council, based on the same review criteria. The Council may act on the height increase request at any time during the review process following Planning Commission's review of the height request, and may act on the height request prior to final Commission approval of the overall master plan.

1. The geographical position of the building and possible visual effects on existing structures on or off-site;

2. Potential problems on neighboring sites caused by shadows, loss of solar access, loss of air circulation, closing of views, or ridgeline intrusion;
3. The influence on the general vicinity including contact with existing buildings and structures, streets, traffic congestion and circulation, and adjacent open space;
4. Appropriateness of the uses within the building in the neighborhood;
5. Landscaping and buffered areas of other physical separations that may be proposed to buffer the site from adjacent uses;
6. The size of the side yard areas between buildings and adjacent streets and alleys and their relationship to pedestrian traffic and open space;
7. The provision of more than the required 60% open space within the project;
8. Reduction of the height of other buildings or portions of a building to a point that is lower than the underlying zone maximum;
9. In no case will any increase in height be permitted when the effect of the height increase is to increase the allowable square footage or building volume (above grade) over that which is, or would be, possible under normal zone standards for the zone in which the site is located. When determining the possible building square footage and/or volume possible under the underlying zone regulations, the Community Development Department shall consider the unit configuration proposed (i.e., the mix of hotel rooms, apartments, and commercial space) and the reasonable circulation space needed to serve that configuration, exiting requirements, light and air requirements and other requirements of the Uniform Building Code which would affect the location and placement of building volume, and not merely calculate volume based on the zone's setback and yard requirements.
10. The amount of any increased height is not specified for each zone district as the minimum allowable height that is compatible with good planning practices and good design is a site specific review item. The burden of establishing the needs and benefits of a height increase is on the developer, and in the absence of a satisfactory showing that the additional height will result in a superior plan and project, the zone height shall be applied.

11. Height variations shall not be permitted in the HR-1, RM, R-1, and HRL zones.

(f) Nightly Rentals, Timesharing, and Condominiumization to be Declared. If nightly rentals are desired in a Master Planned Development, this must be declared at the time of application. If timesharing, as defined by ordinance or nightly rental use, is desired in a Master Planned Development that has already been approved by the City, a conditional use permit must be obtained and the project instruments must either be drafted initially or amended by the required majority (in no event less than 65%) to explicitly and prominently authorize timesharing within the project. If the Master Planned Development is to be turned into a condominium, as defined in the Code, it must be declared at the time of application, or the condominium conversion fees and review will apply to the subsequent change.

(g) Site Planning. The approving agency must be satisfied that the site plan for the Master Planned Development has met each of the following criteria or can demonstrate that one or more of them is not applicable, and that a practical solution consistent with the public interest has been achieved for each of these elements:

1. The relationship of these areas to other areas, structures, and uses within the Master Planned Development.
2. The degree to which these areas contribute to the quality, livability, and aesthetics of the Master Planned Development.
3. Common park areas are encouraged and may be counted as part of the required open space within a Master Planned Development provided they are to be used and are suitable for scenic, landscaping, or recreational purposes and they are on land which is accessible and available to persons for whose use the common park area is intended, and ownership is vested in a way that preserves the open space.
4. Common open spaces in a Master Planned Development site shall be preserved and maintained as provided for in an irrevocable dedication declaration, or restrictive covenants approved by the reviewing agency and filed and recorded in the office of the County Recorder, or other mechanisms acceptable to the approving agency. The irrevocable dedication, covenant, and declaration shall take place as mutually agreed upon by the approving agency and the applicant, provided, however, no building permit shall be issued for the Master

Planned Development until the dedications, covenants, and declarations have been filed and recorded. The areas designated in the covenants as common open space shall be maintained, repaired, preserved, and retained as open spaces by the owners in common of the property and/or the developer.

5. Circulation in terms of an internal street circulation system designed for the type of traffic generated, safety, separation from living areas, convenience, access, noise, and exhaust control. Private internal streets may be permitted if they can be used by police and fire department vehicles for emergency purposes. Width, and cul-de-sac design must accommodate fire fighting apparatus. Bicycle traffic shall be considered and provided for and, where appropriate, connection of the bike and pedestrian system to other city systems shall be addressed. Proper circulation in parking areas in terms of safety, convenience, separation, and screening shall also be considered.
 6. Utilities shall be addressed in terms of adequacy, availability, and locations of services.
 7. Variety shall be addressed in terms of housing type, densities, facilities, and open space.
 8. Privacy shall be addressed in terms of the needs of individuals, families and neighbors, and adjoining land owners.
 9. Pedestrian traffic shall be addressed in terms of safety, separation, convenience, access to points of destination, and attractiveness.
 10. Building type shall be addressed in terms of appropriateness to density, site relationship, and bulk.
 11. Building design shall be addressed in terms of orientation, spacing, materials, color and texture, storage, signs and lighting, and compliance with the architectural criteria contained in the Land Management Code appendices.
 12. Landscaping of the total site shall be addressed in terms of purpose of planting such as screening or ornamentation; hard surface materials used, if any; maintenance, water needs, suitability; and effect on the neighborhood.
- (h) Building and Lot Requirements. Buildings may be attached, semi-detached, or individual units. The uses within

buildings may be mixed. The separation between detached buildings shall be a minimum of ten feet.

1. Structures greater than 60 feet but less than 120 feet in length should exhibit a prominent shift in the facade of the structure so that no greater than 75% of the length of the building facade appears unbroken. Each shift shall be in the form of either a ten foot change in building facade alignment or a ten foot change in roof line height, or a combined change in facade and roof line totaling ten feet.
2. Structure shall not exceed 120 feet in length without complying with the following guidelines:

A prominent shift in the mass of the structure shall occur at each 120 foot interval (or less) reflecting a change in function or scale. The shift shall be in the form of either a 15 foot change in building facade alignment or a 15 foot change in roof line.

A combination of both a roof line and facade change is encouraged and to that end, if the combined change occurs at the same location in the building plane, a 15 foot total change will be considered as compliance with this section.

3. At least 60% of the area of any site, subject to a Master Planned Development review shall remain as open space, not counting roads.

- (i) Support Commercial Facilities. Within any Master Planned Development in those zones which permit mixed uses within Master Planned Developments, no more than 10% of the total gross floor area may be devoted to support commercial facilities as defined by this Code. All support commercial facilities shall be oriented to the internal pedestrian circulation system of the Master Planned Development. Signage on support commercial facilities must be visible only from within the development, and shall not orient to the adjacent public streets or off-site circulation areas.

10.10. APPROVALS. Approvals of Master Planned Developments shall be granted in the following manner:

- (a) Master Plan Approval. The approval for a Master Planned Development shall be given in a form that states the density allocated to the property as a number of units. The configuration and mix of the units can be adjusted by the developer according to the table provided below. Approval shall be given by the Community Development Department on small scale Master Planned Developments (as defined in Chapter 1.13., subject to ratification by the Planning

Commission), and by the Planning Commission on large scale Master Planned Developments, as defined in Chapter 1.13.)).

- (b) Project Site Plan. Project site plan approval of the site plan for the project or development shall be granted by the Community Development Department for all development within Master Planned Developments as long as the density is within the range of unit equivalents established in the master plan approval, subject to ratification by the Planning Commission. Commission action will still be required for final plat approval, subdivision approval, and any other approvals or reviews required by Chapter 1.
- (c) Form or Approval. Once a density range and preliminary plan have been approved by the reviewing agency, a master plan shall be signed by the reviewing agency and the developer. In the case of a large scale Master Planned Development, in which density transfers from one portion of the site to another may have occurred, the approval shall take the form of a recordable instrument which states the legal description of the land affected by the approval, and is sufficient to put subsequent purchasers of all or parts of the tract on notice that the density allowed on that property may be different from what basic zoning would suggest as a result of the Master Plan Approval.
- (d) Construction. Construction within two years is required to preserve a large scale Master Plan Approval within the time limits by Chapter 1.13. Construction on a small scale Master Planned Development must commence within one year, or the approval will expire. Extensions may be granted as provided in Chapter 1.
- (e) Transferability. Approved Master Plans are transferrable with the title to the property to which the approval pertains, but not portion of the density allocation within any approval may be transferred off site.

10.11. REVIEWING AGENCY. As used in this Chapter, the term "reviewing agency" shall refer to the Planning Commission on the master plan approval of Large Scale Master Planned Developments, and to the Community Development Department on the preliminary and approval of Small Scale Master Planned Developments, and also to the staff when referring to final site plan approvals within Large Scale Master Plan Approvals following density determinations by the Planning Commission.

10.12. UNIT EQUIVALENT. Density of development is a factor of both the use and the size of the structures built within a Master Planned Development. In order to maximize the flexibility in the development of property, the following table of unit equivalents is provided:

<u>Configuration</u>	<u>Unit Equivalent</u>
Hotel room, not exceeding 500 square feet, including bathroom areas, but not corridors outside of room	.25
Hotel suite, not exceeding 650 square feet, including bathroom areas, but not corridors outside of room	.33
One bedroom or studio apartment, not exceeding 1,000 square feet	.50
Apartment of any number of rooms, not exceeding 1,500 square feet	.75
Apartment of any number of rooms, not exceeding 2,000 square feet	1.00
Apartment of any number of rooms, not exceeding 2,500 square feet	1.33
Apartment of any number of rooms, in excess of 2,500 square feet	1.50
Single family house	1.00
Commercial spaces (approved as part of Master Plan Approval), for each 1,000 square feet of gross floor area, exclusive of common corridors, or for each part of a 1,000 square foot interval	1.00

Hotel uses must be declared at the time of site plan approval, and are subject to review for neighborhood compatibility. The election to use unit equivalents in the form of hotel rooms may not be allowed in all areas because of neighborhood conflicts or more intensive traffic generated. Within a hotel, up to 5% of the total floor area may be dedicated to meeting rooms, and support commercial areas without requiring the use of a unit equivalent of commercial space.

Circulation spaces including lobbies outside of units, including lobby areas, do not count as floor area of the unit, or as commercial unit equivalents.

Computation of floor areas and square footage shall be as provided in the Uniform Building Code adopted by Park City.

Where the unit configuration fits one of the above designations, but the square footage exceeds the footage stated for the configuration, the square footage shall control, and the unit equivalent for that size unit shall apply.

10.13. UNIT EQUIVALENCE ELECTION. The developer shall have the right to make his election of how to apply the unit equivalency on his site at any time in the review process, provided, however, that commercial uses and hotel uses of specific development parcels may be designated or prohibited on the Large Scale Master Plan Approval when the Planning Commission finds that there are neighborhood, traffic, or similar considerations for limiting or clustering these uses. The election of the final unit configuration must be made at the time the application for final site plan is submitted, and the election of unit mixes is part of the conditional use process that the final site plan is reviewed under.

10.14. EFFECT ON EXISTING MASTER PLANS. Existing master plans, which have received final approval prior to the date of this Code, may take advantage of the unit equivalency formula as final site plans are submitted on the development parcels identified in those plans, provided however, that limitations on commercial uses will not be removed by this ordinance unless the master plan is amended.

10.15. PARKING. Parking within a Master Planned Development shall be required as provided in Chapter 13, unless the reviewing agency finds that a reduction in parking is justified as provided by this Code. Parking is based on the unit configuration as set forth in Chapter 13, and not on the basis of unit equivalents.

10.16. MASTER PLANNED DEVELOPMENTS IN THE RC ZONE. In the RC Zone, Master Planned Developments are based on a gross density of one unit equivalent for each 2,000 square feet of land area on the site.

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

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

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.

- * Re-plects City Council 10.16.86 modifications **
- (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 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 I 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 HR-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.

*These recommendations
were approved by
city council*

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 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.

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/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

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.

SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

Parcel	Acres	Residential Unit Equivalents	Commercial Unit Equivalents	Maximum Building Height ^{ft}	Minimum Open Space (%)
Coalition Properties					
East	0.986	40	Maximum Commercial space not to exceed PAR of 1,1	55'	39.8 ¹
West	0.543	13	---	35'	54.9
Hillside Properties					
Creole Quich	7.75	161.5	15.5	98' * 75	70
Town Lift Hld-Station	3.75	35.5	3.5	55' * 45	70
Three 1/2-acre Single Family Lots	1.5	3	---	25'	83.9
Develop IIR-1 Properties					
Carr-Sheen	0.288	3	---	28'	60
HPE	0.161	$\frac{2}{258 \text{ U.E.}}$	$\frac{19 \text{ U.E.}}$		

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

* Subject to revised conditions as stated in the Motion by City Council 10/14/08

SWEENEY PROPERTIES MASTER PLAN PHASING EXHIBIT - REVISED

	Year 1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	
<u>Improvement/</u> <u>Development</u>																						
HPD Approval Recorded																						
Norfolk Waterline Easement																						
Norfolk ROW																						
Crescent Walkway																						
Empire-Lowell ROW																						
Norfolk Turnaround																						
Misc. Deed Restrictions																						
Hiking Trails/ Foot Paths																						
Tramway Towers Dedication																						
Empire Lowell to Crescent Walkway Connection/ Construction																						
6th Street Stairway?																						
5th Street Stairway?																						
4th Street Stairway?																						

Year 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006

Project Timeframe

Coalition Properties _____

MPE and Carr-Sheen _____

Town Lift _____

Mid Station

Greole Gulch _____

¹For additional clarification, consult the Planning Department Staff Report and the Sweeney Properties Master Plan document and fact sheet dated May 15, 1985.

²Stairways to be constructed concurrently with development of Hillside Properties unless already improved by Park City Resort or adjacent projects.