

Planner Cattan reported that on August 26th they would be moving ahead with the mass and scale of Treasure Hill. She would like to begin early with a site visit. The applicant will mark out the different building locations and show the corners and the elevations. The public was welcome to participate in the site visit. The Commissioners preferred to begin the site visit at 4:30 p.m. Commissioner Peek requested that pictures be taken of the staked site since he would be absent from the August 26th meeting.

OPEN PUBLIC HEARING AND CONTINUE TO DATE CERTAIN

1. 750 Round Valley Drive - Pre-Mater Planned Development

MOTION: Commissioner Pettit moved to CONTINUE 750 Round Valley Drive to August 12, 2009. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

2. Treasure Hill - Conditional Use Permit

Chair Thomas opened the public hearing.

Kyra Parkhurst, a resident on Empire Avenue, stated that safety needs to be the biggest issue for the City. She is tired of running up and down Empire and Lowell with camera in hand clicking pictures every time she sees something that might help prove their concerns. She commented on one incident where someone on a Segway was going up Norfolk with his dog and a friend. As she was taking that picture, coming down the street was a white truck that had to go into the gutter because the person on the Segway stopped to talk to someone in a car. As the car got closer she realized it was Mr. Sweeney. Ms. Parkhurst commented on the services that would need to be done 24/7 to insure public safety. Those include snow removal at all times and not just 2:00-6:00 a.m. Snow removal from the sidewalks. Snow removal for all off-street parking both uphill and downhill. Snow removal in front of all of the pull in spaces. Snow humps that are created on the crosswalk areas from the snow plows would also need to be removed every time a snow plow goes by. She believed that someone would need to monitor both the top and bottom of Empire to ensure that it is not used by Treasure Hill traffic. Ms. Parkhurst favored the suggested 15 mile per hour speed limit, but she wondered how that could be enforced. They would also need someone to guide groups of people to use the sidewalks and not the street. They would need to make sure that the crosswalk lines are clearly visible under the snow. They may also need to consider enforcement of crosswalk usage. Ms. Parkhurst stated that they still had not addressed the whole part of Manor Way on Empire, across the parking lot and down toward Cole, where everyone in the condos now walk up and disperse to the street. Ms. Parkhurst was looking forward to a time when she could get back to enjoying her family and the town and not having to continually fight and argue over this project. She encouraged the Sweeney's to sit down with the City and find ways to improve the quality of their lives, the lives of the community and the character of this town.

John Stafsholt, a resident at 637 Woodside, reiterated that his issues are with the Treasure Hill project and not the Sweeney family. He has always found the Sweeney's to be respectable and honorable men. Mr. Stafsholt complimented the Staff report, stating that it read well and it was

very factual. Mr. Stafsholt stated that the Treasure Hill CUP application came in, in January 2004 and since that time there have been 30+ meetings on this project, and at least 12 traffic meetings. He remarked that the Sweeney's are smart people and if there was a way to mitigate traffic impacts on the existing streets they would have found it by now. Mr. Stafsholt believed that space was the reason why they cannot find mitigation. There is only so much space and there will be more and more cars and trucks and parking requirements. Widening the streets shortens the driveways, which removes parking and increases the need for additional on-street parking. He commented on the parking scenarios that create dangerous situations. Mr. Stafsholt pointed out that the applicants' proposal to widen the pavement also narrows the streets.

Mr. Stafsholt referred to Item 2 of the CUP review criteria, which requires traffic mitigation on existing streets. In the latest development proposal for Treasure Hill, Options 1 thru 3 revolve around creating completely new streets on Lowell and Empire. The majority of Old Town consists of six main streets; Lowell, Empire, Norfolk, Woodside, Park and Main. Completely tearing out, widening and rebuilding two of the six main street does not fit the definition of mitigation. Mr. Stafsholt stated that adding sidewalks, removing parking, changing traffic patterns, adding signage and traffic controls, lowering speed limits and increasing snow hauling are impacts and not mitigations. He noted that sidewalks are the largest revision on the latest version of the development documents. Sidewalks exist in all options. He believed the timing of the proposal for sidewalks is fortuitous because the City recently completed sidewalks on Lower Norfolk Avenue. The response from those residents were immediate and negative. At the City Council meeting last Thursday, the Norfolk residents submitted a petition asking the City Council to reevaluate parking and safety issues on Norfolk that were created by the new sidewalks.

Mr. Stafsholt pointed out that the applicants had paid for the traffic studies and the positive results are based on many assumptions. He outlined a number of assumptions that need to be looked at to see if they do actually produce positive results. In his opinion, the traffic study was based on assumptions that were not accurate and many should be questioned.

Vicki Shultz, a resident on Norfolk, stated that she was one of the people who got the sidewalk. She requested that the Commissioners walk out in the middle of the street when they leave this meeting and explain to her how a snow plow can get up her street. If it cannot get up Norfolk, it will never get up the other streets. Ms. Shultz echoed previous comments that safety is the most important issue. If a fire truck cannot reach her house, then the house behind her and next to her would probably catch fire, too. Ms. Shultz noted that people live in close quarters and she urged the City to re-examine the proposal for a sidewalk. Old Town is not comparable to Prospector Square or Park Meadows. The streets are narrow and the homes are closer together. Sidewalks should be reconsidered.

Brian Van Hecke, a resident on Empire Avenue, presented a brochure from 2003 that was put out by the City to deal with traffic. It identified healthy solutions to calming traffic and talked about a neighborhood traffic management program. The brochure stated that maintaining safe streets in Park City neighborhoods was a top priority for City officials, yet with so much residential growth, many of the quiet neighborhood streets were becoming busier. He noted that the statement was made in 2003 and it is a serious understatement for 2009, particularly considering the Treasure Hill development. Mr. Van Hecke questioned whether it was possible to achieve safe neighborhoods in Old Town with the potential development of Treasure Hill.

Mr. Van Hecke referred to the comment by Mr. Sweeney that they were thinking outside of the box. He noted that they failed to say that the box in 1986 had an approved density of approximately 400,000 square feet. The current density as proposed is well over one million square feet. Mr. Van Hecke noted that the box has become considerably larger since 1986 and that directly impacts traffic and safety. He commented on traffic counts. He wanted to make sure that the applicant considers real parking counts in terms of the number of cars actually parked on the streets and not just parking spaces. Mr. Van Hecke understood that the picture the applicants showed for parallel parking on Lowell and Empire used undeveloped lots as part of the solution. He remarked that the vacant lots would be developed in the future and counting those spaces was an unrealistic representation. He echoed the comments regarding the sidewalks on Norfolk and noted that very few people even use the sidewalks. Most people still walk down the middle of the street. Mr. Van Hecke referred to a comment by Pat Sweeney that he was reasonably certain they could get it right. He stated that they cannot be reasonably certain. They need to be absolutely certain and based on what has been presented, he is absolutely certain that this development will not work in Old Town.

Craig Weber, a resident on Norfolk, felt other speakers had expressed his concerns with safety issues. He addressed the sidewalk issues on Norfolk. Sidewalks take away parking spaces. If a sidewalk encroaches someone's driveway, it shortens their driveway and their ability to park. He was not convinced that sidewalks work to increase parking. Mr. Weber stated that the sidewalk on Norfolk has created a fire safety issue. The fire department requires fifteen feet to be safe and currently Norfolk is less than fifteen feet. Mr. Weber wanted to know who would maintain the sidewalks once the applicants build them. He believed that most projects have a time period where the applicant maintains improvements for several years before transferring it to the City. Mr. Weber pointed out that the 2:00-6:00 a.m. option would put more cars on Norfolk if they cannot park on Empire or Lowell. The Norfolk residents already lost parking when the sidewalk was put in and this would directly impact them further. Mr. Weber expressed concern over the safety issues related to larger trucks that would be servicing Treasure Hill. Those issues and others need to be addressed in order to make this right.

Ruth Meintsma, a resident on Woodside Avenue, addressed the number of parking spaces proposed for Treasure Hill. She agreed with the comments that reducing the number of parking spaces is not traffic mitigation. Ms. Meintsma could see no reason why 100% of the employees should not be shuttled. In addition to shuttles, employees can take buses to the transit center and take the cabriolet. In her opinion, there should be no employee parking. In terms of employees who live on site needing parking, Ms. Meintsma stated that she lives where she works. She does not have a car in Park City and she does not need one. Living on site is a reason not to have a car. Ms. Meintsma read from the MPD requirements in the Staff report, "An apartment not to exceed 2,000 square feet needs two parking spaces." She felt that a 2,000 square foot apartment is a small single-family and there should not be two parking spaces when only one car would be necessary.

Ms. Meintsma commented on the statement, "Guests will be incentivized to use shuttles, particularly from the airport". She felt that statement should be set in stone and more than just a suggestion. Ms. Meintsma offered the suggestion that every vehicle that parks at Treasure Hill should be stickered in a way that allows them to park at Treasure Hill, but that same sticker would prevent them from parking in the Main Street area. This would insure that everyone who parks at Treasure

Hill would have to walk or use other alternatives to access Main Street. Ms. Meintsma liked the comment in the Treasure Hill letter about increasing storage space to reduce deliveries. It is a great idea and should be more than just a suggestion. Ms. Meintsma noted that the letter also says the applicants would provide a detailed map on how to drive on Lowell Avenue. She could not see that working as a solution.

Ms. Meintsma stated that the biggest issue other than traffic was snow removal in the areas where snow is difficult to remove. She believed snow could be removed in the regular way on Lowell and Empire; but the parking areas and sidewalks are a difficult issue. Ms. Meintsma asked if anyone had considered a geo-thermal exchange for heating the sidewalk and parking areas. It is supposed to be cost-effective and if it did work, it would be a remarkable solution. Ms. Meintsma stated that she had read the PEC parking generation study. She thought it made very little sense and not everything applied, such as shopping centers, etc. Ms. Meintsma felt the study was old school and it was time to look at this project in a completely new and different way.

Kathryn Matsumoto-Gray, a resident on Norfolk, spoke about Crescent Tram and 8th Street, which goes behind her house. Her house is an historic house on Norfolk and she also has an historic barn attached to her house. She noted that last summer the barn was hit by a truck that was driving down Crescent Tram from Empire. The truck could not make the turn because someone was coming up, so they tried to back up Crescent Tram and clipped the corner of the roof on the side of her historic barn. Ms. Matsumoto-Gray stated that trucks go down that way but they cannot make it because it is a steep street with a narrow turn. If someone is coming up it is a stand off to see who will back down. She requested additional discussion on that access to the Treasure Hill area.

Mike Allred stated that he heartily supported all the comments made by John Stafsholt. Mr. Allred clarified that he had nothing against the Sweeney's and they have done great things for the community. However, they have been trying for years to make the Treasure Hill project work and it still does not work. He noted that the streets in Old Town are historic, neighborhood streets and he asked if the Planning Commission wanted to turn them into collector streets. If they follow the Sweeney's plan, they would be turning historic neighborhoods into collector streets. Mr. Allred agreed with Mr. Stafsholt that meetings have been held for years and plans have been revised. If they have not found a workable solution by now, they never will. Mr. Allred stated that the Planning Commission and the City Council have a responsibility to the public as neighbors and property owners in the historic district. They have been attending these meetings for years and they are not any closer to a solution than they were when they started. Mr. Allred stated that he is a developer and he sympathizes with the Sweeney's position. They were given entitlements years ago but the City made a serious mistake by not sun setting those entitlements. The character of the neighborhood is completely different today than it was 23 years ago. After four or five years they have yet to mitigate the impacts from this project because they cannot be mitigated. Mr. Allred proposed that the Planning Commission vote to end the Treasure Hill hearings and to send it back to the City Council with a recommendation that they find a way to reimburse the Sweeney's for their entitlements and designate this site as open space.

Commissioner Wintzer suggested that Mr. Allred make that same recommendation before the City Council because the Planning Commission is not involved in purchasing property.

Richard Hughes, a resident in Thaynes Canyon, did not believe the idea of getting up at 2:00 a.m. during a snow storm to move your car was a realistic solution. He reiterated his concern expressed at the last meeting about having an enormous project with hundreds of people that can only be accessed by Lowell and Empire. After hearing the discussion this evening, he understood that Empire might be eliminated as access. Mr. Hughes stated that if Treasure Hill catches fire and fire trucks and emergency vehicles try to get in, it would be an absolute disaster. He felt there should be another access to the south as a way to reach the project. Without it they are asking for trouble.

Mr. Hughes questioned the comment about diverting all the traffic to Lowell because Lowell is right in front of the ski resort. He commented on the congestion that occurs when people are getting to the resort and unloading their skis during the winter. Adding traffic from this project to that congestion would be another disaster. Mr. Hughes stated that too many aspects of this project did not make sense. He favored Mr. Allred's suggestion as a way to encourage the Sweeney's to give up this project that would change the whole character of Old Town.

Chair Thomas continued the public hearing to August 26th.

Pat Sweeney responded to some of the comments and addressed what he felt were misconceptions. Mr. Sweeney stated that when Kyra Parkhurst saw him on the street, he was doing the same thing she was and scouting out the new Lower Norfolk. Mr. Sweeney agreed with the comments about there not being enough space to accommodate everything. He remarked that the residents should influence what improvements are made and whether or not they want a sidewalk.

Mr. Sweeney stated that he and Mr. Stafsholt interpret the traffic reports differently and he asked that everyone else read it for themselves. He noted Mr. Van Hecke was accurate in saying that the MPD approved 400,000 net square feet and the current plan proposes a million square feet gross. However, the vast difference was inherent in the original approval, in which they had to provide circulation and parking underground. That is where the additional 600,000 square feet comes from. It is costly and it is the price for having a pedestrianized development.

Mr. Sweeney agreed with Mike Allred that they have exhausted the traffic conversation. He offered to put a book together that clearly shows where they started, where they have been and where they are going. It would be provided to the Planning Commission for their review.

MOTION: Commissioner Peek made a motion to CONTINUE the Treasure Hill CUP to August 26, 2009. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

3. Deer Valley Resort, Silver Lake Village - Amendment to Master Planned Development

Chair Thomas opened the public hearing.

Bob Wells, representing the applicant, stated that subsequent to the last Planning Commission they have amended the application to reduce the impacts. The west side deck of Unit 402 was proposed to be incorporated in to the unit and that has been deleted. The deck will be left as it