

Commissioner Wintzer was not opposed to the height exception, but he felt it was an important issue that should have been mentioned in the Staff report. Planner Whetstone stated that there would be a full analysis of the MPD and CUP at a future meeting. The Staff is working on that analysis and the applicant wanted Planning Commission feedback before moving too far forward. Commissioner Wintzer was comfortable that the applicants were heading in the right direction.

Treasurer Hill - Conditional Use Permit

Chair Thomas commended Planner Cattan on an excellent Staff report. Commissioner Wintzer remarked that he had prepared a written statement and his first comment was that he agreed with the Staff report completely. He thought the Staff's comments reflected the best interest of the City and the project. All the Commissioners concurred with the Staff analysis.

Commissioner Pettit read into the record the letter Commissioner Wintzer had submitted. Commissioner Wintzer had provided comments and suggestions of traffic mitigation for the Treasure Hill project. He remarked that Lowell and Empire Avenue currently work and the new project and related impacts are the issue. The impacts need to be mitigated at the expense of Treasure Hill. He believes the Planning Commission and the applicant need to know the size of the project, what the final ownership will be and how much and what kind of commercial spaces will be in the project. He had noted that all the information is needed before anyone can completely understand the traffic and mitigation. Commissioner Wintzer had offered his own ideas for traffic mitigation as follows: 1) Any extra snow removal cost for snow and sidewalks is paid for by the applicant, including hauling and any special equipment needed to remove the snow. A 25 foot road must be maintained at all times. 2) The design of empire preserves and enhances the neighborhood feeling of the street. Planting, bulb outs, realigned curb and gutter, possible light, and sidewalks must be added to the street at the cost of the applicant. 3) Sidewalk location is part of the neighborhood experience and should be next to houses. 4) Parking on street must be maintained at 90% or more of existing on-street spaces. 5) Parking may not exceed allowed parking under the master planned development. The Planning Commission encourages less parking than anticipated in the MPD. The applicant must provide a management plan for guest parking showing how they are going to encourage guest not to bring cars into the project. The applicant must provide a management plan for a 100% park and ride for employee shuttle. 6) Applicant must provide a management plan outlining where vehicles will unload and how they will be scheduled so they are not staging on the street. This plan must work on reducing commercial vehicles to the minimum. Commissioner Wintzer expressed his preference for one delivery per day.

Commissioner Wintzer submitted his letter to the record.

Commissioner Wintzer clarified that he submitted his letter so they could begin answering questions and work on solutions. He pointed out that the letter contained his own ideas and did not reflect the thoughts of the rest of the Commissioners or the Staff. Commissioner Wintzer reiterated that they cannot define the parking issues until they define the functions of the building. He suggested that they put the parking issue aside for now and focus on what is being proposed commercially in size and mass. Once that is determined, they can discuss the parking more effectively being better informed. Chair Thomas agreed that the two issues are connected and that they would have a

broader understanding of traffic after better understanding the building.

Planner Katie Cattan commented on the MPD parking calculations. She explained that under the MPD of 1986, one of the exhibits was very clear that the parking calculations were different from the Land Management Code. The applicant utilized those calculations with their current plan and found that under the MPD, they could have 366 spaces. Planner Cattan clarified that the MPD calculation did not take into consideration any of the support commercial or commercial on site, or the employee housing associated with the project. Therefore, the applicant has proposed an additional 58 spaces. Planner Cattan noted that the 424 spaces shown in the current proposal only allows 58 additional spaces for commercial and employees. Planner Cattan wanted it clear that commercial was never considered in the MPD calculation. The applicants expect to have 300 employees on the payroll, but they would not all be on site at the same time.

Pat Sweeney, the applicant, requested the opportunity to briefly respond to some of the comments after the public hearing.

Mr. Sweeney commented on the suggestion to address massing first and then return to the parking discussion. Because the two issues are a package, he preferred to have the parking discussion, seriously think about the applicants position with respect to parking, and create a very complete document that talks about where they started, where they have been and where they are going. He would like to put those issues out for approval and use them as background for the discussion on volume. If it makes sense to go back and revise parking based on those discussions, that would be reasonable to consider. Mr. Sweeney stated that at some point there needs to be resolution if they ever hope to see this project built.

Mr. Sweeney appreciated the comments Commissioner Wintzer had submitted and they would try to touch on those issues as they go through their presentation this evening.

Mr. Sweeney addressed previous public comments about thinking outside of the box. He noted that they had done that once before and it resulted in a very interesting box. They are willing to think outside of the box again, but he felt it was important for people to understand that extraordinary things have been done to bring them to this point. Mr. Sweeney remarked that in conjunction with the efforts of the Park City Mountain Resort, they brought skiing to Old Town. In the initial process they walked away from 50% of their underlying density. They also agreed to 97% open space, which started to shape their box. They built the first dedicated bike trails in Park City in 1991. They also helped create lower Main Street with the efforts of Harry Reid and Jack Mahoney.

Mr. Sweeney stated that with this application they are proposing a people mover from the Treasure Hill project to Main Street. The intent is complete destinization of the project. He pointed out that they trusted the master plan process and that put them in a box.

Regarding traffic, Mr. Sweeney remarked that they are trying to accomplish three goals. The first is to accommodate everybody's traffic on those roads, including existing and future residences. The second is to accommodate pedestrians. Finally, they do not want to take away existing parking. Mr. Sweeney believes there is an opportunity to accomplish all three goals. It is unique in Old Town but it can be done.

Steve Perkins, representing the applicant, understood that using Lowell Avenue as the main access to the Treasure project was discussed at the last meeting. He believed the opportunity of using Lowell as the main access allows them to take another look at Empire as part of this process. Mr. Perkins remarked that Lowell Avenue is a modern street in Old Town that was built in the late 1970's. The Treasure project was part of a Special Improvement District that participated in the construction of that project. The master plan of the Treasure project supplied land that allowed for the connection between Lowell and Empire.

Mr. Perkins noted that along Lowell all the houses are contemporary buildings with one exception. The homes on Lowell also have off-street parking requirements; unlike most of the homes on Empire. Mr. Perkins stated that uphill development on Lowell is located well away from the street. There are only three existing driveways on the uphill side, which provides flexibility in terms of how to manipulate that portion of the right-of-way. Mr. Perkins remarked that the Treasure project at the south end of Lowell has been well publicized since 1977.

Mr. Perkins understood that snow management was another major issue that was previously discussed and raised again in Commissioner Wintzer's letter. This issue affects both vehicular and pedestrian circulation and parking on the streets. Their position has been to use traditional methods similar to those used in other Old Town areas, where snow emergencies are posted and snow is removed when required. Mr. Perkins noted that the City Staff has suggested a "no parking zone" from 2:00-6:00 a.m. on Lowell as an appropriate way to manage snow. Mr. Perkins stated that this approach could be tried and tested to see if it operationally works.

Mr. Perkins stated that they could take advantage of the west side of the right-of-way of Lowell where existing development is not located immediately on this street and where there is greater opportunity for snow storage as described. Mr. Perkins commented on the importance of continually enforcing parking regulations for a snow removal operation.

Mr. Perkins commented on the cost of snow removal. He stated the property tax base generated from the Treasure project was estimated at approximately \$3 million. The applicants believe there would be substantial funds from the allocation of property taxes to pay for additional snow removal.

Mr. Sweeney requested input from Kent Cashel and Matt Cassel regarding snow removal. Mr. Sweeney wanted it clear that this idea came from thinking outside of the box; but the management of the streets is the responsibility of the City.

Kent Cashel, City Transportation Manager, responded to the comment about maintaining the streets similar to other areas in Old Town. Mr. Cashel remarked that the Staff suggestion for the 2:00-6:00 a.m. closure would be consistent with how high volume streets are maintained in the rest of the City. To maintain the 25-foot width during the winter, it is important for cars to be moved on a consistent basis for snow removal. Mr. Cashel stated that the storage areas are nice but they are really just staging areas. Snow would not be hauled out with every storm, but it does need to be cut back to the curb. He noted that the Staff is adamant about removing cars consistently because of the importance of keeping that width and safely moving the expected volumes of traffic.

Commissioner Wintzer asked about equipment other than snow plows that would accomplish what they need without having to move the cars. He did not think it was practical for people move their cars with every snow storm. Mr. Cashel explained that even with additional or new equipment, the cars would still need to be moved in order to push the snow back to the curb. He was not aware of any equipment that would solve that problem.

Mr. Sweeney stated that Rob McMahon had done a survey count of existing parking spaces. Currently 40 people park on the downhill side of Lowell on a regular basis, particularly during business hours. With his project they would provide the same amount of parking or slightly more across the street. Mr. Sweeney believed the key difference is that on the downhill side of Lowell, when the empty lots get built on, most of those 40 parking spaces will go away. However, on the upside of Lowell, because of the natural way it is zoned and how the houses sit off the road, there is an opportunity to fix in time those parking spaces so they will not be lost to future development on the downhill side.

Mr. McMahon pointed out that their proposal also increases the width of the road 8-feet to accommodate snow storage, parking and road maintenance.

Mr. Cashel stated that snow storage was not the issue. The issue is having access to plow to the curb and snow storage areas do not provide that. Mr. Cashel was unsure if the City would even use the snow storage areas.

City Engineer, Matt Cassel, stated that if the 40 parking spaces on the uphill side is street parking, they would still be dealing with parking/storage, parking/storage. In order to clear the snow, either a front-end loader would need to try to turn in beeping backwards or the cars would need to be moved. Mr. Cassel stated that he had been trying to determine the number of cars that would actually be displaced. Knowing that number would help frame the issue.

Commissioner Pettit asked if the current count for off-street parking is based on the current season versus the winter season. Mr. Sweeney replied that it is based on the spaces that look like you could park a car anytime. He explained that it would be counting the opportunity to park as opposed to counting parked cars.

Mr. Cassel clarified that his question is where the cars would go between 2:00-6:00 a.m. if they have to pull off the road. Chair Thomas questioned the life safety impacts for an elderly person who has to move their car between 2:00-6:00 a.m. Mr. McMahon agreed, based on the assumption that those car would need to be removed. Mr. Sweeney stated that he did not have an answer for where the cars would go at night, but theoretically there are places for them. Mr. Cassel felt they were getting closer to an answer in their discussions. He reiterated that for Public Works to be effective, the cars need to be off the road from 2:00-6:00 a.m. The key question is where those cars can go.

Mr. Sweeney reported that Rob McMahon had surveyed 81 off-street spaces on Lowell and 55 spaces in garages. Based on a count of one car per door and off-street parking in driveways, 136 vehicles would not be disturbed by the proposed street section.

Mr. Perkins felt it was important to understand that some of the current on-street parking occurs in front of existing undeveloped lots. Once those lots are developed, those parking spaces would then

be used for resident parking and driveways. Therefore, they may not have 40 spaces once those lots are built out.

Mr. Sweeney pointed out that they have voluntarily committed to not park on the public streets as part of their contribution to making the roads work better. This was not a requirement of the MPD. It will take pressure off the existing on-street parking that people rely on. All the parking proposed for Treasure Hill will be under the project.

Commissioner Wintzer clarified that the all conversations have been about Lowell Avenue and they have not discussed parking and snow removal on Empire Avenue. Mr. Sweeney summarized that they have proposed adding a sidewalk and formalizing the travel lanes and existing parking. He believes this can be done in the existing utilized right-of-way without losing parking and accommodating pedestrians. To the extent practical, all the traffic from the project would be diverted to Lowell. Empire would be managed as it is currently.

Planner Cattan reported on a previous discussion about the costs associated with snow removal. She clarified that the \$3 million from Treasure was the number submitted to the Finance Department. Finance then assessed which portion of that \$3 million calculation would be allocated to snow removal. The amount of tax generated dollars would be \$26,846 based on current allocation of money from taxes. Public Works estimated snow removals using three trucks and that cost was slightly under \$70,000. Commissioner Wintzer pointed out that the costs did not include clearing sidewalks.

Mr. Sweeney felt it was important to note that the project would create a significant tax base. He noted that part of the Master Plan concept was to minimize City service costs. Mr. Sweeney believed additional money could be diverted from their tax base to use for snow removal because the project is not adding four miles of road to the equation or the need for public transportation. Mr. Sweeney clarified that as an applicant he could make suggestions but the City ultimately makes the decision on how to allocate tax revenues. He felt there would be a positive pool of resources that can be allocated to deal with many of the impacts. Commissioner Wintzer stated that if the Finance Department can demonstrate his point and justify it, the Planning Commission could accept it. However, it is not the job of the Planning Commission to make that determination. Commissioner Wintzer noted that Mr. Sweeney would need to convince the Finance Department and ask them to make a presentation to the Planning Commission.

Mr. Sweeney moved on to street aesthetics. Mr. Perkins provided an overview of the proposed street improvements, which he believed addressed some of Commissioner Wintzer's ideas about traffic mitigation and preserving and enhancing the neighborhood feeling. These improvements included limiting and defining travel lanes for vehicular and pedestrian safety, enforcing reduced speed limits, enhanced landscaping and planting of additional street trees. They propose to involve the residents in some of these decisions to find workable solutions.

Mr. Perkins reviewed the improvements specific to Empire Avenue. Mr. McMahon had proposed three options for three different roadway sections. He noted that there are varying conditions as they move down the road and each option allows them to address those conditions as they move through the Empire section.

Mr. Sweeney noted that similar improvements have been done on Upper Park Avenue and Lower Norfolk Avenue. In his opinion it has not worked well because there is not enough room to accommodate parking, travel lanes and sidewalks. He stated that Mr. McMahon has surveyed Empire Avenue and he is reasonably certain that there is a unique opportunity to accommodate all three on Empire and to do it right.

Mr. McMahon pointed out that the houses are not set back as far on Norfolk as they are on Empire and Lowell. In his opinion, there is a lot more room to work with on Empire.

Mr. Cassel agreed that they tried to put in parking, road lanes and a sidewalk on Norfolk and it is a very tight fit. He believes it would also be tight on Empire because they do not have a lot of space to work with. Mr. Cassel preferred to leave Empire the way it is and to change the end treatment so cars from Treasure Hill cannot use Empire as a route to and from the development. He outlined a number of options that have been discussed. One would be to make a disconnect on the south end of Empire so traffic from Treasure Hill can only go one way, which would be on to Lowell. Another option would be to make Manor Way the main thoroughfare so there would be some constriction at Empire, such as stop signs and "no truck" signs at that end to make it clear that it is not the route from Treasure Hill. Manor Way would be a larger, flowing road that brings people to Treasure Hill.

Commissioner Wintzer asked about the right-of-way width on Manor Way. Mr. Cassel replied that it is narrow, but it could be as wide as 40 feet. Commissioner Wintzer asked if it was possible to make the right-of-way wider. He worried that unless Manor Way can be widened, people would not use it as the entrance to the project. He could support the idea if he was convinced that Manor Way would be used. Mr. Cassel stated that his intent is to make it difficult for a truck to make it down Empire.

Commissioner Peek suggested intermediate stop signs along Empire to discourage traffic. He noted that this has been done in other cities to resolve problems with through traffic. Mr. Cassel stated that many things can be done to slow the traffic. Commissioner Wintzer felt the burden was on the applicant to show why Empire would not be used as a viable way to the project. Chair Thomas agreed.

Mr. Sweeney was willing to pay for the road improvements, but he felt the costs to maintain them should come out of their tax base. He was also willing to improve the roads based on direction from the City.

Commissioner Pettit referred to comments regarding Empire and the preference that it not be improved. She wanted to know how they can account for the change in the traffic pattern on Empire for those not going to Treasure Hill. Mr. Cassel replied that most of the discussion about Empire has been diverting traffic down Crescent Tram and whether that would be the shortest way from Treasure Hill to Main Street. If the applicants can demonstrate that there would be end treatments at the exit of Treasure Hill that prohibit the ability to turn right on to Empire and down Crescent Tram, that could keep most of the traffic off of Empire. He believed the ability was there.

If Treasure Hill does not improve Empire, Commissioner Peek wanted to know where Empire would rank in the City's program of re-doing Old Town Streets. Mr. Cassel replied that it would be improved in the next couple of years. He explained that Empire was originally listed for construction next summer, but that time frame was pushed back because of the Treasure Hill discussion.

Mr. Perkins reviewed the proposed Lowell Avenue improvements, which involved grading on the uphill side of the street to create a greater width in order to widen the street section. There would be a 3 to 6 foot retaining wall on the uphill side along the length of the street. In addition, they are proposing a four-foot sidewalk and a planting strip along the parking adjacent to the wall. In the areas of the proposed snow storage, the sidewalk would move back to the wall to accommodate ten feet of snow storage. Roll gutters and two ten-foot travel lanes are proposed for a total of 24 feet of travel lane width.

Mr. Sweeney suggested that an occasional bump with trees to visually create a more residential street should not interfere with the snow plowing operation. He remarked that the City and the residents need to have a say on the improvements. Having lived in Park City, he would never attempt to take away parking.

Mr. Sweeney commented on the debate regarding the sidewalk and the pros and cons for putting a sidewalk on the uphill side. Mr. Sweeney believed the sidewalk could be on either side; but he felt it was worthwhile to have that debate and to hear other comments. Mr. Sweeney asked Mr. Perkins to explain his reasons for why the sidewalk should be on the uphill side.

Mr. Perkins stated that a sidewalk is usually placed for greater community-wide connectivity. Having the sidewalk connect directly to the Park City Mountain Resort through Treasure Hill and to Old Town via the 8th Street stairs, appears to have a greater community-wide connectivity. Because of the narrow street sections, it is important to put the parallel parking on the same side as the sidewalk. The uphill side allows a greater length to put additional cars that can be dedicated overtime, as opposed to the parallel parking areas on the lower side of the street that may eventually go away because of future development.

Mr. Perkins stated that because the hillside is naturally vegetated, putting the sidewalk on the uphill side would provide a parkway feel. In addition, there are a number of driveways on the lower side and a sidewalk would encourage encroachments from over-sized vehicles in shorter driveways.

Mr. Cassel remarked that there is a tremendous grade on the uphill side that they are trying to match with existing driveways. A sidewalk would defeat that purpose. Secondly, if they store snow on the west side, eventually the sidewalks on that side would be covered with ten feet of snow. In his opinion, the sidewalks are necessary for the winter months. Mr. Cassel agreed that there were more conflicts with having a sidewalk on the residential side, but that is the side where most people would be walking. Sidewalks should be where the people are.

Chair Thomas agreed that sidewalks are for the people and children in the neighborhood. He did not favor the idea of having a sidewalk across the street because it creates greater pedestrian/vehicle conflicts. Chair Thomas preferred the sidewalk on the residential side of the street.

Mr. Perkins stated that if the sidewalk is placed on the residential side with parking, that would negate the possibility of having a one-way section on Empire leading to Lowell. People would need to come down Lowell and make a U-turn in order to parallel park.

Commissioner Wintzer asked for the minimum travel width Mr. Cassel would like to see on Lowell or Empire. Mr. Cassel replied that 8 feet is too small. There are currently going through the process to determine an acceptable width. He believed that 10 feet was the narrowest they could allow. Planner Cattan stated that fire code requires 20 feet of width and that number can include the gutter.

Mr. Sweeney reviewed the parking and noted that all the parking would be underground for the project. He stated that 366 spaces are required based on a table provided in the MPD approval. Additional spaces were added for employee service. He noted that they are considering putting 23,000 square feet of additional space for employees, bringing the number to 417 spaces. PEC did a parking generation study and concluded that 335 spaces was the right number. Mr. Sweeney stated that if you strictly apply the current Code to the project, the parking requirement would be 700+ parking spaces. He noted that the Planning Commission, under the current Code, has the right to reduce the parking and take into account joint uses. Mr. Sweeney remarked that PEC used the Cabriolet proposed to reduce the number of parking spaces. They also used the fact that some employees would be living on site and that the public outside of the project would not be invited to use the underground parking.

Mr. Cassel commented on the need to see a management plan for employee parking that demonstrates their assurance that the parking proposed on site is adequate and that employees would not be parking on Lowell. This correlated with point #5 in Commissioner Wintzer's letter.

Commissioner Wintzer clarified that his reason for raising point #5 was that the amount of parking is directly related to the amount of traffic on the project. If the applicants can find a way to reduce the parking on the project, that would begin to reduce the traffic. If they insist on having more parking than what is needed, that would encourage more cars to the project and increase the traffic mitigation problems. Commissioner Wintzer remarked that the intent is to find a way to reduce the traffic to this project. It can be done because it was done on Montage project. To address concerns about traffic up and down Marsac, the developer revised their plan and reduced the on-site parking by 25%. Chair Thomas recalled that the majority of employee parking for the Montage was off-site.

Mike Sweeney, the applicant, pointed out that the Montage parking is greater than what is being proposed for Treasure Hill. He noted that the parking plan provided is very explicit as to how they propose to manage the parking in the project and how they plan to reach their goal to have 80% of the hotel guests come without cars. Mr. Sweeney remarked that it was in their best interest to reduce the amount of parking, instead of paying \$40,000 per stall for stalls that sit empty.

Commissioner Wintzer reiterated that the applicants need to reduce traffic on the roads and the first step is to reduce the parking. To this point, he has not seen a plan that reduces the parking or mitigates the traffic. Pat Sweeney noted that there is a formal plan in the appendix under traffic

and parking, that addresses items 5 and 6 in Commissioner Wintzer's letter. He remarked that the initial 366 parking spaces did not count the cross over parking for support commercial. If you take the master plan out of the process and apply parking requirements to the project, the number is approximately 700 spaces. He intended to formally present that plan at a future meeting.

Chair Thomas stated that they cannot take the master plan out of the process. Mr. Sweeney stated that 700+ spaces was a place to start and then they can reduce from that number. He believed they were already close to a 50% reduction. He noted that they have less parking per unit than the Montage project.

Chair Thomas agreed with Commissioner Wintzer. He would like to see an effort for reducing the parking below 366 spaces. The Commissioners concurred. Planner Cattan clarified that Exhibit A was a plan prepared by Mike Sweeney that explains their traffic mitigation. She understood that the Planning Commission wanted more specifics on employee parking and shuttling.