

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Treasure Hill
Author: Katie Cattan
Date: September 23, 2009
Type of Item: Administrative – Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review mass, scale, and compatibility of the Treasure Hill Conditional Use Permit (CUP) as analyzed in the staff report and presented by the applicant, and discuss the project as a work session item. A public hearing shall follow the work session during the regular meeting. The public hearing should be continued to November 11, 2009.

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
Topic of Discussion: TRAFFIC

Background

The Sweeney Properties Master Plan (SPMP) was approved by the Planning Commission on December 18, 1985. 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:

Creole Gulch	7.75 acres
161.5 residential UEs	
15.5 commercial UEs	
Mid-station	3.75 acres
35.5 residential UEs	
3.5 commercial UEs	
Total	11.5 acres
197 residential UEs	
19 commercial UEs	

A residential UE is 2000 square feet and a commercial UE is 1000 square feet. Per the MPD, commercial UEs may only be used for support commercial use.

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) previous meetings.

The focus of this staff report is on CUP criteria 8, 11, and 15. These criteria were previously discussed during Planning Commission meetings on August 11, 2004, August 25th, 2004, January 11, 2006, and January 25, 2006. The staff reports and minutes of these meetings are available at <http://www.parkcity.org/citydepartments/planning/treasurehill.html>. During these meetings the Planning Commission identified the need of additional information to complete the review the criteria. The Planning Commission requested a model representing the massing of the project (Exhibit A – computer model), more specific architectural detailing of buildings, visual analysis from key vantage points (Exhibit B), and a streetscape (Exhibit C). Another focus of the discussion was the review of criterion 11 and the possibility of setting up a design review task force to evaluate the style, design, and architectural detailing of the project.

Summary of Recent Previous Meetings

January 7, 2009 - Planning Commission - Overview

Reviewed history of the original Sweeney Properties Master Plan, outlined the current review criteria for the current Conditional Use Permit, reviewed affordable housing plan (recommended on-site units), discussed review process, and setbacks.

February 11, 2009 – Planning Commission – Traffic

Staff provided the Planning Commission with an outline of the previous Planning Commission meetings regarding traffic. Staff outlined four issues raised within the previous Planning Commission review followed with specific questions. The topics were proposed use and traffic generation, pedestrian circulation, on-site parking, and displaced parking

February 26, 2009 – Housing Authority- Employee Housing

During this meeting, the Housing Authority directed the applicant to place the employee housing onsite.

April 22, 2009 – Planning Commission – Traffic

Attorney Jody Burnett, who had been retained as independent counsel to render an advisory opinion on the issue of vested rights for the Sweeney MPD presented his findings. Next, the applicant responded to concerns raised by the Planning Commission during the February 11, 2009 meeting that were outlined by staff in a letter. In general, the Planning Commission expressed concern that the proposed mitigation was creating too much of a burden on the adjacent neighborhood and that mitigation to Empire Avenue had not been addressed. (Note: Due to an issue with the recording device, the minutes of April 22, 2009 meeting are not currently available. A full recording has been obtained but the minutes have not been adopted.)

July 22, 2009 – Planning Commission – Traffic

Applicant presented customized approach to pedestrian mitigation. Continued concern for snow removal cost and management, location of improvements, width of streets, and onsite parking. Commission Wintzer submitted a list of suggestions for traffic mitigation.

August 24, 2009 – Planning Commission Work Session site visit

Analysis

Support Commercial Incompliance

Staff calculation of maximum possible additional Support Commercial and Meeting Space

The Treasure site is allowed 197 Unit Equivalents (UEs) of residential and 19 UEs of commercial area under the MPD. Of the 19 UEs of commercial, 15.5 were allocated to the Creole Site and 3.5 were allocated to the Mid-Station site. The MPD was approved under the 1985 Land Management Code. Any additional support commercial and meeting space areas above the 19 UEs must be in compliance with the LMC at the time of the MPD vesting. These figures are maximum possible allowances as long as any adverse impacts attributed to the density have been mitigated. Any additional support commercial above the 19 UEs is not vested.

Staff utilized Section 10.12 of the 1985 LMC to quantify the maximum possible additional support commercial and meeting space. The 1985 LMC section 10.12 Unit Equivalents states:

“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.

Staff calculated the floor area of the hotel (ONLY) and quantified the possible 5% support commercial of the total floor area of the hotel. Staff calculated total floor area of the hotel not including the additional proposed commercial area and meeting space.

(Floor area of Hotel)(.05) = possible maximum Support Commercial and Meeting Space combined.

The hotel area is located within Building 4b. The total floor area of the hotel (not including the commercial and meeting space) is 234,803 square feet. Five percent of 234,803 square feet is 11,740 square feet. The applicant currently has 49,539 of support commercial/meeting space proposed above the 19 UEs allowed under within the MPD. The current application is 37,799 square feet above the maximum possible allowance (11,740 square feet). Also, this calculation is assuming that the Planning Commission will allow all the commercial units to be located on the Creole Site. Within

the MPD, 15.5 UEs of commercial were allocated to the Creole Site and 3.5 UEs of commercial were allocated to the Mid-Station Site.

Staff finds that the proposed support commercial exceeds the 1985 LMC maximum allowance.

	Sweeney MPD	Proposed	Compliance
Residential Units	197	196.96	Complies
Commercial Units	19	18.86	Complies with total, but allocation per site does not comply
Support Commercial	5% of hotel is 11,740	49,539	Exceeds allowed amount by 37,799

The original MPD entitled 19 unit equivalents of commercial, divided into Mid-Station (3.5 UEs) and Creole (15.5 UEs). Any additional commercial area is not vested under the MPD and staff finds that such additional area will add impacts to the development which cannot be mitigated. Not only does the additional space create larger buildings and massing, but also additional traffic from deliveries and employees. These impacts are contrary to the original MPD approval and not vested density. The applicant must mitigate all impacts to additional support commercial

The applicant does not agree with staff’s methodology for calculating support commercial.

Applicant calculation of Support Commercial and Meeting Space:

The applicant has utilized today’s code to calculate the support commercial area and meeting space within the development. They have calculated the total gross floor area of all the buildings per the current LMC definition. They have added together the gross floor area of ALL the buildings within the project because the buildings are either hotels or will be recorded as nightly rental condominium. The total Gross Floor Area calculated by the applicant is 682,001 square feet. 5% of 682,001 is 34,105 square feet.

Project Totals:

Commercial UEs	18,863 square feet
Support Commercial	33,412 square feet
Meeting Space	16,127 square feet
Gross Floor Area	682,001 square feet

NOTE: The applicant also added the square footage of the support commercial and meeting space in the Gross Floor Area calculation. These numbers should not have been included in the calculation. These figures are

Bldg. 4A	21,100 sq. ft. support commercial
Bldg. 4A	16,127 sq. ft. meeting space
Bldg. 4B	5,626 sq. ft. support commercial

Bldg. 5C 6,686 sq. ft. support commercial

Total 49,539 sq. ft.

$682,001 - 49,539 = 632,462$

$5\% \text{ of } 632,462 = 31,623.1$

Current LMC reference:

15-6-8 (C) Within a hotel or nightly rental condominium project, up to five percent of the total Gross Floor Area may be dedicated to support commercial uses, which shall not count against any allotted commercial unit equivalents approved as part of the MPD. Any Support Commercial Uses in excess of five percent (5%) of the total gross floor area will be required to use commercial unit equivalents, if approved as a part of the MPD. If no commercial allocation has been granted for an MPD, no more than five percent (5%) of the floor area can be support Commercial Uses and no other commercial uses will be allowed.

15-6-8 (D) Within a hotel or condominium project, up to five percent (5%) of the total gross floor area may be dedicated for meeting room space without the use of unit equivalents. Meeting space in excess of five percent (5%) of the total Gross Floor Area will be counted as commercial unit equivalents. Any square footage which is not used in the five percent support commercial allocation can be used as meeting space. Meeting space in excess of the five percent (5%) allocation for meeting rooms and the five percent (5%) allocation for support commercial shall be counted as commercial unit equivalents. Accessory meeting spaces, such as back of house, administrative areas, banquet offices, banquet preparation areas, and storage areas are spaces normally associated with and necessary to serve meeting and banquet activities and uses. These accessory meeting spaces do not require the use of unit equivalents.

By the applicants calculation, the project could have up to an additional 31,623 sf of support commercial and 31,623 sf of meeting space.

Independent public advisory opinion from Attorney Jody K Burnett

The City Council hired Attorney Jody K. Burnett to provide an independent public advisory regarding vesting of the original MPD. Attorney Burnett reviewed the support commercial in terms of vesting. The following is from the letter to the Park City Planning Commission from Attorney Jody Burnett dated April 22, 2009:

Finally, I also want to address a question that has been raised as to what standard should apply, in the vesting context, to the calculation of the amount of any additional support commercial and/or meeting space for the Sweeney MPD. From my vantage point, the evaluation of historical vested rights has to be viewed in the context of the land use regulations which were in place at the time the vesting occurred as a result of the original MPD approval. In this case, that means the provisions of the Land Management Code in effect as of the date of that original approval in 1986 should also be applied to the calculation of any additional meeting space and support commercial areas without requiring the use of unit equivalents of density. As you move forward with the conditional use permit approval process, the provisions of Section 10.12 of the 1985 LMC should be used for that purpose, which I understand provide that up to five percent (5%) of the total floor area within a hotel may be dedicated to meeting rooms, and support commercial areas without requiring the use of a unit equivalent of commercial space.

Sweeney Master Plan Development Parameters and Conditions

Development parameter and condition #3 of the Sweeney Master Plan states

“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 the 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. “

Staff Conclusion on support commercial.

Staff finds that any support commercial over 5% of the total floor area within specific hotels must count towards the MPD 19 unit equivalents. Even if the Planning Commission agrees with the applicant, any support commercial above the 19 unit equivalents is not vested and would be subject to a full blown, new compatibility and MPD/CUP review (if you allow the applicant to take advantage of more permissive provisions of the current code, such application would be a substantive amendment to the original MPD and require re-opening the entire MPD). Addition support commercial causes additional impacts such as impacts to mass and building size, traffic from deliveries and employees, greater water usage, etc. Rather than focus on the calculation methods, the Planning Commission should focus on impacts of additional support commercial and the level of mitigation. The developer has vested rights to 19,000 square feet of support commercial and 5% of the hotel area as long as impacts are mitigated within the CUP review.

Discussion Points

1. Does the Planning Commission agree with Staff’s analysis on support commercial?
2. The applicant has given the staff the perception that the project as it is designed today will not be modified. This should be discussed during the work session. If the

applicant is not going to make modifications to comply with the support commercial, staff can make findings for denial and move onto the next elements in the review.

Difference in approved MPD and current application

The MPD which was approved by the City Council on October 16, 1986, included exhibits showing calculations for the units within the project. Two major differences have been identified in the review by staff of the current project versus the original master plan approval.

1. The total square footage of the project is larger than originally anticipated within the master plan approval and original CUP submittal.
2. The modification of grade is more extensive than originally anticipated creating greater impacts to the site, scale, hillside, and neighborhood.

Evolution in Square Footage

The original MPD exhibits did not quantify total square footage. The original MPD exhibits showed the total unit equivalents utilized within the Creole and Mid-station sites. The totals represented are 197 UEs of residential and 19 UEs of support commercial. No additional support commercial was shown on these exhibits. Parking was also shown on the original MPD exhibits with 464 total parking spaces and approximately 203,695 square feet of area.

The original CUP application in 2004 for Planning Commission review was a total of 849,007 square feet. The following is a breakdown of the project from the 2004 submittal.

Use	Square Footage
Support Commercial	22,653
Residential	483,359
Ancillary	86,037
Parking	256,958
Total	849,007

In 2006, the Planning Commission asked the applicant to provide more details on the current plan. The revisions to the plan (that are now the current application under review) include an additional 186,010 square feet. The following is a breakdown of the current submittal.

Use	Square Footage
Support Commercial	18,863
Residential	393,911
Additional Support Commercial	33,412
Additional meeting space	16,127
Circulation, common space, accessory space	309,511
Parking	245,063
Total	1,016,887

The additional space has been added to the support commercial, meeting space, circulation, common space, and accessory space since the original 2004 submittal. This increase in area accounts for 16.5% of the current total square footage of the project.

The proposed square footage of this project does not comply with the purpose statements of the Land Management Code and the goals and actions listed within the General Plan. Within the MPD, the area was assigned a specific number of unit equivalents. The way in which these unit equivalents are designed within the project area must meet the purpose statements of the zone and the General Plan.

The project is located in the Estate zoning district of Park City. The purpose statements within the Estate zone, purpose statement 8 states “encourage comprehensive, efficient, compatible development which results in distinct and cohesive neighborhoods through application of the sensitive lands ordinance.” Although the application is not required to meet the standards of the SLO, the design should be efficient and compatible. The current application is excessive and inefficient.

Within Chapter 2 of the Park City General Plan several goals are stated that address massing and scale. Specifically,

“new development, both commercial and residential, should be modest in scale and utilize historic and natural buildings materials. New structures should blend in with the landscape. “

“Preserve an attractive, healthy environment with clean air and natural landscapes. To preserve the natural views of the mountains and meadows, new development should not be allowed on ridges, but rather focused between the middle and the base of hills and in other less visible areas. New development should retain the maximum possible amount of natural vegetation, to screen structures and preserve the natural quality of the landscape.”

“Park City should manage new development to control the phasing, type, appearance, location, and quantity of community growth by adopting and enforcing growth management strategies”

“The community’s growth should be managed so that direct and indirect adverse impacts can be anticipated, identified, and mitigated to the extent possible.”

The intent of Chapter 3, the Community Character Element of the Park City General Plan, is to “sustain the character and image of the Park City community through specific policies, recommendations, and actions that will accomplish the primary goal of maintaining the community’s development patterns and way of life”. Within this section the downtown area is described as “with its historic character marked by buildings of simple design, modest scale, and modest height, is the community’s “crown jewel.” The discussion continues with “new commercial and residential development, modest in scale, and utilizing historic and natural building materials”. Staff has concerns with the

scale of the project. The amount of circulation area, lobby areas, parking circulation, etc. are not modest in scale and compatible to the surrounding area.

Discussion point

3. Staff requests discussion and direction on additional square footage.

Conditional Use Permit Criteria Analysis

Standard of Review for Conditional Use Permit

Land Management Code: Conditional Use Permit 15-1-10:

“The Planning Department will evaluate all proposed Conditional Uses and may recommend conditions of approval to preserve the character of the zone and to mitigate potential adverse effects of the Conditional Use.

A Conditional Use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of proposed use in accordance with applicable standards.

If the reasonable anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.”

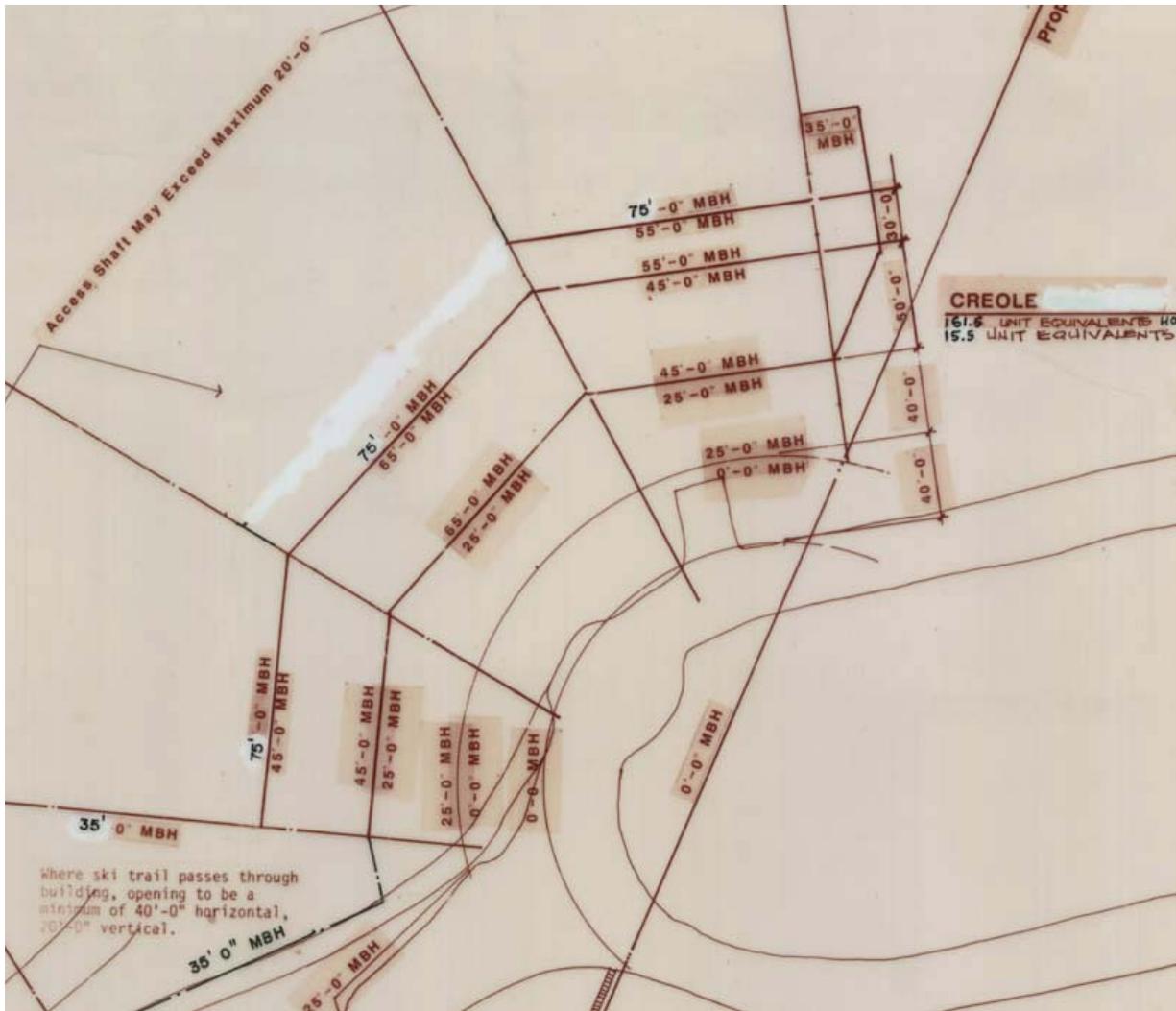
The Planning Department and Planning Commission must review each of the following items when considering whether or not the proposed conditional use mitigates impacts of the following criteria related to mass, bulk, scale, compatibility, design, and site design:

- 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.

Criteria 8. Building mass, bulk, and orientation, and the location of buildings on the site; including orientation to buildings on adjoining lots;

The 1986 MPD approval set standards for increased density and increased height on the site. The MPD set height envelopes over the site which increased the allowed height from the front to the rear lot lines. The area closest to the front lot line along the Lowell Avenue/Empire Avenue switchback was set at a 0’ maximum building height. The maximum building height increases in steps from the front property line. Maximum elevations were also set within the MPD. The mid-station maximum elevation was set at 7420 feet and 7275 feet for Creole. The current application complies with the height requirements set forth in the MPD, yet the design modifies existing grade well beyond the anticipated amounts shown in the exhibits of the MPD.

The following is a portion of the Creole Height diagram from the MPD exhibits page 22.



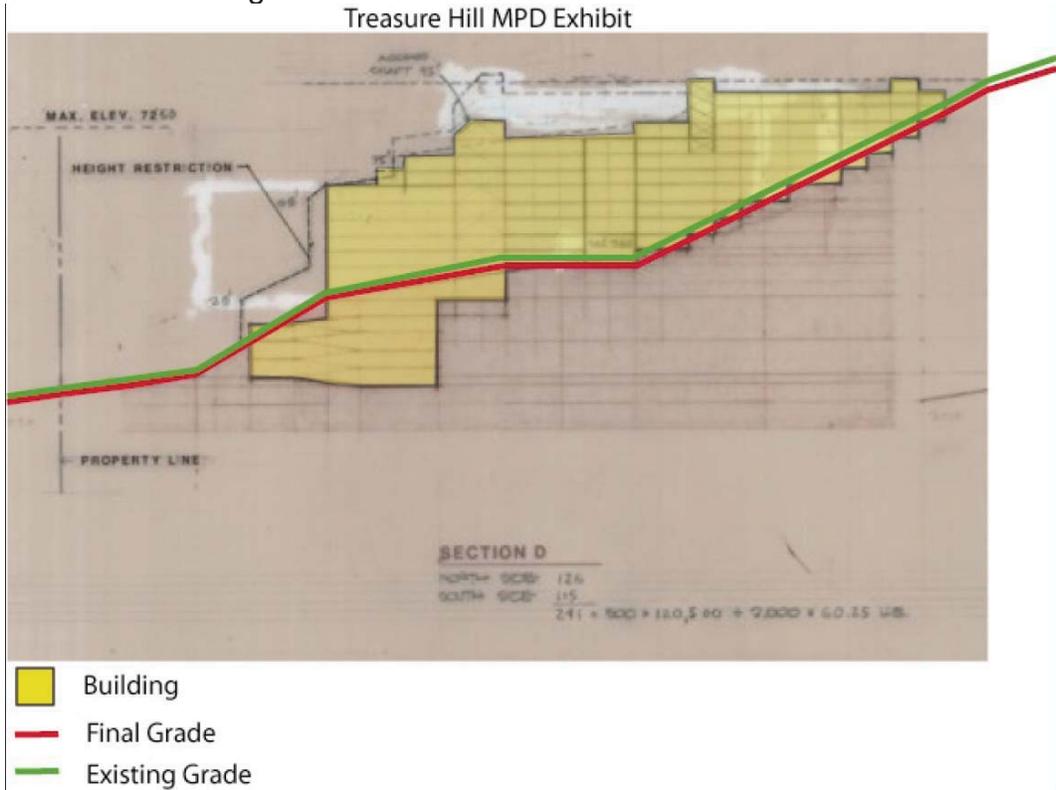
This MPD exhibits designated the areas that the buildings could be built within the development parcel. The second guiding document is the conditions of approval for the MPD in which maximum height envelopes were defined. The following is from the findings within the MPD approval.

* Reflects City Council's 10.16.06 modifications *

- (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).

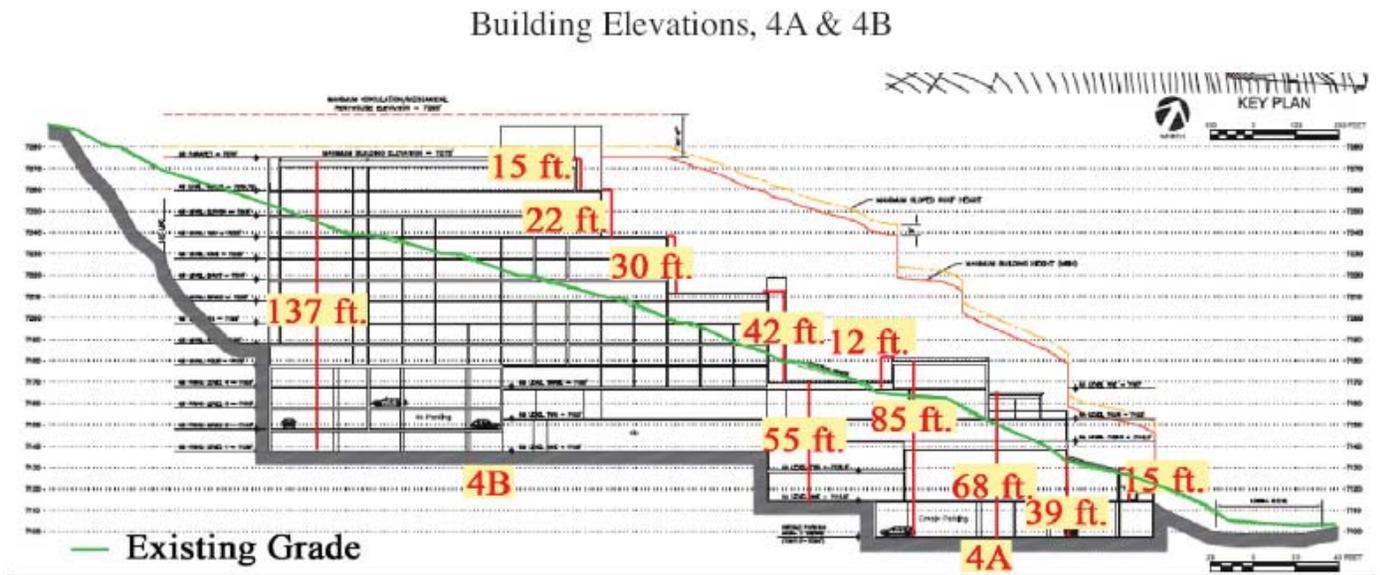
The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards.

Staff finds that the excess square footage included in the project that is influencing the building massing and bulk. The building mass and bulk is also influencing the orientation of the buildings on the site. The original MPD exhibits were to be utilized as guiding documents. The following is from Exhibit 19 and is an architectural section of one of the buildings on the Creole site.



The building steps with the grade on the site and manages to keep final grade (after construction) close to existing grade (pre-construction). The majority of the area shown below grade is for the parking.

The current application places more massing and bulk below the existing grade. Not only is the massing placed below the existing grade, the grade is then altered dramatically creating taller building walls, taller retaining walls, and greater massing. The following is a section through Creole site plan of the project. The green line is existing grade. The red line is the maximum height envelope. By creating a lower final grade, the buildings appear taller and the bulk and massing becomes larger. The pedestrian walking through the project will experience higher building walls due to the change in final grade. Also, the view from other parts of town (Exhibit B) is of building with greater massing due to the change in final grade from existing.



Staff expects grade to be altered on the unique, steep site in order to accommodate the amount of density allowed on this site, exterior circulation, and parking. The extent to which existing grade is being altered is far beyond the anticipated amount within the MPD and is creating greater impacts to mass and scale. The MPD was clear that the height measurement would occur from natural grade and were within height envelopes. By modifying natural grade over 100 feet, the height envelopes do not serve the purpose for which they were created.

Staff also expects that the hotel use will necessitate storage and accessory use. Planning to have accessory space and additional storage under ground is an effective means to mitigating massing and bulk above ground. Staff finds that the current design is very excessive in the amount of accessory space, storage, and circulation which is creating impacts on the overall massing and bulk of the buildings. Within Exhibit A, staff has calculated the common space, circulation, and accessory space as a percentage of each building. The percentage is up to 41% in some buildings creating an inefficient design. Also, as discussed previously, the application exceeds the possible maximum

support commercial and meeting space. The design is excessive and beyond the limit of the MPD.

Discussion Point

4. Should the design be revised to become more efficient and comply with the limits of the MPD?

Criteria 11. Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing;

Compatibility with the surrounding structures in mass and scale must be considered within the rights of the Sweeney master plan. The master plan created an area of greater height allowances and density next to a historic neighborhood with low height and medium density. The MPD essentially created a new zone with height envelopes and greater density adjacent to the HR-1 zone, Estate zone, and open-space. The Planning Commission must find compatibility with surrounding structures within the higher density already approved.

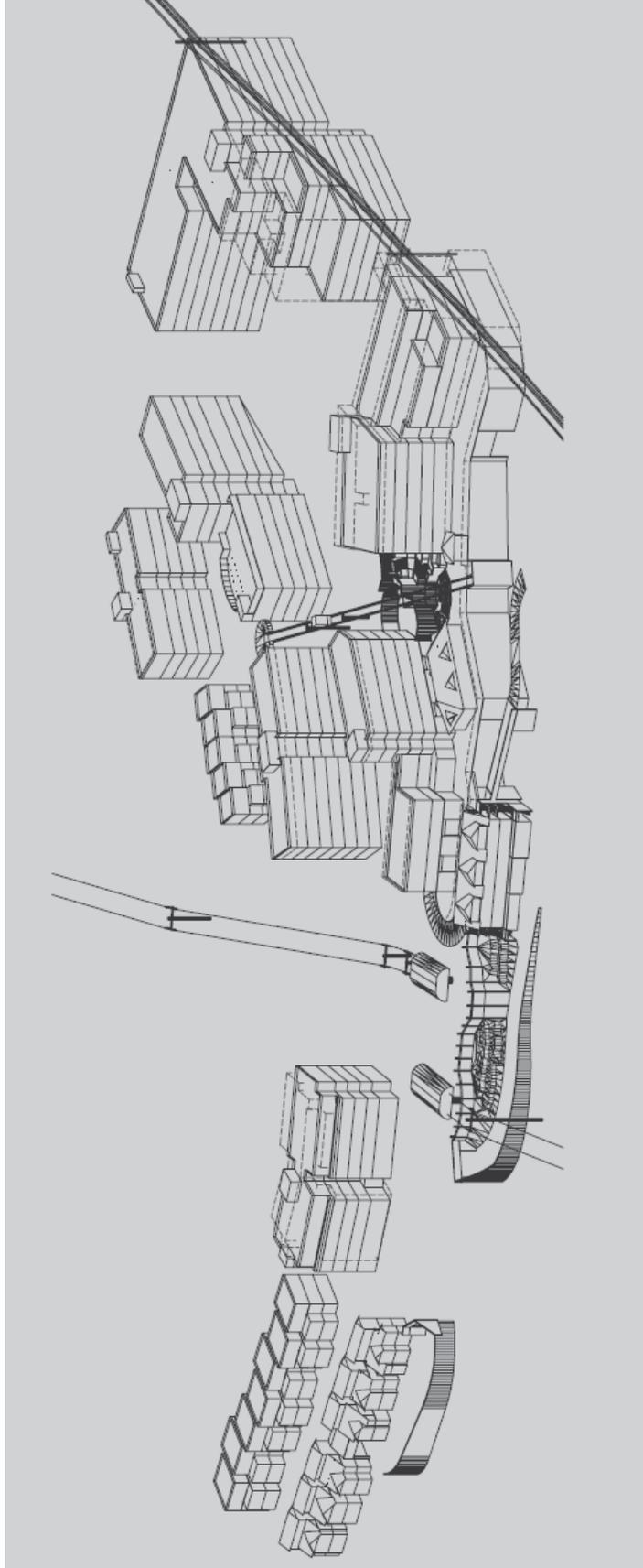
Staff acknowledges that it will be difficult to achieve a project massing that is similar to the existing neighborhood context given the previously approved density and volumetrics set forth in the MPD. The Sweeney Master Plan anticipated the difficulty of designing higher density adjacent to the historic district. The following is from the analysis section of the 1985 Master Plan staff report:

“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.”

The objective of the administrative application of the CUP criteria is to determine whether or not the proposed project provides sufficient stepping of building masses, reasonable horizontal and vertical separation between the proposed buildings and adjacent structures, and an adequate peripheral buffer so as to limit the potential for larger building masses looming over smaller adjacent structures.

During the 2004 – 2006 review of the conditional use permit, the applicant modified the 2004 submittal once during the review. The changes to mass and scale were presented during the October 13, 2004 Planning Commission meeting. The applicant lowered the

entire project into the ground by 2-3 feet and compressed floor to floor dimensions to reduce entire heights by 5 to 10 feet. The applicant also shifted building volumetrics from the northern edge to the center and back of the project on buildings. The applicant also decreased the wall heights through out the project. The following shows the changes that were made in 2004.



Staff continues to have concerns for massing within specific buildings. The areas of largest concern from a visual massing and streetscape compatibility perspective are circled in the following site plan. The visual massing of buildings 3b and 5a are of concern due to the visible location of these buildings from Main Street and Heber as well as driving up Empire Avenue and Lowell Avenue. Staff continues to have concern with compatibility of the development along the Empire Avenue and Lowell Avenue switchback. There is a dramatic contrast between the project's streetscape and the adjacent residential streetscape. Staff would recommend that the applicant make this area more compatible with the adjacent streetscape.



The following is the streetscape provided by the applicant. Staff recommends that the applicant improve the streetscape to show the entire visual experience for a pedestrian walking by the development with all portions of the development that are visible to be shown.



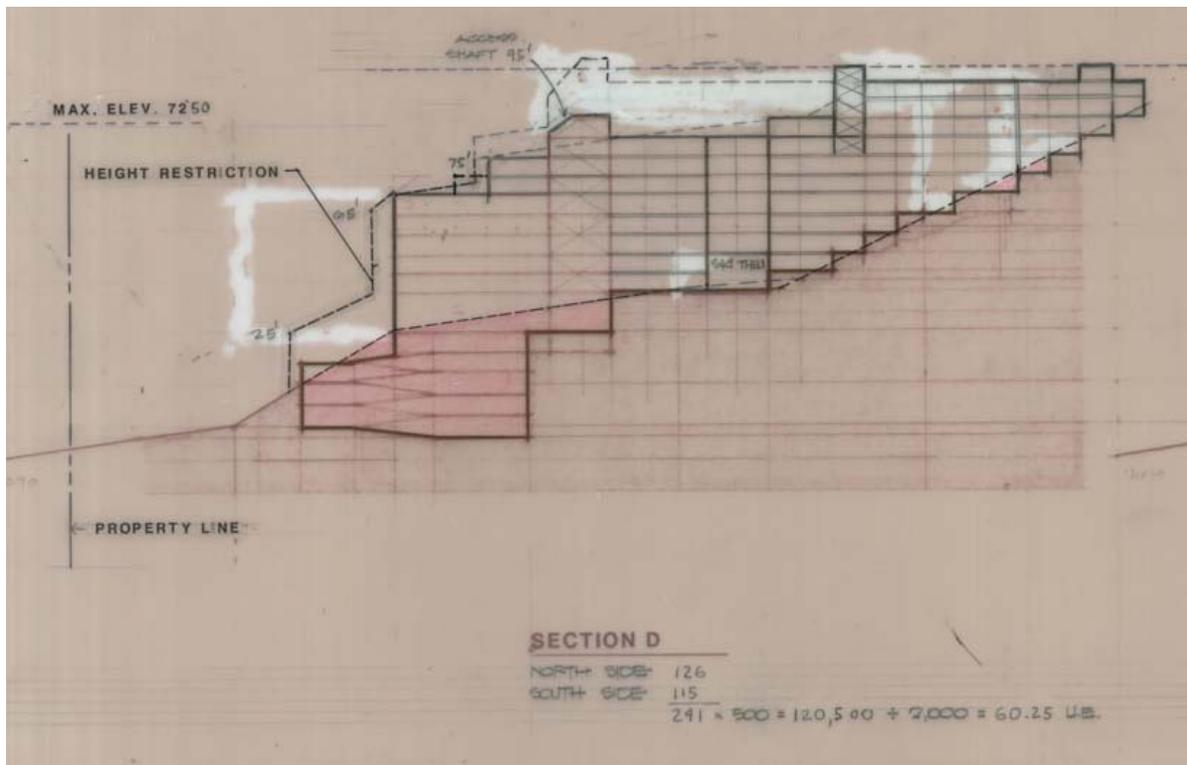
The applicant has also submitted animations of driving along Empire and Lowell Avenue. These are available online at http://www.treasureparkcity.com/subdocs_d.html within file A.8.1A, file A.8.1B, and file A.8.1C.

Discussion Points

5. Would the Planning Commission like another streetscape of the project showing the full elevations of the buildings?
6. Does the Planning Commission have other areas of concern not identified by staff?
7. Should a separate design review task force be created to evaluate the style, design, and architectural detailing of the project?

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

The proposed design requires a very large excavation and re-grading of the entire site. The project is located on the mountain side on steep topography. The impacts to the slope and existing topography are substantial and unmitigated. The project as designed will create a very large hole on the site. The project does not step with the natural topography of the site. As discussed previously, staff finds the project as designed is not in compliance with the concept approved by the City Council during the 1986 Master Plan approval. The exhibits within the master plan showed the building volumes stepping with the existing grade with the exception on the underground garage.



By stepping with the natural grade, there is less excavation. The exhibits within the master plan are guiding documents. The exhibits show minimal impacts on excavation.

The applicant has an excavation management plan. (Exhibit D) The excavation management plans estimates a total of 960,000 cubic yards of excavation to be

relocated from the site. The plan includes moving excavate material up the mountain on a conveyor system to re-grade portions of the ski runs. The excavation management plan includes the areas on the mountain which will be re-graded. This methodology creates less construction traffic on the adjacent streets. The overall impact of excavating 960,000 cubic yards of existing earth will be a great impact to the site and the existing topography.

There is significant mine waste on the development site. The Park City Environmental Coordinator is not in agreement with the applicant's environmental proposal. The development is within the Spiro Drinking Water protection zone. All contaminated materials must be handled to meet local, state, and federal regulations. The letters written between the Environmental Coordinator and the applicant are attached as Exhibit C. The primary focus of this report is mass, scale, and compatibility. Because topography is being drastically altered due to design, it is appropriate to bring the environmental issues into the discussion during this review. The Park City Environmental Coordinator will be attending the Planning Commission meeting.

Discussion Point

8. Are the proposed structures appropriate to the topography of the site?

Summary Recommendations

Staff recommends that the Planning Commission discuss the Conditional Use Criteria 8, 11, and 15 and provide the applicant clear direction on whether or not the plan will need to be amended in order to receive approval. If the Planning Commission seeks further mitigation, staff asks that specific issues be identified which must be mitigation. Staff also requests that the Planning Commission discuss the idea of creating a separate design review task force.

Summary Discussion Points

1. Does the Planning Commission agree with Staff's analysis on support commercial?
2. The applicant has given the staff the perception that the project as it is designed today will not be modified. This should be discussed during the work session. If the applicant is not going to make modifications to comply with the support commercial, staff can make findings for denial and move onto the next elements in the review.
3. Staff requests discussion and direction on additional square footage.
4. Should the design be revised to become more efficient and comply with the limits of the MPD?
5. Would the Planning Commission like another streetscape of the project showing the full elevations of the buildings?
6. Does the Planning Commission have other areas of concern not identified by staff?

7. Should a separate design review task force be created to evaluate the style, design, and architectural detailing of the project?

8. Are the proposed structures appropriate to the topography of the site?

Exhibits

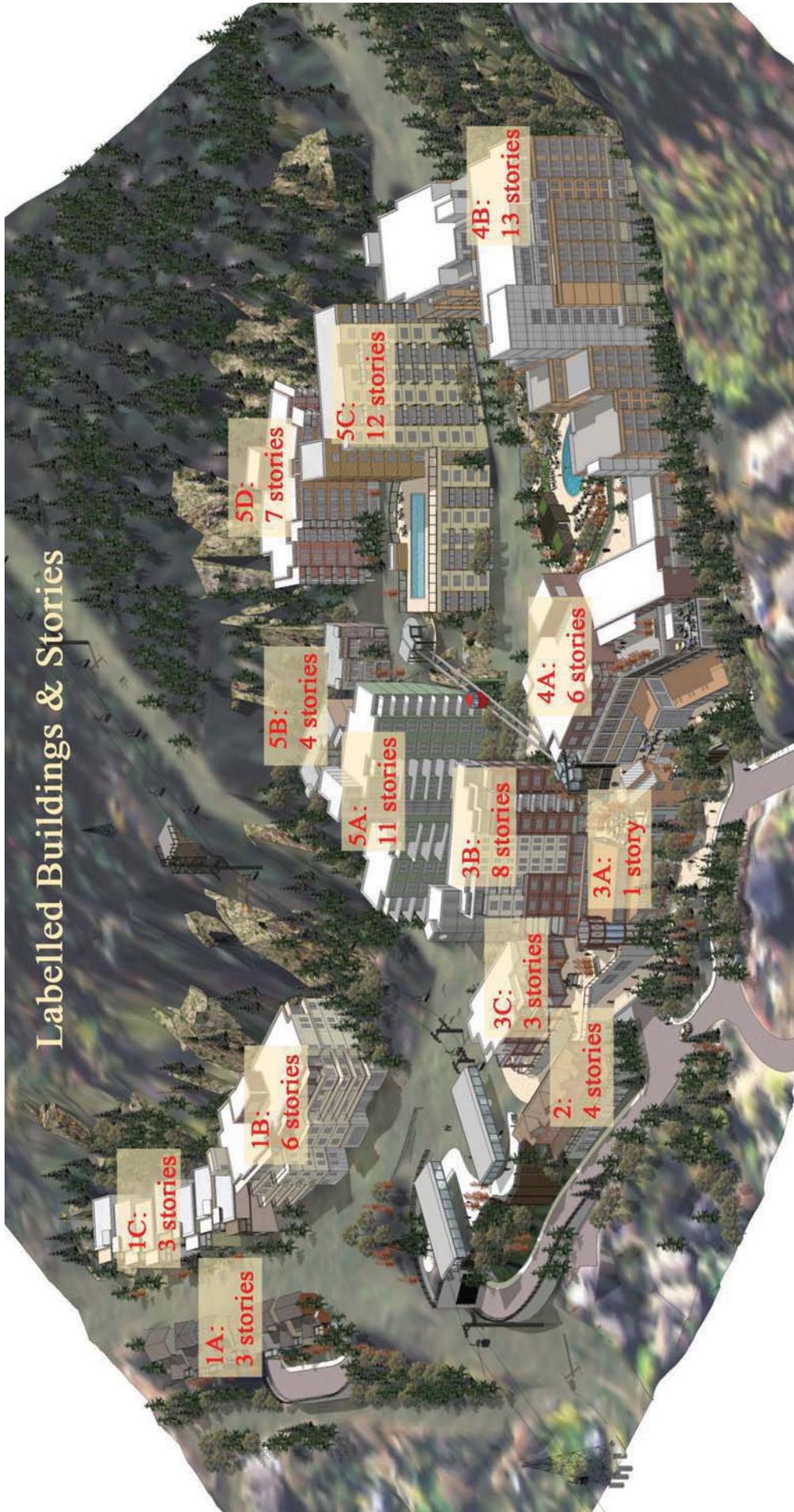
Exhibit A – Computer Model and Sections

Exhibit B – Viewpoint Analysis

Exhibit C – Environmental Correspondences

Exhibit D – Excavation Plan

Labelled Buildings & Stories





Building 1A:

Building 1C:

3 Stories
6 Residential Units: 12,230 s.f.

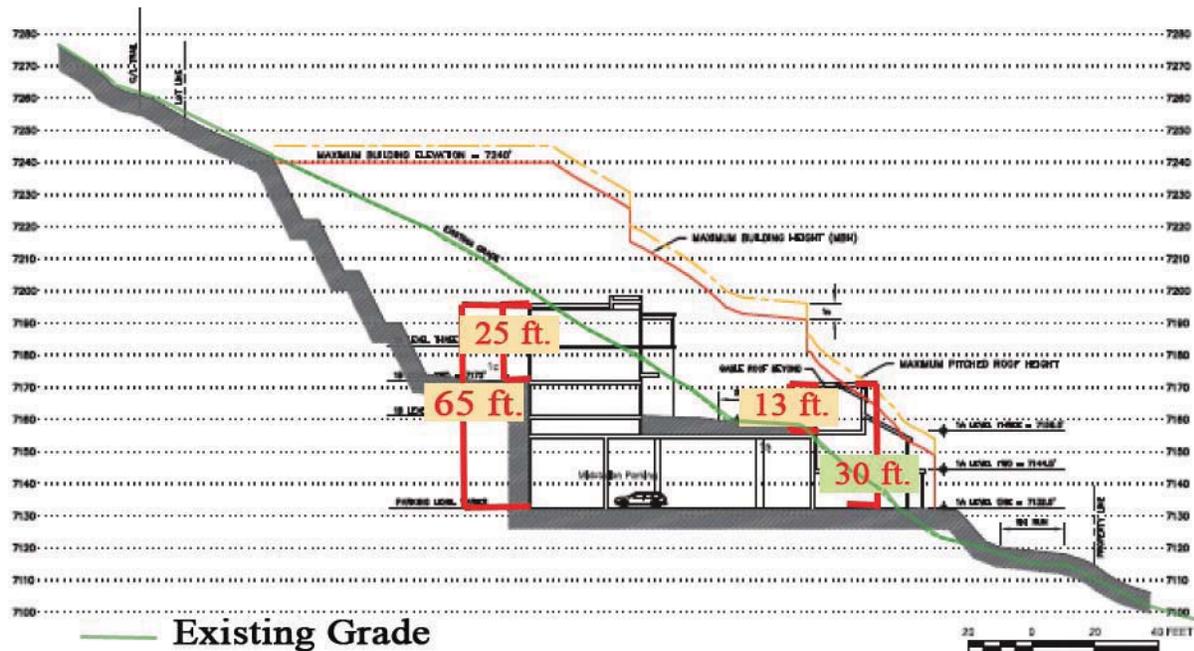
3 Stories + 1 Story Garage
7 Residential units: 23,478 s.f.

11% Common space and circulation
(1,353 s.f.)

26.4% Common space, circulation, and
accessory
(8,422 s.f.)

Total: 13,583 s.f.

Total: 31,900 s.f.





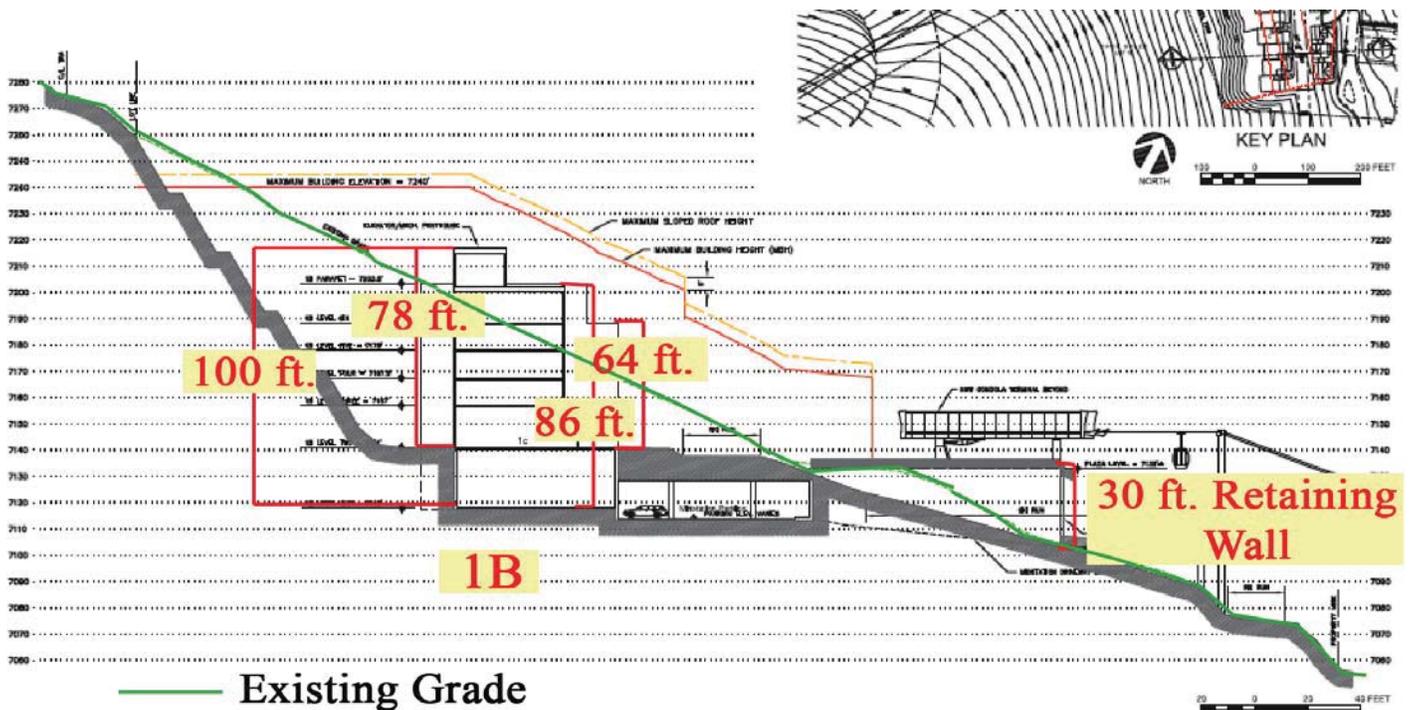
Building 1B:

6 Stories + Parking

9 Residential Units: 35,737 s.f.

41% Common Space, Ciculation, and Accessory Space
(25,079 s.f.)

Total: 60,816 s.f.

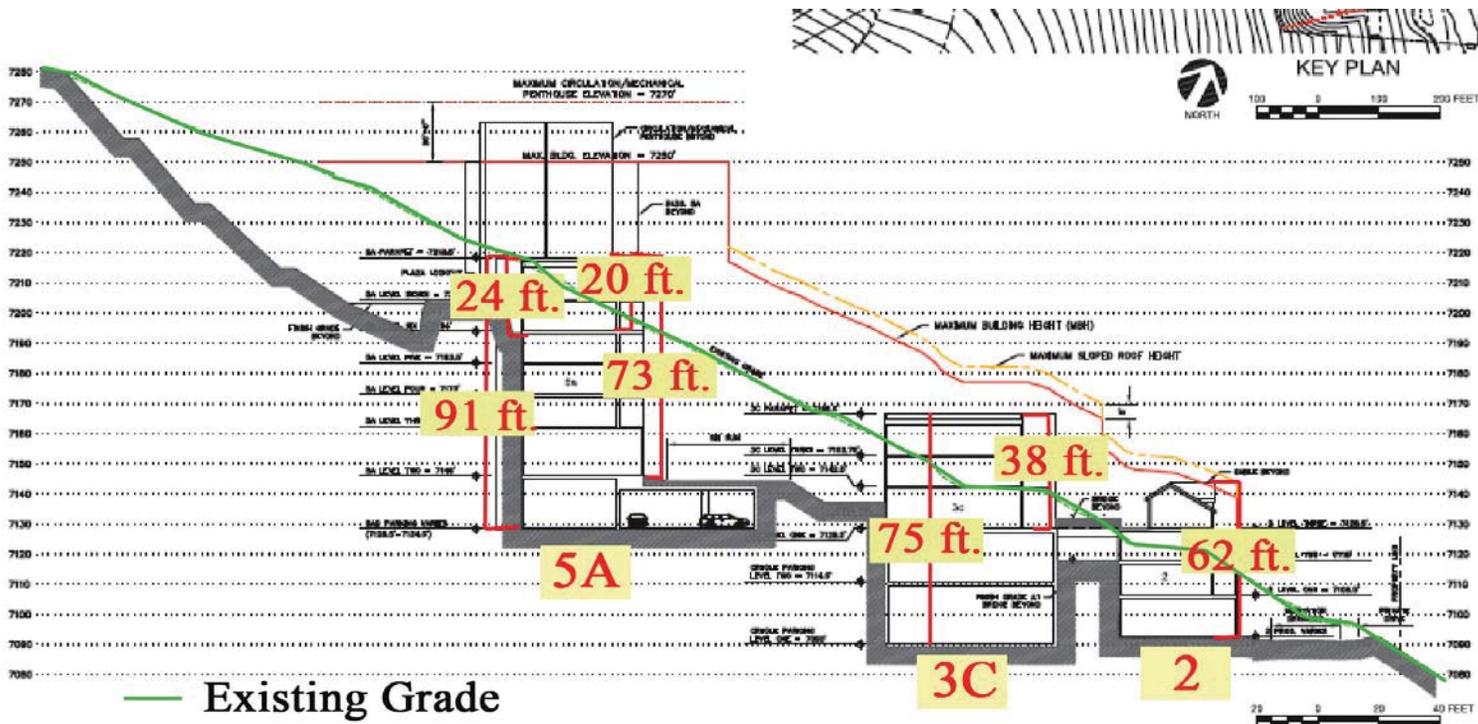




Building 2:

- 4 Stories
- 3 Residential Units: 6,369 s.f.
- Commercial: 2,147 s.f.
- Parking: 3,661 s.f.
- Common Space and Circulation (654 s.f.)

Total: 12,831 s.f.





Building 3A:

3 Stories
 Employee Housing: 4,408 s.f.
 Commercial: 3,746 s.f.
 0% Common Space, Circulation and
 Accessory
 Total: 8,154 sq. ft.



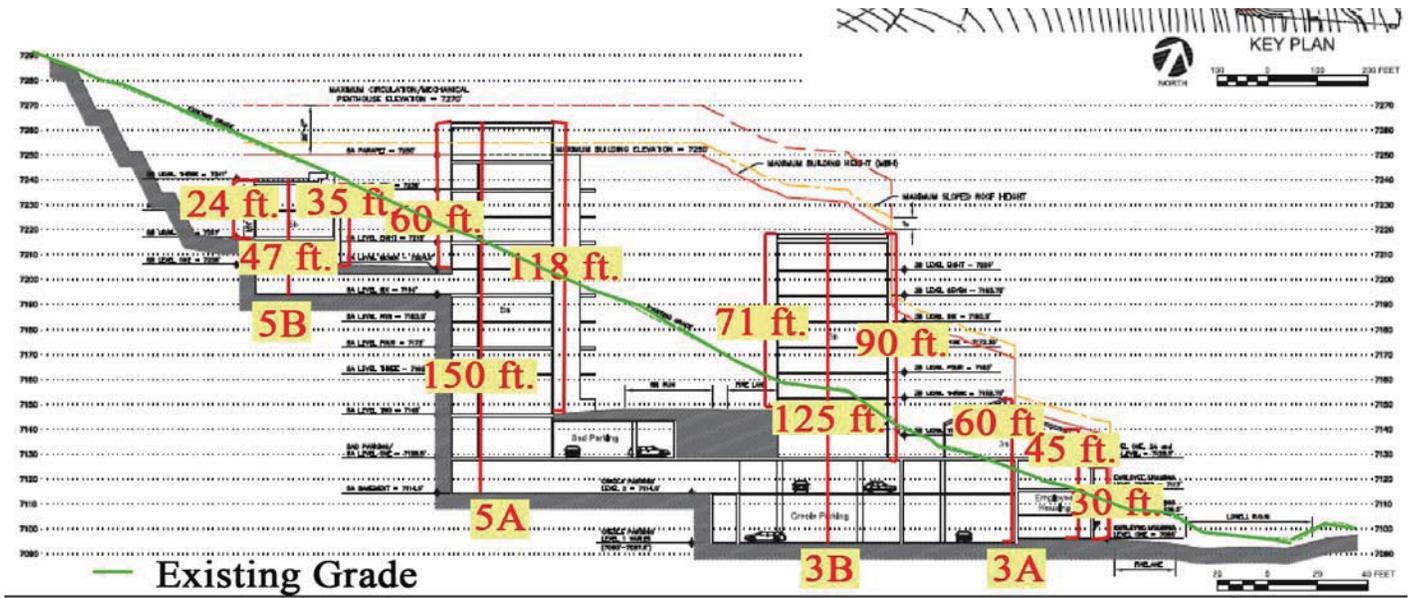
Building 3B:

8 Stories
 Commercial: 8,394 s.f.
 7 Residential Units: 23,781 s.f.
 28% Common Space, Circulation,
 & Accessory Space (12,900 s.f.)
 Total: 45,083 s.f.

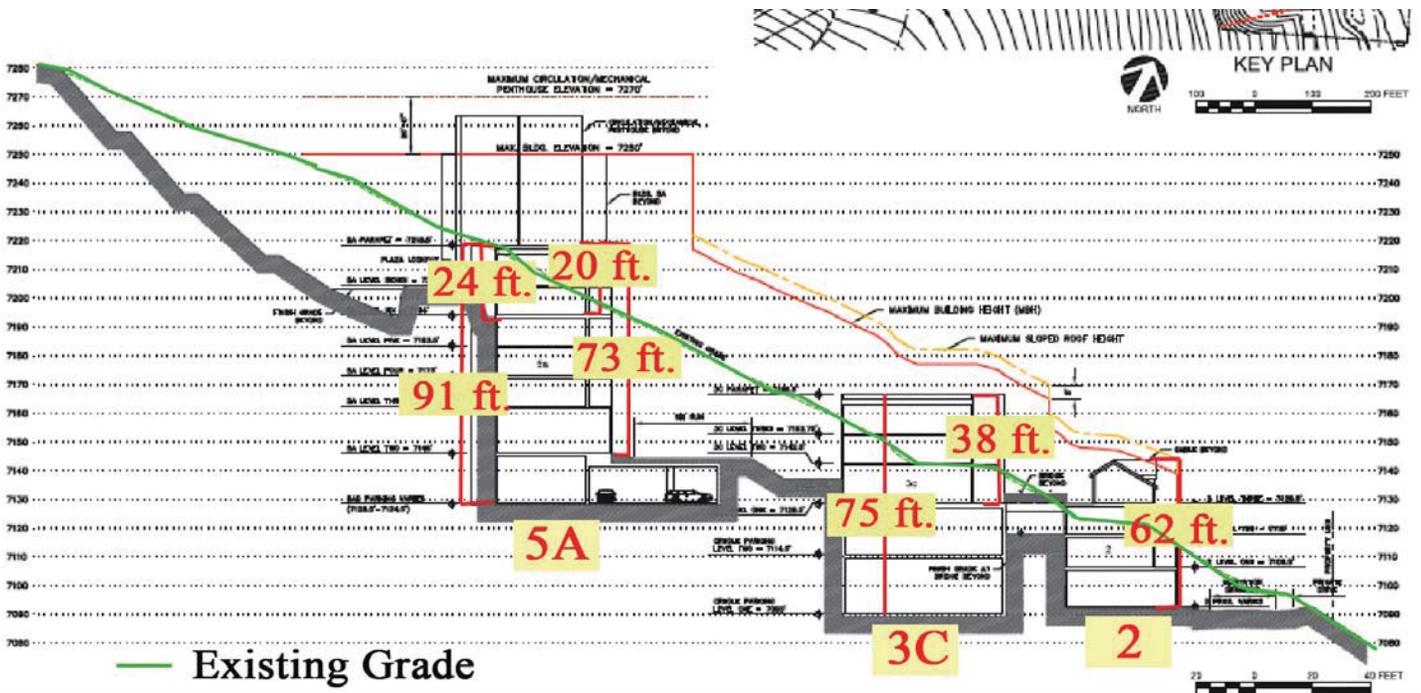
Building 3C:

3 Stories
 Commercial: 4,054 s.f.
 Residential: 8,191 s.f.
 8.7% Common Space & Circulation
 (1,176 s.f.)
 Total: 13,421 s.f.

Buildings 3A & 3B



Building 3C





Building 4A:

6 Stories
 Meeting Space: 16,127 s.f.
 Commercial: 25,022 s.f.
 4 Residential Units: 17,231 s.f.

40 % Common Space, Circulation, and
 Accessory (39,738 s.f.)

Total: 98,964 s.f.

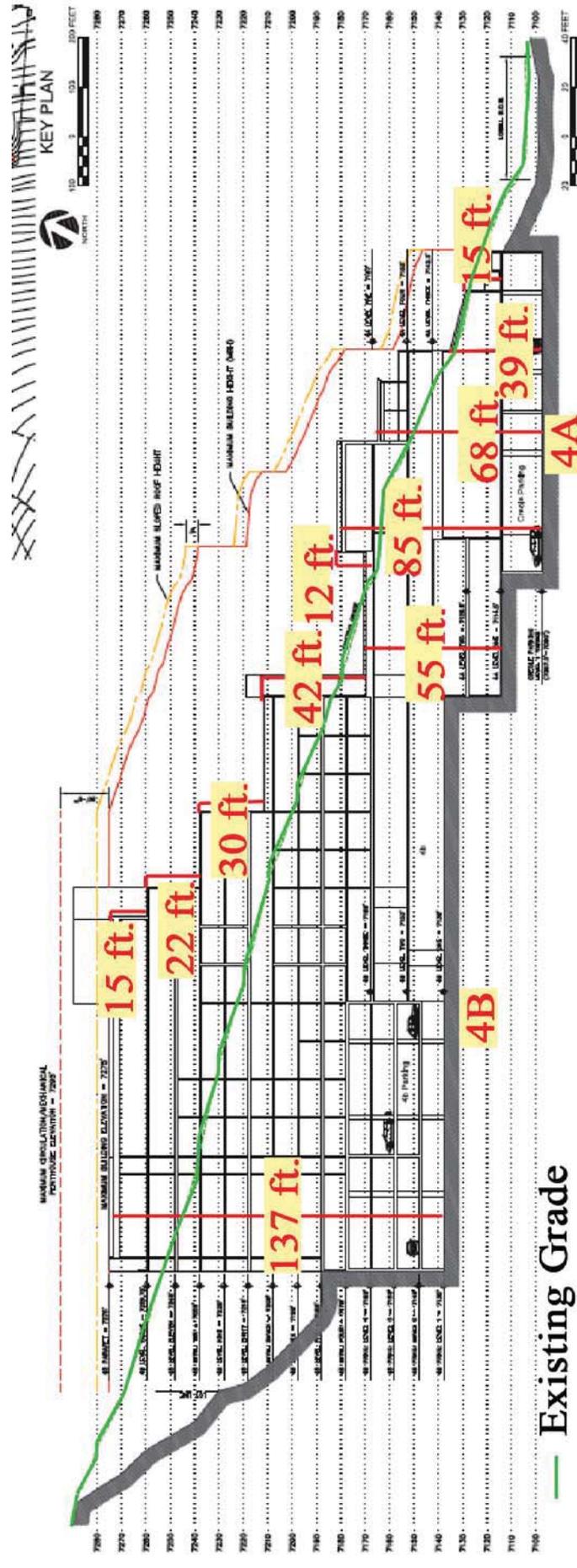
Building 4B:

13 Stories + Basement + Garage
 202 Hotel Rooms: 122,225 s.f.
 8 Residential Units: 30,383 s.f.
 Commercial: 5,626 s.f.

37% Common space, circulation & accessory
 (94,257 s.f.)

Total: 252,491 s.f.

Building Elevations, 4A & 4B

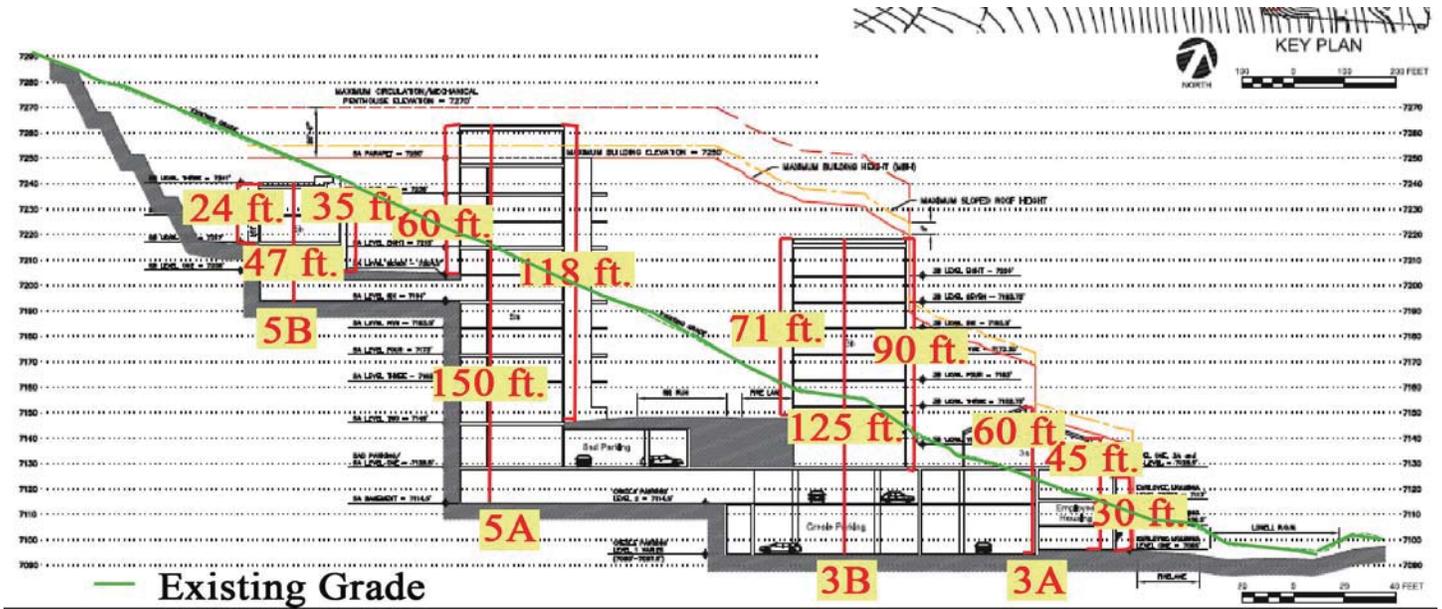




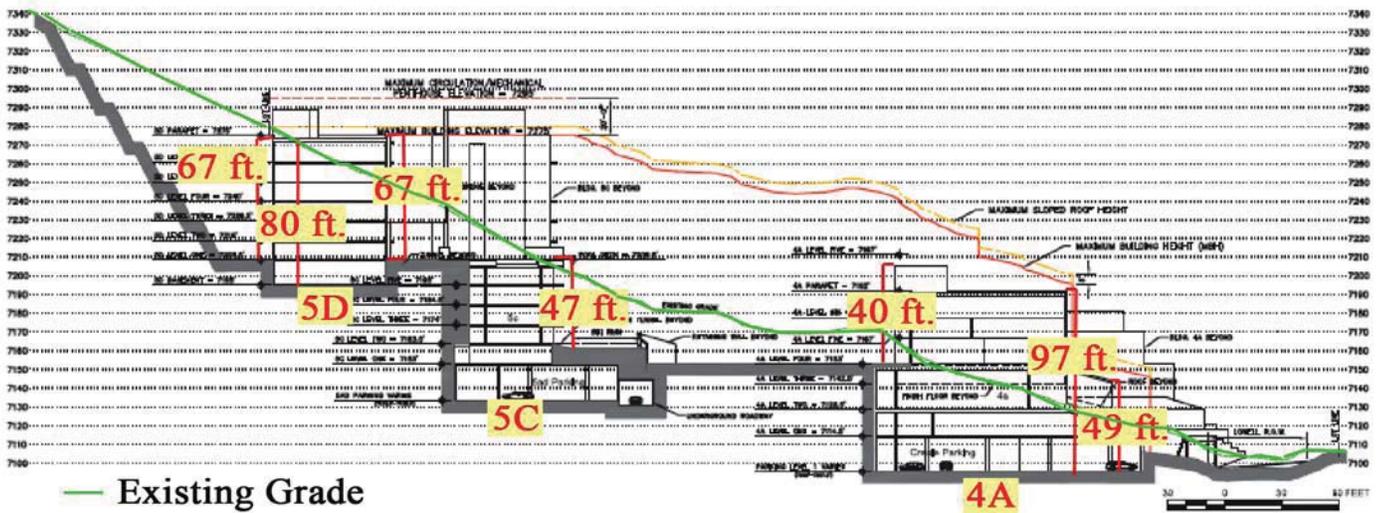
Planning Commission - September 23, 2009

Building 5A:	Building 5B:	Building 5C:	Building 5D:
10 Stories + Basement + Garage	3 Stories + Basement + Garage	11 Stories + Basement + Garage	6 Stories + Basement + Garage
14 Residential Units: 36,926 s.f.	5 Residential Units: 9,445 s.f.	26 Residential Units: 42,939 s.f.	12 Residential Units: 29,910 s.f.
38.7% Common space, Circulation, and Accessory (23,346 s.f.)	36.7% Common space, circulation, and accessory (5,496 s.f.)	Commercial: 8,079 s.f.	34% Common space, circulation, and accessory (15,402 s.f.)
Total: 60,272 s.f.	Total: 14,941 s.f.	Total: 81,124 s.f.	Total: 45,312 s.f.

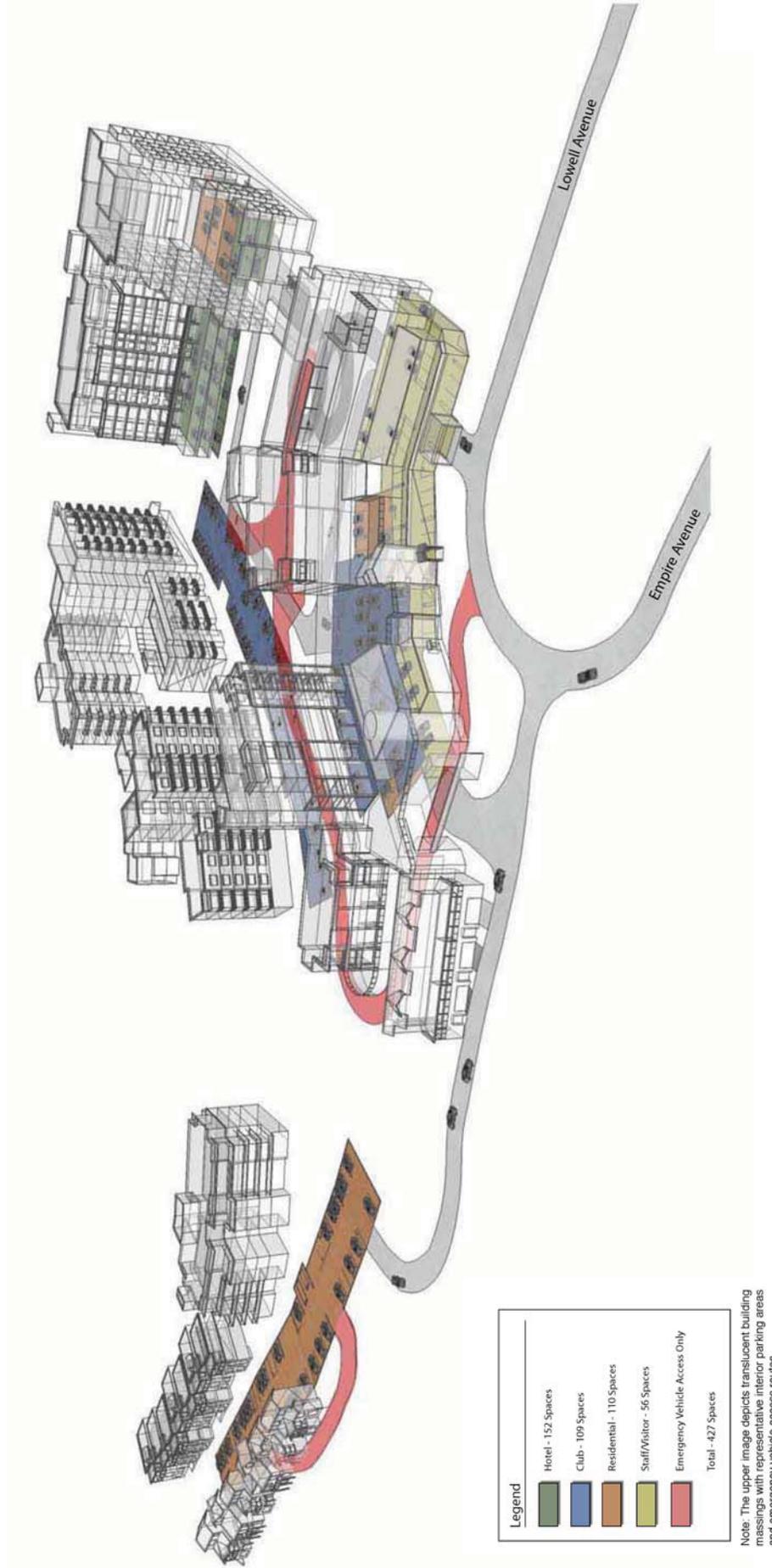
Buildings 5A & 5B



Buildings 5C & 5D



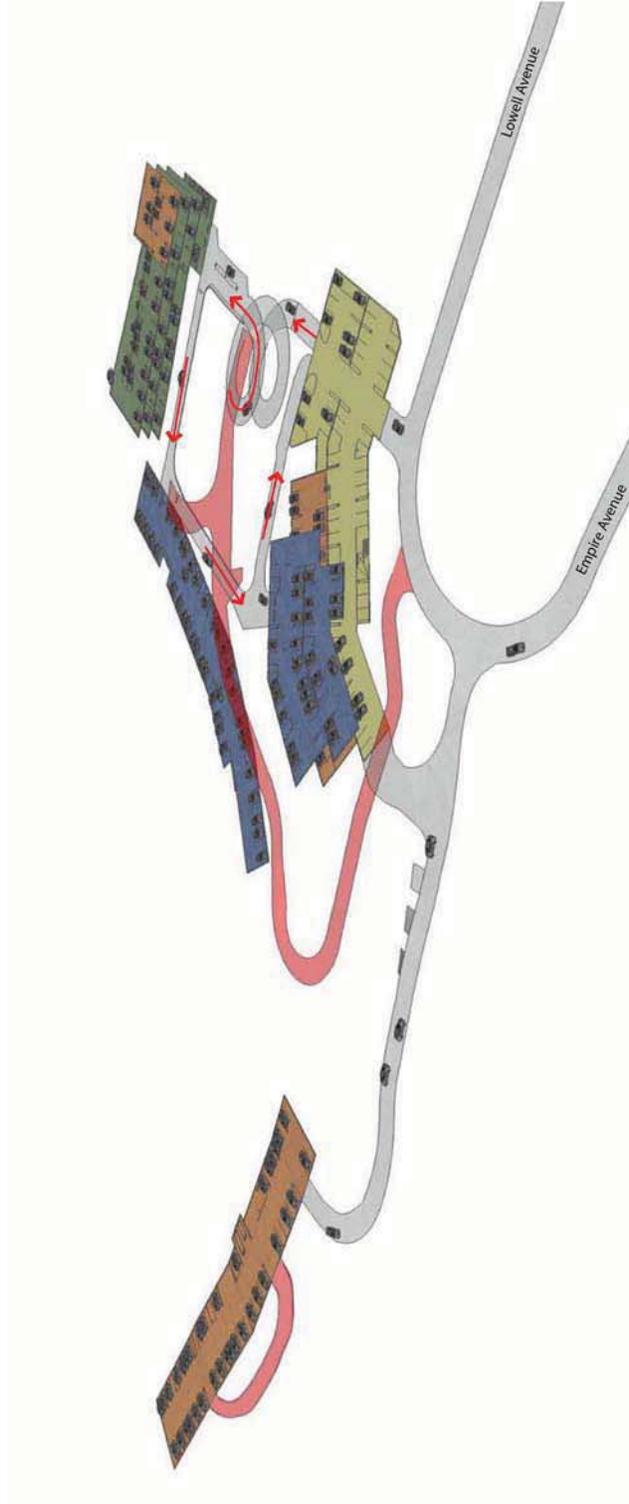
Parking



Total Number of Parking Stalls: 433

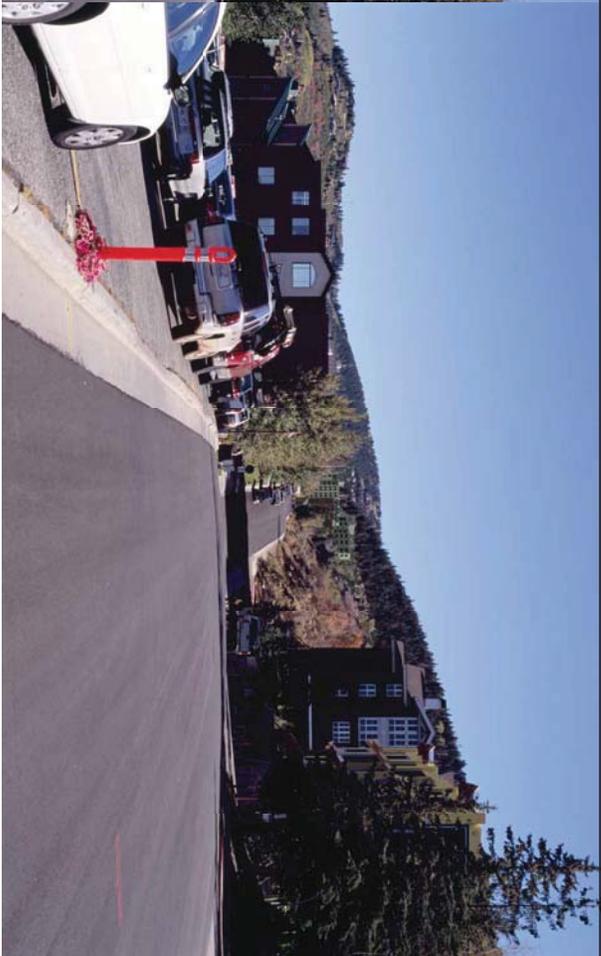
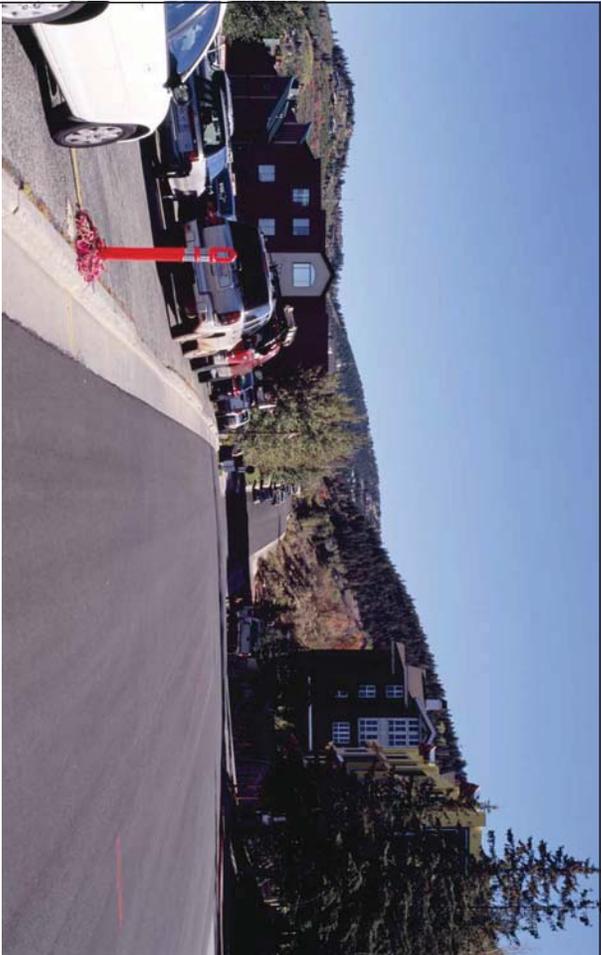
Total Parking Area: 245,063 s.f.

Parking Circulation

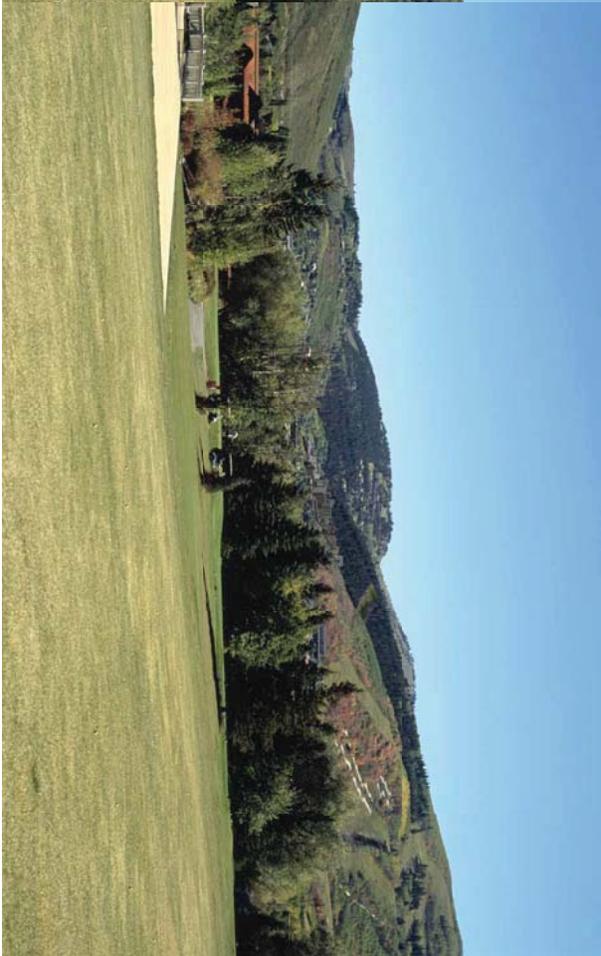
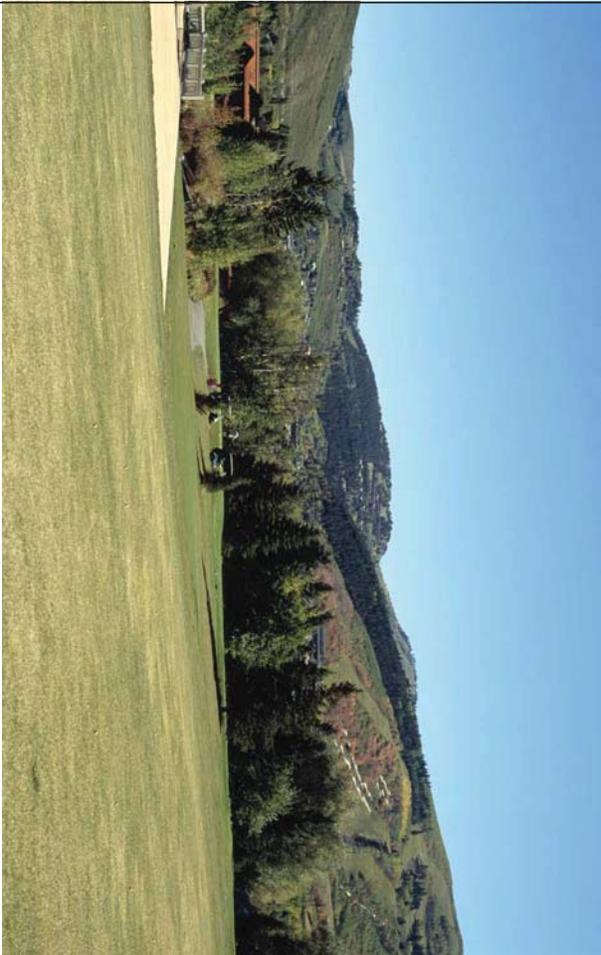


Legend	
	Hotel - 152 Spaces
	Club - 109 Spaces
	Residential - 110 Spaces
	Staff/Visitor - 56 Spaces
	Emergency Vehicle Access Only
Total - 427 Spaces	

Note: The upper image depicts translucent building massings with representative interior parking areas and emergency vehicle access routes.



Viewpoint 1 – Park City Mountain Resort



Viewpoint 2 – Park City Golf Course

V-22
SHEET NUMBER
6/17/2008



Camera Viewpoints 1 & 2
Developed by
Planning Controls, Inc. September 23, 2009
2429, Park City, UT 84060
eMail: info@treasureparkcity.com



SDI
614 Main Street, Suite 404
P.O. Box 4560, Park City, Utah
435-649-4499

REVISIONS:

REVISIONS:

SDI
614 Main Street, Suite 404
P.O. Box 4560, Park City, Utah 84060
435-649-4499



MPE
INCORPORATED

Camera Viewpoints 3 & 4
Developed by
MPE, INC., PO Box 2429, Park City, UT 84060
eMail: info@treasureparkcity.com

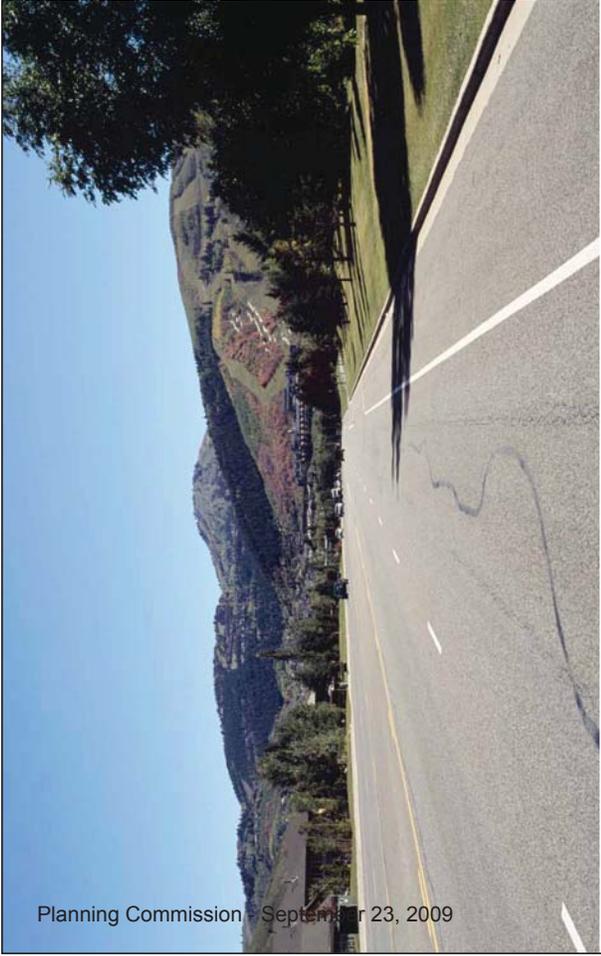


SHEET NUMBER

V-23
6/17/2008



Viewpoint 3 – Peaks Hotel

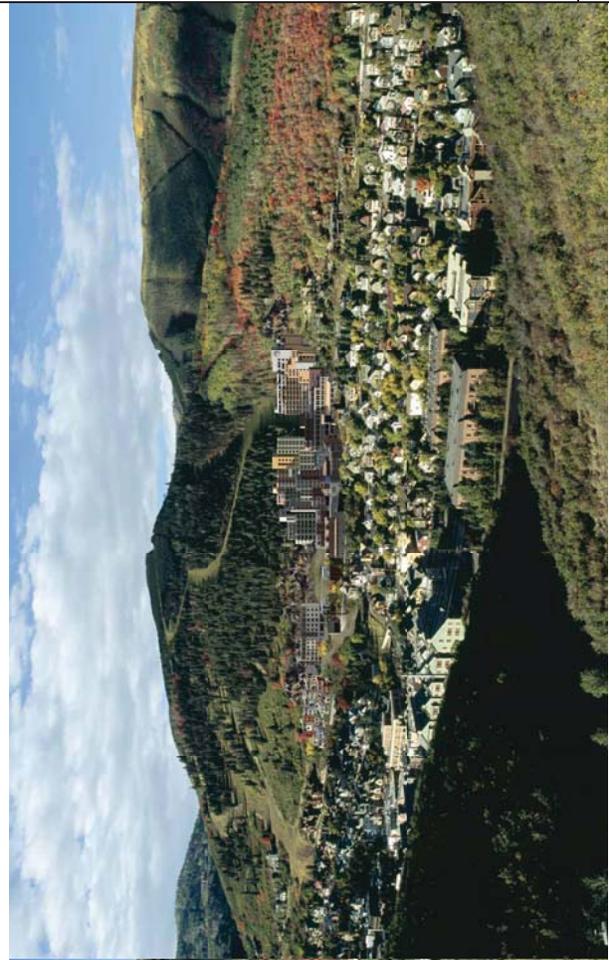


Viewpoint 4 – City Park

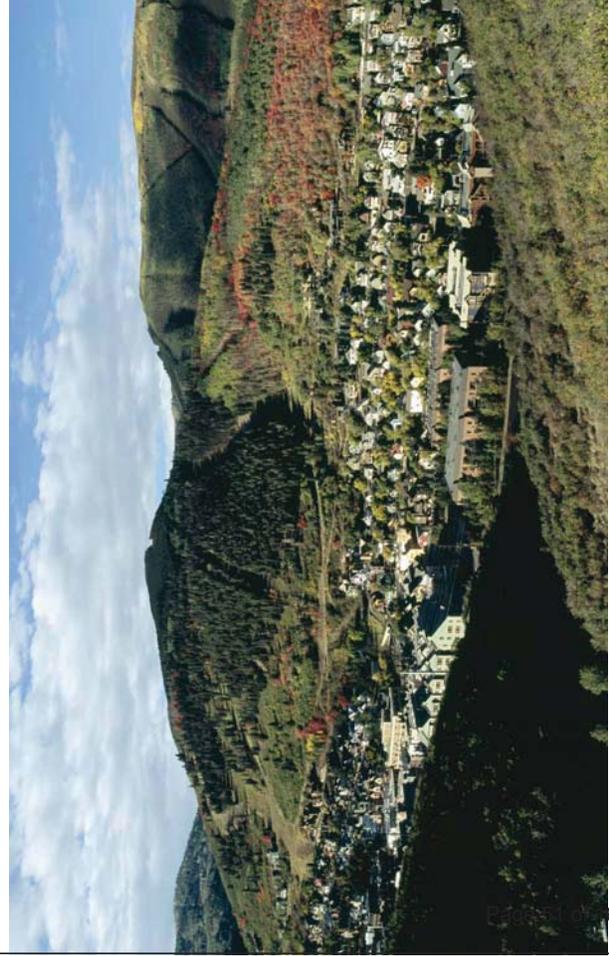




Viewpoint - treet rnarono



Viewpoint - erie wit a k



REVISIONS:

SDI
614 Main Street, Suite 404
P.O. Box 4560, Park City, Utah 84060
435-649-4499



MPE
INCORPORATED

Camera Viewpoints & 6
Developed by
MPE, INC., PO Box 2429, Park City, UT 84060
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SHEET NUMBER

V-2
6/17/2008

REVISIONS:

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614 Main Street, Suite 404
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Camera Viewpoints & 8
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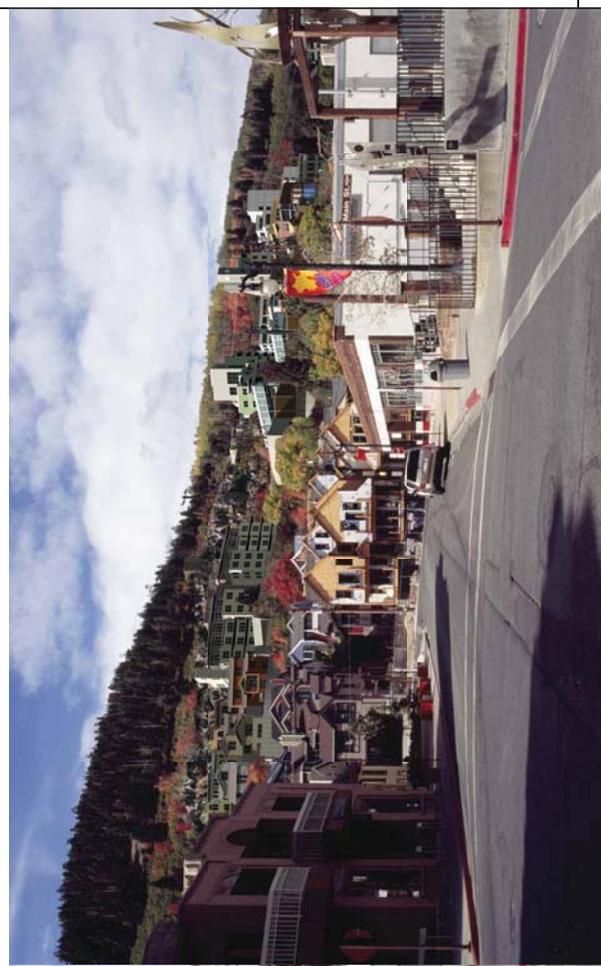


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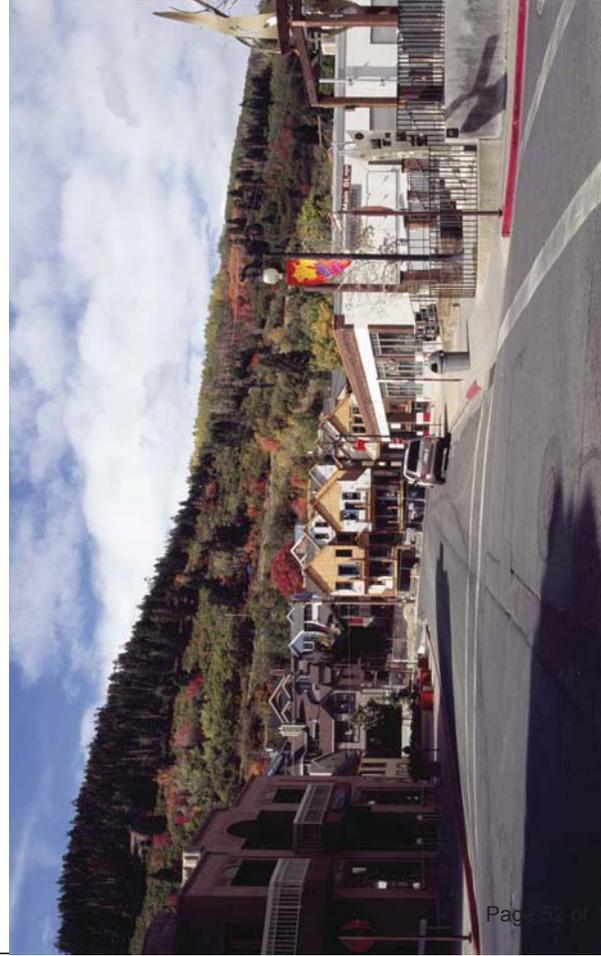
V-2
6/17/2008

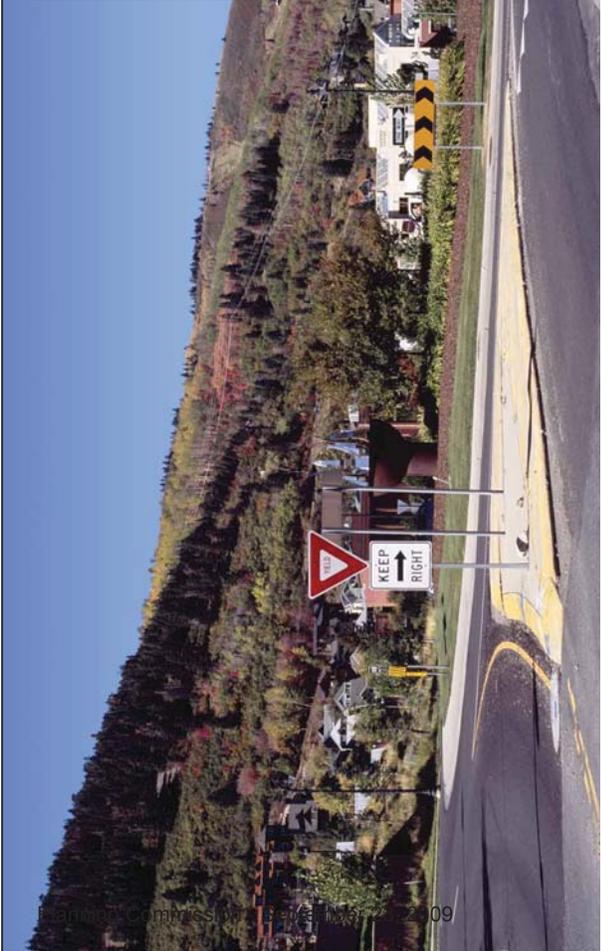


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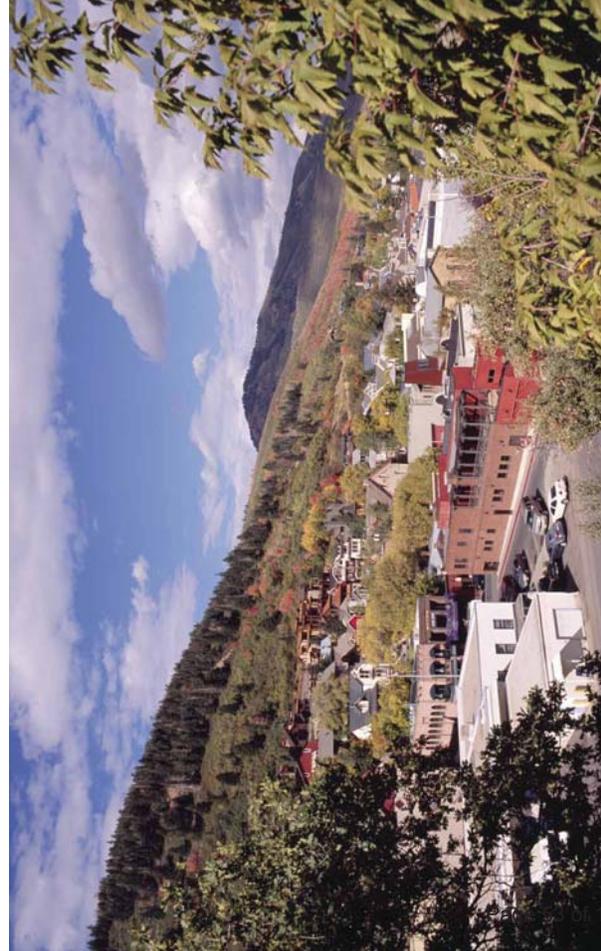
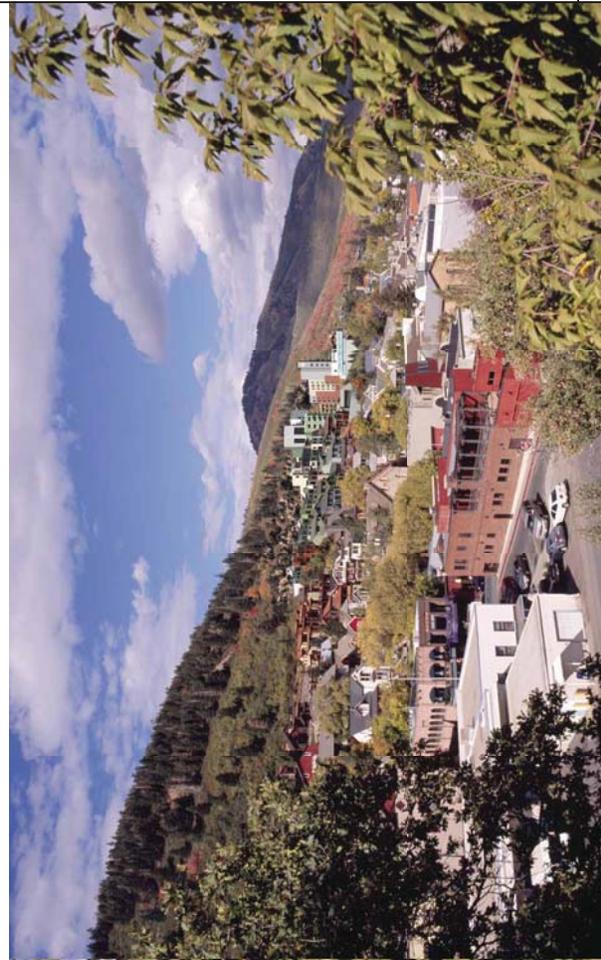


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P.O. Box 4560, Park City, Utah 84060
435-649-4499



MPE
INCORPORATED

Camera Viewpoints 9 & 0
Developed by
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eMail: info@treasureparkcity.com



SHEET NUMBER

V-26
6/17/2008

REVISIONS:

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435-649-4499



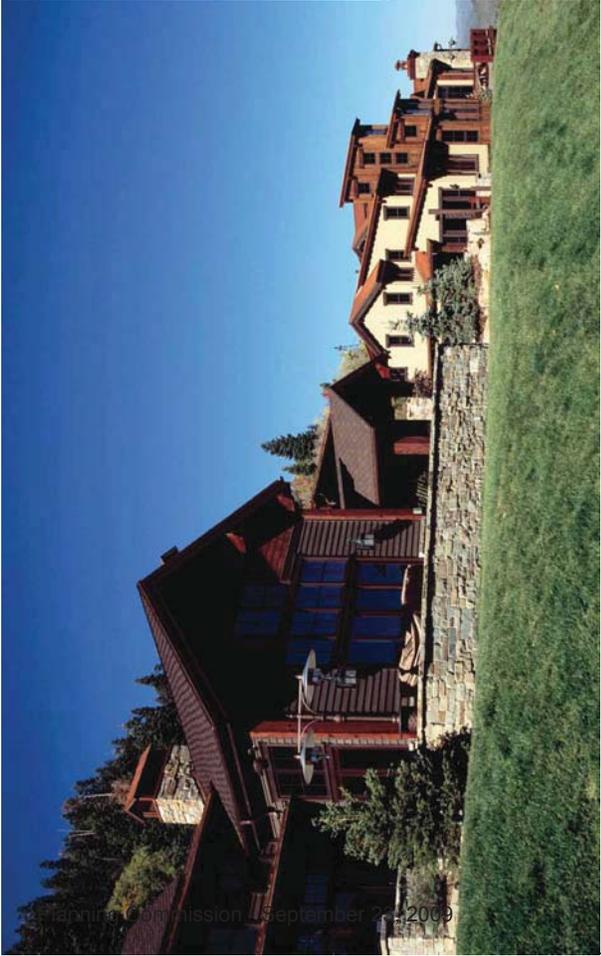
MPE
INCORPORATED

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



SHEET NUMBER

V-2
6/17/2008



Viewpoint - t treet

ine aste iti ation Plan

the applicant is working with the owner of PC C's non-ferrous metal Cooperator and as provided in the application request in the owner's primary 4 and the other letters as shown below. The other letter in the primary letter and the other letters in the other letter shall await final decision and final implementation. This will be a separate item in the permit process.

The general principle is to keep on site the inorganic waste in the other letter at the west site, the east site, Creole site, and the site and Creole site and relate these sites per the PC C oils. In an independent part of the west site, the east site, and Creole site, the inorganic area will be treated in place with a mineral stabilizer to prevent metal leaching. In place with a bio-remediation process, the other letter will be treated with a native grasses and flowers. It is recommended to PC C that the inorganic waste at the Creole site will remain in the development area and place in a sealed liner and other with a concrete cap or at least meet or exceed the material.

Attachments
 Primary 4 letter re the owner's non-ferrous metal Cooperator
 Other letter re the owner's non-ferrous metal Cooperator letter with attachment
 3 primary letter re the owner's non-ferrous metal Cooperator letter with attachment



Building Department • City Engineer • Planning and Zoning

February 4, 2005

Sweeny Land Development Company
P.O. Box 2429
Park City, Utah 84060

Attention: Mike Sweeny

Subject: Treasure Hill Development

Dear Mr. Sweeny:

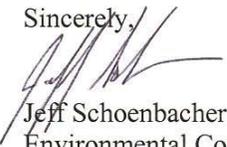
The purpose of this correspondence is to thank you for meeting with Ron Ivie and me, February 3rd and providing Park City Municipal Corporation (PCMC) with an overview of previous environmental assessments that have been completed within the Treasure Hill Development parcel.

As discussed during our meeting, last year USEPA and UDEQ approved PCMC Environmental Management System (EMS) as the program to oversee the management of historic environmental mining impacts. A component of that program is areas that are planned for development and are known to have mining impacts will be assessed to determine environmental and human health risks. In the event there is discovery, PCMC has agreed to integrate these properties into the "Landscaping and Maintenance of Soil Cover Ordinance" found within the building code under Chapter 11-15. As agreed upon at the conclusion of our meeting, PCMC request the following information for the Treasure Hill proposed developed areas:

- Identification of areas or structures that have historic hard rock mining impacts.
- Identification of mine workings, tailings, or other suspected waste types.
- Estimated volumes discovered.
- Sample results for discovered waste that reflect the "total" concentration for lead analyzed under lab Method 160.3 SW-846 6010.
- Proposed location that will contain material exhibiting elevated lead levels when excavated.

For your convenience, I have enclosed a copy of the ordinance for your reference. Should you have any question please do not hesitate to contact me at 435-615-5058 or email jschoenbacher@parkcity.org. Until then, I thank you for your time and consideration.

Sincerely,


Jeff Schoenbacher
Environmental Coordinator

CC: Ron Ivie
Pat Putt
Kirsten Whetstone

JTS: Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Building Department • (435) 615-5100 • FAX (435) 615-4900
City Engineer • (435) 615-5055 • FAX (435) 615-4906
Planning and Zoning • (435) 615-5060 • FAX (435) 615-4906



Building Department • City Engineer • Planning and Zoning

December 15, 2005

MPE, Inc.
P.O. Box 2429
Park City, Utah 84060

Attention: Pat Sweeney

Subject: Treasure Hill Development Phase I Environmental Assessment

Dear Mr. Sweeney:

The purpose of this correspondence is to provide you with formal comment related to the AGEC Phase I Environmental Assessment for the Treasure Hill Subdivision, Phase 4. Based on our previous conversations, it is my understanding that MPE, Inc. will be requesting that the Treasure Hill Subdivision, Phase 4 be brought into the soils ordinance boundary defined within Park City Building Code Chapter 11-15.

As a result, these comments are based on the premise that the "Landscaping and Maintenance of Soil Cover Ordinance" will be the applicable institutional control for his site. Park City Municipal Corporation (PCMC) would like to reiterate that MPE, Inc. also has the option of entering the Voluntary Clean-up Program administered by the Utah Department of Environmental Quality (UDEQ) in the event the soils ordinance is deemed too prescriptive. Regarding the AGEC report dated November 14th 2005, four areas were identified (Southeast Adit, Northwest Adit, Creole Shaft, Creole Adit) having been impacted from historic mining activity. The report summarized the results for 8 discrete samples (SS1 – SS8) from each mine dump that reside at each identified location.

Location	Lead Result ppm	Arsenic Result ppm	Sample ID
Southeast Adit	30,000	6,200	SS1
	380,000	8,800	SS2
Northwest Adit	290	27	SS3
	350	36	SS4
Creole Shaft	2,200	290	SS5
	1,500	200	SS6
Creole Adit	11,000	1,700	SS7
	11,000	1,800	SS8

The report documented the Southeast Adit, Creole Shaft, and Creole Adit having exceedingly high concentrations of lead and arsenic that exceed USEPA Health Based Risk Standards for both residential and industrial. Furthermore, the report infers that these results coincide with "naturally occurring" background levels; this is not the case as naturally background levels have been established at 30 to 700 ppm for lead and 16 to 100 ppm for arsenic (USGS 1984). Nonetheless, PCMC does recognize that the origin of these metals is from naturally occurring deposits. In the event the ordinance boundary is expanded to encompass this development, these three areas will need to be remediated in a manner that

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City Engineer • (435) 615-5055 • FAX (435) 615-4906
Planning and Zoning • (435) 615-5060 • FAX (435) 615-4906

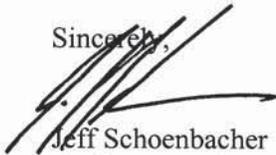
complies with the ordinance standards. It should also be noted that the residential lots within this area will be required to comply with the ordinance standard of 6" of clean topsoil substrate (<200 ppm lead) and the establishment of acceptable cover. At the conclusion of the meeting between yourself and Mike, I conveyed the need for a work plan that identifies the following:

- Provide the City with GPS coordinates representing the boundaries of the four areas identified as being impacted.
- Provide the City with approximate volumes that will either be capped in place or removed from off-location.
- In the event mine waste is proposed to be moved and capped else where on site provide the City with the location.
- Provide a legal description of the parcel. This information is needed in the event the ordinance is revised. The attached map represents the anticipated boundary revision and would actually be a separate polygon from the original and expanded ordinance boundary.
- Work plan defining the proposed remediation strategy, storm water controls, and the proposed time line.

Mentioned in the report was following statement "These mine dumps should be capped in place with clean soil or excavated and capped elsewhere on site in a manner consistent with the guidelines set by PCMC building code". As depicted on the attached map the Treasure Hill Subdivision is situated within PCMC Water Department - Spiro Drinking Water Source Protection Zone. This area is identified within the City's Drinking Water Source Protection Plan which has been adopted and is intended to protect Park City's drinking water sources. The impacted areas identified in the AGEC report have been georeferenced into the City's GIS system and the Creole Mine has been found to be within the zone and the Creole Adit partially within the protection zone. Since the City is required to protect these zones, PCMC will not accept the current contamination associated with mine waste to be left within the protection zone. The Spiro Drinking Water Source Protection recharge Zone has been classified as "vulnerable" due to the numerous faults, drainage channels, aquifer surface exposure, and existing mine shafts and adits. Therefore, leaving the mine waste within this zone is not consistent with the City's goal in protecting this area. As mentioned above, PCMC will await the work plan that defines the chosen strategy for remediating the areas identified within the Phase I report.

With that said, I thank your for your time and consideration and should you have any question please do not hesitate to contact me at 435-615-5058 or email jschoenbacher@parkcity.org.

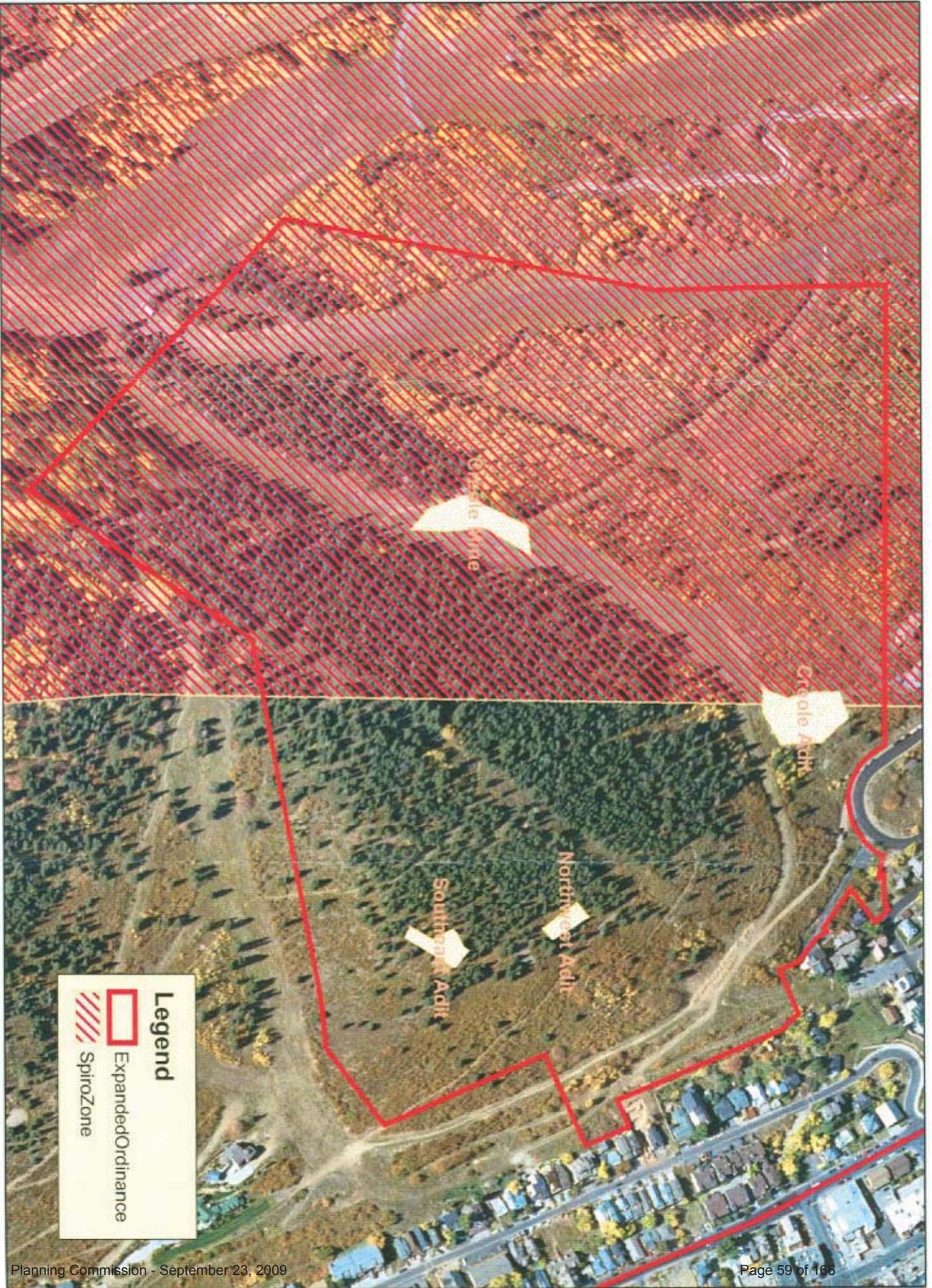
Sincerely,



Jeff Schoenbacher
Environmental Coordinator

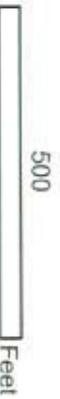
CC: Tom Bakaly
Ron Ivie
Jerry Gibbs
Kathy Dunks
Eric Dehaan
Pat Putt
Kirsten Whetstone

JTS:



This document is intended as a guide only and does not constitute a contract. The information displayed is a compilation of records and is not intended to be used as a substitute for a professional survey. The information is provided for informational purposes only and is not intended to be used as a substitute for a professional survey. The information is provided for informational purposes only and is not intended to be used as a substitute for a professional survey.

Treasure Hill Subdivision, Phase 4





CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

January 27, 2006

Mr. Thomas Atkinson
Applied Geotechnical Engineering Consultants, P.C.
600 West Sandy Parkway
Sandy, UT 84070

**RE: Phase 1 Environmental Site Assessment
Treasure Hill Subdivision, Phase 3**

Dear Tom:

This letter is to provide you with the locations and the estimated quantities of the overburden waste rock dumps you studied in your Phase 1 Environmental Site Assessment for the above referenced project.

	<u>Location</u>	<u>Estimated Quantity</u>
Creole Shaft	Lat: 40° 38' 38.4" N Long: 111° 30' 12.6" W	1,880 CY
Creole Adit	Lat: 40° 38' 45.5" N Long: 111° 30' 07.1" W	1,225 CY
South East Adit	Lat: 40° 38' 37.6" N Long: 111° 29' 59.7" W	200 CY
North West Adit	Lat: 40° 38' 39.5" N Long: 111° 29' 59.8" W	35 CY

Attached are cross sections of the overburden sites showing the quantity calculations.

Sincerely,

Rob McMahon P.E.
Alliance Engineering, Inc.

Copy: Pat Sweeney; Sweeney Land Co.
Jeff Schoenbacher; Park City Municipal Corp.

323 Main Street P.O. Box 2664 Park City, Utah 84060 435-649-9467 FAX 435-649-9475



SEAKR
SUNY-EDC

June 12, 2006

Jeff Schoenbacher
Environmental Coordinator
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

RE: Treasure Hill Development Proposed Soil Management and Remediation Strategy

Dear Mr. Schoenbacher:

This letter summarizes the strategy and justification for management of mine waste at the proposed Treasure Hill development (Project) located in Creole Gulch. The information was prepared by Resource Management Consultants, Inc. (RMC) on behalf of MPE, Inc. (MPE). The letter is intended as a response to the PCMC letter dated December 15, 2005, and as a working draft of a soil management strategy for your approval prior to preparation of a formal Work Plan.

573884-6974

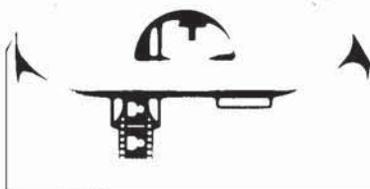
Line Item Responses to PCMC Letter

Item 1 – Provide the City with GPS coordinates representing the boundaries of the four areas identified as being impacted.

Response: MPE has submitted GPS coordinates to PCMC.

Item 2 - Provide the City with approximate volumes that will be either capped in place or removed from off-location.

Response: MPE has provided this information for maximum volumes. The area will be field checked using a portable X-ray fluorescence meter (XRF) by RMC this summer.





Item 3 – In the event mine waste is proposed to be moved and capped elsewhere on site provide the City with the location.

Response: When a final remediation strategy is developed as per Item 5 below, the proposed locations of mine waste and cover areas will be surveyed and provided to PCMC.

Item 4 – Provide a legal description of the parcel. This information is needed in the event the ordinance is revised.

Response: MPE has provided this information to PCMC.

Item 5 – Work Plan defining the proposed remediation strategy, storm water controls and the proposed time line.

Response: MPE will submit a Work Plan after PCMC approval of a remediation strategy.

Proposed Remediation Strategy

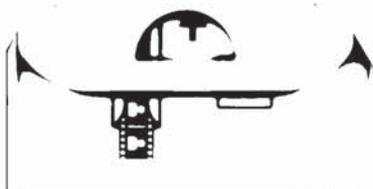
Based on discussions with MPE and experience conducting similar remediation actions in Park City, RMC has determined that the following remediation strategy is the most applicable for disposal of mine waste located within the Project area:

where is this

Mine waste currently located at the Creole Adit Dump will be picked up and transported to the Creole Mine Shaft. The mine waste will be placed with existing like and similar mine waste currently located at the Creole Mine Shaft. After placement of mine waste at the Creole Mine Shaft is complete, the area will be covered with low permeability soil excavated during on-site construction activities. The Northwest and Southeast Adits will be left in place as-is, they are located outside of the Spiro Drinking Water Source Protection (DWSP) area and the development area.

No No Proposed O/S

The Creole Adit Dump is located in a proposed cut area of the development. The Creole Mine Shaft area is located in an area that will be filled as part of ski-run construction. Ski run materials will





provide an additional cap over the mine waste. Cover materials will be placed in accordance with the Park City Soil Ordinance (PCMC Municipal Code 11-15-2).

Justification of Remediation Strategy

Consolidation and covering is considered an acceptable remedy for mine wastes as evidenced by PCMC, State of Utah Department of Environmental Response and Remediation (DERR) and United States Environmental Protection Agency (USEPA) acceptance of similar work in the Judge Tunnel DWSP area which is located within the Empire Canyon CERCLA Site. This acceptance, and the reasoning behind it, is documented in the Empire Canyon Engineering Evaluation and Cost Analysis (EE/CA, RMC, 2003). The covering and consolidation of mine waste in the project area meets the following response action objectives for mine wastes located in the Empire Canyon Site which is located in the vicinity of the project area and within the Judge Tunnel DWSP area:

- Isolation of surface water from mine wastes; and
- Minimizing the potential for human exposure to elevated lead and arsenic concentrations.

Consolidation and covering in the Project area will be similar to the remedy being used at the Silver Star development located at the Spiro mine dump in the Spiro DWSP area. The Spiro mine dump is located in the immediate vicinity of the Spiro tunnel and water treatment facility. At Silver Star, mine waste is being excavated from a historic mine dump. The mine waste is then used as fill beneath a ski run. No impermeable cover is used on this project. Onsite disposal of mine waste materials at the Silver Star project meets the requirements of the Park City Soil Ordinance. As further discussed below, the proposed remediation strategy for the current project is consistent with the Spiro Drinking Water Source Protection Plan (DWSP).

Material moved and consolidated on-site will be covered with low permeability soil. The soil cover will limit infiltration and maintain surface flow, thereby directing surface runoff out of the Spiro DWSP area.





Compliance with Spiro Tunnel Drinking Water Source Protection Plan

The concluding paragraph of the PCMC letter dated December 15, 2005, specifies that the project must be in compliance with the Spiro Drinking Water Source Protection Plan. This section describes how the project will comply with the goals of the Spiro Drinking Water Source Protection Plan.

On-site disposal of mine waste materials will be consistent with and not impact the Spiro Tunnel Drinking Water Source Protection Plan based on the following reasons:

As stated in State of Utah Regulation R309-600-10(2) *Identification and Assessment of Current Controls - PWSs are not required to plan and implement land management strategies for potential contamination source hazards that are assessed as "adequately controlled."* Mine waste located within the project area will be adequately controlled using Best Management Practices (BMPs) and physical controls as listed in R309-600-10(2).

Water recharge to the Spiro Tunnel flows through faults and fractures from recharge areas at high altitudes toward discharge areas located at lower elevations (DWSPP, Part IV, pp. 2-11). The Project area is located at an elevation of approximately 7,200 feet, significantly lower than the recharge areas located at elevations typically ranging from 8,000 to over 9,000 feet.

2004
Karen Hanson USGS Water Res.
According to (Protocol)
Drainage Divide

The Spiro Tunnel is located in the East Canyon Creek Watershed (Figure 1). The Project area is located in the Silver Creek Watershed. Surface and storm water from the Project area will discharge into the Park City Stormwater system in the Silver Creek Watershed. Groundwater flow generally follows local and regional surface water drainage in unsaturated areas (DWSPP, Part IV, pp. 2-11). The Project area is located in an area of unsaturated bedrock. This is evidenced by dry surface conditions such as dry outcrops, lack of springs and dry adits in the Project area. As stated in the QuickSite Investigation conducted for the Upper Silver Creek Watershed by the Argonne National Laboratory in 2003, conducted for USEPA, mine tunnels and adits act as drains for discharging groundwater to the surface. On-site adits are not discharging groundwater in the Project area which indicates unsaturated bedrock conditions. Areas underlain by saturated conditions are likely to exhibit groundwater discharge at the surface (e.g. springs and wetlands); surface discharge is not occurring in

not

Karen Hanson





the Project area. Surface water flow regimes are depicted on the hydrogeologic cross section presented in Figure 2. As indicated on the cross section, the Project area is hydrogeologically isolated from the Spiro tunnel by multiple surface water drainage divides.

The boundary of the Spiro Drinking Water Source Protection Area in the project area is identified as the contact between the Park City Formation and the underlying Weber Quartzite (DWSPP, Figure IV-2-10). The DWSPP figure provides a generalized location of this boundary. Review of the United States Geological Survey (USGS) Park City West and Park City East Quadrangle geologic maps indicate that the Project area is located predominantly outside of the contact between the Park City Formation and the underlying Weber Quartzite DWSPP boundary (Figure 3).

Groundwater generally flows in a down-dip direction (DWSPP, Part IV, pp. 2-12). The Project area is located approximately 7,000 feet in an easterly direction from the Spiro Tunnel at an elevation approximately 400 feet above the lowest recharge elevation of the tunnel. Based on the USGS Park City West geologic map, the bedrock dips at least 20 degrees (36% grade) to the northwest in the area between the project area and the Spiro Tunnel (Figure 3). This corresponds to an elevation loss of 2,520 feet. This elevation loss would place a bedding horizon which outcrops at the surface in the Project area at least 2,100 feet below the lowest point of the Spiro Tunnel (Figure 2). Therefore, any groundwater moving down-dip from the Project area toward the Spiro tunnel would not affect the Spiro DWSP zone. In addition, the Project area is located on an upthrown fault block (Figure 2). These faults further isolate potential groundwater from reaching the Spiro Tunnel capture zone.

The report for the QuickSite Investigation, states that areas where the hill slope is greater than 2% (this includes the Project area) have both groundwater recharge and interflow processes. However, more water moves as interflow from hill slopes to the valley bottoms. The result is increased seasonal discharge to streams. Covering the mine wastes with low permeability soils will increase the surface water interflow, decrease the potential for groundwater recharge and, hence, minimize potential impacts to local aquifers.





Upon your approval of the proposed remediation strategy, RMC will prepare a Work Plan. The Work Plan will be prepared in compliance with local, state and federal guidelines and will include a site characterization of the removal and disposal areas. If you have any questions or comments on the information provided above, please do not hesitate to call me at 801-255-2626.

Best regards,

A handwritten signature in black ink, appearing to read 'Todd Leeds'.

Todd Leeds, P.G. – UT 5294606
RMC

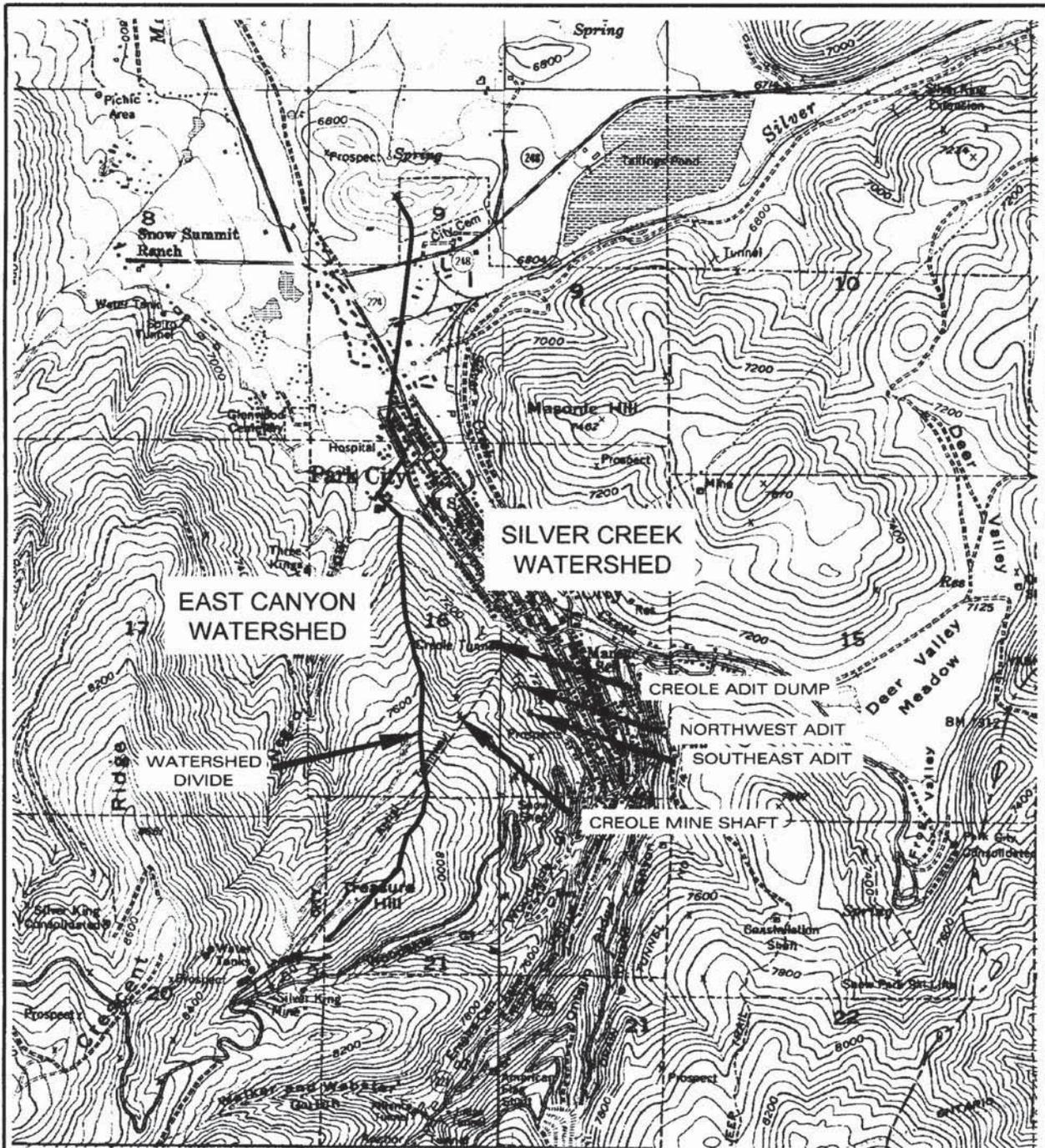


Attachments:

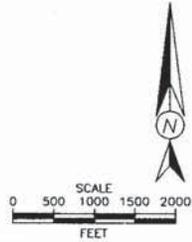
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|----------|-----------------------------|
| Figure 1 | Surface Water Divide Map |
| Figure 2 | Hydrogeologic Cross Section |
| Figure 3 | Geologic Map |

Cc: Mike Sweeney



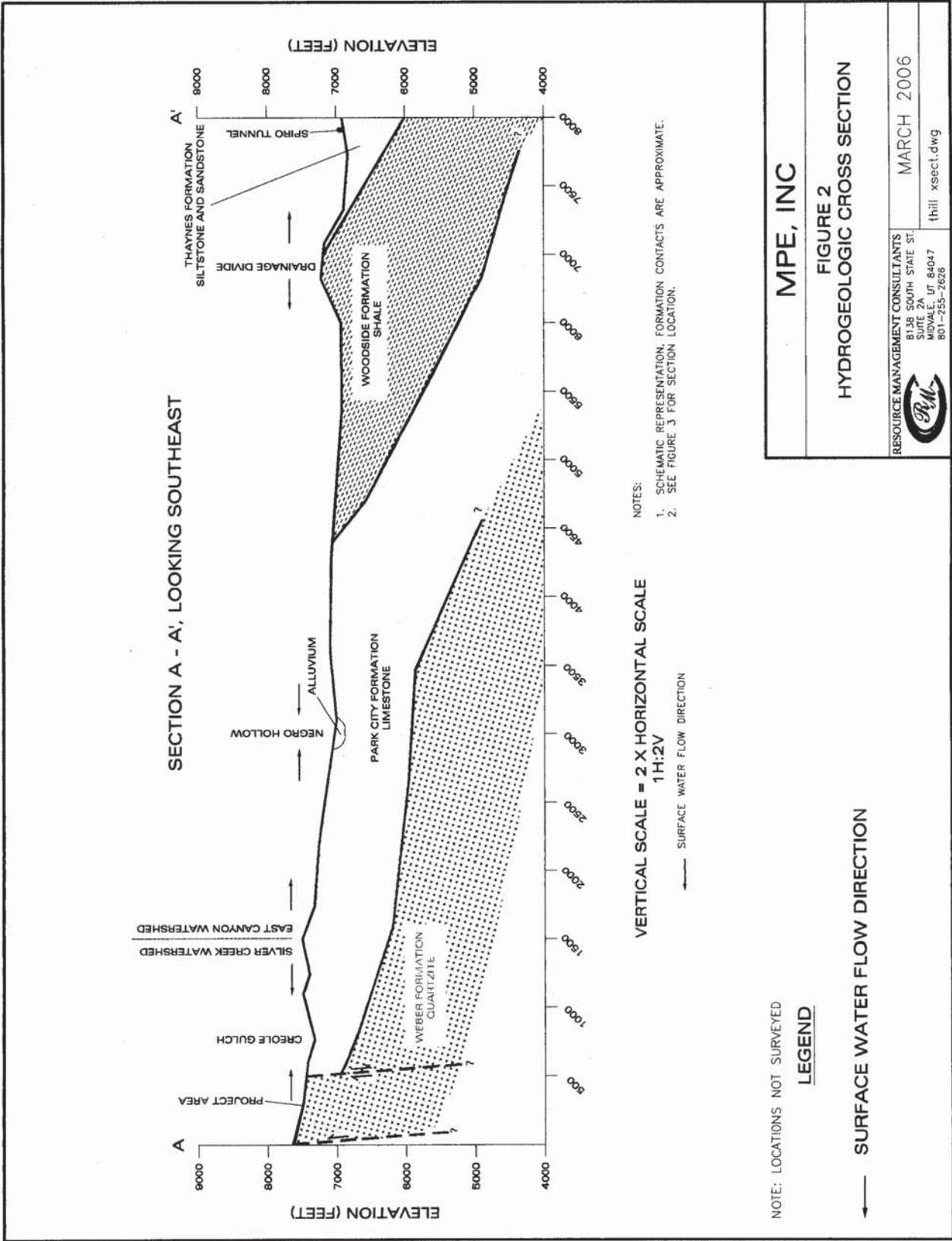


NOTE: LOCATIONS NOT SURVEYED



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FIGURE 1 SITE AND SURFACE WATER DIVIDE MAP	
RESOURCE MANAGEMENT CONSULTANTS  8138 SOUTH STATE ST. SUITE 2A MIDVALE, UT 84047 801-255-2526	JUNE 2006 parkcity-quads.thill.dwg



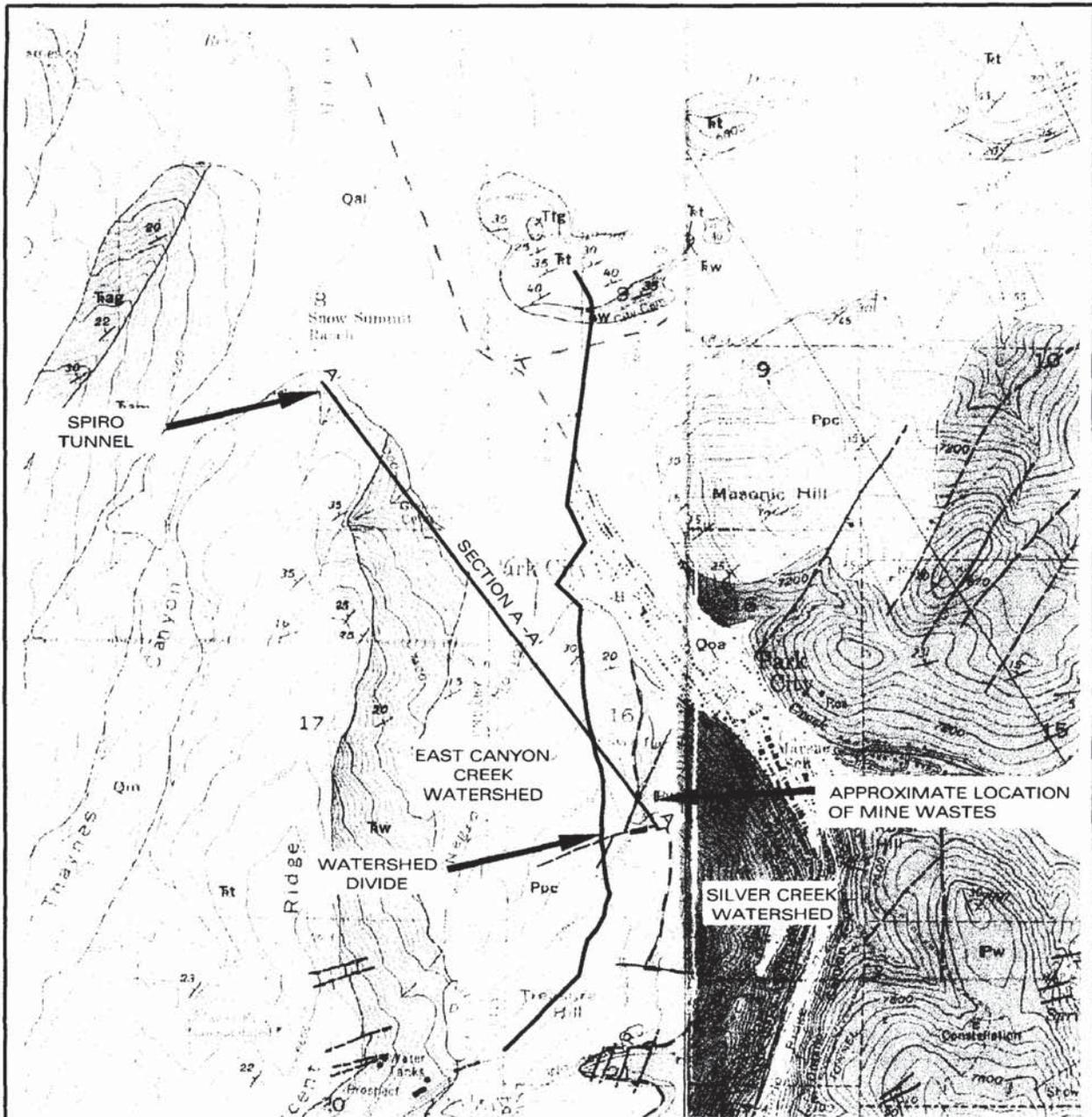


NOTE: LOCATIONS NOT SURVEYED

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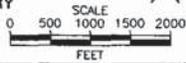
**FIGURE 2
HYDROGEOLOGIC CROSS SECTION**

RESOURCE MANAGEMENT CONSULTANTS 8138 SOUTH STATE ST. SUITE 2A UT 84047 801-255-2826	MARCH 2006 thll xsect.dwg
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- NOTES:
1. LOCATIONS NOT SURVEYED.
 2. LIMITS OF SPIRO DWSP AREA IN PROJECT AREA IS Ppc/Pw CONTACT.
 3. MAP SOURCE: UNITED STATES GEOLOGICAL SURVEY.

- LEGEND
- Tkt - THAYNES FORMATION
 - Tkww - WOODSIDE FORMATION
 - Ppc - PARK CITY FORMATION
 - CONTACT, DWSP BOUNDARY
 - Pw - WEBER QUARTZITE



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FIGURE 3 GEOLOGIC MAP	
RESOURCE MANAGEMENT CONSULTANTS 8138 SOUTH STATE ST. SUITE 2A MIDVALE, UT 84047 801-255-2828	MARCH 2006 parkcity-geomap.dwg

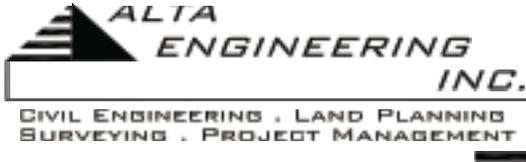


**TREASURE
EXCAVATION
MANAGEMENT PLAN**

**PREPARED FOR:
MPE INC.
PO BOX 2429
PARK CITY, UTAH 84060
psbro23@mac.com**

December 15, 2008





December 15, 2008

Park City Municipal Corporation
Planning Commission
P.O. Box
Park City, Utah 84060

**RE: Treasure
Excavation Management Plan**

Planning Commission and Staff:

This Excavation Management Plan includes the results of the excavation assessment study conducted on pre-development, construction phase, and post-development conditions of the proposed Treasure project. The overall concept of the excavation operations is to manage all excavated materials on site. The excess excavation material will be transported to material placement sites higher on the Sweeney Master Plan open space and adjacent Park City Mountain Resort property via a conveyance system. The conveyance system is a flexible low impact methodology that eliminates transporting excess material over the streets of Park City to remote disposal sites.

Three primary material placement zones have been identified on exhibit E-2.0. The three zones have capacity to accept some of the estimated excess excavated material that will be generated by the construction of the Treasure buildings including parking garages and landscape features. Additional secondary placements zones need to be developed to accept the remaining excess excavated material. The fill placement zones should be chosen carefully to minimize impacts on existing vegetation, preserve important vistas, and to improve and enhance ski run grades.

A material placement protocol is presented that addresses the fill placement, geotechnical design, and placement control measures that will be incorporated into the construction process. The protocol outlines proposed final grading and revegetation methods that are planned for the material placement zones.

A handwritten signature in blue ink that reads "Rob McMahon".

Rob McMahon PE

1685 Bonanza Drive
Park City, Utah 84060

Suite 200B
(435)649-8191

P.O. Box 2864
www.alta-engr.com

SUMMARY

Predevelopment Site:

A geologic reconnaissance study was conducted on the subject property dated April 22, 1994 prepared by SHB Agra under Project No. E 93-22-67. A Phase 1 Environmental Site Assessment was conducted on the subject property dated October 12, 2005 by AGECE Inc. under Project No. 1051008. The site is comprised of approximately 63.9 acres mostly covered in aspen, fir, oak, and mountain maple. The site is primarily undeveloped with ski runs and lifts traversing the property and evidence for prior minor mining activities. Elevation of the site ranges between 7,080 feet above mean sea level at the Northeast corner to 7,760 feet at the Southwest corner.

The site is characterized as consisting of Permian Park City Formation consisting of pale grey weathered fossiliferous and cherty limestone containing a medial phosphatic shale member and Pennsylvanian Weber Quartzite consisting of pale gray tan weathered quartzite and limy sandstone with some inter bedded gray to white limestone and dolomite.

The majority of the excavation materials from the site are expected to be the weathered quartzite and white limestone and dolomite. These materials are generally easy to process into compactable and workable fill material through the use of conventional earthmoving equipment.

Construction Phase:

The site can be divided into four main excavation operations as shown on exhibit E-1.0. Listed below are the estimated quantities of total excess excavation material to be exported to the four material placement zones.

Entry Level Site	Buildings 3A,3B3C, 4A	240,000 cy
Mid Level Site	Building 4B	270,000 cy
Upper Level Site	Buildings 5A,5B,5C,5D	275,000 cy
Midstation Site	Buildings 1A,1B,1C	<u>175,000 cy</u>
	Estimated Total	960,000 cy

The four sites can be isolated as separate excavation operations or can operate concurrently. The initial phase would be to establish the entry level site adjacent to Lowell and Empire avenues. This site would serve as the initial staging area and contain the erosion control structures that will be utilized for the subsequent phases. This initial area would implement landscaping and other screening measures to mitigate the excavation impacts on the surrounding neighborhood. Each subsequent excavation operation could follow different phasing schemes.

Three primary material placement zones are identified on exhibit E-2.0. The primary zones will be prioritized and managed to work in conjunction with the project phasing. Secondary potential placement zones have also been identified as potential deposit sites. These secondary sites are generally defined on Exhibit E-2.0. Placement of the material in these secondary sites provides the opportunity to make a number of terrain improvements. Listed below are the placement zones and the estimated capacities.

	<u>Area</u>	<u>Capacity (CY)</u>
Kings Crown Zone	4.9 Acres	145,000
Creole Zone	5.0 Acres	125,000
Payday Zone	4.5 Acres	145,000
Secondary Zones Combined	Varies	+ 625,000

Storm Water Pollution Prevention and Erosion Control:

A comprehensive Storm Water Pollution Prevention Plan (SWPPP) will be incorporated into each phase and excavation site. Erosion control of the excavation sites will be managed as the excavation progresses. Storm water will be controlled through a series of conveyance channels that feed into a detention basin to be located in the entry level site. Revegetation will be aggressive and take place together with and along side the excavation operations.

Stockpiled material will be contained within the smallest area feasible. Best management practices will be employed to prevent erosion and the generation of airborne dust. Surface water will be diverted around the stockpiling operations to the detention basin. The stockpiles will be kept small and managed to be transported to the material disposal sites as the excess material is produced.

Material Placement Protocol & Post Development Mitigation:

A study of the placement of the excavated material was conducted by AGEC Geotechnical consultants summarized in an opinion letter dated October 7, 2003 under project No. 1030820. From the geotechnical and geological perspective, Placement of the excess material in the placement zones can be successful and will be managed with practical engineering solutions resulting in stable disposal areas.

The transporting of the excess excavated material will employ a conveyor system. The location of the conveyance operations can be moved to be close to the source of the excavation thus eliminating unnecessary handling of the materials and dust generation.

Placement of the excavated material in the waste area zones will be done in accordance and under supervision of geotechnical consultants. On site inspection will be provided to assure fill placement will be an engineered stabilized area. Revegetation and erosion control measures will utilize current industry standards and follow methods that are to be outlined in the comprehensive SWPPP. The stabilization methods will proceed as the fill areas are constructed with aggressive revegetation efforts to promote rapid growth of vegetative mats. The primary focus of the erosion control effort on the fill areas will be to prevent unprotected fill areas to exist and become exposed to the erosion elements.

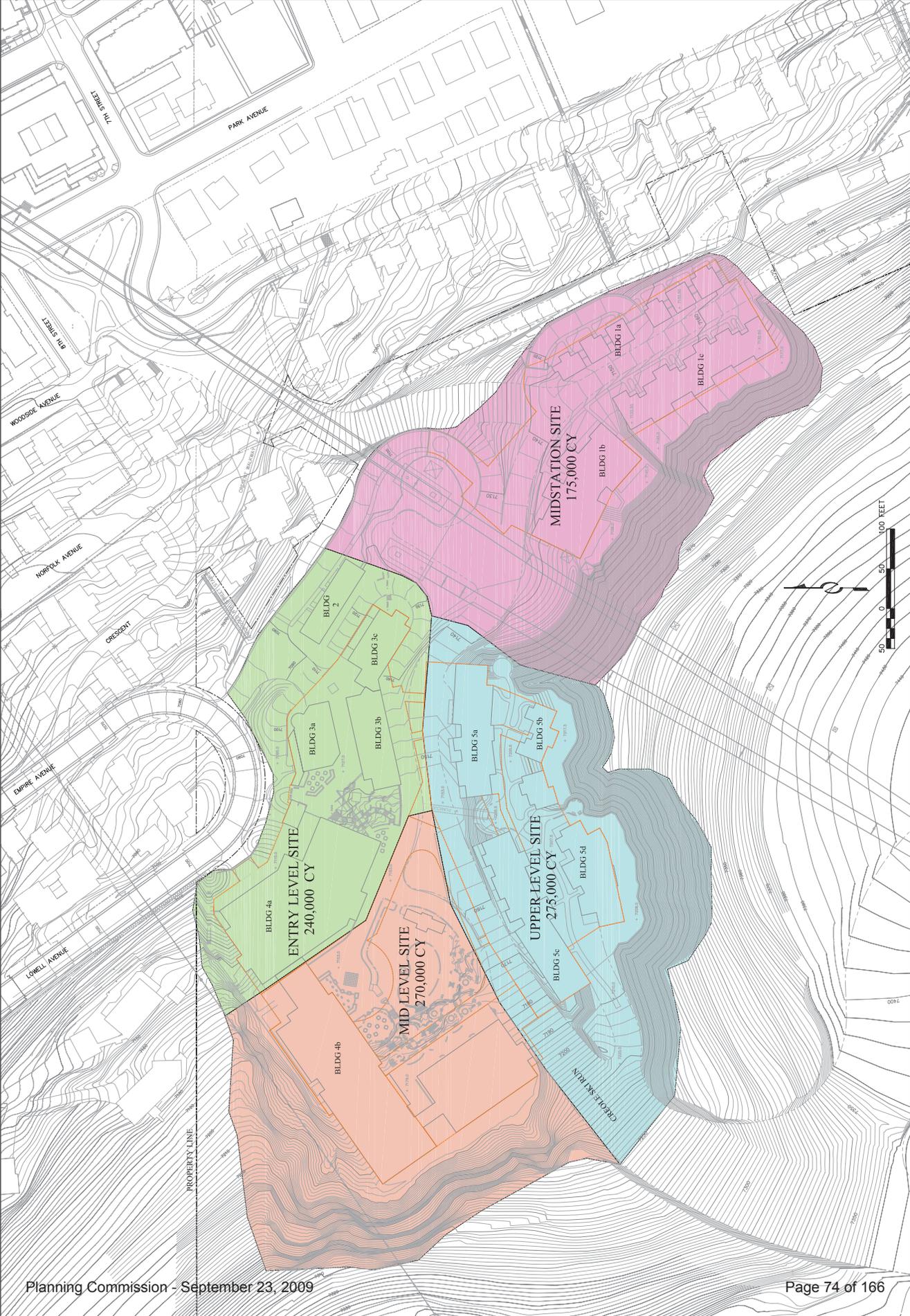
DATE: DEC 15, 2008
 PROJECT NO.: 01-01-01
 FILE: TREASURE HILL
 REVISIONS DATE: 4/4/09 4/4/09 4/4/09 4/4/09



ALTA ENGINEERING INC.
 CIVIL ENGINEERING • LAND PLANNING
 SURVEYING • PROJECT MANAGEMENT
 PO BOX 2804 PARK CITY, UTAH 84060 435-249-9191

TREASURE EXCAVATION MANAGEMENT PLAN
EXCAVATION SITES & VOLUMES
 FOR: MPE INC.

SHEET NO: **E1.0**



DATE:	DEC 15, 2008
PROJECT NO.:	D-1-01-01
FILE:	TREASURE HILL
TREASURE HILL	
REVISIONS	DATE
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 PO BOX 2864 PARK CITY, UTAH 84060 435-649-9191

**TREASURE
 EXCAVATION MANAGEMENT PLAN
 MATERIAL PALCEMENT ZONES**

FOR: MPE INC.

SHEET NO. **E-0**

