

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JANUARY 11, 2017

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO:

Planning Director, Bruce Erickson; Francisco Astorga, Planner; Anya Grahn, Planner; Ashley Scarff, Planner; Polly Samuels McLean, Assistant City Attorney;

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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

December 14, 2016

Commissioner Joyce referred to page 8, third paragraph, last line, and changed, “which is was” to correctly read, “which **it** was.” On the top of page 10, Commissioner Joyce changed, “Planner Astorga said we will simply go from three” to correctly read, “...will simply go from **there**”.

MOTION: Commissioner Joyce moved to APPROVE the Minutes of December 14, 2016 as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the Planning Commission would only have one meeting in January due to Sundance. The next meeting was scheduled for February 8, 2017.

Commissioner Suesser disclosed that she lives on Lowell Avenue; however, she did not believe it would affect her judgment or objectivity regarding the application.

CONTINUATIONS – public hearing and continue to date specified

1. Request for a one Lot and one Parcel subdivision plat, located at 9300 Marsac Avenue, to create a platted lot for development of Parcel B2 East of the Parcel B2 Master Planned Development Phase II, and to create a non-development parcel for ski area uses located on Twisted Branch Road (Application PL-16-03338).

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to Continue the plat amendment at 9300 Marsac Avenue to February 8, 2017. Commissioner Band seconded the motion.

2. Request for a three lot subdivision plat, known as Village at Empire Pass North Subdivision, located at the intersection of Village Way and Marsac Avenue east of the Silver Strike chair lift, to create platted lots within the approved Village at Empire Pass Master Planned Development for Buildings 3 and 4, and for the Horseshoe Parcel townhouses located on the north side of Marsac Avenue across from the base of the Silver Strike chair lift. (Application PL-16-03293).

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East - Deer Valley MPD, to November 9, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

NOTE: The Treasure Hill portion of the Minutes is a verbatim transcript

1. Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties Master Plan (Application PL-08-00370)

Chair

Strachan: I'm anticipating, Francisco, we're going to follow the same format we've done in the past.

Francisco
Astorga
(Planner)

Yes.

Chair

Strachan: All right. I was kind of looking at this as sort of an introduction to the traffic issue, and with many more meetings to come, I don't know how much ground you planned on covering. But maybe a quick overview of that. And if, and correct me if I'm wrong that we're going to do just kind of an introduction and then get into the more of the meat and bones in the meetings to follows.

Planner

Astorga: You got it.

Chair

Strachan: Okay, great.

Planner

Astorga: That's it. So I'd like to just have a quick overview of the Staff report. I won't take long. But I do believe that Shawn Ferrin will want to speak, and also Gary Horton. And I think they could join us if they'd like at this stage.

So, this is like you said, Mr. Chair, this is information. I'll just provide the introduction to the transportation, traffic and parking. We've followed the same conditional use permit criteria, criterions that were used back in '09, which are 2, 4, 5 6 and 13, as they're all related to traffic, transportation, circulation, and so forth. I've got the exact language of those on page 116 of the Staff report. The same page, we've got 20 different hyperlinks that show the original traffic study that was conducted in July of 2004, and all of the corresponding addendums, plus additional information submitted by their traffic engineer, as well as their engineering firm. I hope that it, it worked out this way with the 20 hyperlinks. I know that it was a lot of reading. And the other benefit of doing it this way is so the public can, can also have access to all of them that were presented at each Planning Commission at a different stage. So we tried to come up with this one place to find all of them.

We also simply did a copy and paste job from the 1985/1986 Sweeney Master Plan, the Sweeney Properties Master Plan. And we copied and pasted every development parameter and restriction as written, as the Planning Commission has to find compliance with the original master plan. And that's what starts on page 117 through 120. We'll be more than happy to answer any questions regarding those. We copied them word for word.

And then towards the middle of the Staff report on page 120, we did the same thing with the section that was identified in 1985 as major issues. And those include access, traffic, circulation, easements and rights-of-way, Norfolk Avenue, fire safety and trails. Then we did place hyperlinks from what took place in 2009 through the three Planning Commission meetings that took place on February 11th, 2009; April 22nd, 2009; and the last transportation meeting that took place was on July 22nd of 2009. And because that was the last meeting regarding this topic, we also added that entire Staff report and the Work Session notes as an exhibit. We decided to print those out for you instead of adding the hyperlink. We apologize. We hope that you didn't have to do too much reading; however, we did prep the Planning Commission during that last December and gave you a big chunk, a big preview of what was to come.

We did a summary of the meeting Minutes, and at the same time we have the actual adopted Minutes which---yeah, I'll just leave it at that. Again, if you guys have any questions---if the Commission has any questions you can go ahead and ask me.

While the---we did also add a quick blur on the 2011 Traffic and Transportation Plan that the City Engineer's office is utilizing as it was currently on their schedule to rebuild Lowell Avenue a few years ago. Empire Avenue was also, it was already rebuilt. And as a guiding document, obviously, the City utilized that, that adopted Master Plan.

To wrap up my portion of my quick presentation, we indicated on page 127 as an update, that we were trying to schedule a meeting between the City's, I'm calling them the transportation consultants, consisting of the City Engineer and the Transportation Planning Manager. And we tried to schedule a meeting prior to this, which did take place. And we provided some notes and comments regarding what we need to provide an official recommendation to the Planning Commission. The applicant has been,

has had a few days to reflect on that. And we'll just, we'll just leave it at that until they formally respond to our concerns.

Exhibit D is a traffic study summary prepared by Triton. That was submitted to the City on Friday, so we were able to place it on the packet late Friday. However, we didn't have an opportunity to provide any comments on, as it came in Friday. And the same applies for Exhibit E, which is Treasure Hill's response to issues raised at that last December meeting, and that corresponding executive summary.

I'll be more than happy to expand on it. I do apologize that the list that we gave you in December was simply in alphabetical order, and it may have not made much sense. For that purpose, we created the same list in chronological order to better tell the story of what took place at which, at which specific time. And we did also update that list that we gave you in December, and we added five additional documents that we didn't have in the same set in December. So I do apologize about that, but we are---it's a lot of information that I have to put together as I had to, I had to verify when it was presented to the Planning Commission, and to make sure that I had that document filed in the, the City records.

I don't have anything else to add. I don't think Bruce does, either. But I, I suggest that we turn the time over to the applicant for their quick presentation.

Chair

Strachan: Sure. Shawn?

Shawn

Ferrin: Great. Thank you. I'm Shawn Ferrin, one of the people working with MPE on the Treasure Hill application. I know you're all thinking, oh, great, they've brought the lawyer back.

Chair

Strachan: I was.

Shawn

Ferrin: Yeah. Thank you. I appreciate that.

Chair

Strachan: Just kidding.

Shawn
Ferrin:

We do appreciate the City reaching out to us and setting up a meeting that occurred on Monday with respect to traffic issues. We're looking at the list of things they wanted us to address, and we'll respond to them quickly about that to see if we can get on the same page to make sure that they have what they need to thoroughly evaluate traffic issues. You did get in our packets a position statement and an executive summary.

If you'll bear with me before getting to traffic, I want to conduct a couple of housekeeping matters. The first, we want to respond to questions certain of you have raised with respect to whether or not the applicant is willing to consider design changes in response to the concerns you have shared with us. We understand from the meetings we've had to date, your primary concerns involve massing, cliffscapes, excavation, building efficiencies, amount of accessory space, stepping of the project. The applicant, MPE, is evaluating those, and trying to figure out if there are feasible ways to make refinements and changes to the project. Changes that will be responsive to your concerns. We're going to formulate a complete response to that and get it to you, rather than do it in an ad hoc or piecemeal basis. It's going to take us a little time. It's a big project. But we will get back to you in the next several months about some things we think we can do to refine the project in response to what you have said your concerns are.

Top two for me tonight is, is telling you, it's really a second housekeeping matter, but we want you to know that we're keeping track of the questions you have asked us. And it is our intent---I mean, the questions you have asked us, the questions that Staff has asked, the questions the public have asked, and it's our intent to respond to those. As you know, some of them come up again and again, some of them are not really ready to be addressed yet because they involve things like traffic or other topics we will get to. But we will respond, whether at a presentation or specifically in writing. We understand that we're not doing our job if we're not answering your questions. So that will be coming to you.

Topic three for me tonight is setting the record straight on a couple of issues. The Treasure Hill Master Plan approval was a very long process. The CUP approval is a very long process, and there are mountains of information. Staff reports, I think almost 33 at this point, meeting minutes, submittals by the applicant. And there are times in this public hearing

process when there's pieces of information, they may be factual or they may be legal, and they're misplaced. Or they're taken out of context and used in an argument where they really don't fit. Sometimes things are just kind of knocked off track, but sometimes concept are really high-jacked and applied in ways they shouldn't be applied. So I want to take just a few minutes and talk about a few of those areas where we would like to set the record straight to make sure that we're all talking about the same things, the same facts, and the same legal requirements.

An example occurred in the last meeting in December. I was at the back and we started talking about the topic of building area boundaries. Staff made its presentation and I wanted to raise my hand and say, uh, there's a couple of things that are missing there. That discussion morphed from building area boundaries, which in 1986 the master plan approval contemplated as building envelopes. But the terms changed quickly to construction boundaries, and then even more quickly, limits of disturbance. And I wanted to raise my hands when it got to construction boundaries, and I wanted to jump out a window when it got to limits of disturbance. So that was an example of where things got knocked off track. They're discussed in detail on our position statement and the executive summary, but let me hit the high points.

Four topics. Building area boundaries versus limits of disturbance. So here's the fact. The 1986 master plan approval did not establish construction boundaries or limits of disturbance. The 1986 master plan approval only established envelopes to identify maximum building heights. Sheet 22 from that approval was never intended to address the limits of disturbance. Instead, it sets forth the areas where MPE is allowed to construct buildings that are taller than the zoning otherwise allows. Staff conclusion that Sheet 22 defines limits of disturbance is contrary to the master plan approval and numerous prior Staff reports. The 1985 master plan Staff report specifically explains, and I'm going to quote, "Building heights shall be limited to the maximum envelope described on the restriction and requirements exhibit. That's Sheet 22. At the time of conditional use approval, projects shall be reviewed for conformance with the heights prescribe thereon. In addition, the 1985 describes Sheet 22 this way. "An exhibit defining building envelopes has been developed to define areas where increased building heights can be accommodated with the least amount of impact". The MPD approval also says limits of disturbance will be determined at the conditional use permit process. We will get to that. I remind you in that context that only 2.5% of the property

MPE has for development as Treasure Hill will be used for buildings. They have a lot of other land that won't be impacted.

Topic Two. Unanticipated or excessive excavation. Here's the facts. Development of the project that was contemplated by the Woodruff drawings would have required significant excavation. And the 1986 master plan approval contemplated that excavation. There has been discussion that Woodruff would not have required excavation, and that's just not true. Staff's estimation of the amount of excavation required for the Woodruff buildings is based upon flawed assumptions that are contrary to the woodruff drawings. The Woodruff drawings were not developed for the purposes of evaluating excavation. They would have required significant excavation. In addition to what's shown on those drawings, there would have been significant excavation for fire protection and for access. If you look at the master plan Staff report, it demonstrates that that was specifically what was contemplated. Significant excavation for the project.

Topic Three. The project must fit the site. We've heard it a lot from public. Here's the facts. There is no legal requirement that the Treasure Hill project must be designed to fit the site. Members of Staff---excuse me, members of the public have brought it, have brought it up and stated that it is a requirement. The project should be designed to fit the site, not the site designed to fit the project. That is from the 2004 LMC, and that provision is specific to new master planned developments. It does not apply to CUP applications. That said, if you go through and you look at the requirements that are put in there, Treasure Hill conforms to the concepts as if it was a new MPD. For example, the first criteria that's set forth when trying to ensure that a project fits the site is that, quote, "Units should be clustered on the most developable and least visually sensitive portions of the site". As we've talked about, that's what we have done with Treasure Hill. We've clustered the project into the best places to develop it, and the least visually impactful.

Topic Four, the last of my setting the record straight topics. Hotel type uses were contemplated from the very beginning of the approval for Treasure Hill. The master plan approval specifically contemplated that Treasure Hill could have hotel type developments. Members of the public have questioned that. At the time of the approval of the master plan, as part of the approval the Staff report noted, "The building forms and massing as well as the locations of Treasure Hill lend themselves to hotel

type developments”. Although future developers of projects within the master plan had the flexibility to build a variety of unit types in different combinations or configurations, the likelihood is that these projects will likely be geared towards the visitor looking for more destination type of housing. So we will probably do that going forward when we find that topics get high-jacked or knocked off track a bit. Thank you for your time to let me talk about those.

So to get to traffic. I work on projects throughout the Western United States, and traffic is always a huge issue, especially for retail projects that I work on. And I find that the problem with traffic is that we all think we're traffic experts. We all drive cars. We all get stuck in traffic. Last week I was driving from downtown Salt Lake to my home with my 91-year-old father. It's a drive I take sometimes multiple times in a day, but six or seven times in a week. He doesn't drive. And during that ten-minute trip he told me numerous times which way he thought it was best for me to get from point A to point B. And like a dutiful son, we went his route and it took us a little longer than it would have taken because I feel like I know it better. But we all think we're experts. The emotional response, which we all have to traffic, is not a fair basis for evaluating traffic for a project. Traffic needs to be evaluated based upon scientific criteria; not based upon emotions. Not based upon emotions when we're not going as far as we want to go because we're stuck in traffic.

Before I turn the time over to Gary, I want to read to you from the 2014 Park City General Plan, the Number One Goal. “Our community is faced with the decision of how the City should grow in the face of development pressures. Simply saying no to development and re-development is not an option in light of the development agreements, master planned developments, re-development area, and development rights allowed by the current zoning. The current estimate is that at least 3,444 residential unit equivalents, and 2,557 commercial unit equivalents remain unbuilt within Park City's limits. These numbers indicated that Park City is only 73% built out for residential development, and 43% built out for commercial development. This is continuing in the quote, “Simply stated, there is a significant amount of growth that is yet unrealized within the City”. Treasure Hill is less than 1% of that remaining growth.

So let me introduce you to Gary Horton. Gary has more than 20 years experience planning and analyzing traffic engineering projects. Gary's traffic engineering experience includes transportation master plans,

interchange analysis, corridor studies, large scale developments, travel planning, forecasting, alternative analysis, traffic signal design, intersection design, phasing and timing. His knowledge in the methodologies and applications of traffic analysis, his experience, has been gained through experience, and a variety of analysis, and a modeling software. Gary has put together a report that was part of your packet. I'll know turn the time over to him to summarize the materials for Treasure Hill's traffic.

Gary

Horton: So, I'll give you my background on this project. While at a previous firm, I have completed tra-, the original traffic study and the subsequent addendums that I'll summarize here over the next, hopefully, five to ten minutes. I'm going to try and keep it brief. As I go through each one of those, if you have questions or you'd like me to elaborate, I can. But I know that information is available to you, and I don't want to repeat something that you might have already heard.

First and foremost, I always like to make sure my audience understands. As Shawn had mentioned, there are standards and engineering standards and practices that are used to create traffic studies. And I always like to make sure that my audience is comfortable with what those general methodologies and practices area. And if you want me, I can go through that. It's a two-minute exercise, but if you feel comfortable I'm going to go right into the first study. I'll leave it up to your discretion. I just want to make sure my audience is aware that I'm not jumping.

Commissioner

Phillips: I'd like to hear that.

Commissioner

Joyce: I was going to stay. I'll, I'll stand up. Sure, go ahead. Two minutes.

Commissioner

Suesser: Two minutes. Yeah.

Gary

Horton: Okay. All right. So a typical traffic study when a proposed development comes in. I tend---I meet with the City or the approving agency. I identify, based on the size of the development, what they think are the potential impacted intersections and roadways. Everybody knows traffic can go on

for a long ways, but there is a limit to every study that we try to define. At that point, we go out and gather traffic counts at those intersection and--- intersections and roadways; typically in the a.m. peak period and in the p.m. peak period. We then analyze those intersections using traffic modeling software, and there's a variety out there, to determine a level of service for those intersections. Typically, our roadways are driven by the intersections. Intersection---the intersection is generally where the stopping occurs, so that generally drives how well the network is functioning. So when I say we analyze, it typically focuses on the intersection. A level of service is given from a level of A to F. Just like school, A is a good report card, meaning traffic flows freely. F means we're failing, and there's a lot of congestion and there's a lot of waiting around to get to where you need to go.

So after you do that existing analysis, then we determine what are the trips that are going to be generated by the project. It is not just my assumptions or guesses. There is what's called an Institute of Transportation Engineers Trip Generation Manual. They've been around for at least 30 years. They're updated every five to ten years. What they do is they go gather data. And I'll give you an example of a general office space. They'll gather data on the size of the building. How many cars are leaving in the a.m. peak period, and then how many are arriving in the a.m. and leaving in the a.m.; both in the p.m.---sorry, back up. In the a.m. peak period they will gather information on cars entering and also cars leaving. Same thing in the p.m. peak period; cars that might be entering and cars that might be leaving. They do that on a wide variety and a large area. So when a development comes along they have everything from retail to, you know, you name it, sports facilities. You look in that book and it give you based on the data over history, how many trips are going to be generated from a specific type of development. So you take those trips, we then assign them to those intersections in the study area based on the similar traffic movements that were found in the existing counts of most of the car are going here, and based on where the development is and where we feel vehicles are going to go. Then you combine existing traffic with a project generated traffic, and run another analysis and determine what the level of service might be after the project is built and occupied. At that point, then you also look at potential recommendations to keep the intersections and roadways functioning in an appropriate manner. So that's kind of a basic traffic study. There are a lot of other things within that, but that's kind of the two to three-minute synopsis of

how you create a traffic study. There is not just anybody's own opinion of how things are done. It's all based on facts and---

Chair

Strachan: Can, can you say those last three again?

Gary

Horton: The last what?

Chair

Strachan: Yeah. After you guys do a trip generation calculation based on the established publication, then what are the next steps?

Gary

Horton: Sorry. I'll slow down. You take those trips that are generated from the development, you combine them with the existing trips, so the counts that were done previously, to identify what would be the anticipated trips at the intersections in the roadway if that development were built. After you do that, you run the analysis again with both existing and project generated trips. And with that you can find out if the level of service has changed, if it remains the same, what might need to be modified to keep the intersections and roadways flowing in an efficient and appropriate manner.

Commissioner

Suesser: I have a question. I didn't hear you mention anything about weather conditions or pedestrian traffic. Are those contemplated in these studies?

Gary

Horton: Once again, that's like a two-minute synopsis. So there are a lot of things that are not within that. Pedestrians can come into the existing traffic counts. So, depending on the number of pedestrians, we will count those because they generally control, especially at signalized intersections, how long a signal needs to operate because they time those for those people who are handicapped that need to cross that specific intersection. So yes, in a certain---

Commissioner

Suesser: And weather conditions are factored in?

Gary

Horton: Weather conditions not always. Only because you can never determine what the weather conditions will be in any given scenario. If you're trying to generate an industry standard, it's hard to say, you know, or snow, there's a lot of subjective. How well is it snowplowed, when it is snowplowed, is it half an inch of snow, is it rain, is it, you know, hurricane. You know, so weather conditions aren't typically factored into it. Are they definitely a factor in the ability to move, yes, but not---

Commissioner

Suesser: In a mountain town, sure.

Gary

Horton: Yeah.

Chair

Strachan: And so is there any like publication that you have that has these steps and explains them?

Gary

Horton: I'm not sure. I'll look into it and, and respond to the Staff if I can find it.

Chair

Strachan: Where, you say everybody follows these steps. Like where did you learn them?

Gary

Horton: Growing up in---being a traffic engineer in the industry. UDOT has standards of what they like to see. A lot of municipalities actually generate a, "here's what we want to see when we have a traffic study". I'm not sure if Park City has that. Sometimes you want to bend it to what the development is, as well. What you want to see. Because there are, like I said, that's the very basics of it. There are other things that could be added into it.

So, with that synopsis, the---I'm going to run through the studies and the subsequent addendums that I created as part of this project traffic analysis. So, back in 2004, July of 2004, we complete this study, similar to what I just explained. There's some additional details but I won't bore you with them. The, the analysis that came out of it was the p.m. peak is definitely the most critical time frame. Generally, we try to determine if

a.m. or p.m. creates the larger concern. In this area, p.m. peak is the larger concern. There were two intersections that became of significant concern, and it's the Park Avenue/Empire Avenue intersection. I don't think it's a surprise to anyone. Existing conditions, there became Level of Service E, so that's a significant level of delay just under existing conditions. And that was in 2004. And then the other intersection that under existing conditions created concern at times was the Em-, Silver King/Empire intersection. That got to a Level of Service D under existing conditions. When you add the project, Treasure Hill project generated traffic to it as well, they still reach the same Level of Service, E and D, at those same intersections. So, the project didn't change the level of service or the general effect that most people would feel when they're driving through those intersections. And that was during the winter p.m. peak.

Commissioner

Thimm: Can I ask a quick question here?

Gary

Horton: Sure.

Commissioner

Thimm: So you are reference traffic counts, p.m. being the most concerning in 2004.

Gary

Horton: Correct.

Commissioner

Thimm: We're sitting in 2017. And so would you say that a number of years have passed and we should be relooking at this freshly?

Gary

Horton: That's actually my summarizing comment that---yes. We, yeah. That's one of the things we anticipate doing. Hold that thought, though, and I'll, I will get to it.

Commissioner

Thimm: Okay.

Gary

Horton: But yes, we are anticipating doing that, to answer the question.

The other intersections that were identified that need to be studied in the area all operate at a Level of Service A or B. So, very free flowing, both in existing conditions and with the project generate traffic as well. So, they operated very well. Basically, Treasure Hill had minimal impacts. The major impact to the intersection, no surprise, is the day skiers. That outlet from the day skiers is a significant impact to the intersections and mobility around the area.

So shortly after that, Addendum Number One, it was simply identifying what wayfinding signs to help motorists direct them to Treasure Hill where those should be placed. Most of those locations already have some type of wayfinding signs. That was in essence like a two or three-page addendum just to identify those. So, I'm going to focus on the more important addendums.

Number Two, so as I mentioned, the original study was done in the summer of 2004. And I mentioned that the larger concern, there's a big peak, as everybody knows here, between summer and winter. Winter is definitely our peak. So we went out and gathered traffic counts during the President's Day weekend to identify what was the real traffic versus what we projected it to be. The original was projected based on hotel basing or hotel housing in June. So we looked at it and I think it was like 50 or 40% were available in June. And then we looked at those numbers, what they were supposed to be in February, took an expectation of what they should be, the traffic numbers should be. So, that was a guess in that past summer. So in February of 2005 we went out and counted on Presidents Day weekend.

The other thing to note, is in traffic up here in Park City, there are two weekends that are significant peaks where we have the most traffic; Christmas week and Presidents Day week. So, to be conservative, to make sure we were capturing that peak, we went and gathered traffic counts during the, that time frame. I'm not going to bore you with all the numbers, but if you look at these, the actual compared to the projected, in every situation I think except one, the actual counts were significantly lower than what the projected counts were when we did the original study. So even when I talked about those Level of Service with work, with

existing plus project, actuality, it was even less cars out on the road than what we had thought there would be.

Planner
Astorga: Gary, can I interrupt you right now? I apologize for this, but I think on page 202 there's a typo.

Gary
Horton: Yes.

Planner
Astorga: Okay. So it was, it's the number we see here, the 3868 for the Park Avenue/Deer Valley projected afternoon count.

Gary
Horton: Correct.

Planner
Astorga: I just wanted to---

Gary
Horton: And I apologize. From that I had to take all these addendums and roll them down, but I, so I noticed my tables all looked different. So I tried to make them look the same and I did not transcribe that number correct. But if you look at the original report, those are the numbers from the original report.

Commissioner
Thimm: So where is the correction, again?

Planner
Astorga: The correct part, if I may, it's on page 202 of your Staff report, which is the Triton summary that was submitted. It is under the very first intersection, Park Avenue/Deer Valley projected. It has the number 2392 twice. That second number I think, Gary, please correct me, it should be 3,868.

Gary
Horton: Yes.

Planner
Astorga: Okay.

Gary

Horton: What you see on your screen is the correct number on my---

Planner

Astorga: I, I caught that, so I had that question for you.

Commissioner

Phillips: 3,868?

Planner

Astorga: Yeah.

Gary

Horton: That's what we projected it to be. And the actual counts were 3,503. If you, if you see what's on the screen, that's the correct one.

Commissioner

Phillips: Oh, yeah. Okay.

Gary

Horton: I apologize for that.

Commissioner

Phillips: Okay.

Gary

Horton: So as you can see, like in the next intersection at p.m. peak, we had projected 1,003 to be at the intersection of Silver King Drive and Empire. Actual counts were only 438 on Presidents Day weekend. So, in some cases significant. The next one. Unless, and once again, sorry, any questions on that. I'm rushing through this, but I'm trying to be respectful of your time.

Chair

Strachan: Yeah, what level---go back to that exhibit. What level of service would the Park Avenue and Deer Valley Drive be at, at 3,868 cars in the p.m. projected? What level of service would that be?

Gary

Horton: That's, they were reaching a Level of Service E during sometimes. That's the projected, that was the original study, so we found it to be E.

Chair

Strachan: All right. And then the actual, that would still be E?

Gary

Horton: E. Maybe a D. You'd still be bordering---it would still be a significant delay.

Chair

Strachan: All right. So, and is that true as you just go down.

Gary

Horton: Some of them---

Chair

Strachan: I mean, do they, does the level of service kind of stay the same.

Gary

Horton: The only thing that I---and we didn't go back and modify it because we found the existing problems, and Treasure Hill didn't really change it. So it was really an existing condition problem. But Silver King Drive might not have dropped to a Level of Service D. That's the only one because of the significant change in more than half off.

Commissioner

Phillips: So, can I ask you another question? So all these different levels, is there like a certain range of numbers of what is the trigger per level? Because I'm just kind of curious, are we at D-, D+, D? Are we right, ten cars away from the next, next letter?

Gary

Horton: So, there is a range of the---the letter corresponds with a range of delay. So typically we don't, in traffic engineering we don't say a D-, but I could say you're close to getting to E, and it could be an E+ versus a flat E. But it kind of projects a range of delay from like 15 to 25 seconds is B.

Commissioner

Band: So what's E?

Gary

Horton: I need to go back and look at the original study. I know it's in there but---

Commissioner

Band: You didn't bring the [inaudible].

Gary

Horton: I don't memorize it. I know I should. Apologize.

Chair

Strachan: Does it vary by study?

Gary

Horton: No. No, no. That is---

Chair

Strachan: That should be standard, right?

Gary

Horton: That is a standard.

Chair

Strachan: Okay.

Planning Director

Erickson: So, Commissioners---

Gary

Horton: So I can provide that.

Director

Erickson: The City Transportation Planner and the City Engineer are in the back of the room. I, I believe they're hearing your questions. And then when they prepare their reports based on this information. You'll have the ranges of level of service, you'll have the correlation co-efficients between the ITE studies and the actual trip generations. Because there are some ranges even in how many times ITE studies a particular use. So all that information will be given to you in, in the, in the review that's coming back from our team and the updated information coming from the Treasure Hill folks. That was the purpose of the meeting on Monday was to get to the

bottom of these technical details. So I appreciate you putting those questions out there. Both Alfred and Matt are taking notes furiously. Also, Julia, our new Transportation Planner. So, they're going to bring this stuff back for you and you'll be able to see it.

Commissioner

Phillips: We will, we will learn more, then?

Director

Erickson: You will know more about traffic than you want to know. And your math skills will improve.

Gary

Horton: And I do know, some of those are in the original study. I just, for space sake, I didn't, I tried to summarize. Tried to catch the highlights.

The next addendum. Sorry, it wasn't an addendum. So after that, back in 2005 the City retained a third independent party consultant to review the traffic analysis that we had completed at the time. And I'll let you read for yourself exactly, that the third party consultant found that our conclusions on our results were in line with what they found as well.

Moving on. Addendum Number Three. So we jump a few years. That was in 2005. We jumped to 2008. Addendum Number Three was regarding sidewalk improvements. There was brought to, the, brought to us the concern regarding accommodations for pedestrians. So this map, and it's in your packet, I'm not going to go through all the details of it, was our recommendations back to the City with the understanding it is the City's roadway. And I didn't feel like it was our right to tell them what to do, but these were recommendations or options that they could consider to improve pedestrian accommodations in that area.

Addendum Number Four. There was a refinement---in April 2009 there was a refinement in the project, so they asked to complete a modified trip generation. This one, once again, identifies with the changes that were made. There was an actual reduction in the trips that would be generated from the project. Not significant, overall. Minus---less than 28 entering, plus three leaving, so a net change of 25 reduction. And in the p.m., zero more would be entering, but 15 less would be exiting.

Addendum Five was a parking generation study based on that modified, the modification to the land use and to the project in June of 2009. A couple things I want to point out here. The, the parking identified, the parking needs identified from this addendum are less than required in the Code. Significantly less. And it's always a concern that an appropriate amount of parking is provided for the amount of development. Sometimes there's a confusion. If we don't--if we remove parking, somehow it will remove trips. Not always the case. There is still a need for people to get places. If I can't take, if I need a car for whatever reason and I was living on the site or whatever, and I want to get to Smith's or whatever may need to be. If I don't have the means to get there I have Uber, I have taxi, I have other things, which would in essence add to the number of trips, because a calculation from our trip generation is I'm going to go to Smith's and then come back. A taxi could end up coming, going, and dropping and leaving. So it could actually double some of the trips.

Another thing I wanted to point out is in this parking study we also identified that there are times that Cabriolet would be used. But because the Cabriolet is used doesn't mean I don't need a parking spot; because if I live on site I may need my car to get there, but I may choose to go to lunch using the Cabriolet. But that doesn't mean the parking spot still isn't necessary. So, a reduction in trips doesn't always equate to a reduction in parking. They're two separate needs and two separate demands. That was, in essence, what Addendum Number Five was about.

Commissioner

Thimm: So, so if we kind of ferret through the numbers, it talks about the raw parking data, as well as the reduced parking data. Is the presumption then, that the absolute parking need would be the reduced parking data on weekend, the 435?

Gary

Horton: We found, yeah, during the weekend, I think, 435 is the parking that is necessary to facilitate the needs of that development. Of this development.

Planner

Astorga: And if I could, if you could clarify, Gary. When you said the code that was utilized for this, that was an ITE Parking Generation Code. It was not the Land Management Code or, or it, it was---could you please speak to that.

Gary

Horton: Yeah. No, this was a Land Management Code, what typically would be required for this type of a facility.

Planner

Astorga: So this was the 2004 Land Management Code.

Gary

Horton: Correct.

Planner

Astorga: Regarding parking ratios.

Gary

Horton: Correct.

Planner

Astorga: Thank you.

Gary

Horton: Correct. Addendum Number Six was a request from the City to look at shifting the traffic from Empire to Lowell. And we ran an analysis. Bottom line, you take the traffic that would potentially be on one road and move it on the other. There was a decreased delay on some and an increased delay on others. But they still operate on an acceptable level of service, but that was their request and that's what was found from that study.

The---almost done. The other item I want to point out, not our addendum, but a study was done by Interplan for the anticipated Lowell project. In April of 2015 they produced their results. That, those results included the Treasure Hill project along with the anticipated what potential would be built at Bamberger. And the results of those, or the conclusion of that study was that Lowell had sufficient capacity to handle the needs of both those projects and existing with the cross section that's shown here, which replicates the Master Plan, or the Transportation Master Plan.

So, in summary, what was found from these, the original study and the subsequent addendums, the major challenge to traffic during the p.m. peak is the day skier and the leaving of that day skier. They generate a significant demand on the network. If you account---if there's a means to account for the day skier, there's definitely sufficient capacity not just for

regular traffic, but also for Treasure Hill. And as I mentioned before, Commissioner Thimm, is we are going to gather traffic counts once again on Presidents Day weekend of this year. We want to make sure that comparison was apples, to apples, to apples. So we gathered that Presidents Day weekend back in 2005. We want to make sure we gather them again at that same time frame in 2017. So that is, along with some of the other conversations we've had with Staff, that is one we already had anticipated doing a couple of months ago.

Chair

Strachan: Great. Hey, Francisco, where is that 2015/2017 Interplan Traffic Study?

Planner

Astorga: That study was commissioned by the City Engineer's Office. He can come up and speak to that. We just simply have placed hyperlinks to the 2011 Transportation Plan. That's where that exhibit comes from as that, that street roadway cross section comes from.

Chair

Strachan: But not the whole report, right?

Planner

Astorga: The whole report, no. But we can, we can certainly include it. I believe it is public record. I don't know if Matt is coming up or not, but we can place it in the future or---

Chair

Strachan: Yeah, that would be good to have. I'd like to look at that. All right. Anything more from the applicant? My plan was probably to have Matt come up and talk about your meeting and address, at least in part, some of the things the City is going to look to you guys to provide in order to update some of these traffic numbers. So, unless you have anything more to add, I'd like to hear from Matt.

Gary

Horton: No.

Chair

Strachan: Okay.

Gary

Horton: Make a correction to something I said, because my math was wrong. Bruce is going to help me with my math going forward. When I was talking about the residential and commercial development left, the 1% tied to Treasure Hill is for, is for commercial. The residential strictly tied to Treasure Hill is 7% of that remaining category of unbuilt development. So I just wanted to clarify my mis-statement there.

Chair

Strachan: All right. All right, yeah. Good. Alfred, thanks for coming up and chime in where necessary. I know you guys had kind of a lengthy meeting on Monday, so I look forward to hearing what you can expect.

Planner

Astorga: Before we let, before we let Mr. Matt Cassel and possibly Alfred Knotts, speak to some of the information that we've been discussing with the applicant, we do want to say that we created a list of information, and we haven't fully received an answer as to if 100% can be accomplished. So we just wanted to indicate such. And I think that Matt will go over some of these components that Staff would like to see.

City Engineer

Cassel: Good Evening. Matthew Cassel. We came up with seven additional pieces of information we needed. And I apologize. As we put this together we wrote it in engineering-ese, so I may have to explain some of the stuff. So I'll read it and go from there. First item talked a little bit about, which was providing updated traffic counts as submitted counts may be outdated. They need to be updated in order for the modeling to be adequate. Gary had noted that the two most important periods where we see what we call our peak/peak traffic periods as Christmas and Presidents, we have Presidents holiday. And the collection of information they had prior to Presidents holiday was in the summer and they tried to correlate it back to those periods. We recognize that's sometimes a difficult endeavor because it's easily picked apart, and once you pick data apart the modeling and the other information you're trying to achieve goes away. So we know that information needs to be a lot more real. And taking information from 2004 and trying to correlate it to 2016 can be difficult, especially since we've gone through recession and now we're coming up through some, what I think are peak periods and traffic movements. So, that's one of the first things we need to see is, is go, get

out there and get a feel of what's out there today and, and use that information so we can better understand impacts from today forward.

One of the things I think that we need to see a better idea of is, demonstrate how a traffic model needs to consider cumulative future developments.

There's a lot of things happening at PCMR, Lower Park, Treasure; and all those influence the intersections, the roads, how people move and where people move. And what we're struggling with is that as Treasure looked at the road network, they looked at how their individual project impacted the roads. And sometimes the cumulative effect is, is an important element in that Treasure will cause an increase in traffic, will cause intersections to start to get close to failure. But if you put all the other things that are happening, built out and things like that, Treasure may be the catalyst, may not be the catalyst to take it to a failure where then something has to happen to mitigate it even more than, than what's proposed. And so that's a difficult piece in trying to figure out cumulatively how Treasure and everything else that's going on impacts our road networks. And the reason we want to look at it cumulatively is, not to say that Treasure will be responsible for 100% of everything, but we need to sit there and understand, you know, is this their problem, is this our problem, is this PCMR's problem. Whose problem is this, and try to assign a percentage or ownership of that problem.

Chair

Strachan: And do you think you can reach a conclusion on that?

City Engineer

Cassel: I think it's, I think it's out there. And one of the things I think needs to be stressed, is that when we model, we're modeling in the world of theory. It's not an actual. It's not actual. And so it's trying to get a feel based on information we've had in the past, looking forward to the future, and trying to guess where we're going to go with everything that happens. And so it's very difficult. We have a 2011 Master Plan that's already time for it to be updated. Usually about every five years. But being the first master plan, it's good but it can get better. If this was a third or fourth iteration, we have a ton of confidence in whatever master plan we have as being, giving us a better answer of what's going to happen. But that's the whole goal of it, is try to look into the future without knowing what's going to

happen in the future, and protect what's going to happen, and mitigate and/or build to address what's going to happen.

Commissioner

Joyce: One, one of the things that I was concerned about, we saw a proposal back when, well, kind of the pre-Vail days when it was Powdr Corp. and they were bringing the Woodward School in. And we started getting into the General Plan there, and the consensus, I guess with what the City was working with Powdr on and has kind of still got a hand out to Vail with this, was to basically move all the lower parking lot up to the upper parking lot and build a parking deck and a bus transit center. So all the things we're talking about right there at Manor Way and Lowell and Manor Way and Empire, is all of sudden we're, we're bringing a bunch of traffic up the hill into that spot and concentrating it. And so, I would assume when you're talking about, you know, kind of future things, it's not shear volume. It's that it's not in the same place it is today. I mean as soon as, assuming they build that out the way it is in the master plan. It's pretty specific what's in the master plan. All that parking is now up in the upper lot.

Transportation

Alfred Knotts: And that's how you would do the methodologies. You would take all the entitled projects that are within that sphere of influence and put those into the model. So that would be things that are entitled right now. So, that would be PCMR, PCMR development, it would be lower Park Avenue. The densities are all approved in there. Those would be all the inputs that Matt was referring to. And then you can see when does it fail. So, when this project comes online, or any other project, and then the other project does get approved and the other trip generations are analyzed, then you can see when that trigger hits to F, E or D at that time.

And as Matt mentioned, too, that's when you look at the, what type of appropriate mitigations are required. Is a roundabout required at Silver King and Empire right now? Maybe not. We can be able to analyze that. But when the other projects come on, that would be the trigger of when you construct that type of mitigation.

Commissioner

Joyce: And so the, the other one I just saw for the proposal being done down at the Canyons site from Vail, is that Vail is project five, roughly 5% increase in skier visits year to year for the foreseeable future. Would that get included in that as well? I mean, because that's not, that's not tied to a

development, but that's a planned increase in occupancy and everything else.

Matt

Cassel: That would be, the hope is that when we look at the accumulative effects, we look at kind of the business models and, and the goals of, of the ski resorts and what they want to do.

Commissioner

Joyce: Okay, so it's not just construction? It's---

Alfred

Knotts: It's a, it's a difficult growth rate which does average, depending on the economy. And a lot of times when you see the economy go down you see VMT and traffic volumes go down. But at a typical progression, you usually see a three to five percent growth rate. And that's something, you know, that we're always looking at. We're going back out and getting traffic counts and recalibrating to see what those numbers that were projected are actually reflective, reflective of reality.

Commissioner

Joyce: Okay, thank you.

Matt

Cassel: Item Number Three. I said there were seven. Item Number Three is, you talked about this a little bit. Determining if the traffic studies use now outdated ITE Manual ratios. They need to be simply updated for adequacy. So ITE is to traffic engineering, as Gary had mentioned, has numbers they put out on about five, four or five-year basis, updating based on their research. And so those numbers change and we just want to make sure we're using the most recent addition.

Item Number Four, I think is, I'll read it first. "Provide specific information regarding the reduction of trips based on a proposed Main Street Cabriolet and hours of operation, capacity, weather considerations like, [inaudible], wind, etcetera, employee transportation parking and are there satellite parking options available.

As we were talking in 2009 and moving forward in that discussion in 2009, that's one piece I don't think ever got to the point where there was comfort level as how the Cabriolet and how employees were going to be handled.

It could be very beneficial to the project. It could be detrimental to Main Street. Without any additional information, really, outlining how that Cabriolet will operate, who it will operate for, how employees will be handled, where they will park, how they will be moved to the site and moved off the site, it's very tough to understand if it will create an effect or cause problems elsewhere in the City. And so that's one of the elements that we have asked for is to better flesh out the Cabriolet and how it's going to operate, and how you're going to manage and handle your employees.

Number Five was, "Need to be able to confirm how vehicle trips are being converted into pedestrian trips". And that one comes from---in 2009 we started talking in great detail about a sidewalk being on the downhill side of Empire and uphill side of Lowell. And as we move forward, and if this was the Fall of 2017, Lowell would be built and there would be no sidewalk. Empire has been rebuilt and there is no sidewalk. And we were operating in 2009 without a vision of where we wanted our streets to go. The 2009 discussion was kind of the, the one that really got us thinking that we do need a master plan to give us guidance of where we wanted to go so we would think these things out fully. And one of the things we realized is, because of the unique characteristics of Park City and the slopes and the hills---the standard in most towns is that a quarter mile isn't a reasonable distance that people walk to get to and from places. And now we're talking about a development that's on a hillside that's even steeper. We have people on Main Street that can't make it up and down Main Street without using a trolley because being out of town and not used to the altitude, have a difficult time walking. And now we expect people to walk to and from Treasure. And so we just need to have a feel of whether it's reasonable to convert vehicle trips to pedestrian trip. And if so, it is, and if not, then we need to look at that a little deeper and make sure that that's being handled, either on the Cabriolet, better pedestrian facilities, or how we handle that.

Number Six, Traffic Models Need to Have Different Scenarios; 100%, 70%, 50%. One of the things that Park City Mountain Resort is doing is, and this is just as an example to give you, give you a sense of what we're talking about here, is on a usual weekday in the middle of February, in a non-peak period, employees for the most part are probably parking up on Park City Mountain Resort and just walking to work. During Christmas, during Presidents weekend, during Martin Luther weekend, the Resort requires them to park off-site and provides busing transportation to the

site. And they are strictly forbidden to park on-site. And so Item Number Six is really in that line, which is, you know, there's going to be peak periods, Christmas, where it makes sense that employee parking should be not on site. And what is that trigger that we can put in as part of a mitigation plan, part of the plan for Treasure that would make it a requirement that on certain dates, certain times, certain peak periods, employees are most definitely not allowed to travel to Treasure. So that's, that's, want to look at, at the modeling and looking at different scenarios. It helps us understand as we try to break things down, how to manage and how to create mitigation measures that work and are not just put on a piece of paper. It's stuff I would think would be better to be able to manage.

Alfred, anything on that?

Alfred
Knotts:

That, that is a component of it. We want to be able to monitor these mitigation measures. You know, when we do have these assumptions that we'll bus in 50% or 100% of our employees and that will reduce X amount of trips, how are we going to be able to track that to see if it's actually working. And that's the component we've also talked about is having an annual mitigation and monitoring reporting requirement, also. That there might be additional triggers if things aren't working. If certain incentives or disincentives aren't working, then we go and do an additional level of mitigation. And those are enacted at a certain level. So, when it's a 50% modeling effort, maybe, you know, all the employees can park on site. We're always trying to reduce the trips, but maybe there's still that capacity there. But we want to be able to have these triggers in place and certain mitigation measures at certain levels of service that the resort or the hotel will be operating at.

Matt
Cassel:

Then the last one, Item Seven, I'll let Alfred talk about it, but it's, "Are there transportation demand management strategies being proposed".

Alfred
Knotts:

Yes. And a few months ago we did adopt a Transportation Demand Management Plan. So we do have an adopted plan by the City. It does have very prescribed mitigation measures or strategies that you can expect to have reductions based on the TDM Strategies. Since we have adopted this plan, we did develop this plan and it is supported by policies

in the General Plan, also, to have a TDM plan and strategies. We would like to see start to be incorporated into all of our projects, and this being one of them as well.

So, I think, you know, what Matt was speaking to and what we really want to see is more specificity in what's that mitigation. An example would be the Cabriolet. Well, the Cabriolet will, you know, take guests down to Main Street. Well, is the Cabriolet going to operate until 1:00 in the morning or is going to operate until 9:00 in the evening. If it operates until 9:00 in the evening, people are still going to tend to, to drive their car because they know they can't get back. You can see that happening right now at the Canyons. It operates until 7:00 p.m. People know that they can't get up in the bus past 7:00 p.m. by the Cabriolet. So it doesn't have its maximum efficiency, and we want to see that very well defined on how these things will operate.

Matt
Cassel:

So those are the seven items we had sat down and discussed with the Treasure people. I mean, they are all over the place, but what we're doing is looking at the information provided and, and trying to round out that information so we can get a better understanding of that information, plus what we've asked for.

Chair
Strachan:

And is that all you need? Do, do you feel like you can do the analysis you feel is necessary with that information, or would you like more?

Alfred
Knotts:

Well, the, the first request of updating the model with this project, the other projects in the area, will give us really what the total trip generation expected based on these land uses are at, at full build out. And then as we go down the list, the idea is, you know, what these assumptions are, we've built in these mitigation measures, we've built in these other project elements, then we can actually see what those reductions are---should be accounted for. You know, whether it's a 10%. If we say 100% of the people are going to arrive or employees are going to arrive by the Cabriolet, like Matt said, well how are they getting to the Cabriolet. You know, there's an impact probably down at Main Street that wasn't identified or analyzed also. So I think if we have all, what the full impacts are into this model, and then we can apply mitigation measures and project elements to improve the project, then we can actually quantify

what those reductions are and feel comfortable about what those levels of service are for this project and 20-year. When we, when we talked about the three to five percent growth rate, we can look 20 years down the road, also, and see what those impacts are also. So I think if we get the model updated to account for all those cumulative impacts, then we can start to whittle away at what the, the actual mitigation is.

Director

Erickson: Right. So there's, there's a couple of factors here that I want to bring forward. First of all, these seven items were a synthesis of the review of mainly the 2008 and 2009 Planning Commission Minutes that you have in your packet, and all the information that were requested by the previous Commissions. They were then synthesized down by the experts, Alfred and Matt, into something cogent. And they've been presented to the applicant. All right. The applicant gets an opportunity to respond. How much information, how much information has already been out there. So whether or not all of the information comes back in, that's a question outstanding. When that information gets back and our folks and, and the applicants have an opportunity to evaluate that information and deliver it succinctly to you, there's a timing component in this one that I don't think we can answer right now. But that's where that list of seven came from and, and how we got there, was mainly the 2008/2009 Planning Commission Minutes, and then our review of those things. So, know that it won't happen by next month.

Commissioner

Joyce: Could I maybe throw a potential eighth out on your, on your work list?

Matt

Cassel: Sure.

Commissioner

Joyce: Not that you don't have enough, but for the same reason that you have concerns about employees and employee trips and where they park and how they actually got there and everything, and what, what kind of alternatives there are that can be provided. I have the same concerns for the commercial space. I mean, we originally started with 19 UEs of commercial and we're now up, you know, we've added tens of thousands of more support commercial. And I think from a trip generation and parking standpoint, it was kind of written off as the commercial that's part of Treasure is there to support Treasure, which would mean, you know,

somebody who is staying there eats there or shops at the store or whatever it is. I like that concept. I've never seen that anywhere else, certainly here in Park City. I mean, if you look at the St. Regis or the Montage, or Hotel Park City or whatever, I mean, they all have restaurants, they all draw people in. They all advertise in the paper, come to our spa, come to our restaurants, come for happy-hour and all this kind of stuff. And all of those were kind of put in place for the same thing, which was its here to serve, you know, that particular hotel or establishment, whatever. And somewhere along the way that goes away and stops working that way. And for business reasons they're trying to fill their restaurant and fill their spa and everything.

So I guess I'd like to see either a plan that really addresses in a different way than we've seen before, how you're really, really honest to God going to limit commercial to Treasure, or I'd like to see parking and trip generation that's matching what's currently in there. Because basically, right now it almost all just kind of gets written off as they don't need to park because they're all there already, and they don't need trips because they're all staying there already. And quite frankly, I can't, I haven't see that work and I haven't seen a plan that makes that happen yet. And I've seen evidence from all the other places that that's not what happens.

Alfred
Knotts:

And this is, essentially what we were talking about was the most mitigation monitoring to make sure that there is effectiveness monitoring that is put on by the applicant and the developer.

Commissioner
Joyce:

So I want, I want to see that beforehand, whether it's part of what you guys do or not. I mean, we've got 50,000 square feet of commercial in there that essentially doesn't have parking or trips. And if you don't build the parking when you build the underground parking, you're done. You blew it, you know. You don't get to go back and dig deeper or something. Or at least I, I think they'd be unlikely to do that. So, I, I, I want to see all this worked out ahead of time. I don't want to see this be an annual review thing. That's obviously a way to maybe fine tune or mitigate things, but if the answer is, you know, they're filling up 50,000 feet of commercial with outside people, all our numbers are off. Way off. I mean, that's big.

Alfred

Knotts: Yeah. No. And when I mentioned that we, we, the, the mitigation in itself would be very explicit and it would be very defined on how they would accomplish that. And then the reporting would be to see how that's doing. So it wouldn't be something that would be entered down the road, by any means. So it would be very defined at the time of approval. And then we would set up a mitigation and monitoring reporting program also.

Commissioner

Joyce: Okay. So, I, I would love for you guys to be comfortable. When we get to a---whenever the right point is, I'd like the two of you to be comfortable explaining to us why you think it, it really will be different than what we have at every other, you know, hotel, major hotel and everything in town now. So, and that could be that there's a good plan that you buy into and, and we're there.

Chair

Strachan: Or that it won't be different and so they've, you're requiring this in terms of mitigation from the applicant.

Commissioner

Joyce: Right.

Alfred

Knotts: Yes.

Commissioner

Joyce: One way or the other. Thank you.

Alfred

Knotts: Yep.

Chair

Strachan: Great. Mr. Cassel, anything further?

Alfred

Knotts: That was it.

Chair

Strachan: Great. Okay. I want to get to public comment as quickly as possible. Anything further from the applicant or Francisco?

Planner

Astorga: Nothing from me.

Chair

Strachan: Anything, any more questions from Commissioners before we open public comment. I'd like to go right into it. I know we've got a big agenda tonight, and I know the public's waiting. So---

Commissioner

Joyce: Can I do one question?

Chair

Strachan: Sure.

Commissioner

Joyce: Everything we're talking about for modeling and everything is kind of post construction. And at what point do we get into kind of the differentiation, this is more of, you know, all the work trucks and construction and storage and that kind of stuff, and how that's going to work. Because, I mean, we've been told this is a, you know, probably a ten-year construction plan or something like that, so it's not like this instantly pops up. Where does that fit into our schedule?

Planner

Astorga: It fits in within this portion of the review.

Commissioner

Joyce: Okay. Okay.

Planner

Astorga: Obviously, we're not ready to prepare today to talk about it, as this is an intro, but it, it's part of this traffic/transportation/parking six, five or six criteria that we've added together.

Commissioner

Joyce: I saw it there, and just for what it's worth, as I went through and read the, the long list of, you know, comments from Planning Commissions and Staff reports and all that kind of stuff, I didn't see anything in that list of things that we're talking about construction traffic, volumes, and special issues about construction traffic in snow and all that kind of stuff, and

which roads they would take. It all seemed to be addressing kind of post-construction day to day trip generation. So, I didn't see it in any of the stuff we were looking at other than just the CUP requirements.

Matt

Cassel: In 2009 we never made it to construction, and we started---at the end there started talking about snow and management of snow on Lowell. But we didn't make it to construction.

Commissioner

Joyce: Okay.

Alfred

Knotts: Yeah, and typically a framework would be to have temporary mitigation measures versus permanent mitigation measures.

Matt

Cassel: Correct.

Commissioner

Joyce: Okay. Thanks.

Chair

Strachan: Okay. Great. Anything else from Commissioners before we open public comment? All right. Let's open the public comment on Treasure Hill. And as we've done in the past, it's best that we focus the discussion on the issues of traffic. However, the applicant did have a couple of topics where he set the record straight. And so if the public wants to address that, this is certainly an opportunity to do so. I don't think we'll need to limit the time frame for each public comment, but I will say that if we get down the line and we're looking at an hour or more we'll probably take a break. So if I interrupt your public comment and take a break its no offense. We've just been sitting here for quite some time and, so that's why.

And with that, we'll open the public comment for the Treasure Hill CUP. Anyone from the public wishing to speak, please come forward and sign in.

Public Comment

Nikki

DeForge: Thank you for taking the time to hear us out this evening. My name is Nikki DeForge. I am an attorney with the law firm of Fabian VanCott, so yes, another attorney. Hopefully one maybe a little better looking, but maybe not. And I am stepping into the shoes of my colleague, Charles Stormont, who has gone on to bigger and better things, and in representing THINC, the, the non-profit group that is comprised of hundreds of Park City residents, business owners, and homeowners. And as you're aware, they're very concerned about the profound impacts of this development on the Park City community, and particularly the Historic Old Town community.

Before jumping into the traffic issues, I too, would like to, to follow Mr. Ferrin's lead and talk a little bit about what they've raised in their Exhibit B. Specifically two issues that they raised there, and those are the issue of limits of disturbance versus building area boundary, and also the issue of excavation and grading. Now in that exhibit, if you've had a chance to look at it, the applicant really very strongly attacks the Planning Staff's commissions---or excuse me, conclusions on both of these points, and unfairly so. And frankly, these attacks are, are really based on some mischaracterizations about what the Planning Staff actually concluded with respect to those two issues. So I, I just want to clarify that.

First, regarding the issue of limits of disturbance versus building area boundaries. The Planning Staff was absolutely correct in concluding that those cliffscapes and retaining walls in the latest development plans would be located outside the building area boundary. The building area boundary defines the area in which the permanent structures for the development must be confined. Now there's no question that these cliffscapes and retaining, retaining walls are permanent structures. There's no question that these permanent structures would be located outside of the building area boundaries, and in fact, on property now zoned as Recreation Open Space. That was the conclusion that the Planning Staff reached. Now instead, the applicant kind of gives us this little bait and switch and says, well, we're attacking these conclusions by casting this as an argument of limits of disturbance. And that really wasn't what the, the Planning Staff said. They, they said that rather than, again being an issue of limits of disturbance, it's a concern about the building area boundary. The limits of disturbance, as you know, defines the area

in which temporary construction activity may take place. Whereas, the building area boundary, again, deals with permanent structures outside the building area boundary. And these are two very different issues. So the Staff's concern with these cliffscapes and retaining walls being located outside the building area boundary has little to do with this issue of limits of disturbance, but instead with the fact that there, in fact, will be permanent structures outside of that area.

Now the applicant also argues about whether Sheet 22 actually marks the limits of, excuse me, actually marks the boundary of the limits of disturbance. But that, again, is not what's relevant here. That's not the issue. Rather, the Staff correctly noted that the line Sheet 22 reflects the boundary between the recreation open space designation and the developable land. And because those structures are located outside of that, that line on Sheet 22, that reflects building improperly outside of the building area boundary. Now, the applicant says, well, Sheet 22 was only intended to define the area subject to specific height limitations. Now even if that were true, which it is not, those height limitations are also expressly tied to the visibility requirements on page 11 of the original master plan. And these permanent cliffscapes and retaining walls outside of that boundary would also create tremendous visibility problems and is, therefore, contrary to the original master plan approval. Now regardless of what the line was intended to define in Sheet 22, again, the fact remains that that line accurately demarcates the boundary between the developable land and the recreation open space. So any permanent structures located outside of that line here, is outside of the building area boundary and is contrary to the master plan approval. So the Staff got it absolutely right in that regard.

Now about ex-, ex-, excuse me, excavation and grading. There, there's also a mischaracterization here. The Planning Staff did not conclude that the master plan contemplated no grading and no excavation. Surely there will be both for this project. Rather, the Staff correctly noted that the master plan did not contemplate this massive excavation and the complete regrading of the hillsides that we are seeing with this new plan. And that massive excavation and grading would permanently alter the natural slope and destroy the topography of the site in direct violation of CUP Criteria #15. So that is the concern there; both that it wasn't contemplated in the master plan approval, and that it is not, does not, it cannot really be mitigated under the CUP Criteria 15. And that's the

material point. It doesn't, it is, this is not what was approved 30 years ago and also does not apply with this CUP Criteria. Or comply, rather.

Moving on to traffic. This is not merely an emotional issue for the THINC members. There are factual and legal issues that must be addressed that the applicant has not addressed and cannot address. So we know that there's no updated traffic study from the applicant since 2009. They have referenced this 2015 study from the City, but they have not mitigated or resolved any of those issues that were raised in the older studies. And then additionally, every study, including this 2015 study, suffers from the same fatal flaws with respect to the current CUP application. They are based on what was approved for Treasure Hill in the master plan approval in 1985. And is, as Commissioner Joyce mentioned, that is not what they are seeking now. We are talking about first, 19 units of commercial. And now we're talking about 194 units of commercial. So this is under counting the commercial space by a factor of about 20. This 2015 study is based on 19,000 square feet of commercial. The current plan calls for something closer to 194,000 square feet of commercial with this additional accessory space. The 2015 study is based on a total developable square footage of 413,000 square feet, while the current plans are for 771,000, if you exclude the parking area. If you don't exclude that, you're over a million square feet in developable square footage. So none of these studies actually reflects the true impact of this currently proposed development on Park City and on Old Town.

And none of these, as the study clearly indicates---incidentally, the, the fact that these, these traffic studies that the applicant directed its engineers to do the studies based on 19 commercial also is very instructive to the fact that now they're claiming they get 194 under those same approval plans. If they thought it was 19 back then, why do they think it's 194 now.

The second problem also, I think, highlighted by Commissioner Joyce, is that even just 19 units of commercial would generate traffic going to and from the site in violation of the master plan. Imagine what 194 will do. Now in paragraph three of the master plan it mandates that, quote, "All support uses shall be oriented and provide convenience service to those residing within the project, and not designed to serve off-site or attract customers from other area. Yet the traffic studies that we do have, even these older ones, they project traffic coming off the site to the onsite commercial uses. And even the applicant conceded in that January 6th

letter in Exhibit E, that the project will indeed draw and serve off-site customers from other areas. The best they can say is that only, quote “a large portion of the visitors to the support commercial areas will be patrons, residents, and employees”. But even this is not compliant with the master plan. The master plan said it cannot be designed to serve off-site customers or attract them to the site. And in fact, their traffic study shows real off-site traffic to the project, and this will absolutely hurt historic Old Town and Main Street.

Another point mentioned by Commissioner Joyce that I want to highlight is this issue of construction traffic. None of these traffic studies deal with that at all, and paragraph nine of the master plan says that at the time of conditional use review approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans. All of this is required in the master plan to ensure that the construction traffic impacts will be minimized. And because the applicant has not provided any of this detailed information, the Planning Staff cannot evaluate at this stage. Hopefully that will be provided. And not just hopefully. It must be provided under the master plan approval

Similarly, the section on traffic in the master plan states that in order to evaluate impact, traffic impacts, including both construction and future automobile demand, many related issues also come into play, such as efforts to minimize site grading and waste export. Yet, with respect to site grading, excavation, and waste export, the current plan bears no resemblance to what was contemplated in the master plan, as we’ve already addressed, and also these, the traffic impacts simply cannot be adequately evaluated under the CUP criteria without that. So all of those issues as well have to come into play now at this stage in the traffic. We’ve got to know about the excavation plans, we’ve got to know about the grading, all of that in a detailed way in order to evaluate the CUP criteria, and in order to comply with the master plan.

The fourth point that I want to highlight for consideration as we go through this traffic, this traffic evaluation process, is that the so called traffic solutions that have been proposed to date actually create more historic design problems. In the applicant’s 2008 third addendum to their traffic studies, it states as follows: “It would appear, based upon comments presented at the Planning Commission, that the City has a need for roadway widening with pedestrian and parking snow storage enhancements. However, local residents and the desire for a specific Old

Town ambiance conflicts with such improvements". Again, Old Town ambiance conflicts with such improvements. So the master plan also requires that all buildings shall be reviewed for conformance with Historic District Design Guidelines and related architectural requirements. So off-site mitigation of historic streets and neighborhoods to accommodate new traffic flows is not true mitigation. It simply creates greater non-compliance issues and impacts as the traffic engineers themselves concede. The solutions to traffic problems created by this project cannot come at the expense of Park City's Old Town ambiance. Both of those factors have to be met. One cannot be used to offset the other without creating more problems with the master plan approval and with the CUP criteria.

As for the pedestrian off-street parking, snow storage enhancements to Lowell and, and Empire, there's still, there is no solution that's been proposed. And anyone who's driven down those streets knows that they cannot accommodate the necessary construction for massive excavation and the vehicle traffic that will come from this development, particularly in the middle of winter.

In 2009, the applicant proposed to mitigate traffic on Lowell by adding four to five foot sidewalks to address pedestrian safety concerns. But as we've seen today, that's not in the works for Lowell. There, there are no sidewalks there proposed, and even the, the width of the traffic lanes don't accommodate two cars passing one another. So these issues are very real and have not been addressed in any way. And we need to focus on that as we go forward.

In summary, until the applicant provides current traffic studies based on their current plans, and provides all of the additional details and information that is required by the master plan, the Planning Commission cannot simply accurately assess the true impact to this new proposal on traffic and related issues. What we do know is that the applicant's current plans do not comply with the master plan criteria and approvals in regards to the traffic related issues. And they do not successfully mitigate the traffic related criteria for a conditional use permit. And keep in mind that this is not just an issue of what percentage of total residential development or commercial development is taken up by this, this proposed development. What is critical is the location of this development in the middle of Historic Old Town and on, and, and---that will be accessed by these historic old streets in historic old neighborhoods. The

development that might take place outside of historic Main Street in Old Town is a different story. And we have no idea what percentage of what's left to be developed that will impact directly Old Town is, is going to be brought to pass by Treasure Hill. And that's a key point to keep in mind as we look at this traffic as well, is where is this project located, what will it impact. It's the Historic Old Town area and we have to be particularly sensitive to that and to those issues.

Thank you for your consideration. We appreciate the opportunity to be heard tonight.

Chair

Strachan: Thank you. Anyone else from the public?

Anne Louis
Garda:

Our property is at the top of Lowell adjacent to the Treasure project. Two things. One is, I would, I'm just curious with the study that's been done at intersections at peak times, what hours they include. I mean, is it from 4:00 to 4:30 or is it from 3:30 to 5:30. Does it include the whole time when there's lots of traffic there. The other thing I would like to urge is that a much stronger consideration be given to pedestrians than is included in these reports. There's no count of pedestrians and a count of pedestrians of at intersections doesn't tell the whole story. On Empire and Lowell, every person that rents or lives in that area walks up the street. They don't cross an intersection. They go up to get on to the little road that goes from the switchback over to Creole, and yet those people's lives are in danger with some of the things that happen on that street. We made our way down tonight from our home on Lowell which is only one lane tonight. And at 5:00 passed three different groups of people who had on ski boots and were carrying skis and trying to make their way up this single lane with us and other people coming down. If there were trucks delivering food or delivering linens or any construction equipment it just couldn't happen safely. So I hope that a lot more attention will be given to pedestrians on those two streets.

Chair

Strachan: Thank you.

Arnie

Rusten: My name's Arnie Rusten. I live on 1058 Lowell Avenue. Just want to make a comment. If in the modeling you look at Empire and Lowell as two-way streets, I assure, they are not. They may, in the cross section show that, but in reality it is totally unrealistic. You only need to drive--- you can drive there now after this meeting. Go take a look. It simply doesn't work that way. I don't know how many times I have had to back down coming home because there is someone coming down that may not be equipped or that may be a truck, and I have to stop and back way down. It simply does not flow. So, looking at this huge development, when I first saw it, recognizing and saw that Empire and Lowell was going to be the access, I was going what in the world are they thinking. And I come from 40 years of engineering and planning background. And the very first thing you've got to pay attention to when you develop is access. This does nothing other than create tremendous problems. And it will be problems for that development, too. I don't see how you're going to get people to and from, materials to and from, and certainly construction vehicles to and from. It is just not going to work. It has to be some other solution. And, and I don't know. Maybe you can talk to Vail and make a tunnel that goes through the mountain on the backside and down. Maybe that's what you should do. But you cannot possibly think that Lowell and Empire is going to support this development. It just is not workable. So I urge you to look for other options if this is in fact what you desire to build. It does not fit. Thank you.

Mark

Sletton: My name is Mark Sletton. I don't live in the Old Town area, I live in Park Meadows, but I've had an office in the Old Town area, specifically the Park City Mountain Resort for a little over 20 years now. In fact, I sat where you guys are sitting back in the mid-2000s when we were looking at this whole thing. And I, just like you do, I took special care to really follow up on some of the things that this last speaker was speaking to, and that is access on Lowell and Empire on a snow day. All those cross sections show flowers and trees, and nothing like we're experiencing out there right now. Fortunately, we're finally seeing snows again like we used to experience back in the, in that period of time. And I will tell you, I had a Suburban at the time, which is a big truck but it's small by comparison to an ambulance or a fire truck or any kind of those large emergency vehicles. And as he said, it's generally impossible to get two-way traffic going up and down either Lowell or Empire, depending on which way you're going. I usually circle up Lowell and around and back Empire. So

make sure that as you get into these traffic studies you don't look at the best of cases, but also at the worst of cases, and what we would do if there was a severe emergency up there, trying to get EMTs or emergency vehicles up and down either one of those streets on a heavy snow day. So that's my input. And I am thankful for---I know the amount of hours you are putting in for this one, but it's---you know, one extra thing is, he said you can drive up there tonight. Go get a real good sense of what it is in the worst of cases.

Chair

Strachan: Anyone else from the public?

John

Hilton: I'm John Hilton. I have had a home on Norfolk between the 9th and 10th blocks, in that general area. And I just want to express that it's not just going to affect Lowell and Empire and just a small section of Old Town where there's a lot of condos. Norfolk and Woodside are the preeminent, you know, Old Town, the aesthetic of Old Town. And those streets will also be greatly impacted. And what will happen is, as the traffic is increased on Lowell and Empire, people will be taking shortcuts. And the only way to get up there if you're taking Norfolk or Woodside is to go up Crescent Tram Road, and that would just be an absolute disaster, and you'd have to completely rebuild those roads. People would be, there'd be so much more increased traffic from Woodside and Norfolk going up or down 8th Street and Crescent Tram. And when that road gets icy, you see like they talked about, people walking up with skis. I mean, I've seen people leaping out of the way as the road is icy and you're sliding down. And if there was a truck, there's just no way that could be two-way traffic. And so I just want you guys to consider as well, the, the greater impacts beyond just Empire and Lowell. The whole of that section of Old Town would be greatly impacted. Thank you.

John

Stafsholt: Hi. John Stafsholt, 633 Woodside. First, I would just say that, you know, we urge the Planning Commission, the current Planning Commission to require a new comprehensive 2017 traffic study. You know, not just a day, a few days, but probably for a week at a peak time. Personally, I, I'd pick tomorrow to be a good day to start. To make it short and everything because there's many parts of the CUP that have to do with traffic. I know we'll be back, so I just want to talk about the 2004 traffic study by Project Engineering Consultants (PEC). The PEC study was in July 2004 and

the whole study is based on data obtained on one day, June 16, 2014. That's without the St. Regis, Montage, and over a couple billion dollars of new construction since that time. It doesn't include Treasure Hill, either. The traffic pattern on a single day in June 2004 can't possibly be extrapolated to a winter traffic pattern in 2017 or beyond. The PEC methodology was to multiple the traffic that they observed by a ratio of the occupancy rates on ski days versus that one day in June.

Some of the assumptions. They assume no construction traffic from Treasure Hill, and the developers say up to 300 heavy trucks per day going round trip. They assume no construction worker traffic. Assume no buses to the project, no taxis to the project. Assume zero traffic from the project on the Crescent Tramway. Another assumption is that all traffic from the project to Main Street will go that 14 blocks out of their way to go downtown; seven blocks in each direction. And we all know that people aren't going to do to. It also assumes no delivery traffic for commercial space, no ski resort traffic to the resort, no ski resort traffic to other resorts; Deer Valley, the Cottonwood Canyons. It assumes no non-skier vehicular trips. Nobody's going to leave to go shopping, groceries, dining, anything like that. Another assumption is no pedestrian activities on Lowell, Empire or Crescent Tramway, etcetera.

With all these assumptions, and I'm estimating 2,628 pillows, and the many different uses, including commercial that hasn't been approved, the PEC consultant estimated a maximum at 100% occupancy, vehicle trips would be 185 in the morning and 246 in the afternoon. Then somehow, the consultants lowered the estimates by 30% due to alternative modes of transportation. So, PEC put in writing that those trips are only 133 in the morning now and 162 in the afternoon. Remember all the assumptions I gave you. Okay. It's hard to believe as it is, remember the trips are each way. So that means that the trips are actually half the number they used, because people coming in are going back out. So, it's kind of crazy, you know, that only 60 vehicles will leave Treasure Hill in the morning with 100% occupancy in peak winter times.

So how can a reasonable person understand the assumptions and the conclusions from PEC. There's only one answer that's reasonable, that the PEC study was paid for by the developers to come to a favorable conclusion that's favorable to their development. End of story.

Later on, to their credit, a previous Planning Commission requested the Engineering Department at Park City Municipal to conduct a review of the PEC traffic study. So this review was done in 2005 by Fehr and Peers, and it was limited in scope as a review and assessment of the study only. Okay. Some of the Fehr and Peers study findings regarding the PEC study that we're using is the PEC study assumes zero Treasure Hill generated trips will use the Crescent Tramway. And that all patrons will either walk, use the Cabriolet, or drive 14 blocks out of their way to avoid the Crescent Tramway. Certainly that's not true, and we all know the taxis are never going to do that. Another finding. Park Avenue and Deer Valley Driver intersection is under the control of UDOT. And Park City is at their mercy and approve and fund any changes or upgrades. That's a big deal. We don't have any control over the main intersection. Fehr and Peers also found that the PEC survey underestimated the total delay for that intersection, Park Avenue and Deer Valley. With 2005 traffic, Fehr and Peers rated that intersection without Treasure Hill traffic a D on a scale of A to F; F being failing. That's 2005. Certainly it's failing since that time. Empire Avenue/Silver King Drive intersection was rated as an F, failing back in 2005 at peak hours without increased background construction traffic or the Treasure Hill development. In 2005, Fehr and Peers recommended an additional traffic light on Empire Avenue due to the failing grade of that intersection.

Some of the other things they brought up as so called mitigations from their December report is, they require both streets to be expanded to 37-1/2 half feet wide. That's Empire and Lowell. I think anybody living on Empire and Lowell might have a say in that. They only allow parking on one side of the street, and that parking should be 8 feet wide. So if you have a house without a garage on your side of the street, I don't know, talk to your neighbor across the street. Emergency vehicles required 10' travel lanes in each direction. It's a finding. That's not being met. Snow storage requires six-foot minimum on one side of the road. That's after you remove all the parking on that side of the road. Pedestrian access also requires another five-foot minimum on one side of the road. If you tell everyone they have to walk on one side of the road. And parking requires 8-foot minimum. So, thinking about that a little bit, parking on one side of the street can only be allowed on half of the length of both Lowell and Empire. That's not a mitigation. That's an impact. Many homes have no parking and will have to park in front of neighbor's houses. Huge conflicts with neighbors. It's a huge change just to help the developers at the impact of the neighborhood.

So again, I would just urge everyone to do a really---to require a really comprehensive traffic study now, especially with Vail here, cheap season passes. Anybody who's been up skiing, you know how many more people there are here. Thank you for your time.

End of Public Comment

Chair

Strachan: Anyone else from the public. All right. Seeing now one we'll close the public hearing. I think what we'll do at this point is take a short break, a five-minute break, and then we'll move into the Commissioner's comments. We've been at it a better part of almost two hours, so we'll take a quick recess.

Break

Chair

Strachan: All right. Let's call the meeting back to order. If everybody could take their seats we'd appreciate it. All right. Francisco, it looked shortly before the break like you had one small item to add. Is that true? Okay.

Planner

Astorga: I did. I just wanted to say that in this last month maybe we received four or five written comments, and we, we update those on the website. And I just wanted to let you---report once again that we're fully updated. And the other thing is that we've housed the model here for 31 days. As a result, we received three on-the-fly written comments. And that's all I needed to add.

Chair

Strachan: Great. And how's the model going? Everybody filing in and out, getting a chance to look at it? No complaints as to its availability or anything like that?

Planner

Astorga: They're, they're asking some questions. My front office is doing a good job answering questions. And, of course, just to get comments in writing, we always tell people to just send us an email at that treasure.com@parkcity.org.

Chair

Strachan: Great. Okay. All right. We'll move into the Commissioner's comments. Let's start with Commissioner Thimm.

Commissioner

Thimm: Okay. Well, let's see. Don't have a whole lot to add. I, I really appreciated this seven, perhaps eight additional pieces of information that were, were requested. They were things that kind of hit me as I went through all of those hyperlinks. Thank you for those, Francisco. Just, just a couple of things. Concerning lane widths and access and that sort of thing. And, and the, some of the people from the public brought this up, but I, I, I think when the, the updated traffic impact study is done, in addition to the eight items, I would really like to see the impact of the situation if we do have an emergency on a snow day, and how that impacts the lane widths as outlined, and can we really serve the public safety and welfare with the lane widths that are there on a heavy snow day.

The other thing is I, I noted, and I'm glad that the City back in the 2005 time frame had a third party review. I would presume that with these seven or eight items that are going to be considered in this updated traffic count analysis, that I, I guess I hope, I'll put it that way, that the City would consider having once again a third party review that. There were some interesting things that I felt were brought out I the Fehr and Peers report, the 2005 document. You know, it had on pages 25 and 26 a number of very detailed findings. And it would be interesting to see how those factor in to the updated report that, that comes out. So, I think that's all I have.

Chair

Strachan: Great. Thank you. Commissioner Band.

Commissioner

Band: As awesome as it was spending my morning reading about traffic from 2004 instead of skiing, I actually really look forward to the updated traffic report. And I don't think I have anything to add.

Chair

Strachan: Commissioner Campbell?

Commissioner

Campbell: I'm still waiting for the utility stuff because that's the most important thing that I'm hoping we're going to get to take a look at. The, the utility items like gas and power, water. I don't know enough about the traffic to ask any more specific questions, although I think everybody in the room is going to want to see something that is more relevant than 2004.

Chair

Strachan: Commissioner Joyce.

Commissioner

Joyce: Just a couple of quickies. First, earlier in the meeting I had commented about wanting to see parking and traffic and mitigation impacts on commercial. And then we had a person come up and speak and kind of say, as Mr. Joyce said. And there was a number of 194,000 square feet of commercial. And I just want to make sure---that's not what I was talking about. What I was talking about is the 19 UEs of commercial plus the 33,000 square feet of support commercial. I was not lumping in the accessory space or anything like that. So just to make clear what I'm calling commercial is what I think we call commercial. That should be 52,000 square feet I think, roughly.

As I went through, just things that I'd like to see kind of updated. One of the ones that was kind of lost in the traffic and roads and everything is the storm runoff. We've had a lot of tightening requirements in the City lately about what we can do with runoff and how much runoff we can put, and how clean it has to be before we can give it to the fish and things like that. I don't know, I would expect that that may need some update. And I don't know if that's on the list of things to do.

There seemed to be a lot of debate about sending people up and down Lowell instead of Empire. And just putting up some signs and stuff. I will want to see something that sounds like it's really going to work for both people not using Crescent Tram and people actually using Lowell instead of Empire because it's not going to take a rocket scientist to realize that Empire goes straight there, and Crescent Tram, you have to make a right turn and a left turn in the middle of a lot of traffic, and no one's going to want to do that. And so it didn't seem like it made big traffic differences in the numbers, but if that's our working assumption for how we're going to model our traffic, something's got to actually make traffic go that way,

because it's not going to be by nature. It's going to take Crescent Tram, it's going to take Empire.

There was a whole bunch of stuff over the years of staircases being required for going up and down 8th Street and all this kind of stuff. And then later on it seemed like some of them were being removed for reasons I couldn't quite figure out. And so I, I couldn't piece together in the history where we still need staircases and where we don't. And for the ones that got removed, why. So as part of the whole pedestrian thing, if somebody could kind of boil that down to a half page, that would help me a lot, because I, I could not figure it out.

Just, just for the public suggestion of go up and see what it's like, I actually did that in the middle of the day, so it wasn't at peak hours. And in fact at two points in time I had to pull over and wait and let somebody go the other way. So, I think that's really a statement of snow removal as much as anything. There's tons and tons and tons of snow there, but of course, there's tons and tons of snow everywhere right now. So I'd like to---I guess it's mostly back to the City, if the City is going to own snow removal and snow storage, is to hear a much better plan that, I think the words in there were "make it a priority". Because the answers right now, I think those are single lane roads and they will continue to be, unless something dramatically different is done.

Same kind of thing on Manor way. There was some truck turn kind of things. And those were the only truck turns. A truck turns off of 224 and Deer Valley and stuff looks fine, but the truck turns off of Empire, up Manor Way and then on Manor Way up to, to Lowell looked kind of tight on a nice, sunny June day. In, in the snow conditions and stuff, I can't imagine how they would get around that turn with a semi. And obviously, there's going to be a lot of construction traffic and then deliveries and stuff up there. So I'd like to see that chart with something other than ideal clear roads out to the 2-1/2 foot rolled gutters and stuff.

And the last thing is, just o---it seemed like it was left in some state of debate as to where the sidewalks would go. The City kept trying to take Lowell sidewalks and put them on one side, and the proposal from the applicant kept putting them on the other. And didn't sound like it ever got resolved. So, whenever we get to that point and start talking about walkability, we should get something a little bit more crisp from the two sides about what's going to happen. And certainly putting them on the

sides where most of the driveways are there's---on Lowell it's not as bad, but on Empire there's a bunch of really short driveways. And I would see as I just drove up there that, you know, you park something as big as like a, a, you know, a pickup truck or an SUV or something in one of these short driveways. It's sticking out almost to the road. It's not in the road but it's almost to the road. And so if the assumption was you were going to grab four or five feet out of that and make it sidewalk, then you've got a sidewalk with, you know, trucks and cars and stuff sticking out in it all the time. And that clearly doesn't serve its purpose. So, I guess when we get into all the sidewalk things, there seems like a lot of unresolved issues between the City and the applicant, and then just mystery questions which no one's seemed to figure out how to solve yet. That's it.

Commissioner

Suesser: Okay. I'll just reiterate Commissioner Thimm's and Commissioner Joyce's comments.

Chair

Strachan: All right. Commissioner Phillips?

Commissioner

Phillips: Let's see. I'll try to eliminate a couple of my comments here. But, yeah, public safety during a snow storm, I mean, obviously that's not anything a traffic study can quantify. And, and that, those are my biggest concerns are what, are, what, what are these studies not catching. What are the, the unintended consequences, the shortcuts. And part of it is just a growing problem in Park City. If traffic backs up I think more people are beginning to use some of these other streets, especially taxis. You know, I mean, and it's going to get worse and worse. And it's not just because of this project, but some of the unintended consequences. And I do agree that Crescent is going to be heavily used. I know the taxicab drivers are all over that. And if they're shuttling people up and down. But I'm sure there's solutions. So, but public safety during the snow storm and if there's any way to do---I know you can't put numbers to it, but just kind of stepping back and looking at what, what do we do in the worst case scenario. And not just a storm but a storm cycle, kind of like we're dealing with now. So I think that's probably why it's on a lot of our minds as we're dealing with it at the moment.

So, let's see here. You know, just a thought. On keeping the commercial space limited to the, the people on-site, and, and it ties into traffic

because we're trying to prevent that from being used in other ways. And I don't know if the idea has been thrown out there, but instead of allowing any establishment in there to receive cash or credit cards or anything like that, maybe currency could be exchanged through room cards only. Something to that effect. I don't know.

Let's see. Snow. I know, you know, as I've read through a lot of this stuff, snow removal, what about the trucks that are hauling the snow. It seems like a lot of work, a lot of money, whether, who, whoever takes the responsibility in the end. Another thought, because I'm always trying to think outside the box, so I apologize if some of these are just blanks. But I'll throw them out there anyways. What about a snow melting station on Treasure's site to where loaders, instead of hauling into trucks, can go dump into a hot pot and just get rid of the water that way? Because those trucks are going to be going on all of the roads out of town. And it doesn't happen every year but---and there's been bigger years than this. I, I've seen, I've seen bigger years, so.

Let's see. You know, I did go up there today as well. It was difficult but I also know that there's going to be a whole different set of plans on how to deal with everything. You know, I know it's going to be a priority for snow removal. So it, it is, you know, I mean, it's one thing to go up there and look at it and see what the condition is today. I know that there will be, you know, it will be a priority snow removal, but even at that it's still, it is still hard to see this occurring right through this residential neighborhood.

And then one more crazy thought. Is there any way to tunnel in from like the Town Lift garage, you know, go down below and through the mountain and into the place, and just get all of the traffic off of that road? That would be, that would be cool. So, let's see, what else do I got here? Anymore crazy ideas. I'll leave it at that.

Chair

Strachan: Great. Yeah, I don't really have anything to add. I thought the public comment tonight was very good. This is kind of where we left off in 2009 when I was pretty much new to the Commission. So we're treading new ground here. And I just would ask Francisco to move carefully in that regard. We don't have the benefit of prior Commissioners having looked at these issues as deeply as we're about to.

And, you know, I think on that note, letting the City Engineer and the City Transportation Director, Alfred Knotts, take the lead on what we should require from the applicants is probably the wisest thing to do. I'm not sure it is wise to require the applicants to submit a quote, unquote "comprehensive traffic study" because that may not give the professionals, Alfred and Matt, what they need to assess the impacts. I'd rather have them tell the applicant's what they need to assess the impacts, not the applicants telling us what they think the impacts are in the form of a new traffic study.

I also want to be particularly careful moving forward that we specify the impacts attributable to Treasure, rather than sort of accumulate them all together and blame them all on Treasure. And by that, I mean, you know, when you go down Deer Valley Drive and it's backed up all the way to the traffic circle, and then you say to yourself, well god dammit, Treasure's going to make this even worse. Well, we got ourselves here. We got ourselves to the point where Deer Valley Drive's backed up to the traffic circle. That wasn't Treasure's fault. And so I want to be careful that we don't blame this applicant and attribute impacts to this applicant that are either pre-existing or can't be attributed to them through the evidence. So I, I caution Staff not to make that mistake, although I doubt Francisco would ever do that. But it's something that I think is easy to do, and it's something that we've got to be vigilant about.

Other than that, you know, I appreciate the new info. And we've got some more meetings ahead of us on this and so we'll, we'll get into it. That's all I have.

Anything else, Commissioners? All right. Moving on then. Oh, we need a motion to Continue. Yeah, I always forget that.

Commissioner

Thimm: Do we continue to February 8th?

Chair

Strachan: Yeah. Wait. Which meeting will it be, because we don't have another on in January.

Planner

Francisco: And if we did, we wouldn't be---

Chair

Strachan: Yeah, it wouldn't be Treasure anyway.

Planner

Francisco: We wouldn't be ready. Yeah.

Chair

Strachan: I'm just wondering whether our agenda on February 8th is going to get backed up because we're lacking a meeting.

Commissioner

Suesser: So lacking a meeting on the 25th?

Planner

Francisco: And I'm not sure how effective we would be without seeing the update that's being proposed now for Presidents Day 2017. I don't know if--- Bruce?

Shawn

Ferrin: Do you want to continue to the 8th and we'll have a discussion with Staff about what's next on the agenda. And if we're back, great, and if we're not you can continue it again.

Chair

Strachan: That sounds fair. Yeah, that sounds fair.

Shawn

Ferrin: We can at least have it [inaudible].

Chair

Strachan: Yeah, that's fine. All right. Motion to Continue then to February 8th.

MOTION: Commissioner Thimm moved to CONTINUE the Treasure Hill Conditional Use Permit to February 8th, 2017. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

- 2. 622, 652, and 660 Rossie Hill Drive as well as the BLM-owned parcels, request for Zone Change from Residential Medium (RM) District to Historic**

Residential Low-Density (HRL) and Recreation Open Space (ROS) as well as from Estate (E) to ROS. (Application PL-16-03323)

Planner Anya Grahn reported that this request was to rezone the BLM properties, as well as the three historic houses that are at approximately 622, 652, and 660 Rossi Hill Drive. Planner Grahn explained that they were talking about rezoning Parcels 1, 2 and 3 from RM to ROS.

Parcel #1 is owned by the City and provides the linkage between Rossi Hill Drive on to Deer Valley Drive. Parcel #2 is a portion of the Fox Glove Cottages PUD Subdivision. The PUD identifies all the common space as open space. Changing the zoning to ROS was not much different because it was already identified to remain open space. Parcel #4 is also owned by the BLM, and currently the parcels are zoned E for Estate. The density on Estate is one unit per three acres. Therefore, this parcel is not able to be developed because of the density requirement, and the Planning Department was suggesting changing it to ROS for Recreation Open Space.

Planner Grahn stated that Parcel #3 is partially owned by the City, and partially in a Title of Color litigation with the BLM by the Dennis family.

Planner Grahn showed what the map would look like if the proposed zoning change occurs. She pointed out the current zoning versus the proposed zoning. Planner Grahn remarked that it would blend with the HRL District, which is Historic Residential Low Density.

Planner Grahn noted that there have been questions about whether or not this zoning change would set a precedent. She stated that there are other cases where the zoning has a similar situation of creating a pocket of a different zone within a larger neighborhood. One example was the Library Field, which is designated as ROS. She also commented on an annexation parcel that was zoned Estate even though it was surrounded by Single Family and RD development. Another example was the rezone of the Sunnyside Subdivide. In that case the residents came forward with a request to change from RD to Single Family to eliminate the opportunity for nightly rentals. In doing so, it left a pocket of RD that could continue to be used as residential.

Planner Grahn had received public comments that was forwarded to the Planning Commission via email, and the Commissioner were also given hard copies of those comments as well.

Assistant City Attorney McLean explained that the standard the Planning Commission was looking at is whether it promotes the general welfare. It has to be a rationally

based decision under State Case Law. The Commissioners need to balance their decision on good cause and the rationality behind it. The findings should be on whether or not this promotes the general welfare. Ms. McLean noted that the Planning Commission has done zone changes, but not frequently. It is covered under Section 10-9A-801, which is the appeal section that talks about how those decisions are reviewed. The State Code states that the zoning promotes the purpose of the chapter being the Land Use Chapter. The Courts interpret it as for the general welfare.

Chair Strachan thought the direction from the City Council was unclear. Director Erickson stated that the Council's goal was three-fold. One was to bring the property more in compliance with the General Plan as the transition zone between the historic district and Deer Valley. Second was to provide a mechanism to restore the three houses. And third was to do the best possible to maximize the amount of open space on the property without removing property rights from the Color of Title action. Director Erickson remarked that the City Council had asked for a rigorous start towards those goals, and the Planning Department came up with low density zoning alternatives, including the RD zone, which is three units per acre. It would have effectively taken away most of the development rights. The HRL, which is the proposed solution, could yield as many as eight units, including restoration of the three houses. Director Erickson noted that there may be additional open space opportunities when the Color of Title action is complete.

Commissioner Joyce asked how the rezone helps with the transition from Historic Old Town to Deer Valley, when at least a quarter to a half mile on both sides is packed with condos. Director Erickson replied that the Staff position is that the rhythm and pattern is maintained by the protection of the three houses in that location, as well as the restoration and the provision of the open space on the hillside, which becomes a pocket park consistent with the Library Field, the City Park at the south end of Main Street, and Creekside Park. Director Erickson stated that it works very much like the undeveloped street rights-of-way in the Historic District. He explained that they could develop the site, but those three houses would not remain in the same existing historic agricultural context. A limited amount of development may achieve that goal, consistent with a few other historic houses on the other side of the street.

Chair Strachan opened the public hearing.

Robert Gurse stated that he and his wife are full-time residents of Park City at 654 Rossi Hill Drive, directly behind the BLM property. Mr. Gurse remarked that Park City's historic architecture is the most important factor that makes Park City Park City. He volunteers at the Park City Museum giving tours of Main Street in the summer. From personal experience, he knows that a lot of people come to Park City because of its

history. Having preserved that history, Park City is able to stand out among other Mountain West resort town that little more than condominiums and high priced homes and tourist shops. Mr. Gurse stated that the mining era homes on Rossi Hill area a unique remnant of Park City's history. He often sees tourists stop on the road to take pictures of these homes. He has also seen people set up an easel and paint pictures of the homes and their surroundings. Mr. Gurse believed these homes were historic treasures for Park City, not only because they are in nearly original form, but because they are probably the only remaining Park City historic homes in their original semi-rural setting. He stated that at one time small homes dotted the hills around Park City, often surrounded by gardens and small pastures. Most of those homes that remain have been completely engulfed by condominiums and other modern structures with no remnants of their original setting. Mr. Gurse believed it was essential for the City to take this opportunity to protect these rare vestiges of its history by preserving these historic homes and the surrounding open space. He thought the Planning Department had done a good job addressing this issue, and he applauded their efforts. The current proposal for HRL zoning for Parcel #3 containing the three historic homes is a major improvement over the existing zoning of RM, which would allow the entire parcel to become a huge condominium complex. However, according to the proposal by the Planning Department, even with the HRL zoning, up to five new homes for a total of eight could be built on this parcel based on the total acreage. The actual number of new structures would be limited by the location of the current homes and other factors, but the potential for five new homes on this land mostly likely behind the current homes is troublesome. It would take away much of the semi-rural setting that makes these homes so special. Mr. Gurse noted that the Planning Department's proposal points to the recommended ROS zoning of other portions of the BLM land, including Parcel #4, as a way to preserve the open space relative to the historic homes. He and his neighbors support that; however, additional steps should be made to protect the open space immediately surrounding these homes to the extent possible whether it is through rezoning or through strict enforcement of relevant historic guidelines. Mr. Gurse stated that the original Planning Department to the City Council on December 22nd divided Parcel #3 into two parts, with the southern portion as ROS. He asked the Planning Commission to at least consider drawing a similar line with the northern downhill portion of that parcel zoned HRL, and the southern uphill portions zoned ROS, along with Parcel #4 and Parcel 1 and 2. Such a division would better preserve both the historic homes and their unique original setting.

Bryce Panser, stated that he was an attorney representing Richard Dennis and his two daughters who own the three historic cabins. He has been involved with this since the initial meeting that Mr. Gurse mentioned. Mr. Panser stated that this came up in the context of an adjacent property seeking to establish a record lot for the Bertagnole cabin, which is in a Color of Title Action, which is similar to what the Dennis family has

been involved in for the last ten years. He remarked that the neighbors were upset that anything would be done with this pristine area, which they have come to understand is a city park and believe it should be maintained as a park. As Mr. Gurse had indicated, one of the proposals floated was to make much of the parcel that the Dennis' claim as ROS. Mr. Panser understood that the Planning Department examined this and ultimately concluded that the proposal that had been floated would make the remaining cabin properties non-complying, and would confiscate all possible development rights. It would make it uneconomical and unattractive for anyone to do anything with the cabins which have fallen into disrepair. When the Planning Department come up with the proposal of converting the parcel to HRL, his client thought it made sense. He wanted to see the cabins preserved and believe this proposal provided a mechanism for doing it. Mr. Panser pointed out that Richard Dennis was born in one of these cabins, and his family has owned the three cabins for the last 100 years or so. Mr. Panser remarked that what the neighbors suggested was a laudable goal, but if the City wants to preserve the land as a pocket park, they should purchase the property or acquire in some fashion, rather than restrict the development. Mr. Panser pointed out that this does not create a transition zone between Old Town and Deer Valley because of the existing development. However, in essence it is a compromise. It is a solution that his clients are agreeable to, and that fits with what they think the future development of this property should be.

Jeff Camp, a resident at 590 Coalition View Court, stated that he has lived adjacent to the BLM property for 25 years. He pointed out that no one ever raises the issue of animals. Having live there for 25 years he watches the animals over and over again. It used to be a corridor for the animals to go down and cross Deer Valley Drive and up into the open space in the Aerie. A wall has been built but the animals still squeeze through it. Mr. Camp noted that an elk herd used to come through there but he has not seen them in years since the two duplexes were built on the opposite side of Deer Valley Drive. Mr. Camp remarked that all the animals need water. The deer and moose are very prevalent on that land because it is the only place where they can get to the water. Walls of condominiums prevent them from getting to the Deer Valley ponds, and the creek runs underground at the intersection of Rossi Hill Road. Mr. Camp believed the issue was more about saving a place for the animals. He commended the City for wanting to zone the upper parts ROS, and he also liked the HRL zone for the Dennis parcel. However, he agreed with Mr. Gurse that the remainder of Parcel #3 should be ROS as well. He noted that in terms of the BLM, the use has always been ROS. Mr. Camp stated that the BLM is supposed to preserve open space, but now they were divesting their property. Mr. Camp has been in touch with the BLM for a number of years and watching their intentions for that property. He provided copies of a document he obtained from the BLM several years ago. When he first started living there the BLM land was one large parcel, but over time it was divided

into smaller lots. Mr. Camp believed the Dennis family was claiming property rights to property that they do not own. They own the shacks that are on top of the ground, but they do not own the land. It is Color of Title. The Bertagnole family fought it 30 years and he suggested that the Dennis family may fight it for another 10 years. Mr. Camp requested that the Planning Commission give the Dennis family the smaller parcel and let it be HRL, as proposed, and make the remainder of Parcel #3 ROS to protect the animals.

Diane Bernhardt, a resident at 630 Coalition View Court, stated that she represented the Save Rossi Hill Historic Open Space Alliance, whose mission is to promote the creation of a long range vision and action plan for the protection of the historic open space on Rossi Hill. The first goal of this mission is to advocate for and facilitate the protection of the open space and the historic miners' cabins located on BLM parcel 18. To that end, the organization created a petition representing community support for the preservation of the parcel. Those supporting the petition declared that: 1) they support the restoration and preservation of the historic mining era homes; 2) they support the preservation of the irreplaceable open space for future generations; 3) they request a rezone to ensure the protection of this open space from new land development. Ms. Bernhardt stated that the response to this petition was extraordinary. It was first circulated on August 11th, and six days later it had gathered 297 signatures. As of yesterday, the petition had 359 signatures in the affirmative, of which 241 are from Park City or its suburbs, 28 are from Utah, and 16 are out-of-state Park City property owners or frequent visitors. Ms. Bernhardt remarked that through the sensational support of the petition, the community has made it abundantly clear that preservation of this unique open space is very important. The Save Rossi Hill Historic Open Space Alliance thanked the Planning Staff for this considered zoning amendment proposal. It makes appreciable progress towards the goal of protecting these remarkable acres. The HRL designation provides significantly more defense for the miners' cottages than the current zone, but still permits development that will overpower the quaint homes and remove them from their historical context. The organization supports the approval of the zoning amendment in order to provide immediate increased protection. However, the also respectfully requested that the Planning Commission recommend to the City Council that further protections are required to truly protect this land using tools such as additional zoning changes, amendments to the General Plan, strengthening of historic guidelines, or the municipal acquisition of this land for the benefit of the community. Ms. Bernhardt urged the Planning Commission to forward a positive recommendation to the City Council to approve the zoning map amendment request as proposed by Staff, with additional recommendation that further protective measures are required to fully safeguard this iconic Park City landscape. She thanked the Commissioners for the opportunity to provide input from the members of Save Rossi Hill, and from the 359 petitioners calling for this rezone and for further protections.

Christina Schiebler, a resident at 638 Coalition View Court, agreed with her neighbors and the Rossi Hill Open Space Alliance.

Chair Strachan closed the public hearing.

Commissioner Phillips was pleased to see that the Dennis family was not wanting to maximize development. It is extremely important to preserve these old buildings, but in some ways it felt like they were downzoning to accomplish that goal. Commissioner Phillips was trying to see the other side as well, to make sure no mistakes were being made. He recalled that the Lilac Subdivision was approved by the Planning Commission, but he was unsure what happened with it at the City Council level.

Director Erickson reported that the plat was approved by the City Council and created one lot of record. Planner Grahn explained that when the City Council reviewed the Lilac Hill Subdivision, which is the burnt out house at 632 Deer Valley Loop, added conditions of approval included a requirement to provide 40% open space. Another condition was to make sure that any development on that site or any future subdivided parcels or lots created out of that site had to comply with the design guidelines. Planner Grahn noted that as discussed by the Planning Commission, any work to the historic house would have to comply with the guidelines; however, new construction on new lots would not have to comply because it is outside of the historic districts. Planner Grahn stated that the added condition of approval makes sure that work on the historic house, as well as any new development, must comply with the guidelines to help promote that historic character. She recalled that another added condition of approval talked about not blocking the view to the historic house so the hillside would maintain its existing look and feel. Planner Grahn remarked that those were the primary conditions for why the Planning Staff recommended the HRL. Even though that parcel would remain RM and would not be rezoned to HRL, the HRL zone carries over the design guidelines and some of the requirements that keep the historic context.

Commissioner Phillips stated that in reading the Staff report there was reference to 22 units, and then it talked about the amount of allowed units being based off of the square footage. He asked to what extent the Dennis family was informed of what they could actually do, as opposed to the actual number that could fit. Planner Grahn replied that the Staff did not look what could be allowed because they did not want to draw subdivision lines and try to estimate what the development could be. That was the reason for basing it off the square footage of the lot as a whole.

Commissioner Phillips favored the proposal because it would definitely help preserve the structures. However, if the Dennis family were to build other buildings on this site,

he asked if the City would look at limiting the other buildings to be more consistent with the same mass and scale of the existing structures. Planner Grahn believed the design guidelines would dictate that. She pointed out that height requirements in the LMC stipulates a maximum height of 27'. Commissioner Phillips pointed out that 27' would tower over the existing structures, and he asked if they could require a lower height or if it was a given based on the requirements. Planner Grahn did not believe it was a given; but when the building comes in with the Design Guidelines, the Staff would mitigate it at that point to make sure it would not overpower the historic buildings.

Commissioner Suesser asked if the Staff had considered isolating the three cottages to the HRL section, and keeping the remainder of Parcel 3 ROS. Planner Grahn replied that the Staff had looked at that, but the concern was that some development has to be allowed on the site in order to rehab the houses and make it financially feasible. The Staff also looked at the historic Sanborn maps from 1927 and at that time this hillside had ten small houses on it. It helped the Staff understand what should be built there and to keep that context. Commissioner Suesser understood that anything else built on Parcel 3 would have to comply with HRL guidelines. Planner Grahn replied that she was correct. It would have to comply with that section of the LMC in addition to the Design Guidelines.

Commissioner Joyce stated that he lives up the hill from this parcel and he looks at those structures every day. He wanted to see the structures preserved, but at the same time what they want cannot influence what they do. Commissioner Joyce was uncomfortable creating a little zoning island of one lot of one land owner; and at some level downzoning them. He was looking for good excuses as to why that was acceptable, but he thought the transitional reason was ludicrous. Commissioner pointed out that two feet from one of the historic houses, the City approved an 8,000 square foot duplex on one side and Foxpoint was on the other side. Commissioner Joyce was not in favor of micro-zoning. In his opinion, it was a bad use of the zoning tool and they should not make it a habit. He clarified that the only reason he would vote to support this was because the landowner supports it. He would recommend to the City Council that if they want to preserve these houses they should purchase them. If they want to make it a park, the City should buy it. Otherwise, if the landowner comes back wanting to build 27' houses, he would support their proposal because the zoning allows it and he believes it is reasonable. Commissioner Joyce reiterated that his original intent was to vote no on this proposal because he believes micro-zoning is wrong.

Commissioner Campbell agreed with Commissioner Joyce. He was opposed to what was clearly the downzoning of the other lot and he voted against it. He would have voted against this one as well. Commissioner Campbell was not sure the owner being

in favor swayed him, but he backed Commissioner Joyce 100% that everyone gets great satisfaction out of seeing those structures as they drive up and down the road. The only way it will remain is if the City buys it. Commissioner Campbell suggested that the Planning Commission let the City Council know that they agree to approve this request, but in return they would like the Council to look at purchasing the structures to preserve them.

Commissioner Band concurred with Commissioners Campbell and Joyce. Open space that is privately owned is not open space; it is privately owned land. She shared the sentiment that if the City wants it preserved they should purchase it. Commissioner Band believed this proposal was a great compromise, and that many of the neighbors shared her opinion. She personally favored spot zoning. It is a great tool if people are creative and she thought Park City should look at it in the future.

Assistant City Attorney McLean stated that spot zoning or micro-zoning does not exist in Utah. It is a matter of finding the right zone for a particular area. Zoning cannot be done only for economic reasons.

Commissioner Thimm concurred with the other Commissioners with respect to zoning. His decision was swayed by the historic structures. Commissioner Thimm did not believe that creating the non-contiguous zoning islands was a good practice and he thought they should be careful about doing that. He felt this proposal would create a district that is set up by the existing historic structures in trying to modulate the scale of what is occurring in that area. Creating open space by zoning towards the ROS would preserve that ground in an appropriate way. Commissioner Thimm supported the proposal.

Commissioner Phillips was in favor of a City purchase, but he would be uncomfortable changing the zoning before the purchase. He preferred to purchase first and then change the zoning. Commissioner Phillips stated that he still had some misgivings, but he was willing to support the proposal.

Director Erickson remarked that the effect of this particular zone change reduces trip generation on Deer Valley Drive from 22 units x 10 to 8 units x 10. He explained that doing the zoning to protect the context of these historic houses is much closer to form based code in saying that this is the character we want to preserve in this location for X, Y and Z reasons. Director Erickson stated that this was more than a strict downzone. It was a careful enactment of progressive non-Euclidian technics and growth management on Deer Valley Drive, and protection of the neighborhood values. When the Staff looked at this rezone proposal, the number one mission was to protect the houses.

Commissioner Campbell referred to Silver Star, the Rio Grande and similar places that were deteriorating but there were plans for preservation; however, a commercial piece behind it paid for the preservation. It was a model he would like to see and he was certain that the City, the Planning Staff and the public could get behind it. Commissioner Campbell clarified that he did not believe that model would work in this case because no one would want additional commerce in that area. His intent was to make sure that commercial components are considered in places where it would work.

Director Erickson stated that the mechanism already exists for historic houses where commercial uses such as a café could occur. As lower Park Avenue redevelops, he anticipated one or two additional coffee shops in that zone.

Commissioner Campbell wanted it on the record that his vote would be in favor of anything that would keep the historic buildings from demolition by neglect. It is never the intent, but it does happen to many structures if rebuilding them does not make sense.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council to approve the zoning map amendment request from RM to HRL and ROS at 622, 652 and 660 Rossi Hill Drive, and the BLM parcels, as well as additional zone changes from Estate to ROS for the BLM parcels above Rossi Hill, based on the Findings of Fact and Conclusions of Law as found in the draft ordinance. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Zoning Map Amendment

1. The property is identified as Summit County parcels M244-24, PC-750-1-X, M-244-23, PC-537-X, and the un-assessed BLM triangle parcel that is located to the south and east of Rossie Hill Drive and south of Coalition View Court.
2. The property is currently zoned Residential Medium-Density (RM) and the triangle parcel is zoned Estate (E).
3. There are currently three historic houses located at 622, 652, and 660 Rossie Hill Drive. These are located on parcel PC-537-X. These houses are designated as Landmarks on the City's Historic Sites Inventory.
4. This rezone also includes the northwestern half of the Foxglove Cottages PUD

Subdivision, which was recorded in 1997. This subdivision included a provision that the common area is master planned open space, and may not be sold separately. The eastern half of the property is designated as open space on the subdivision.

5. This property is not contiguous to the existing HRL Zone District, which is located approximately 750 feet to the west / southwest along Rossie Hill Drive.
6. The size of the proposed rezoning area is approximately 15% of the total size of the entire existing HRL Zone District along McHenry Road.
7. The access to the sites is from Rossie Hill Drive and Coalition Court.
8. The ROS District lists Conservation Activity as the only allowed use.
9. The requested Zoning Map Amendment from RM to HRL and ROS is appropriate in that the zone change will meet City Council's goals of preserving the hillside and promoting redevelopment of the historic houses and is consistent with the General Plan.
10. This zone change proposes rezoning parcel PC-537-X from RM to HRL. The RD zone only allows up to 8 single family units of development; under the RM zone, the density is roughly 24 units of development consisting of a mix of multi-unit dwellings over four units.
11. This zone change proposes rezoning the remainder of PC-537-X and the other parcels to Recreation Open Space (ROS) which encourages preserving and enhancing environmentally sensitive lands, encouraging sustainability, conservation, and renewable energy.
12. The proposed Zoning Map Amendment directs complimentary development into an existing neighborhood and protects the historic properties along Deer Valley Drive through the HRL zoning regulations, meeting the goals of the General Plan.

Conclusions of Law – Zoning Map Amendment

1. There is Good Cause for this Zoning Map Amendment.
2. The Zoning Map Amendment request is consistent with the Park City General Plan and the Park City Land Management Code.
3. The Zoning Map Amendment is consistent with applicable State law.
4. Neither the public nor any person will be materially injured by the proposed

Zoning Map Amendment.

5. Approval of the Zoning Map Amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

3. **1846 Prospector Avenue – Conditional Use Permit application for the construction of six (6) residential units within two (2) new floors above an existing one-story commercial building at 1846 Prospector Avenue. All residential uses are Conditional Uses within the General Commercial (GC) district. (Application PL-16-03356)**

Planner Ashley Scarff reviewed the request for a conditional use permit to construct two new floors with residential use above an existing one-story commercial building at 1846 Prospector Avenue. Each new floor would contain three new residential units; one Two-bedroom and two one-bedroom units per level. The first floor currently houses Black Tie skies and it will maintain that use. However, the exterior of the entire building will be updated. The applicant has indicated that the plan is for the residential units to be rentals.

The Staff had reviewed the project against all 16 conditional use review criteria and found that no major unmitigated impacts would be caused by the project.

Planner Scarff remarked that she had made an incorrect statement twice in the Staff report when she said that zero lot line development with maximum density of the 2.0 floor area ratio has been anticipated since the Prospector Square Subdivision was first platted in 1974. She clarified that the Prospector Overlay Zone outlining these regulations was not added to the LMC until 1996. Therefore, that level of intensity was not anticipated in 1974.

Planner Scarff stated that the six new residential units only creates a need for six off-street parking spaces, which is minimal when compared to other uses which are expressly allowed in common in the General Commercial District. In addition, the Staff looked at the amount of available shared parking throughout the Subdivision, as well as past parking studies focused on the area. The Staff maintains that no unmitigated parking impacts would be created by this specific project.

Planner Scarff had received written public comment and printed copies were provided to the Planning Commission this evening.

The property owner, Josh McConnell, his representative, Brandon Schofield with CDR Development, and the project architect, Ben Berry with Black Box Design, were present to answer questions.

Commissioner Joyce suggested that the Commissioners take a moment to read the public comment from Pamela Hilbert if they had not already done so. Director Erickson noted that the comment from Ms. Hilbert related to an existing solar installation adjacent to this building. They provided information from the solar technology company as to the effect of the project.

Chair Strachan thought this project was good positive, infill development in Prospector. He recognized that there are always impacts, and those have been mitigated. He personally felt they should be doing more of this type of development because building up is the alternative to building out. As Chairman, he does not vote unless there is a tie; but he would support it if he could vote.

Commissioner Campbell disclosed that his office is next door to this building. He gets there early and has no problem parking, but when his employees arrive later there is never parking. Commissioner Campbell stated that parking was his only concern. Otherwise, he agreed with Chair Strachan that this was exactly the ideal to accomplish live/work/play. He pointed out that there were no signs in the lots prohibiting overnight parking. Commissioner Campbell asked if the applicant had thought about parking.

Brandon Schofield understood the parking issues. They believe that people in the residential units would be gone during the day and there would be adequate parking when they return in the evening. Mr. Schofield did not assume there would be multiple cars per unit. He was unsure about overnight parking.

Mr. McConnell remarked that the Prospector Square HOA issues overnight permits to certain levels. They will work with the HOA to address that issue.

Commissioner Joyce agreed that the parking lots are constantly full during the work day. He was concerned that each time they build up, at what point do they decide that Prospector has a parking problem. Commissioner Joyce wanted to know how that would be determined.

Director Erickson stated that Planner Scarff had reviewed the parking studies for Prospector Square that established the final ratios of parking. The Staff was in negotiations with the HOA to clear up one of the problems that was never considered in the parking study, which are the service and delivery vans and the RV vehicle storage. Director Erickson explained that there are regulatory mechanisms with the HOA to clean up these issues, unrelated to the potential reduction of parking demand by not doing commercial on the second and third levels.

Commissioner Band stated that at a certain point in time the commercial space will become too valuable and some of those businesses would likely move to Silver Creek and other areas. The spaces would then become offices and restaurants, and the parking problem might resolve itself.

Planner Scarff reported that in her research the most recent parking study she found for that area was done in 2003. It compared peak times versus non-peak times, and the study found that a lot of the lots were not at their full capacity. The City Engineer had said it was more of a distribution issue more than a parking availability issue. Planner Scarff thought it was up to the POA to find a way to redistribute who parks where.

Commissioner Band stated that she frequents that area often at different hours and for a variety of reasons, and she has never had trouble finding a parking spot. She was unsure whether that area was totally at capacity.

Commissioner Joyce explained that his concern were the impacts that would be created by future projects. Commissioner Campbell reiterated his belief that parking is self-regulating. If it is too difficult to park, no one will want to rent the units.

Commissioner Thimm noted that there are parking guidelines within the LMC and that should give some guidance. Director Erickson remarked that per the LMC, in Prospector Square Lots A through K are specifically dedicated to parking, and they are allowed to use the floor area ratio to determine the amount of parking for the area. He did not believe the City had regulated clearly on letting people move parking spaces around and shift them from one lot to another. The distribution problem is valid in that they can expect to see some lots with storage of units, and the lots next to the Rail Trail are never full.

Director Erickson stated that after the Planning Commission takes action on this application, they could ask the Staff to look at when the parking plan for Prospector should be reviewed.

Assistant City Attorney McLean suggested adding a Finding related to the 2003 parking study. Based on this discussion, it is a key fact that goes into this analysis. The Commissioners were not comfortable referencing a 13-year-old study. Commissioner Band thought the 2003 parking study was irrelevant.

Commissioner Suesser commented on the letter regarding the neighboring solar installation, and how this project would shade it and they would lose the solar generation from their project. She asked if the Staff had looked at that concern and whether the City has a way to address it. Planner Scarff replied that it was a civil issue

because there is nothing in the Code that protects a landowner's access to solar energy. Commissioner Campbell asked if the Planning Commission was allowed to add a condition of approval requiring the two parties to work out an agreement. Ms. McLean answered no because the conditional use permit has to do with the residential use. The owner is entitled to build to three stories.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to APPROVE the conditional use permit for the construction of six residential units within two new floors at 1846 Prospector Avenue. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1846 Prospector Avenue

1. The subject property is located at 1846 Prospector Avenue, lot 28A of the Prospector Square Amended plat.
2. The property is located within the Prospector Overlay of the General Commercial (GC) zoning district.
3. The lot currently contains a one-story commercial structure with a floor area of 2,296 sf.
4. The applicant proposes to construct two (2) stories of residential use above the existing one-story commercial structure. Each new floor is to contain three rental units (one two-bedroom and two one-bedroom) for a total of six (6) new units within the project. The first floor will maintain its Retail and Service Commercial use.
5. Residential uses, including multi-dwelling units, are required to be reviewed per the Conditional Use Permit criteria in the Land Management Code (LMC), and require approval by the Planning Commission.
6. The Prospector Overlay allows for zero lot line development and a maximum Floor Area Ratio of 2.0. The applicant is proposing a total floor area of 7,106

sf on a 3,600 sf lot, resulting in a FAR of 1.97. The structure will be limited to the maximum zone height of 35 feet (35') from existing grade, and is currently proposed at 34 feet, 10 inches.

7. The existing floor area of the first level will be reduced by approximately 132 sf to accommodate an exterior stairway and elevator to serve as access to the residential units. The first level floor area is proposed at 2,794 sf, and the second and third floors are proposed at 2,156 sf, each.

8. The existing commercial unit requires three (3) off-street parking spaces and the six (6) residential units will require six (6) spaces (1 space required for each unit less than 1,000 sf in area). The Prospector Square Subdivision contains thirteen (13) shared parking lots with a total of 1,096 shared spaces. Parking Lot H to the west of the site contains 66 spaces, and Lot K to the east contains 85 spaces.

9. Traffic and parking impacts are minimized by the construction of the residential uses rather than other prevalent, expressly allowed uses within the zone, such as an Office use, which would require 5 off-street parking spaces for every 1,000 sf of net leasable floor area.

10. Utilities necessary for this use are available at or near the site. Comments regarding fire riser size and capacity of sewer laterals were gathered at the Development Review Committee meeting, and will be addressed prior to the issuance of a building permit.

11. The proposed development will not interfere with access routes for emergency vehicles.

12. Existing internal vehicular and pedestrian circulation systems will not be impacted by this project.

13. No outdoor storage of goods or mechanical/utility equipment is proposed or allowed onsite. No fencing has been proposed.

14. The structure will nearly reach the maximum FAR of 2.0, as well as the maximum zone height of 35 feet (35') from existing grade; however, there are other nearby structures, including those that front Prospector Avenue, with similar massing and bulk.

15. This project will not impact any existing open space, nor create additional

open space.

16. No signs are proposed at this time.

17. Exterior lighting will be reviewed at the time of the building permit review.

18. The proposal falls within the Park City Soil Ordinance Boundary and any soil disturbance or landscaping will require compliance with Park City Municipal Code 11-15-1.

19. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 1846 Prospector Avenue

1. The application satisfies all Conditional Use Permit review criteria for residential uses as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-15);

2. The use, as conditioned, will be compatible with surrounding structures in use, scale, mass, and circulation;

3. The Applicant complies with all requirements of the LMC; and

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

Conditions of Approval – 1846 Prospector Avenue

1. All standard conditions of project approval shall apply to this project.

2. The structure shall comply with the General Commercial (GC) zone maximum building height of 35 feet (35') from existing grade.

3. All required utility upgrades must be completed concurrently with the City's re-build of Prospector Avenue in the summer of 2017, or the applicant will need to wait two (2) years to cut into the right-of-way and make the improvements.

4. Any new above ground utility structures will need to be located within private property, or within the Prospector Square POA's common area.

5. All signs associated with the use of the property must comply with the City's Sign Code and require a separate sign permit issued by the Planning Department prior to installation.

6. No outdoor storage of goods or mechanical equipment is allowed on-site.

7. A final utility plan shall be approved by the City Engineer and SBWRD prior to issuance of building permits for the new construction.

8. Any soil disturbance or proposed landscaping shall adhere to Park City Municipal Code 11-15-1.

4. **1264 Aerie Drive plat combination – The purpose of this plat is to combine two adjacent lots in the Aerie Subdivision to build one house across the two combined lots.** (Application PL-16-03362)

Due to a conflict, Commissioner Campbell recused himself from this item and left the room.

Planner Makena Hawley reviewed the application for a plat amendment for the Kipp Subdivision, which would be the Second Amendment to the Aerie Phase I Subdivision. The applicant owns Lots 5 and 6 and he was proposing to combine both lots.

Planner Hawley stated that the owner intended to build his house on Lot 6, but the hill was too steep for the planned design. The applicant decided to combine the two lots in order to build the house on the flatter portion and closer to the existing houses.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council on the plat amendment for 154 and 1276 Aerie Drive, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously. Commissioner Campbell was recused.

Findings of Fact – 1265 Aerie Drive

1. The Kipp Subdivision being a Second Amendment to The Aerie Phase One Subdivision, Amending Lot 5 and 6 is located within the Single Family (SF) District.
2. On November 20, 2016, the City received a complete application to amend the Aerie, Phase 1 Subdivision by combining lots 5 and 6.
3. Summit County recognizes 1264 Aerie Dr. as Parcel AER-5 and 1276 Aerie Drive as Parcel AER-6 (Tax IDs).
4. Currently Lot 5 holds a single family dwelling and Lot 6 is vacant.
5. An easement exists on Lots 5 and 6 which consists of a concrete driveway leading to 1156 Aerie Drive. This easement was recorded in 1983 as Entry No. 211399 in Book 274 Page 168. This easement will remain unchanged.
6. The existing Aerie Phase 1 Subdivision only had one note which referred to a settlement agreement recorded as Entry No. 179581
7. In 1997 a Lot Line Adjustment to modify Lots 10 and 11 was approved to create the Olch Replat.
8. The proposed plat amendment combines two (2) existing parcels to create one (1) lot of record consisting of 1.67 acres (72,863 square feet)
9. The proposed plat amendment will combine Lots 5 and 6, with current lot widths of 98 feet each, to create one (1) lot of record with a width of 196 feet.
10. Front yard setbacks in the SF district are 20 feet minimum, 25 feet for front facing garages.
11. Due to the lot bordering a street on both the back and front, per 15-4-17 both sides must have a front setback.
12. Side yard setbacks in the SF district are 12 feet minimum.
13. Height in the SF district is 28 ft. from existing grade. An additional 5' are granted for a gabled roof 4:12 or greater.

14. As stated in the LMC Single Family District, as part of a Master Planned Development, or a subdivision, the Planning Commission may designate maximum house sizes to ensure Compatibility.

15. The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.

16. As conditioned, the proposed plat amendment does not create any new noncomplying or non-conforming situations, or any remnant parcels.

17. Any new structures must comply with applicable LMC requirements

18. The proposed plat amendment will not cause undo harm to adjacent property owners.

Conclusions of Law – 1264 Aerie Drive

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 1264 Aerie Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Modified 13-D sprinklers will be required for new construction by the Chief Building

Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

4. A 10 foot Public Snow Storage Easement will be required along both roads on the North and South side of the property.
5. Any land disturbances over 1.0 acres will require the applicant to abide by the City's storm water MS4 permit program.
6. All above ground utility infrastructures shall be located on the applicant's property.

Commissioner Campbell returned to the meeting.

5. **1061/1063 Lowell Avenue (Application #PL-16-03328) - The purpose of this plat is to vacate Lot 1 from the Northstar subdivision, which current holds a duplex and has a deed line running through it. This plat amendment is synonymous with application #PL-16-03221; removing Lot 1 from the Northstar subdivision will possibly allow the following application to subdivide the current lot into 4 lots (becoming its own subdivision) for 4 single family homes. (Application PL-16-03328)**
6. **1061/1063 Lowell Avenue (Application #PL-16-03321) - The purpose of this plat is to subdivide one lot with a current duplex on it, separating it into 4 lots for 4 single family homes. This plat amendment is contingent on the approval of the 1061/1063 Lowell Avenue PL-16-03328 plat amendment, which proposes to vacate Lot 1 from the Northstar Subdivision. (Application PL-16-03321)**

The Planning Commission discussed these items together.

Planner Hawley reported that these items were originally noticed for action. However, after receiving considerable feedback on the Staff report, the Staff decided that it was best to handle these items as a work session this evening. Planner Hawley recommended that the Planning Commission take public input and continue these items to February 8, 2017.

Planner Hawley reported that the two plat amendments; one to vacate the Northstar Subdivision and the second to subdivide the lot into four different lots are dependent on each other and should be viewed together.

Planner Hawley stated that the lot is zoned HR-1, and compared to the HR-1 LMC requirements, these four lots can meet the requirements for lot size, etc. However, good cause is also required for plat approval. She noted that the density would be increased by two because a duplex exists on the lot. The question is whether four lots is better than one lot, and whether four units are better than a duplex. In looking through the good cause portion, a number of issues were raised, such as whether or not restrictions should be placed on the density. If the density is allowed to increase for Lot 1 of the Northstar Subdivision, which is made up of very large lots, another question is the precedent they would be setting if they allowed all of those lots to subdivide and create additional density.

The applicant's representatives, Scott Jaffa, David Ostrander, Joe Ostrander and Jon Turkula were present to answer questions.

Chair Strachan opened the public hearing on the plat amendment and the subdivision.

There were no comments.

Chair Strachan closed the public hearing.

Commissioner Joyce understood that the applicant thought that piece of land was already out of the HOA; and had gone through all the steps except for approval by the City. Planner Hawley clarified that it is out of the HOA, but it was still part of the subdivision.

Commissioner Joyce stated that a number of issues in town are predominantly traffic based, but it all comes down to density. A large number of projects are already committed through master plans, unbuilt lots, or commercial in areas such as BoPa which have a huge potential for increased development. He was reluctant to approve any type of subdivision to add density to a place that is already allotted and, in this case, should be a single family lot. Commissioner Joyce remarked that given the situation in town, the good cause would have to be something very important before he could support multiplying the density. He agreed with the concern of setting precedent for the other lots. At this point, Commissioner Joyce could not find good cause for increasing the density. He clarified that it was not just this project because he has stated the same concerns about adding density in Bonanza Park and other areas.

Commissioner Joyce stated that the only way he would consider subdividing the property would be to truly have a community benefit that outweighs the extra density, and that would help them apply it so it would not set a precedent.

Commissioner Campbell asked Commissioner Joyce why this request was different from the six apartments they approved this evening at Prospector. In his opinion, six units above a ski rental added more density than adding another ski shop.

Commissioner Joyce stated that the previous applicant had the right to build three stories of commercial as an allowed use without coming to the Planning Commission. He believed that would create be more density than what was approved, which was six residential units on floors two and three. Commissioner Campbell explained why he believed it was adding density and additional traffic. Chair Strachan agreed that it added density, but it was less density than what was allowed under the current Code.

Commissioner Phillips understood that Commissioner Joyce was speaking to the precedent they would be setting with this request. Commissioner Phillips asked if they were searching for good cause just to they could allow this. If so, searching for good cause would be setting the bar low for future requests. In his mind, good cause would be affordable housing or accessory units that could be deeded affordable housing.

Commissioner Band noted that if someone was building a \$3 million home, it most likely would not be in the rental pool and affordable housing would not be a viable option. Commissioner Phillips clarified that he used that as an example in looking for the gets.

Commissioner Thimm pointed out that the Staff had changed the format on these items to a work session discussion; and the purpose of a work session is to provide guidance to the applicant. When he read through the Staff report his first thought was that there would have to be a compelling "get" for the City in exchange for the "give" of additional density. Commissioner Thimm believed the burden was on the applicant to come back with a compelling "get" for the City. It was not up to the Planning Commission to find the compelling reason. His recommendation to the applicant was to come back with something compelling enough to show good cause for approving a four-unit development.

Mr. Jaffa understood the comments regarding traffic and parking because they have had the same discussions amongst themselves. Mr. Jaffa thought this project worked well for a number of reasons. It is a private drive and no cars would be parked on the street. Doing an infill project in town in that location minimizes traffic more than a project out in the suburbs. People will be there to ski and walk to Old Town, and they would rather walk than drive. The existing duplex and some of the surrounding structures do not belong in Old Town and do not fit within the fabric of Old Town. Mr. Jaffa stated that they were trying to do something that fits, which are 25' x 75' lots with smaller houses that are compatible with the historic fabric. Mr. Jaffa pointed out that

not one structure on Lowell is a historic structure; however, it fits in with the historic district and it feels historic. Instead of building one big house or renovating a duplex, Mr. Jaffa thought it was better to replace it with good architecture that could add to the City and Old Town, as well as the expansion at the ski resort.

Commissioner Campbell did not believe there would be much difference in size between what exists and the four proposed units.

Mr. Ostrander thought the difference in the traffic that the Commissioners discussed with an earlier project regarding deliveries and transient traffic at a hotel, is much different from traffic that occurs in areas where people actually live. It was noted that two parking spots are provided for each unit in the conceptual design.

Mr. Ostrander stated that he and his brother are both Park City residents and they intend to live in the units on the property. It is more than just an investment and they are being very careful and cognizant of the implications it would have on Old Town in terms of design and impacts to Lowell Avenue. They want to be good stewards of the street and the area, particularly with the potential implications of Treasure Hill.

Mr. Jaffa stated that it also raised the issue of whether they wanted to push for sprawl or urban infill. He believed those were the two options for development. He noted that many towns around the Country are looking for urban infill and filling in available spaces.

Director Erickson stated that during the October 26, 2016 meeting when LMC changes were discussed, there were two clauses going forward. One had to do with the pre-MPD discussion and the other was a discussion to discourage increasing density in existing approved projects. For this particularly application, while cleaning up difficult architecture as noted in the Staff report is on a substandard driveway, the Planning Staff was not comfortable coming forward with a recommendation without hearing from the Planning Commission on the issues of infill and substandard access. The applicant would have to clean up the fire access and an existing gate poses a problem. Director Erickson believed there was some merit in talking about the architecture because it would have to go through the HDDR process.

Commissioner Phillips asked if the units would require CUPs. Planner Hawley replied that it would require a steep slope CUP.

Director Erickson commented on the need for Planner Hawley to be able to draft Findings of Fact, Conclusions of Law and Conditions of Approval, including good cause for the subdivision.

Mr. Jaffa commented on the fire access and stated that the gate Director Erickson mentioned may have been put in with a building permit. However, whether they build four units or do nothing at all, that gate is a fire hazard, and after meeting with Scott Adams and there needs to be fire turnaround. Regardless of what is done, the gate is a hazard to all of the existing structures. Mr. Jaffa stated that Scott Adams was comfortable with the width and the steepness of the driveway, and it meet all the requirements for a fire truck. The only recommendation is to have an access to turnaround for the houses on the north side and the duplex.

Commissioner Suesser asked who owns the gate. Planner Hawley replied that the owner of Lot 2 owns the gate. Commissioner Suesser assumed that resolution of the gate would have to be specified in a condition of approval. Planner Hawley stated that it was brought up when they were looking into required access for the four units. She assumed the gate was put up illegally because she was unable to find a building permit or electric permit for it. She reiterated that the gate would have to be removed regardless of what happens with this application.

Assistant City Attorney McLean thought the Staff should follow up with Building Code Enforcement or the Fire District regarding the gate.

Director Erickson stated that the Staff and the applicant were looking for direction on the plat amendment to remove Lot 1 from the Northstar subdivision, which is a different matter from potentially re-subdividing the lot into four lots. If they remove the lot from Northstar, it continues to have the underlying zoning.

Chair Strachan did not believe the Commissioners had issues with removing the lot from the subdivision. He noted that sometimes in work sessions the direction is not as clear as they would like and the opinions are not unanimous. Chair Strahan believed the Commissioners had given their comments and opinions, and it was up to the applicant to work with the Code and work the project as best as possible to hopefully get it where it needs to be.

MOTION: Commissioner Joyce moved to CONTINUE 1061/1063 Lowell Avenue, the removal from the Northstar Subdivision to February 8, 2017. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

Planning Commission Meeting
January 11, 2017
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MOTION: Commissioner Joyce moved to CONTINUE 1061/1063 Lowell Avenue potential subdivision plat amendment to February 8, 2017. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 9:21 p.m.

Approved by Planning Commission: _____

Pamela K. Hilbert, D.D.S.
1830 Prospector Ave.
Park City, UT 84068

Park City Planning Department
PO Box 1480
Park City, UT 84060

Re: Application# PL-16-03356

To The Planning Department:

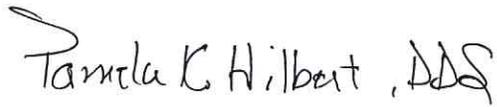
As owner of the building located at 1830 Prospector Ave. I recently received your notice of the referenced application for construction of two (2) new stories on the southern building adjacent to mine. Although I understand the desire of the owner to maximize the value of his/her property, I would like you to note the following when considering the Conditional Use Permit:

- 1) This last spring I installed a solar system on my building, a \$35,000.00 investment. The proposed construction of an additional 2-3 stories next to me will degrade, if not negate, the efficiency of my solar system. I will be in its permanent shadow. Please see the attached evaluations prepared by Alpenglow Solar, the installers of the system.
- 2) Park City is a community that has encouraged a low carbon footprint including alternative energy sources. It was brought to my attention that Park City presently does not have regulations in place to address a situation as mine, either by requiring formal notification of neighbors who would be affected by new solar installations, or laws governing obstruction of sunlight to an existing solar system.
- 3) 28 States including California, Oregon and New Mexico, have protections for solar access.



As stated in my opening comments, I appreciate the owner's desire to maximize the value of his/her property and I hope that we as neighbors can come to a solution that will be beneficial to both of us and the environment. I would also hope that Park City, a progressive community, continues to encourage green technology and to develop regulations and protections for those who choose to invest in it.

Respectfully submitted,

A handwritten signature in black ink that reads "Pamela K Hilbert, DDS". The signature is written in a cursive style with a large initial "P".

Pamela K. Hilbert, D.D.S.

From: Thomas@Alpenglowsolar.com 
Subject: Alpenglow Solar Shading Reports
Date: January 3, 2017 at 2:06 PM
To: Pamela Hilbert drpamdds@yahoo.com
Cc: p.hilbert@me.com



Pamela,

I have attached two reports for you. The first is a shading report for the current solar system on your business. The second is the same shading report representing what your output would be if a 9' single story addition were added to the building South of your building. It results in a 95% loss in Solar production leaving only 7 of your current panels producing. If they were to build a two story addition it would result in 100% loss in Solar production. Please notice that the reports show the working Solar Panels in Green.

Attached Reports:

Design 1 (Current Business Shading): This is your current system Shad analysis at 1830 Prosperator.

One Story Addition: This is the resulting Shad Analysis of a one story addition.

Kind Regards

Thomas Gordon



Current Business
shading_summary.pdf



One Story
Addition_sh...mmary.pdf



Design 1 Pamela K. Hilbert, 1830 prospector

Shading Heatmap



Shading by Field Segment

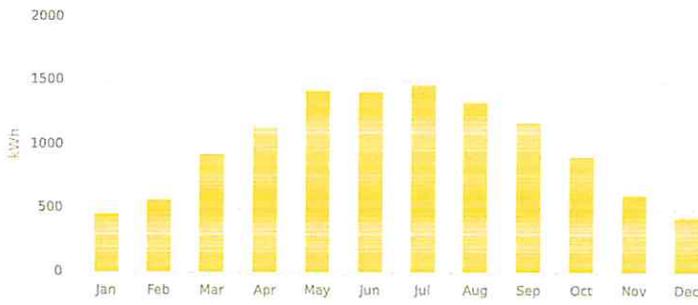
Description	Tilt	Azimuth	Modules	Nameplate	Shaded Irradiance	AC Energy	TOF ²	Solar Access	TSRF ²
Field Segment 1	18.4°	155.5°	23	6.44 kWp	1,758.6kWh/m ²	9.37 MWh ¹	96.8%	99.8%	96.5%
Field Segment 2	18.4°	65.9°	3	840.0 Wp	1,485.1kWh/m ²	1.03 MWh ¹	81.6%	99.9%	81.5%
Field Segment 3	18.4°	246.7°	2	560.0 Wp	1,626.9kWh/m ²	754.4 kWh ¹	90.7%	98.5%	89.3%
Field Segment 4	18.4°	154.5°	2	560.0 Wp	1,736.1kWh/m ²	804.8 kWh ¹	96.7%	98.6%	95.3%
Totals, weighted by kWp			30	8.40 kWp	1,720.9kWh/m²	12.0 MWh	94.8%	99.6%	94.5%

¹ approximate, varies based on inverter performance
² based on location Optimal POA Irradiance of 1,821.5kWh/m² at 32.4° tilt and 176.8° azimuth

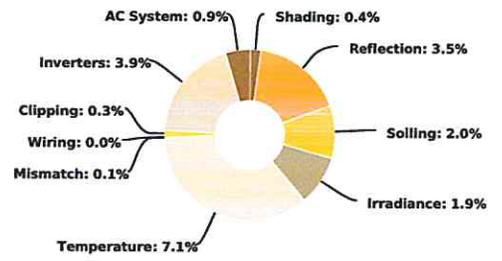
Solar Access by Month

Description	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec
Field Segment 1	99%	100%	100%	100%	100%	100%	100%	100%	100%	100%	99%	98%
Field Segment 2	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Field Segment 3	99%	100%	99%	98%	98%	99%	99%	98%	99%	97%	99%	100%
Field Segment 4	99%	100%	98%	99%	98%	99%	98%	99%	99%	97%	99%	100%
Solar Access, weighted by kWp	98.8%	99.7%	99.7%	99.8%	99.8%	99.8%	99.8%	99.8%	99.8%	99.3%	98.8%	98.3%
AC Power (kWh)	468.6	579.2	938.9	1,149.3	1,431.7	1,425.3	1,474.4	1,340.5	1,181.3	918.6	615.4	435.9

Monthly Production



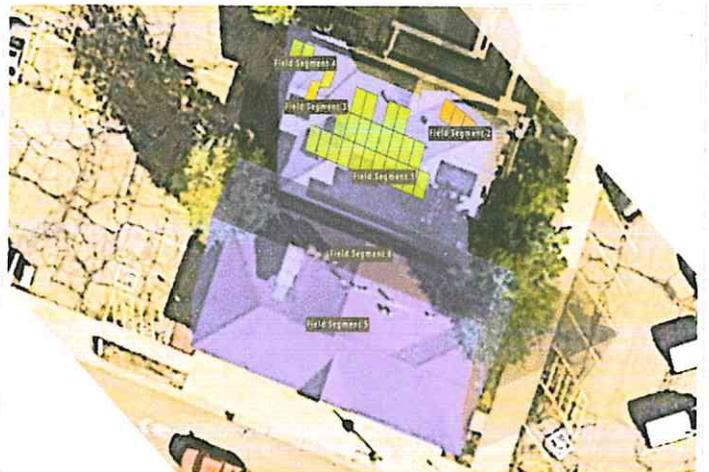
Sources of System Loss



Southwestern Angle

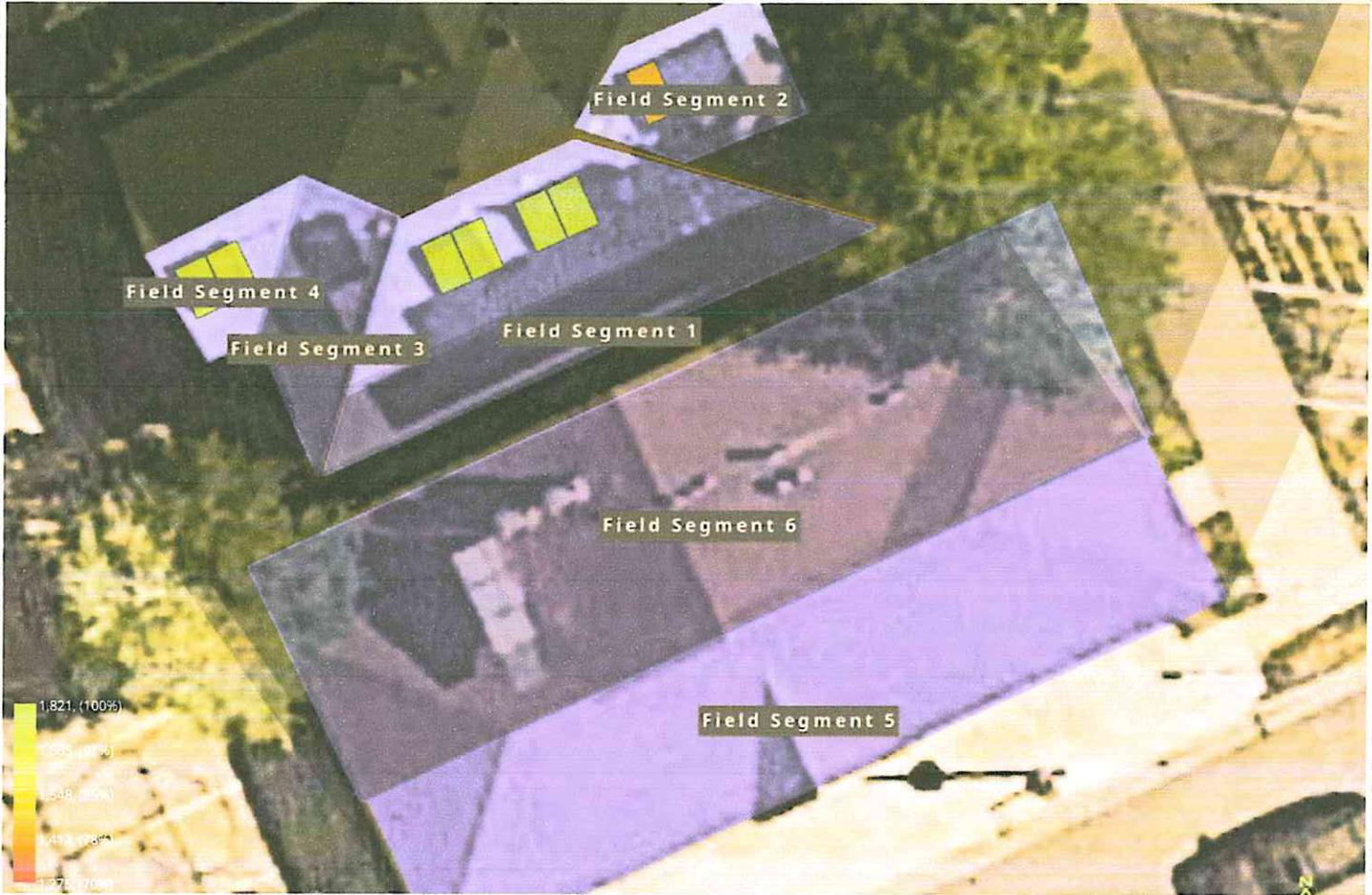


Southeastern Angle



One Story Addition Pamela K. Hilbert, 1830 prospector

☑ Shading Heatmap



☰ Shading by Field Segment

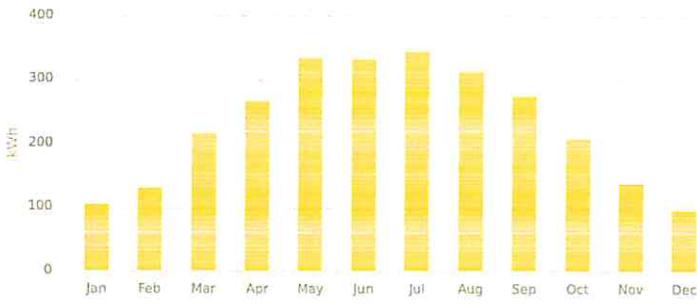
Description	Tilt	Azimuth	Modules	Nameplate	Shaded Irradiance	AC Energy	TOP ²	Solar Access	TSRF ²
Field Segment 1	18.4°	155.5°	4	1.12 kWp	1,749.0kWh/m ²	1.63 MWh ¹	96.8%	99.2%	96.0%
Field Segment 2	18.4°	65.9°	1	280.0 Wp	1,475.6kWh/m ²	343.7 kWh ¹	81.6%	99.3%	81.0%
Field Segment 4	18.4°	154.5°	2	560.0 Wp	1,725.2kWh/m ²	802.6 kWh ¹	96.7%	98.0%	94.7%
Totals, weighted by kWp			7	1.96 kWp	1,703.1kWh/m²	2.77 MWh	94.6%	98.9%	93.5%

¹ approximate, varies based on inverter performance
² based on location Optimal POA Irradiance of 1,821.5kWh/m² at 32.4° tilt and 176.8° azimuth

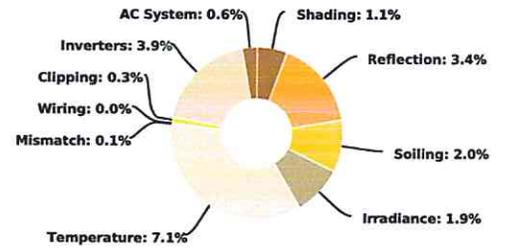
☰ Solar Access by Month

Description	jan	feb	mar	apr	may	jun	jul	aug	sep	oct	nov	dec
Field Segment 1	97%	99%	100%	100%	100%	100%	100%	100%	99%	97%	96%	96%
Field Segment 2	96%	99%	100%	100%	100%	100%	100%	100%	100%	99%	95%	88%
Field Segment 4	97%	94%	97%	99%	98%	99%	98%	99%	99%	97%	96%	96%
Solar Access, weighted by kWp	96.8%	97.8%	99.2%	99.7%	99.6%	99.6%	99.5%	99.6%	99.3%	97.3%	95.9%	95.3%
AC Power (kWh)	105.8	131.5	216.7	267.8	335.2	334.0	345.0	313.5	275.5	210.0	138.6	97.8

Monthly Production



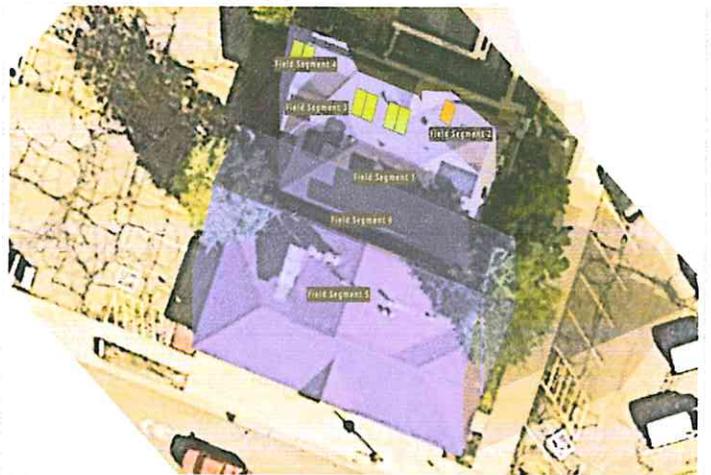
Sources of System Loss



Southwestern Angle



Southeastern Angle



From: thomas@alpenglowsolar.com
Subject: Alpenglow Solar
Date: January 3, 2017 at 3:15 PM
To: Pamela Hilbert drpamdds@yahoo.com
Cc: p.hilbert@me.com



Pamela,

Please find an official response attached.

Kind Regards
Thomas Gordon



ALPENGLOW
SOLAR + ELECTRIC

January 3, 2017

Dear Pamela,

The following report has been produced to address the solar production loss at 1830 Prospector if the building to the South East of your building constructs a second story to the current structure.

Your current system is producing 11,960 kWh of Solar Energy annually. The addition of a 9' second story increasing the building height to 23' would result in a system loss of 77% reducing your system output to 2,772 kWh annually.

The following analysis show a complete production loss to 21 of you current 30 panels. Please note that green represents full production.

Current Shading:



One Story Addition:



Relocation of the panels to the North East roof of you building is not a good option. Relocation of your panels would result in a 65% production loss. The cost to relocate the panels would not be offset by the panels production.

Sincerely,



Thomas P. Gordon
Thomas Gordon
Energy Consultant
Alpenglow Solar + Electric