

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Treasure
Project #: PL-08-00370
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Date: 13 December 2017
Type of Item: Administrative – Conditional Use Permit, Refinement 17.2

Summary Recommendations

Staff recommends that the Planning Commission review the Treasure Conditional Use Permit (CUP) as outlined in this staff report. Staff recommends that the Planning Commission review the presented material, conduct a public hearing, and continue the item to a future date.

Description

Property Owner: Sweeney Land Company and Park City II, LLC
represented by Patrick Sweeney
Location: Creole Gulch and Mid-station Sites, Hillside Properties
Sweeney Properties Master Plan
Zoning: Estate (E) District – Master Planned Development
Adjacent Land Use: Ski resort area and residential
Topic of Discussion: Treasure Refinement 17.2
Reason for Review: Conditional Use Permits are required for development per the Sweeney Properties Master Plan. Conditional Use Permits are reviewed by the Park City Planning Commission.

Background

Staff recommends the Planning Commission review Exhibit A – 2017.12.06 Staff Presentation prepared for the December 6, 2017 Planning Commission meeting/hearing). Staff has summarized the main issues of agreements, qualified agreements, and disagreements with the applicant's positions in the documents provided. Information is intended to aid the Planning Commission in clarifying the applicant's and staff's positions for discussions and to respond to inaccurate assertions. This working document is not intended to be all encompassing of every issue voiced during the CUP review process or to replace staff reports, position papers, presentations, or discussions that have taken place as part of the record. The presentation highlights the main points for the purpose of thoughtful and informed discussion by the Planning Commission prior to rendering any final action. Additional information under a separate cover may be submitted prior to the December 13, 2017 meeting.

Exhibits

Exhibit A – 2017.12.06 Staff Presentation

Recent Document Update/Submittals

On December 1, 2017 the following documents were submitted by the applicant:

- [November 29, 2017 Applicant's Presentation Outline](#)
- [November 29, 2017 Applicant's Presentation](#)

On November 21, 2017 the following documents were submitted by the applicant:

- [Constructability Assessment Report dated November 20, 2017](#)
 - [Exhibits \(all of them\)](#)
 - [Refinement 17.1 Excavation Volumes – Sheet E1.0](#)
 - [Refinement 17.2 Excavation Volumes – Sheet E1.1](#)
 - [Refinement 17.2 Material Placement Zones – E2.0](#)
 - [Refinement 17.2 Vicinity Map & Ski Run Grading – E3.0](#)
 - [Refinement 17.1 Conceptual Utility Plan – E4.0](#)
 - [Refinement 17.2 Conceptual Utility Plan – E4.1](#)
 - [References \(36 documents\)](#)
- [Affordable/Employee Housing Applicant Update](#)
- [MPE Treasure Project Hydrology Review dated August 25, 2017](#)
- [Treasure Hill Park City October 11, 2017 Presentation and Summary Narrative signed November 14, 2017](#)
- [Geotechnical Investigation dated November 20, 2017](#)

On November 22, 2017 the following documents were submitted by the applicant:

- [Woodruff Excavation Volume Quantity Technical Memo](#)
- [Woodruff Drawing Analysis Memo](#)
- [2017 Refinement #2 to MPD Plans](#)
- [Rendering Stills Lowell](#)
- [Video Simulation](#)

Hyperlinks

[Link A - Public Comments](#)

[Link B - Approved Sweeney Properties Master Plan \(Narrative\)](#)

[Link C - Approved MPD Plans](#)

[Link D - 2009 Proposed Plans – Visualization Drawings1](#)

[Link E - 2009 Proposed Plans – Visualization Drawings2](#)

[Link F - 2009 Proposed Plans – Architectural/Engineering Drawings 1a](#)

[Link G - 2009 Proposed Plans – Architectural/Engineering Drawings 1b](#)

[Link H - 2009 Proposed Plans – Architectural/Engineering Drawings 2](#)

[Link I – Applicant's Written & Pictorial Explanation](#)

[Link J – Fire Protection Plan \(Appendix A-2\)](#)

[Link K – Utility Capacity Letters \(Appendix A-4\)](#)

[Link L – Soils Capacity Letters \(Appendix A-5\)](#)

[Link M – Mine Waste Mitigation Plan \(Appendix \(A-6\)](#)

[Link N – Employee Housing Contribution \(Appendix A-7\)](#)

[Link O – Proposed Finish Materials \(Appendix A-9\)](#)
[Link P – Economic Impact Analysis \(Appendix A-10\)](#)
[Link Q – Signage & Lighting \(appendix A-13\)](#)
[Link R – LEED \(Appendix A-14\)](#)
[Link S – Worklist \(Appendix A-15\)](#)
[Link T – Excavation Management Plan \(Appendix A-16\)](#)
[Link U – Project Mitigators \(Appendix A-18\)](#)
[Link V – Outside The Box \(Appendix A-20\)](#)

Refinement 17.2

Link W – Refinement 17.2 Plans received 2017.08.10 (Proposed Plans)

[Link X – Refinement 17.2 Plans compared to 2009 Plans received 2017.08.14](#)

[Link Y – Written & Pictorial Explanation \(Updated\) received 2017.08.14](#)

[Link Z – Refinement 17.2 Signature Stills Renderings received 2017.09.01](#)

[Link AA – Refinement 17.2 View Points Renderings received 2017.09.01](#)

[Link BB – Refinement 17.2 Animation Model received 2017.09.01](#)

[Link CC - Sweeney Properties Master Plan \(applicable sheets, includes various site plans, building sections, parking plans, height zone plan/parking table, and sample elevations\)](#)

[Link DD – Refinement 17.2 Building Sections-Below Existing Grade Measurements](#)

[Link EE – Refinement 17.2 Building Sections-Perceived Height Measurements](#)

Additional Hyperlinks

[2009.04.22 Jody Burnett MPD Vesting Letter](#)

[Staff Reports and Minutes 2017](#)

[Staff Reports and Minutes 2016](#)

[Staff Reports and Minutes 2009-2010](#)

[Staff Reports and Minutes 2006](#)

[Staff Reports and Minutes 2005](#)

[Staff Reports and Minutes 2004](#)

[2004 LMC 50th Edition](#)

[1997 General Plan](#)

[1986.10.16 City Council Minutes](#)

[1985.12.18 Planning Commission Minutes](#)

[1986 Comprehensive Plan](#)

[1985 Minutes](#)

[1985 LMC 3rd Edition](#)

[1983 Park City Historic District Design Guidelines](#)

[Parking, Traffic Reports and Documents](#)

MPD Amendments:

[October 14, 1987 - Woodside \(ski\) Trail](#)

[December 30, 1992 - Town Lift Base](#)

[November 7, 1996 – Town Bridge](#)

Planning Commission December 6, 2017 Work Session Treasure Hill CUP

Planning Staff
Summary Opinions

Introductory Statements

- The Treasure Hill development proposal is complex/large scale development for Park City.
- We have all struggled with the give and take between the applicant and the public on what the SPMP allows for because they were not written specifically for the present circumstances and scenario proposed.
- Staff has worked diligently be respectful and honor the applicant's existing entitlements.
- Staff has honored the schedule and presentation format requests of the applicant.
- Staff understands the applicant's proposal that is under review for this hearing is version 17.2 – submitted in pieces over the summer 2017 through a couple of days ago.

Introductory Statements

- Staff does not consider revision 17.2 to be a substantive change to the applicant's 2004 and 2009 versions of their development proposal warranting a new application.
- Staff agrees on some points of the applicant's position papers and disagrees with others.
- One notable change in scenario is that what was contemplated at the time of the SPMP approval was a phased project, with iterations, that would happen over time – Town Lift Base, Town Lift Ski Runs, Town Bridge, prior subdivisions were reviewed in this manner.
- What is being applied for by the applicant is an approval for the development to be constructed all at one time.
- What we are challenged to do is bridge the gaps between the SPMP approval and the issues the SPMP delayed until this CUP review.

Introductory Statements

- Per a prior request of the Planning Commission, staff has summarized the main issues of agreements, qualified agreements, and disagreements with the applicant's positions in the document provided.
- This information is intended to be helpful to the Planning Commission in clarifying the positions of both the applicant and staff for discussion; and respond to inaccurate assertions made by the applicant in their position papers for the record.
- This document is a working document and not intended to be an all encompassing document of every issue voiced during the CUP review process nor replace the staff reports, position papers, presentations or discussions that have taken place as part of the record.
- This presentation attempts to highlight the main points staff's position for the purpose of a thoughtful and informed discussion by the Planning Commission prior to rendering any decision.

Compliance with SPMP

Allowed Support Commercial and Meeting Rooms

- SPMP caps the amount of allowed support commercial and meeting room floor area.
- Staff's position is the applicant's requested 21,339SF of support commercial and 16,214SF of meeting space should be eliminated from the project to be compliant with the SPMP as supported by the SPMP May 15, 1985 Fact Sheet .

Accessory Space

- SPMP May 15, 1985 Face Sheet included 17, 500SF of miscellaneous spaces such as lobbies, meeting rooms, etc. The 2003 LMC considers these types of uses accessory and not limited by UEs.
- Staff's position is the amount of accessory space, as defined by the 2003 LMC, should be limited by what can be included within the overall size of the project represented in the SPMP conceptual plans to a maximum of 875,163SF, per the applicant's analysis, to be compliant with the SPMP and to the extent the additional area is mitigated through the CUP review process.

Compliance with SPMP

Maximum Overall Size of the Development

- SPMP conceptual plans represent a total floor area of 875,163SF; and the 17.2 proposal represents 948,730SF of floor area.
- Staff's position is the overall project floor area should be reduced from 948,730SF to a maximum overall size of 875,163SF, per the applicant's analysis, to be compliant with the SPMP and to the extent the additional area is mitigated through the CUP review process.

Excavation

- SPMP conceptual plans represent 413,436CY of excavated soil material per the applicant's analysis; and the 17.2 proposal represents 814,450CY of excavated soil material.
- Staff's position is the amount of proposed excavation of 875,163 should be reduced to a maximum of what was contemplated in the approved SPMP, 413,426CY, as supported by the City's Council commentary of why they chose the conceptual plans they did to incorporated into the SPMP; and additionally the excavated material removal and relocation be mitigated through the CUP review process.

Compliance with SPMP

Development Boundary

- SPMP defines a development boundary; and version 17.2 includes cliffscapes outside of that established boundary.
- Staff's position is the cliffscapes permanently alter the existing landscape to a point it cannot be reasonable restored to its natural condition; and must be moved to be contained within the SPMP established building boundary to be compliant with the SPMP and to the extent the cliffscape grading, landscaping, storm water, and visual related impacts are mitigated through the CUP review process.

CUP Criteria 1, 8 and 11

1. size and location of the Site
8. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots
11. physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing
 - Staff agrees the site and uses are appropriate to the extent they are compliant with SPMP and can be mitigated through the CUP process.
 - Staff agrees with the applicant on their residential and commercial UE calculations.
 - Staff disagrees with the applicant on the allowed support commercial and meeting space.
 - Staff contends the SPMP language is specific enough and governs the amount of allowed floor area for these specific functions.

CUP Criteria 1, 8, and 11

- Staff disagrees with the applicant's position that the proposed development was mandated by past staff and Planning Commission direction other than to the extent the concept of "clustering" did not conflict with the requirements of SPMP – unless that document was officially modified.
- Staff's position is the project design can be adjusted to be compliant with the SPMP by revising (for example) the lot coverage, number of buildings, and orientations of the buildings and parking; and additionally mitigating the impacts.
- Staff recognizes further detailed analysis and evaluations of the project may have to occur at a later time than this process such as: Revised building massing and orientation (due to revised excavation amount and relocating cliffscapes within the development boundary consistent with the SPMP) for compatibility plus compliance with the Historic District Guidelines.

CUP Criteria 15

15. within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site
- Staff disagrees on the amount of excavation of soil material proposed by the applicant as outlined in the prior SPMP compliance slides.
 - Montage 2007 Construction Mitigation Plan (CMP) included 100,000CY of excavated soil material and St. Regis 2001 CMP included 80,000CY that was relocated off of their respective sites.
 - Staff disagrees with the applicant's proposed removal of vegetation and controls on the placement of fill.
 - Staff disagrees with the proposed increased area of disturbance from the applicant's previous submittals.
 - Staff's position is additional review processes are required for the placement of excavated soil material outside of the established building boundary and/or off-site.

CUP Criteria 2, 4, 5, 6 and 13

2. traffic considerations including capacity of the existing Streets in the Area
 4. emergency vehicle Access
 5. location and amount of off-Street parking
 6. internal vehicular and pedestrian circulation system
 13. control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas
- Staff agrees with the numerous qualifying conditions formally discussed with the applicant and Planning Commission including specific limiting measures, subsequent reviews and approvals, and ongoing operational monitoring/adjustment requirements.

CUP Criteria 3, 7 and 10

- 3. utility capacity
- 7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses
- 10. signs and lighting
 - Staff's position is the review of detailed final plans in these areas will need a later review process with an established standard of review.

CUP Criteria 9, 12 and 14

- 9. usable Open Space
- 12. noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-site
- 14. expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities
 - Staff's position is open space is in agreement with the applicant to the extent it is compliant with the Recreation Open Space zoning – refer to staff's position on criteria 15.
 - Staff's disagrees with the levels of controls over the construction and operations based on the applicant's submitted documents.
 - Staff's position is a Master Owner's Association should be required, similar to other projects in Park City (Empire Pass), that manage similar open space and operations.

Questions?

1. Staff requests the Planning Commission discuss their viewpoints on SPMP compliance of the Treasure Hill CUP application proposed development version 17.2.
2. Staff requests the Planning Commission Comment on the impacts and associated mitigations needed to satisfy the CUP Criteria.