

**PARK CITY PLANNING COMMISSION
WORK SESSION NOTES
JULY 14, 2010**

PRESENT: Chair Charlie Wintzer, Brooke Hontz, Richard Luskin, Dick Peek, Julie Pettit, Mick Savage, Adam Strachan, Thomas Eddington, Brooks Robinson, Katie Cattan, Mark Harrington, Polly Samuels McLean

Work Session Items

Treasure Hill Conditional Use Permit and Sweeney Open House - Information Update

Planning Director, Thomas Eddington, reported that the City established a negotiating team to work with the Sweeney's on the Treasure Hill project. The project is currently on a six month stay from a formal Planning Commission review. The CUP application is tentatively scheduled to come back to the Planning Commission on September 12, 2010. Director Eddington stated that within that interim, the City has been working with the Sweeney's on different alternatives and options. The main objective is to look at the Treasure Hill project as a whole and presenting the alternatives to the public for feedback.

Director Eddington noted that two public open houses were held. The Planning Commission was asked not to attend those open houses to avoid interrupting that public process with CUP issues.

The intent this evening was to allow the Planning Commission the opportunity to review the model and exhibits that the public had seen during the open houses.

Commissioner Pettit requested an overview on the number of people who had attended the open houses. Director Eddington stated that approximately 83 people attended the first meeting and slightly more than 100 people had attended the last one. Commissioner Pettit asked if it was an open format where the public had the opportunity to make comment or provide feedback. Director Eddington stated that a survey was provided that people could fill out online or at the meeting. The format allowed the public to walk around and look at the five alternatives, as well as the history of the project when it first started in the early 1980's.

Assistant City Attorney, Mark Harrington, stated that in addition to the opportunity for written comments, the Mayor and most City Council Members were present to answer questions in an informal process. Mr. Harrington pointed out that the City tried to be transparent in an informal process, and at the same time be mindful that negotiations are in progress. The City tried to adhere to a process that protects the rights of the applicant and still involves the public as much as possible.

City Attorney Harrington noted that the Planning Department has played a role in helping the negotiating team. He clarified that by not participating in the public process, the Planning Commission would have more power than they had before because they will be the final determiner of any proposal that is ultimately presented.

Director Eddington stated that he was involved early in the process from a planning perspective and Planner Katie Cattan has been involved primarily in the regulatory role. He has conveyed ideas

from previous Planning Commission meetings to the negotiating team, and he believes the process is going smoothly.

City Attorney Harrington stated that the Planning Department would continue to update the Planning Commission as much as possible. It is important to maintain some nominal degree of formality of process in case there is no agreement and the Planning Commission has to move forward. The best case scenario would be that the Planning Commission will be providing feedback on new options as they progress. Mr. Harrington noted that it would be premature at this point to approach the Planning Commission for preliminary direction; however, in an effort to keep the Commissioners informed, the Sweeney's had agreed to make the same materials available for the Planning Commission this evening. It would be the same format as the open houses. There would not be a formal presentation and the Commissioners would walk around the room and view the materials at their leisure. The only difference was that the Commissioners would not fill-out the survey.

City Attorney Harrington explained that the options are not exclusive. The negotiating team agreed not to get into back of house discussions or what the Planning Commission may or may not approve. From a simplistic mode, the negotiating team looked at removing boxes from the current proposal. The City Council hopes the process will help them get a better sense of what the community could support.

Commissioner Pettit found the City Attorney's explanation to be helpful. Recognizing that the Planning Commission has a regulatory role in the event an agreement cannot be reached, it is important for them to understand the rules to avoid stepping into an area where they should not venture at this point.

City Council Member, Liza Simpson, clarified that each of the open houses were well staffed by the Planning Department and the negotiating team. They mingled and greeted people, and clarified issues and answered questions. One point they tried to get across to everyone was that the options presented were milepost long and continual. They start with the proposed project and end with an option for entirely open space. Council Member Simpson stated that the ease of being able to present the five options was based on the plans that exist and removing density. She clarified that the options were a work in progress and not options being presented. Council Member Simpson assured the Planning Commission that the open houses were a back and forth dialogue. She encouraged people to take the information home and to fill out the survey online.

Commissioner Luskin asked for a summary of the five options. Mike Sweeney, representing the applicants, stated that the Planning Commission would only see a third of the exhibits presented at the open houses. They tried to condense the materials to make it easier for the Planning Commission to view in a shorter period of time. Mr. Sweeney remarked that the first option is the proposed project and the last option is complete open space, with a myriad of opportunities in between.

Mr. Sweeney stated that Option 1 was to eliminate five buildings. Option 2 was to eliminate the five buildings plus one building. That would result in moving slightly less than half of the density off site. Option 3 would also remove three floors from the 3B building. Option 4 was to take two floors off the main hotel, which is 30,000 square feet. Mr. Sweeney had used viewpoints from Heber and

Main and from the Plaza Deck for the exhibits. He noted that the model provided was Option 3, which is the removal of one building and the five buildings and the reduction in height of the 3B building. The ground was also replaced to show the natural topography with the ski runs proposed in the application. Mr. Sweeney noted that Option 3 could be modified to spread out the density.

Mr. Sweeney presented an exhibit of the Sweeney Family History from 1956 to present day. It showed their relationship with the community and their thoughts with respect to the ski town that they have been involved in since 1956. Mr. Sweeney noted that his family has played a significant role over that period of time. He wanted the community to understand that his family is not a typical developer. They have a personal interest in Park City and they are looking for a win/win solution for the community and the City. If that means a hundred percent of the density is eliminated, that can be done. They just need to figure out how to pay for it.

Council Member Simpson stated that because the negotiating team had not started talking about monetary values, they used the restaurant guidebook model of assigning dollar signs to each option. She clarified that the dollars are an estimated guess and were not based on fact. She pointed out that the early options require fewer dollars signs. Options 4 and 5 have the most dollars, primarily because the biggest revenue generating portion of the project is the hotel. Council Member Simpson stated that the Planning Commission should direct any questions regarding dollars to Mark Harrington or Thomas Eddington.

City Attorney Harrington stated that if the Planning Commission continues to hear public comment, they should direct those people to the City Council. Mr. Harrington stated that if a new application comes before the Planning Commission as either an amended application or a new application, the rules could change. Any legislative action for a rezone, LMC amendment, or an amendment to this particular application would put the Planning Commission back in the forefront.

Commissioner Savage wanted to know the benefit of keeping the Planning Commission informed when it would ultimately funnel down into a single option presented to the Planning Commission. Mr. Harrington replied that it was an effort to keep the process transparent and public and so the Planning Commission has the same information everyone else has when they reach the end point. He pointed out that the Planning Commission would play no role if the result is a complete density buy down.

Commissioner Savage clarified that the Commissioners should not get personally invested in any particular option until it comes before them as an application. Mr. Harrington replied that this was correct. City Council Member Simpson stated that the negotiating team felt it was important for the Planning Commission to see what was being presented. Mike Sweeney agreed, noting that his family requested that the Planning Commission have the same opportunity as the public to know what was being discussed.

The Planning Commission left the dias to view the exhibits and the model.

Commissioner Savage wanted to know when the dollar signs would be converted to actual numbers. City Attorney Harrington stated that the timing would be up to the City Council. The next step would be to prioritize which options the City Council would like to pursue. He noted that the parties involved have preliminarily agreed that the basis would be primarily the Ues. Back of house

and external matters would only be addressed if needed. Mr. Harrington stated that because they are working with current blocks does not mean those blocks translate to direct valuation. On the other hand, the Sweeney's have also said that there may be other valuation. If it all goes away, in terms of items that have already been provided by contract, that may factor in as well. Mr. Harrington acknowledged that it would not be an easy process, but the overall timing is to have a conceptual direction by Fall to stay within the 6 month time frame to finalize negotiations. The work session was adjourned.