

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 26, 2019

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten,

EX OFFICIO: Planning Director, Bruce Erickson; Laura Kuhrmeyer, Planner; Liz Jackson, Planner; Mark Harrington, City Attorney

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ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioners Suesser, Thimm and Van Dine, who were excused.

ADOPTION OF MINUTES

June 12, 2019

MOTION: Commissioner Sletten moved to APPROVE the Minutes of June 12, 2019 as written. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson announced that the next Planning Commission meeting was scheduled for July 10, 2019. The second meeting on July 24th was cancelled due to the holiday.

Director Erickson reported that the plan is to schedule a work session on July 10th with the Community Development Director to talk about the Arts and Culture District, as well as the Housing Plan that is moving forward with the City Council.

Director Erickson stated that the following evening the City Council would discuss the Hideout Annexation Plan. Once the Council provides direction, the Planning Staff will provide an update to the Planning Commission. Chair Phillips pointed out that Hideout

was not in the Park City's annexation boundary. Director Erickson replied that it was currently not in the boundary but it involves certain lands owned by Park City. Director Erickson clarified that he was not able to provide further information this evening because it was not on the agenda.

Director Erickson reported that the Planning Department was now fully staffed.

Chair Phillips asked if the Planning Commission is required to review the annexation boundary once a year or just whenever they feel it is necessary. City Attorney Harrington replied that they review it whenever they want. The Planning Commission has additional review requirements when they review the General Plan, but it is not an annual requirement.

Commissioner Sletten disclosed that he owns property at Tuhaye, which is one of the developments controlled by the applicant for 501 Heber Avenue. He had relinquished his club membership and no longer has an interest in the Club. Commissioner Sletten found no reason to recuse himself from discussion 501 Heber Avenue on the agenda this evening.

Commissioner Hall stated that she would be out-of-town for the July 10th meeting.

Commissioner Kenworthy disclosed that last weekend he had dinner at Courchevel. It was a soft opening and the event was free to everyone in attendance. It would not affect his decision this evening.

CONTINUATIONS (public hearing and continue to date specified).

1. Twisted Branch Subdivision – a final subdivision plat for 3 lots of record; Lot 1 for a City water tank, Lot 2 for an on-mountain private restaurant, and Lot 3 for a City pump station, subject to the 2007 Flagstaff Annexation and Development agreement and Technical Reports (Application PL-17-03664)

Director Erickson requested that the Planning Commission continue this item to August 28, 2019 to give the Staff the opportunity to clear up final legal and survey matters on the property.

Chair Phillips opened the public hearing.

Sandra Morrison with the Park City Museum addressed the Museum's concerns regarding the application. As stated in the Staff report, the application is subject to the

2007 Flagstaff Annexation and Development Agreement; and Technical Reports. Ms. Morrison stated that as discussed at previous meetings, the requirements of the Technical reports for Historic Preservation and Open Space have not been met for almost 20 years since the adoption of this Agreement in 2007. She noted that in February 2019, the Staff proposed a Memorandum of Agreement, and she asked if that MOA had been signed.

Director Erickson replied that the applicant had signed the Memorandum of Agreement. The City had not signed the MOA because they were still working through some of the details.

Ms. Morrison thought the Memorandum of Agreement was a great solution and she thanked the Staff for proposing it. However, her biggest concern was that the proposed MOA that the applicant signed waters down the restrictions and conditions that were originally established in the Flagstaff Annexation and Development Agreement, and in the Technical Reports. Ms. Morrison had specific concerns with the Article that requires the developers to install a new roof. She was concerned that in 20 years they would once again be lamenting the sorry deteriorated condition of this historic building. She noted that the original Flagstaff Annexation Agreement required the developer to do a full restoration of the building. The cost estimates she obtained were approximately \$230,000. Ms. Morrison wanted to know why the City was not standing by its original requirement instead of watering it down.

Ms. Morrison stated that the other provision in the Memorandum of Understanding was that the Staff had identified the open space and transit funds as an appropriate source of funding for the long-term maintenance and much overdue stabilization if required. She remarked that the MOA provides \$40,000/year for ten years. Ms. Morrison questioned whether \$400,000 over ten years was enough to cover the costs of everything that needed to be done right now. Ten years from now the costs would be higher. Ms. Morrison stated that the cost for doing Little Bell was \$65,000. She did not believe \$40,000 the first year would not be enough and they would have to wait for the second year when they have \$80,000 to even start. Ms. Morrison stated that \$40,000/year delays any stabilization efforts another ten years, which results in 30 years of deferred maintained.

Ms. Morrison stated that last year volunteers spent an entire day cleaning the graffiti off the outside of the building, and they received an award from the Historic Preservation Board for their efforts. She was at the Alliance Mine Building today and the graffiti is back. Ms. Morrison remarked that in discussions with the police, they were told that if the City owned the building the police could monitor it with security cameras. They

would fall under that provision if the City had the easements, which is also a requirement in the Flagstaff Annexation Agreement. However, the City has never received those easements.

Ms. Morrison urged the Planning Commission to keep moving forward to get the preservation work done. She thought it was important to make the most of this opportunity. Ms. Morrison had estimated a cost of \$550,000 for the structures covered in the Flagstaff Annexation Agreement. A number of other structures are not covered by any agreement and there is no source of funding for those structures at all. If the City is willing to recognize that the open space and transit fund is an appropriate use of these funds, she suggested that the City provide a larger share of those funds to take care of all the historic mining structures. Those structures deserve the respect, care, and attention they all talk about. Ms. Morrison stated that the Museum and the Friends of Ski Mountain Mining History cannot do the required preservation work with the bake sale approach they have managed to this point. They can do the smaller things but they will never have enough money to do the Judge Office Building, the Alliance Mine, or the Daly West Headframe that has been lying on the ground.

Ms. Morrison urged the Planning Commission to take a good look at the Memorandum of Understanding to ensure that it will do exactly what they want it to do; and to get it done sooner rather than later.

Chair Phillips closed the public hearing.

MOTION: Commissioner Kenworthy moved to CONTINUE the Twisted Branch Subdivision to August 28, 2019. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

VI.A 201 Heber Avenue – Conditional Use Permit (CUP) - The Applicant is requesting to use a portion of the new restaurant area as a Private Residence Club, Off-Site. This is a Conditional Use within the Historic Recreation Commercial Zoning District.

Planner Laura Kuhrmeyer reviewed the request for a private residence club off-site in the lower level of the Coal and Lumber Building.

No public comment had been received.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the requested CUP for 201 Heber Avenue based on the findings of fact, conclusions of law and conditions of approval found in the Staff report.

Commissioner Sletten asked for clarification on the difference between the upstairs public area and the downstairs private area. Planner Kuhrmeyer explained that the upstairs will be a regular restaurant, which was not included in this conditional use permit. The requested conditional use permit was only for the lower level, which will be the private residence club. Planner Kuhrmeyer noted that restrooms and an elevator on the lower level would be open to the public; however, most of the lower level and the outdoor area downstairs will only be for the private residence club.

Chair Phillips thought this application was different from the Victory Ranch residence club on lower Main that came before them. This one is in a private plaza and it falls within the vertical zoning. In reading through the Staff report he recalled the Planning Commission discussions. In hindsight it met the requirements of the Code, but it was not favored by some of the Commissioners at the time. He believed this application also meets the Code. Chair Phillips suggested having a work session so the Planning Commission will know what buildings and areas can or cannot have a private club; and whether they like the buildings or locations where private clubs would be allowed.

Chair Phillips thought this requested private club was in a visible location on Main Street, and it is in a plaza that has been lacking vitality.

Director Erickson stated that the Staff could come back with additional analysis. However, in general, anything that is street level all the way down to 820 Main Street is restricted from private residence clubs; as well as other uses. A few buildings are exempt and the Marriott Plaza is exempt because they are more than 8-feet above the street. Director Erickson remarked that the Vibrancy Ordinance and the Storefront Enhancement ordinance are aligned in those two districts. He recalled that Planner Kuhrmeyer had processed a private residence club at the Resort a year ago and there were no issues with that operation over the winter.

Commissioner Sletten commented on the number of lower level food service operations that have not been successful. It is a large space and it is hard to make that space feel inviting. Planner Kuhrmeyer noted that there would also be a ski locker room in addition to the restaurant and bar.

Chair Phillips was concerned about setting a trend over the years. He thought it was important to make sure they like the parameters to make sure the area does not turn into a collection of private clubs. He was not opposed to this request, but he thought they needed to consider the future.

Commissioner Kenworthy thought the shuttle service was a benefit to help reduce the parking loads. Chair Phillips agreed. He also agreed with Commissioner Sletten that if it makes that space successful it would be positive for the plaza.

Commissioner Hall shared Chair Phillips concerns. She noted that a former Planning Commissioner was not in favor of having all of the public areas restricted to clubs. She thought they needed to be cognizant so private clubs do not start creeping.

Director Erickson stated that the Staff was concerned about outdoor plazas. He noted that the area permitted for the private club is restricted the area for the Tavern. The rest of the plaza has public easements on it and the upstairs outside deck that faces Main Street is public because it is attached to the public restaurant. The City has the public access easement down to the ADA elevator which drops down to the swimming pool. There are also utility easements.

Commissioner Hall asked if signs were being proposed. Planner Kuhrmeyer replied that the applicant would eventually apply for signs for the restaurant but that would be under a sign permit.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to APPROVE the Conditional Use Permit for 201 Heber Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the Staff report. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 201 Heber Avenue

1. The subject property is located at 201 Heber Avenue.
2. The Site is within the Historic Recreation Commercial (HRC) District.
3. The property is listed on the Park City Historic Sites Inventory as a "Significant Site."
4. Based on the Floor Plans submitted by the Applicant, the entire unit consists of 5,354 square feet, of which 992 square feet will be dedicated to the Private Residence Club, Off-Site Use.
5. The Applicant is proposing to use the lower level (basement) bar and lounge area as a Private Residence Club, Off-Site for Talisker Club Members only. The remaining main level will be open to the public.
6. The Applicant is proposing to use the lower Outdoor Dining Area for Private Club Members in addition to the lower level of the building.
7. An Administrative Conditional Use Permit for Outdoor Dining was issued on July 22, 2014. The City has not received any complaints for this Use.
8. The proposed use requires a Conditional Use Permit in the Historic Recreation Commercial (HRC) District.
9. This use will not affect any exterior areas and no exterior changes are proposed to the building at this time.
10. The unit was platted as Commercial Unit LB -1 of the Union Square Condominiums plat recorded in 2008.
11. The Maximum Occupancy will be determined when the finalized floor plan and layout is submitted and reviewed by the Building Department.
12. Land Management Code (LMC) § 15-2.5-3(B)(31) indicates that a Private Residence Club, Off Site, is a Conditional Use in the HRC District.
13. The footnote attached to the Conditional Use of a Private Residence Club, Off Site within the HRC District reads as: "Prohibited in HRC Zoned Storefront Property adjacent to Main Street, Heber Avenue and Park Avenue, excluding those HRC Zoned Properties on the west side of Park Avenue and also excluding those HRC Zoned Properties with the following addresses: 702 Main Street, 710 Main Street, 738 Main Street (for the plaza side storefronts), 780 Main Street, 804 Main Street (for the plaza side storefronts), 875 Main Street, 890 Main Street, 900 Main Street, and 820 Park Avenue. Hotel rooms shall not be located within Storefront Property; however, access, circulation, and lobby areas are permitted within Storefront Property."
14. The requested Use will occupy the basement portion of the Building and thus it will comply with the Conditional Use Footnote, as it will not occupy the Storefront Property adjacent to Main Street or Heber Avenue.
15. The Land Management Code defines the Club, Private Residence Off-Site as: "Any Use organized for the exclusive benefit, support of, or linked to or associated with, or in any way offers exclusive hospitality services and/or

concierge support to any defined Owner's association, timeshare membership, residential club, or real estate project. Hospitality includes, but is not limited to, any of the following services: real estate, restaurant, bar, gaming, locker rooms, storage, salon, personal improvement, Office."

16. The actual use of the member club will not be public and is for the exclusive benefit of the Talisker Club Members.

17. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

18. The proposal complies with LMC 15-1-10(E)(1) as the Use does not change the size or location of the Site. The entire unit is 5,622 square feet. The applicant is requesting to use a portion of the lower level (992 square feet) as a Private Residence Club, Off-Site. The max occupancy will be determined by the Building Department when a finalized layout of the space has been submitted and reviewed.

19. The proposal complies with LMC 15-1-10(E)(2) as the Use of the Private Residence Club, Off-Site will not cause any unmitigated impacts to traffic. The applicant is proposing to allow Talisker Club Members to shuttle in or park in any Main Street parking options that are open to the public.

20. The proposal complies with LMC 15-1-10(E)(3) as no additional utility capacity is required for the requested Use.

21. The proposal complies with LMC 15-1-10(E)(4) as Emergency vehicles can easily access the unit and no additional access is required.

22. The proposal complies with LMC 15-1-10(E)(5) as this building is located within the Historic Recreation Commercial (HRC) District. This building is located within the Historic Recreation Commercial (HRC) District. According to Land Management Code (LMC) 15-2.5-6, Historic Structures that do not comply with...Off-Street parking...are valid Non-Complying Structures. While no additional parking is required for this Building; the Lot is current in its assessment to the Main Street Parking Special Improvement District as of January 1, 1984. The applicant is offering a shuttle to transport Club Members to the Private Residence Club, Off-Site but will also allow parking in any Main Street parking that is open to the public.

23. The proposal complies with LMC 15-1-10(E)(6) as the building can be accessed off on Heber Avenue (on the main level) or from the Zoom Plaza (on the lower level). No additional vehicular or pedestrian circulation is required.

24. The proposal complies with LMC 15-1-10(E)(7) as fencing, screening, and landscaping is not proposed at this time and are not needed to separate uses as the uses are fully enclosed within the existing building.

25. The proposal complies with LMC 15-1-10(E)(8) as the requested use will not

affect the existing building mass, bulk, orientation and the location on site, including orientation to adjacent building. Staff does not find there to be additional impacts as no exterior changes to the building are being proposed.

26. The proposal complies with LMC 15-1-10(E)(9) as no useable open space will be affected with the requested use from what is currently found on site.

27. The proposal complies with LMC 15-1-10(E) (10) as no additional signs or exterior lighting is associated with this proposal at this time. Any new exterior lighting is subject to the LMC development standards related to lighting and will be reviewed for compliance with the Design Guidelines for Historic Districts and Historic Sites and the LMC at the time of application. All signs are subject to the Park City Sign Code and require a separate Sign Permit to be approved by the Planning Department.

28. The proposal complies with LMC 15-1-10(E) (11) as the requested use will not affect the existing physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing, as no changes are being proposed to the exterior of the building.

29. The proposal complies with LMC 15-1-10(E) (12) as noise, vibration, odors, steam or mechanical factors are anticipated that are normally associated with a commercial use. The hours of the Use for the Private Residence Club, Off-Site are from 12:00 PM – 10:00 PM during the Summer and from 8:00 AM – 10:00 PM during the winter. The max occupancy of the building will be determined when a finalized layout has been submitted and reviewed by the Building Department. The impacts for the Private Resident Club, Off-Site will be less than a bar or restaurant located in this area.

30. The proposal complies with LMC 15-1-10(E) (13) as the applicant has proposed that delivery trucks make deliveries in the mornings and utilize the parallel parking in front of the entrance. Trash and recycling will be located within the Sky on Main Condominium trash enclosure.

31. The proposal complies with LMC 15-1-10(E) (14) as the expected ownership and management of the property is not projected to add impacts that would need additional mitigation. The entire unit is owned by Storied Deer Valley LLC.

32. The proposal complies with LMC 15-1-10(E) (15) as the building is not located within the Sensitive Lands Overlay.

33. The proposal complies with LMC 15-1-10(E) (16) as the proposed Use has been reviewed for consistency with the General Plan. The General Plan encourages Historic preservation, including the adaptive reuse of Historic Structures such as the Kimball Garage. It seeks to maintain the integrity of Historic resources and the Main Street National Register Historic District through the preservation of Historic Buildings and compatible infill development and additions. Below are

some examples of ways that this proposal is consistent with Park City's General Plan.

- a. Goal 11: "Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience."
 - i. Community Planning Strategy 11.3: "Facilitate the establishment of more year-round visitor attractions within the resort neighborhoods and commercial districts."
- b. Goal 15: "Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations."
 - i. Objective 15E: "Encourage adaptive reuse of historic resources."
 - ii. Community Planning Strategy 15.11: "Develop stronger incentives to encourage adaptive reuse of historic resources."
- c. Goal 16: "Maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors."
 - i. Objective 16A: "Support 'adaptive re-use' of buildings along Main Street through incentives to property owners and businesses"

Conclusions of Law – 201 Heber Avenue

1. The application complies with all requirements of the Land Management Code.
2. The use will be compatible with surrounding structures in use, scale, mass, and circulation.
3. The use is consistent with the Park City General Plan, as amended. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 201 Heber Avenue

1. The requested use shall be conducted within the specified space at 201 Heber Avenue, Unit LB-1, as well as the Outdoor Dining area on the lower level, as approved by the Planning Commission.
2. Any Outdoor Dining shall comply with all Conditions of Approval from the Administrative Conditional Use Permit issued on July 22, 2014.
3. The applicant is responsible for management of the Private Residence Club, Off-Site and enforcement of the Covenants, Conditions and Restrictions of the Union Square Condominiums.
4. If the Private Residence Club, Off-Site Use is abandoned for a year or more, this Conditional Use Permit shall be void.
5. The property is located within the Park City Landscaping and Maintenance of

Soil Cover Ordinance (Soils Ordinance) and therefore it is regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

6. All development shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone Requirements.

V1.B 269 Daly Avenue – Conditional Use Permit – The applicant is requesting to locate a basement addition directly beneath an existing Historic “Significant” Structure that encroaches into the Side Setback Area.

Planner Kuhrmeyer reviewed the request for adding a basement beneath the historic house that encroaches into the side setback. The house has been taken down based on an approval from the Planning Department. The applicant intends to reconstruct the house in the same location per Planning Department approval and conditions of approval. The request is only put a basement underneath the house when it is reconstructed.

The applicant, Ross Henry, stated that the house that was taken down belonged to his parents and they still own the land. He noted that they already had approval to put a basement underneath the house, but because they were not able to relocate the house, the house encroaches on the setback on one side by one-foot.

Mr. Henry clarified that he was trying to avoid pouring two foundation walls. One foundation wall has already been approved above grade. He was proposing to continue that wall below grade to carry the existing structure. Mr. Henry stated that what he was proposing would not be seen by the public because it would all be below grade.

Chair Phillips stated that he was working on a project with a similar situation. In his case they were not able to use that space and instead had to build an interior wall. He asked if that would apply to this situation. Planner Kuhrmeyer replied that in this case the historic house was taken down and the applicant is required to put it back in the same location. That was the reason for asking to do the basement underneath. If they could have shifted the house it would not be an issue. She noted that if the CUP is not approved, this applicant would have to do the same thing Chair Phillips had described for his project.

Planner Kuhrmeyer reviewed the elevation drawings. Director Erickson indicated the wall in question. He stated that in lieu of relocating the historic house, which was not

supported by the Historic Preservation Board, this approach seemed like a reasonable solution. Director Erickson noted that the encroachment was only 1 to 1-1/2 feet.

Planner Kuhrmeyer had not received public comment. She had one or two calls from people asking questions, but no one expressed concerns.

Commissioner Kenworthy asked for the HPB comments on relocation. Director Erickson stated that relocating a historic house is a difficult project because it changes the streetscape. Relocating a historic house requires a rigorous process. In lieu of going through that process, the HPB thought this request was a good idea for keeping the house in its original location. Director Erickson noted that the reconstruction is required to go through the Historic District Design Review process and meet those standards.

Chair Phillips recalled that in a previous meeting the Planning Commission approved a plat amendment on this lot to adjust the setback. Mr. Henry clarified that it was a deed restriction rather than a setback. He explained that the previous owner was given approval to move his house forward; however, when he was denied the opportunity to move the house, the arbitrary line that was set on the deed needed to be shifted. The change did not affect the size or footprint of the house. It only affected the retaining work and the actual construction of the house.

Chair Phillips asked if the Planning Commission would see this again as a Steep Slope CUP. Planner Kuhrmeyer replied that it is a steep slope, but she believed the majority of the house was not within the steep slope area. Director Erickson reminded the Commissioners that they had recommended a change to the LMC to make Steep Slope CUPs an administrative act. If the application comes in under the current Code, it would not come back to the Planning Commission. It would be under the authority of the Planning Director.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to APPROVE the Conditional Use Permit for the basement addition for the historic structure at 269 Daly Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Staff report. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 269 Daly Avenue

1. The subject property is located at 269 Daly Avenue, is located in the Historic Residential (HR-1) Zoning District, and is listed as Historic “Significant” Site on the Historic Sites Inventory (HSI).
2. The applicant is proposing a basement addition that is located within the Side Setback area of a Historic Structure. The proposed reconstruction of the Historic Structure is approximately 710 square feet. The total proposed basement area is approximately 1,258 square feet. The basement area in question is located below the north side of the Historic Structure and consists of 30 square feet.
3. The proposal is all interior work having little to no impact on the exterior of the structure and no increase in Building Footprint would be achieved.
4. Per LMC 15-2.2-4(A), the Planning Commission may grant an exception to the Building Setback for additions to Historic Buildings consistent with the Historic District Design Guidelines.
5. Per LMC 15-1-10(E), the proposal is subject to review according to the Conditional Use Permit Criteria.
6. A complete application for a Conditional Use Permit for an Addition to a Historic Structure located within the Building Setback was received on March 20, 2019.
7. The Historic Structure at 269 Daly Avenue is a Single-Family Dwelling. A SingleFamily Dwelling is an Allowed Use in the HR-1 Zoning District.
8. A Plat Amendment for 269 Daly Avenue was approved by City Council on April 18, 2019 (Ordinance 2019-18).
9. The proposal complies with LMC 15-2.2-4(A)(1) as the Planning Commission has reviewed and approved a Conditional Use Permit for the proposed Use.
10. There are no unmitigated impacts to LMC 15-2.2-4(A)(2) as the proposal is all interior work having little to no impact on the exterior of the Historic Structure. The basement area that is located within the Side Setback is beneath the north end of the existing structure. No increase in Building Footprint was achieved through the addition of the basement area in question. As a result, there is no visual impact to the perceived mass from the Street because this is subterranean with little to no impact to the exterior of the Historic Structure.
11. The proposal complies with LMC 15-2.2-4(A)(3) as the addition has been reviewed for compliance with the Design Guidelines and LMC through the HDDR Process.
12. The proposal complies with LMC 15-2.2-4(A)(4) as conditioned as the addition will be reviewed for compliance with the Building and Fire Codes through the Building Permit once submitted.

13. The proposal complies with LMC 15-2.2-4(A)(5) as the addition has been reviewed for compliance with the Design Guidelines for Historic Districts and Historic Sites through the HDDR process. The proposal is all interior work having little to no impact on the exterior of the Historic Structure.

14. There are no unmitigated impacts to LMC 15-1-10(E)(1) size and location of the site, as the Lot is 7,283 square feet (0.17 acres). The site is located on Daly Avenue (west property boundary) and abuts Recreation Open Space to the east. This is a Historic Single-Family Dwelling with no change in Use proposed.

15. There are no unmitigated impacts to LMC 15-1-10(E)(2) traffic considerations including capacity of the existing Streets in the Area, as there is no change in Use that would generate additional vehicular trips beyond the current and Historic Single-family use.

16. There are no unmitigated impacts to 15-1-10(E)(3) utility capacity, as the proposal is all interior work having little to no impact on the exterior of the Historic Structure. The increase in habitable space will have no impact on the current utility equipment and capacity needs.

17. There are no unmitigated impacts to LMC 15-1-10(E)(4) emergency vehicle access as the proposal is all interior work having little to no impact on the exterior of the Historic Structure. There is no impact to the existing emergency vehicle access.

18. There are no unmitigated impacts to LMC 15-1-10(E)(5) location and amount of off street parking, as per LMC 15-2.2-4, Existing Historic Structures that do not comply with Off-Street parking are valid Non-Complying Structures. There is no existing or proposed driveway at this time. The proposed basement addition does not create a Lockout Unit or an Accessory Apartment; therefore, no additional parking is required.

19. LMC 15-1-10(E)(6) internal vehicular and pedestrian circulation system, is not applicable as there is no impact to the existing internal and pedestrian circulation system.

20. There are no unmitigated impacts to LMC 15-1-10(E)(7) fencing, Screening and landscaping to separate the Use from adjoining Uses, as the proposal is all interior work having little to no impact on the exterior of the Historic Structure. There is no impact to the exterior landscaping, and the proposal has been conditioned so that any disturbed landscaping shall be brought back to existing conditions. In addition, there are no commercial Uses that require separation from Residential Uses.

21. There are no unmitigated impacts to LMC 15-1-10(E)(8) building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots, as the proposal is all interior work having little to no impact on the exterior of the Historic Structure. The basement addition area that is located within the setback is beneath the north end of the existing structure. The total area of the crawlspace area is 30 square feet. No increase in Building Footprint will be achieved through the addition of the subject basement area. As a result, there is no visual

impact to the perceived mass from the Street because this is subterranean with little to no impact to the exterior of the Historic Structure.

22. There are no unmitigated impacts to LMC 15-1-10(E)(9) usable Open Space, as the proposal is all interior work having little to no impact on the exterior of the Historic Structure or the outdoor yard area.

23. LMC 15-1-10(E)(10) signs and lighting, is not applicable as there are no signs or lighting on site.

24. There are no unmitigated impacts to LMC 15-1-10(E)(11) physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing, as there is no impact to the Compatibility with surrounding structures or perceived mass from the Street because this is a subterranean area of the existing Structure with little to no impact to the exterior of the Historic Structure.

25. LMC 15-1-10(E)(12) noise, vibration, odors, steam, or other mechanical factors that might affect people and property Off-site, is not applicable as there are no changes that will result in additional noise, vibration, odors, steam, or other mechanical factors.

26. LMC 15-1-10(E)(13) control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas, is not applicable as there are no changes that will impact the control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup Areas.

27. LMC 15-1-10(E)(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, is not applicable as this is a Single-Family Dwelling.

28. LMC 15-1-10(E)(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, is not applicable as there are no changes that will impact the exterior conditions of the structure or the topography of the Site.

29. There are no unmitigated impacts to LMC 15-1-10(E)(16) reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding, as this proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. The General Plan establishes several goals and objectives specific to Historic Preservation, including, but not limited to Goal 15, Objective 15A and Objective 15B.

30. On April 10, 2019 the property was posted and notice was mailed to property owners

within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on April 6, 2019 according to requirements of the Land Management Code.

31. At the April 24, 2019 Planning Commission meeting, the item was continued to a

date uncertain.

32. On June 12, 2019, the property was posted a second time and a second mailing notice was set out to property owners within 300 feet. Legal notice was also published again on the Utah Public Notice Website and Park Record on June 8, 2019.

33. All Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 269 Daly Avenue

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria as established by the LMC 15-1-10 and 15-2.2-4(A) Existing Historic Structures Exceptions.
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval – 269 Daly Avenue

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.
4. This approval will expire on June 26, 2020, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration.
5. Modified 13-D fire sprinkler system is required for any new construction/addition.
6. All above grade utility facilities shall be located on the property and properly screened.
7. Portions of this property are located within Flood Zone A, all development shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone requirements outlined in 44 CFR 60.3.
8. All Conditions of Approval from the January 16, 2018 Historic Preservation Board Action Letter shall continue to apply.
9. All Conditions of Approval for reconstruction from the February 22, 2018 Historic

District Design Review Action Letter shall continue to apply.

VI.3 1503 Park Avenue – Preliminary Subdivision – The Hulbert Subdivision proposing to create four (4) parcels out of two (2) metes and bounds parcels. The applicant is also proposing to dedicate a portion of one (1) parcel for the 15th Street Right-of-Way (Application PL-19-04180)

Chair Phillips disclosed that one of the people who babysit his children live in this house. It would not impact his ability to discuss this item.

Planner Jackson reviewed the subdivision application for a four lot subdivision at 1503 Park Avenue and dedication of 15th Street to the City. She noted that the subdivision of four lots is considered a major subdivision, which would typically require a preliminary plat review and final plat review. However, the Planning Commission may combine these requirements per LMC 15-7.1-3. Planner Jackson stated that this subdivision is minor regarding impacts to the street in terms of utilities, no road creation, etc. The Staff recommended combining both reviews.

The Staff found good cause for this subdivision as the lots meet the minimum standards of the Recreation Commercial Zoning District where this property is located. The zone calls for clustering of development, which this subdivision would allow.

Planner Jackson provided clarification and updates regarding the Staff report as follows:

Condition #6 – read “A 10’ snow storage easement and non-exclusive utility easement shall be granted on the Park Avenue right of way for Lot 1 and along the newly dedicated 15th street public right-of-way for Lots 2 through 4”. She noted that the Engineering Department also wanted a 10’ snow storage easement on Lot 1, the 1503 Park Avenue lot. The Condition was changed to read, “Lots one through four”.

Paragraph 2 of the Analysis Section – Planner Jackson noted that the lot numbers were changed around. The language originally read “Lots 1, 2, 3, 4 versus 4, 3, 2, 1. She changed the last sentence in Paragraph 2 of the Analysis Section to read, “The existing Landmark historic structure is proposed to remain within the newly created Lot 1” replacing “newly created Lot 4.”

Paragraph 3 - Analysis Section – In the same Analysis Section, the first sentence of paragraph 3 states that the applicant has not indicated what type of development was

intended for Lots 2 through 4. Planner Jackson clarified that the applicant intends for Lots 2 through 4 to be single-family dwelling lots, which is allowed by Code.

Summary Recommendation – Planner Jackson clarified that the Summary Recommendation of the Staff on the first page of the Staff report was the correct recommendation in terms of combining the two preliminary and final reviews for the subdivision. The second summary recommendation in the last section was incorrect. The Commissioners should use the first page summary recommendation.

Planner Jackson reported on an email from a citizen expressing concern that the proposed subdivision created too many small lots which would result in parking issues for the area. Planner Jackson remarked that the Staff position is that the lots abide by the minimum requirements for the zone as far as lot size, square footage and the width. The historic structure is exempt from parking requirements; however, the three other lots need to abide by the single-family dwelling parking requirements.

Chair Phillips asked if the historic structure would need to provide off-street parking if the structure is ever changed or an addition is added; or whether it would still be exempt. Director Erickson stated that the non-historic portion of the structure would be required to provide parking. Director Erickson clarified that each of the three remaining lots needed to provide two off-street parking spaces for each lot.

Planner Jackson noted that the historic home is just outside the boundary of the Historic District; but it still needs to abide by the Historic District Design Guidelines for the Historic Districts, per the Recreation Commercial zone.

The Staff recommended that the Planning Commission conduct a public hearing, for the 1503 Park Avenue subdivision plat, waive the preliminary plat requirement pursuant to LMC 15-7.1-3, and forward a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance.

Chair Phillips stated that the City has been lax about requiring preliminary plats, and that results in issues with respect to utilities, road grades, and other issues on a normal greenfield subdivision. In this particular case there are no utility issues. Director Erickson explained that the Code requires the preliminary plat and a waiver, but the City has not been vigorous in enforcing that; therefore, going forward they would be more rigorous in requiring preliminary plats. He clarified that there are cases where it is not required and the Planning Commission would be able to waive that requirement and allow the combination of the preliminary plat and the final plat.

Chair Phillips opened the public hearing.

Chuck Lyngle, a resident at 1505 Park Avenue, thought allowing a height of 27' for the single-family homes was high compared to other structures in the area.

Chair Phillips replied that 27' is standard throughout the Historic District and it is in line with what everyone in all of Old Town is allowed.

Mr. Lyngle believed most of the structures in the area were less than 27'. Mr. Lyngle questioned the dedication of 15th Street. It will never be a highway and there is only 100 yards of road. He asked if the dedication was needed.

Director Erickson replied that it is needed because there are also utility installations behind the curb. He noted that there is a section of pavement, curb and gutter, and the right-of-way needed for snow storage, as well as all other utilities that run up and down the road.

Mr. Lyngle stated that his parking lot is always used by people from surrounding condos. Parking on the road that will be eliminated is also used by people living in the other buildings. He was concerned that it would put more strain on his parking lot.

Chair Phillips noted that there would still be public parking in front of the new houses except in front of their driveways. He wanted Mr. Lyngle to know that the Commissioners understood the difficulty of living in that area with the parking pressures. The Planning Commission has that discussion frequently and they understand the problems. Those are valid concerns, but it is not a reason for denying someone the right to build on their property.

Mr. Lyngle was concerned about his property value if the house is 27' high. Chair Phillips remarked that even without the subdivision they could still build to 27'.

Commissioner Kenworthy reiterated that 27' is standard across Old Town. He recently had a house built in front of him that was built to 27'. He understood Mr. Lyngle's frustration, but it is an allowed height in the Code.

Commissioner Sletten stated that under Utah Law, the Planning Commission is constrained by the requirements of the LMC. Anything that varies from the Code is subjective and no Planning Commission anywhere in Utah can deviate from the Code.

Commissioner Kenworthy remarked that the Planning Commission cannot be arbitrary and must follow the Code.

Chair Phillips closed the public hearing.

Dennis Hulbert, the applicant, stated that Lot 1 has the historic structure. He assumed he would not need to meet all the historic guidelines and go through the historic design review process on Lots 2 through 4. Planner Jackson stated that since they were new lots and not a historic site, it would require a regular building permit for the RC zone. However, since the RC zone requires abiding by the Historic District Design Guidelines, they would still need to be incorporated for Lots 2, 3, and 4.

Chair Phillips clarified that new construction without a historic site must still go through the HDDR review to make sure the new buildings fit in with the rest of the neighborhood. Mr. Hulbert thought it would be easy for the homes to fit in with the rest of the neighborhood because there is nothing historic.

Director Erickson read from Code Section 15-2.16-7 – Single family and duplexes within two blocks of the HR-1 District, “The Planning Department shall review the proposed plan for compliance with the Design Guidelines for Historic Sites”. He believed this site was within two blocks of the Historic District. Planner Jackson understood that a full HDDR would not be required because the structures are not historic. Director Erickson concurred. The Planning Department would only review for compliance with the Guidelines for new construction. It would not be a full HDDR.

Mr. Hulbert asked about the snow storage requirements. Director Erickson replied that the City was only asking for the right to plow snow along the street. Mr. Hulbert pointed out that the City already plow the road. Director Erickson clarified that this would formally give permission, which is standard on every plat in town. He noted that currently the right-of-way does not hold all the snow. One reason for expanding the right-of-way is to make sure there is adequate public space to properly store the snow.

MOTION: Commissioner Sletten moved to waive the preliminary plat requirement for 1503 Park Avenue and forward a POSITIVE recommendation to the City Council for the Final Subdivision Plat on July 18, 2019, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1503 Park Avenue

1. The site is located at 1503 Park Avenue.
2. The site is within the Recreation Commercial (RC) Zoning District.
3. The subject site consists of two metes and bounds parcels.
4. On March 25, 2019, the applicant applied for a Subdivision; the application was deemed complete on March 27, 2019.
5. The proposed Subdivision creates four (4) lots from two metes and bounds parcels, dedicating a portion of one parcel as the 15th Street Right-of-Way.
6. Lot 1 (addressed as 1503 Park Avenue in the Subdivision Plat) includes a Historic Landmark Site.
7. Per LMC 15-7.1-3, at its discretion, the Planning Commission may waive the steps in the Preliminary Plat approval process by allowing the Applicant and/or Developer to combine the requirements of the Preliminary Plat and Final Subdivision Plat into a single submittal.
8. The minimum lot size within the Historic Residential-1 District is 1,875 square feet.
9. The proposed lot sizes are 4,755 square feet (Lot 1), 2,373 square feet (Lots 3, 4, 5).
10. The minimum Setbacks for Lot 1 include:
 - a. Front/Rear – 10 feet. The existing Historic Structure complies with this requirement as it is approximately 33 feet from the front property line and 10 feet from the rear property line. There is an existing deck that is jutting 8.5 feet into the rear setback, but it abides by the setback requirements for the RC Zoning District as it is less than 30" above grade.
 - b. Side – 5 feet (18 feet total combined). The existing Historic Structure complies with this requirement as it is approximately 6.5 feet from the north side property line and 34 feet from the south side property line.
11. The minimum Setbacks for Lot 2 include:
 - a. Front/Rear – 10 feet
 - b. Side – 3 feet
12. The minimum Setbacks for Lot 3 include:
 - a. Front/Rear – 12 feet (25 feet total combined)
 - b. Side – 3 feet
13. The minimum Setbacks for Lot 4 include:
 - a. Front/rear – 10 feet
 - b. Side – 3 feet
14. The minimum lot width within the Recreation Commercial District is twenty-five feet (25').
15. The proposed lot widths are 66.01 feet (Lot 1), 32.15 feet (Lot 2), 31 feet (Lot 3), 33 feet (Lot 4).

16. The maximum Building Footprints are 1820.03 (Lot 1), 1038.38 (Lots 2, 3, and 4). The Historic Structure on Lot 1 would be included in this calculation.
17. The maximum height for the RC Zoning District is 27 feet. The Historic Structure on Lot 1 is a single story and complies with this requirement.
18. The proposed Subdivision meets lot and site requirements of the Recreation Commercial District.
19. A Subdivision is necessary in order for the applicant to move forward with an HDDR for the purpose of developing the sites at 1503 Park Avenue. The Subdivision is also necessary for the purpose of developing the Lot 2, Lot 3, and Lot 4 sites.
20. All development shall comply with the applicable LMC Requirements.
21. A Single Family Dwelling is an Allowed Use in the RC Zoning District.
22. There are curb cuts on Lots 1, 2, and 3 on this site that encroach onto the proposed 15th Street Public Right-of-Way. See Condition of Approval no. 3 and 4.
23. There is a mesh fence that encroaches onto Lots 2, 3, and 4. The mesh fence is not Historic. See Condition of Approval no. 3.
24. There are a stone patio, slat wood fence, and stone slab path that encroach between Lots 1 and 2. The applicant will need to remove the portions of the stone patio, slat wood fence, and stone slab path that cross the property lines of Lots 1 and 2. See Condition of Approval no 3.
25. The Site is not located within the Sensitive Lands Overlay District.
26. The Site is not located within the Soils Ordinance Boundary.
27. On June 10, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal Notice was also published in the Park Record and Utah Public Notice Website on June 8, 2019 according to the requirements of the Land Management Code.
28. All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

Conclusions of Law – 1503 Park Avenue

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

Conditions of Approval – 1503 Park Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Subdivision.
2. The applicant shall record the Subdivision Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Subdivision will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Prior to Subdivision Plat recordation, the applicant shall remove the existing encroachments from the City Right-of-Way and any encroachments (or portions thereof) that cross property lines between Lots 1-4. The applicant is responsible of securing appropriate City approvals and permits before any work on the encroachments can begin.
4. The applicant shall either include the curb cuts in the 15th Street Right-of-Way dedication or remove the encroachments prior to Subdivision Plat recordation.
5. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the Plat.
6. Ten foot (10') public snow storage easement and non-exclusive utility easement shall be granted along the Park Avenue Right-of-Way for Lot 1 (1503 Park Avenue) and along the newly dedicated 15th street public Right-of-Way for Lots 2-4.
7. Any construction within the FPZ shall be regulated by LMC 15-2.20 Frontage Protection Overlay Zone.

VI.D 526 Park Avenue – Plat Amendment – The Applicant is proposing to remove an interior lot line, combining Lot 41 and 42 of the Park City Survey to create one lot of record. (Application PL-19-04180)

Planner Jackson reviewed the request for a plat amendment for 526 Park Avenue. The plat amendment would remove a lot line between two substandard Old Town lots.

The Planning Department had received no public comment on this application.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the

findings of fact, conclusions of law, and conditions of approval found in the draft ordinance.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the 526 Park Avenue plat amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the draft ordinance. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 526 Park Avenue

1. The property is located at 526 Park Avenue.
2. The property consists of Lot 41 and Lot 42 of Block 9 of the Park City Survey.
3. The property is in the Historic Residential (HR-2A) District.
4. There is an existing Significant Historic Structure at this address.
5. The existing home was constructed c. 1897.
6. The applicant proposes to combine the subject Lots into one Lot of record.
7. There are several encroachments on this property along both sides and to the rear of the Lot as follows:
 - a. To the west (front) side of the Lot, there are three stone retaining walls and associated landscaping encroaching into the Park Avenue property owned by the City.
 - b. There is also an existing covered entry patio and uncovered stone patio, multiple stone retaining walls, and concrete steps, and multiple wood retaining walls with associated landscaping encroaching into the neighboring property to the north.
8. The existing home is a Single Family Dwelling which is an allowed use in the HR-2A District.
9. The minimum Lot Area for a Single Family Dwelling is 1,875 square feet. The proposed Lot has an area of 3,534 square feet. This Lot size is not large enough to permit a Duplex.
10. The minimum Lot width in the HR-2A zone is 25 feet. The proposed Lot meets the requirements of this zone at 50 feet in width.

11. The proposed Lot will also be between 68.42 feet and 71.41 feet deep.
12. The minimum Front Setback is 10 feet. The existing Historic Structure crosses over the front Lot line by 5.5 feet.
13. The minimum Rear Setback is 10 feet. The existing Historic Structure has a 44 foot Rear Setback.
14. The minimum Side Setback is 5 feet on each side. The existing Historic Structure has a 3.5 foot Side Setback on the north side and a 25 foot Side Setback on the south side.
15. Because this is a Historic Structure, the existing setbacks are considered to be valid and complying.
16. The maximum building footprint for a Lot this size is 1,448.75 square feet. The existing footprint meets this standard at approximately 615 square feet.

Conclusions of Law – 526 Park Avenue

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 Lot combinations.
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 – 526 Park Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat 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 at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. New construction shall meet Site and Lot requirements of the HR-2A District per the Land Management Code in effect at the time of application submittal.
5. A Historic District Design Review application is required for any new construction proposed at the existing Site.
6. A 10-foot-wide public snow storage easement will be required along Park Avenue.

7. The applicant can either remove the existing encroachments (excluding the Historic Structure) from the properties of 528 Park Avenue (Parcel PC-142) and the City Right-of-Way, or enter into an encroachment agreement(s) with the respective property owners prior to final recordation of this plat. Any encroachments over the south or east property line (if any) that were not disclosed by the applicant must be removed prior to the recordation of this plat. The applicant shall file all appropriate City application/permits to complete this Condition.

8. Regarding the Historic Significant Structure: An encroachment agreement, for the Right-of-Way, between Park City Municipal Corporation and the property owner of 526 Park Avenue for the Significant Structure will be required prior to plat recordation. The applicant shall file all appropriate City applications/permits to complete this Condition.

The Planning Commission Meeting adjourned at 6:30 p.m.

Approved by Planning Commission: _____

Hulbert Subdivision – 1503 Park Avenue Points of Clarification

Condition of Approval #6 currently reads “Ten foot (10’) public snow storage easement and non-exclusive utility easement shall be granted along the Park Avenue Right-of-Way for Lot 1 (1503 Park Avenue) and along the newly dedicated 15th street public Right-of-Way for Lots 2-4.”

Condition of Approval #6 will read “Ten foot (10’) public snow storage easement and non-exclusive utility easement shall be granted along the Park Avenue Right-of-Way for Lot 1 (1503 Park Avenue) and along the newly dedicated 15th street public Right-of-Way for Lots 1-4.”

Hulbert Subdivision – 1503 Park Avenue Points of Clarification

Last sentence of paragraph 2 of Analysis section reads
“The existing Landmark Historic Structure is proposed to
remain within the newly created Lot 4.”

Sentence should read “The existing Landmark Historic
Structure is proposed to remain within the newly created
Lot 1.”

Hulbert Subdivision – 1503 Park Avenue Points of Clarification

First sentence of paragraph 3 of Analysis section reads
“The applicant has not indicated what type of
development is intended for Lots 2-4.”

Sentence should read “The applicant has indicated that
these lots are intended to be Single Family Dwelling Lots”

Hulbert Subdivision – 1503 Park Avenue Points of Clarification

Summary Recommendation of staff report on first page is correct.

Second Summary Recommendation is incorrect wording and will be updated to match the first section.

From: [Wayne Best](#)
To: [Elizabeth Jackson](#)
Subject: PL-19-04180 1503 Park Ave lot subdivision
Date: Monday, June 24, 2019 3:00:09 PM

I want to provide coments on the proposed subdivision application # PL-19-04180 located at 1503 Park Ave.

The proposed subdivision of this lot creates too many small lots out of an already small lot. Having 4 lots is such a small area will result in parking issues. No matter how hard you try, this subdivision will result in additional street parking in an area where there are already winter street parking issues.

At most, this lot could be subdivided into two lots.

Thank you,

Wayne Best
19 year homeowner
1842 Empire Ave.
PC, UT 84060