



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JUNE 23, 2021**

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Laura Suesser, Doug Thimm, Bill Johnson, Christin Van Dine

EX OFFICIO: Rebecca Ward, Senior City Planner; Spencer Cawley, City Planner; Browne Sebright, Planner II; Gretchen Milliken, Planning Director; Mark Harrington, City Attorney

1. ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m.

The following written determination was read:

Public Notice is hereby given that the Planning Commission of Park City, Utah will not hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah, 84060 for the purposes and at the times as described below on Wednesday, June 23, 2021. The Chair has issued a written determination that because of the public health emergency, conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may attend in person. This determination is based on the ongoing risks and infection rates statewide and in Summit County. For these reasons, this meeting will be an electronic meeting without an anchor location. Planning Commission members will connect electronically.

Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record but will not be read aloud. For more information on attending virtually and to listen live, please go to www.parkcity.org.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from June 9, 2021.

Chair Phillips reported that he had one small correction to make to page nine of the June 9 minutes. He noted that The word “high line” should be “Highline” instead.

MOTION: Commissioner Suesser moved to approve the Planning Commission Meeting Minutes from June 9, 2021, as amended. Commissioner Hall seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

3. PUBLIC COMMUNICATIONS

No hands were raised on Zoom and no eComments were submitted.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Gretchen Milliken reminded the Commissioners that the next Planning Commission Meeting would be a PEG Session. It would be held on July 21, 2021. The next Regular Planning Commission Meeting was to be held on July 28, 2021. Director Milliken reported that the PEG Session would be virtual and the July 28, 2021, Planning Commission Meeting would be held in the Council Chambers.

There were no additional comments or disclosures.

5. REGULAR AGENDA

A. 1335 Lowell Avenue – Conditional Use Permit – The Applicant Proposes to Install Shielded Rooftop Antennas to Relieve Telecommunications Capacity Coverage in the Recreation Commercial Zoning District. PL-21-04768.

City Planner, Spencer Cawley discussed the Conditional Use Permit request. Staff requested that the Planning Commission open a public hearing and continue the item to the July 28, 2021, Planning Commission Meeting. The applicant had additional information related to the final plans and that information had not been submitted in time for the current Planning Commission Meeting. Mr. Cawley reported that the applicant was Kara Subleski from Smartlink Group on behalf of AT&T Mobility.

Commissioner Johnson wondered if the applicant was aware of the proposed development in the parking lots. He noted that the Lowell Avenue building is approximately 50 feet tall and Parcel B would have 85-foot buildings and Parcel C would have 103-foot buildings. That would affect their reflectors pointing to the north all the way through the compass to the east. He believed that would impact the coverage maps that were included in the application. Commissioner Johnson wondered whether the applicant had considered and accounted for that. Mr. Cawley noted that he could share those concerns with the applicant and discuss the matter further.

Further discussions were had about telecommunications sites. For instance, the locations of T Mobile and Verizon as well as potential future sites. Commissioner Johnson expressed concerns related to coverage to the community as a whole. He wondered if it would be possible to raise those concerns with the applicant. Commissioner Suesser felt that the development could significantly impact the community. It was something that needed to be taken into consideration. Chair Phillips believed the comments shared by Commissioner Johnson would help to better inform the applicant.

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

MOTION: Commissioner Van Dine moved to continue the application for 1335 Lowell Avenue – Conditional Use Permit, to the July 28, 2021, Planning Commission Meeting. Commissioner Suesser seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

B. 199 Daly Avenue – Steep Slope Conditional Use Permit – The Applicant Proposes an Addition to a Significant Historic Structure on a Steep Slope in the Historic Residential – 1 Zoning District. PL-21-04837.

Chair Phillips believed Steep Slope Conditional Use Permits had been made administrative. He wondered why the item had been brought to the Planning Commission. Senior City Planner, Rebecca Ward explained that the code established an administrative process for smaller lots. However, lots of a certain size continued to trigger the Planning Commission review process. The application was also tied to a Historic District Review. Staff asked that the Planning Commission conduct a public hearing and continue the item until the July 28, 2021, Planning Commission Meeting. This would allow the Historic District Review to be finalized.

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

MOTION: Commissioner Suesser moved to continue the application for 199 Daly Avenue – Steep Slope Conditional Use Permit to the July 28, 2021, Planning Commission Meeting. Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

C. 140 15th Street – Frontage Protection Zone Conditional Use Permit – Proposal to Construct a Single-Family Dwelling Within the Frontage Protection Zone (FPZ). PL-21-04842.

Planner II, Browne Sebright reported that he joined the Park City Planning Department in April 2021. He reviewed the Frontage Protection Zone (FPZ) Conditional Use Permit for 140 15th Street. The applicant was proposing a new single-family residential home on a vacant lot in the Recreation Commercial (RC) Zone. The property was located along 15th Street between Park Avenue and Woodside Avenue. Planner Sebright shared a map with the Planning Commission for reference. He explained that the location of the lot was within 100 feet of Park Avenue and was within the FPZ. As a result, it was subject to the provisions of the Land Management Code Section 15-2.20-2.

The proposed single-family dwelling was associated with the Hulbert Subdivision, which created four lots in total. Three of those lots were currently vacant and one contained a historic structure. Mr. Sebright shared an overview of the approved subdivision plat. The property discussed at the current Planning Commission Meeting was Lot 2. Staff had analyzed the proposed development and determined that it complied with the RC Zoning District requirements. The purpose of the RC Zoning District was:

- To allow for the development of accommodations in close proximity to major recreation facilities;
- To allow for resort-related transient housing;
- To encourage the clustering of development in order to preserve open space, minimize site disturbance, and minimize construction impacts on City services;
- To provide opportunities for variation in architectural design and housing type; and
- To promote the development of buildings that reflect the traditional architectural patterns of Park City and to design projects that relate to the mining and historical architectural heritage of the City.

Mr. Sebright shared a table that outlined the RC Zoning District requirements. Staff determined that the proposed development met all requirements. However, there had been some concerns related to the window well and a side yard setback at the time the Staff Report was published. The architect had since removed the window well and relocated it to a rear setback. He shared an overview of the submitted plans for the proposed development, which included the site plan.

Staff also analyzed the proposed development against the requirements of the FPZ and determined that it complied with all FPZ requirements. The purpose of the FPZ was:

- To preserve scenic view corridors;
- To preserve and enhance the character of Park City's entry corridors;
- To provide a buffer between development and highway uses; and
- To allow for future mobility improvements on the corridors.

Mr. Sebright shared an analysis that outlined the applicable sections of the FRZ to the property. It included the following requirements:

- All construction activity within 100 feet of the right-of-way required a Conditional Use Permit and would be subject to design review criteria;
- Must minimize curb cuts on Park City's primary highways and streets; and
- All fences within the FPZ must be a permitted type.

The proposed development met all of the above requirements. Staff also analyzed the proposed development against the Conditional Use Permit criteria and determined that the project was in compliance. As stated in the Land Management Code, the Planning Commission shall approve a Conditional Use Permit if reasonable conditions are proposed or could be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use, in accordance with applicable standards. The Planning Commission could deny the Conditional Use if the proposed use could not be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

As outlined in the staff report, the proposed development complied with the criteria of the Conditional Use Permit. It also complied with all applicable criteria, including size, location, traffic and utility capacity, emergency vehicle access and off-street parking, fencing, screening, landscaping, building mass, bulk and orientation, and useable open space. The proposal also complied with the criteria for signs and lighting, physical design and compatibility, noise and nuisances from mechanical factors, control of delivery services, and consistency with all other zoning overlays in the General Plan.

The Development Review Committee and Planning, Engineering and Legal Departments had all reviewed the application. Staff did not receive any public input at the time the staff report was published and staff recommended that the Planning Commission review the 140 15th Street FPZ Conditional Use Permit, hold a public hearing and consider forwarding a positive recommendation to City Council. Alternatively, the Planning Commission could forward a positive recommendation, conditioned or amended, or the Planning Commission could forward a negative recommendation to City Council and direct Staff to make findings for that decision. The Planning Commission could also continue the discussion on the Conditional Use Permit at a later date.

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

Commissioner Suesser noted that there is a maximum height of 27 feet for the building. She wondered if that was from the existing grade. Mr. Sebright confirmed this. He explained that the lot was fairly flat and no substantial changes to the grade were proposed. Commissioner Suesser thanked Mr. Sebright for the clarification.

MOTION: Commissioner Thimm moved to approve the application for 140 15th Street – Frontage Protection Zone Conditional Use Permit according to the Findings of Fact, Conclusions of Law, and Conditions of Approval, as found in the Staff Report. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

D. 1755 Bonanza Drive Unit C – Conditional Use Permit – The Applicant Offset Bier Proposes a Brewery and Tap Room in the General Commercial Zoning District. PL-21-04846

Planner Ward reported that the applicants, Conor Brown and Patrick Bourque, as well as Mary Windsor, the property owner, were present at the Planning Commission Meeting. The applicants were proposing the conversion of 2,000 square feet within the Ironhorse Park Commercial Subdivision, Lot D, for a brewery and tasting room located at 1755 Bonanza Drive. It would be accessed by both Bonanza Drive and Iron Horse Drive. Planner Ward shared a map with the Planning Commission. The property was located in the General Commercial Zoning District and the brewery and tasting room met the General Commercial Zoning District requirements, as outlined in the staff report.

Lot D provided sufficient parking for the proposed change in use and also for the existing uses. There were 44 parking spaces on the lot and only 34 parking spaces were currently

required. Planner Ward reported that Light Industrial Manufacturing and Bar Uses were Conditional Uses in the General Commercial Zoning District and required Planning Commission review and approval. Staff recommended some conditions for approval:

- The Conditional Use would expire one year from the date of Planning Commission approval unless the applicant had commenced on the project or a Building Permit for the use had been issued;
- Changes to signage shall comply with the Municipal Code of Park City Chapter 12, Sign Code;
- Outdoor lighting shall comply with Land Management Code Section 15-5-5(J). New outdoor lighting must be fully shielded and 3,000 degrees Kelvin. Existing outdoor lighting must be 3,000 degrees Kelvin by December 31, 2024;
- The applicant shall not brew past 9:00 p.m.; and
- The applicant shall not install new trash or recycling facilities on the site.

Planner Ward noted that the Development Review Committee reviewed the proposal and did not identify any concerns related to traffic, utility capacity, or emergency access. As a result, Staff recommended that the Planning Commission conduct a public hearing and consider approving the Conditional Use Permit for the brewery and tasting room.

Mr. Brown introduced himself to the Planning Commission. He noted that he and Mr. Bourque were available to answer any Commissioner questions. They had worked with the landlord to ensure that their operating hours were compliant with the neighbors and

To ensure there was sufficient parking for the business. Chair Phillips asked about the difference between a tasting room and a bar. Mr. Brown explained that in a tasting room, they were only allowed to serve 5% beer or below. The alcohol content of the products served was considerably lower than at a bar. Additionally, their hours of operation were different. He reported that they would be open on Wednesday, Thursday, and Friday from 4:00 p.m. to 8:00 p.m. and from 11:00 a.m. to 8:00 p.m. on weekends. The intention was for people to have a drink and then leave with some packaged product from the location.

Chair Phillips asked about the surrounding neighbors. Planner Ward explained that the majority of the surrounding uses were industrial or commercial. Commissioner Suesser asked about Condition of Approval #4 in the staff report. It stated that brewing would produce steam that might affect people and property on-site. She wondered where the steam came out. Mr. Brown explained that the steam came out above the building, in the back near the alleyway. He did not believe it would affect anyone. However, there might be a slight odor. It would be similar to a bakery aroma in terms of intensity.

Chair Phillips opened the public hearing.

Ms. Windsor addressed the concerns related to odors. She noted that Wasatch Brewery had also started in the complex. The brewery had been in the same proximity to the Iron Horse Park Apartments. Additionally, there had been coffee brewers and a commercial laundry facility in the area. There had been no issues related to odors or steam.

There were no further public comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Suesser moved to approve the application for 1755 Bonanza Drive Unit C – Conditional Use Permit, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval, as found in the Draft Final Action Letter attached to the Staff Report. Commissioner Johnson seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

6. ADJOURN

MOTION: Commissioner Thimm moved to adjourn.

VOTE: The motion passed with the unanimous consent of the Commission.

The Planning Commission Meeting adjourned at 6:05 p.m.

Approved by Planning Commission: _____