



**PLANNING DEPARTMENT ADMINISTRATIVE PUBLIC HEARING
SUMMIT COUNTY, UTAH
August 1, 2024**

The Planning Department of Park City, Utah, will hold a Public Hearing in person at the Marsac Municipal Building, Planning Department Conference Room, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.

1. REGULAR AGENDA - 12:00PM

- 1.A. **1800 Bonanza Drive – Administrative Conditional Use Permit** – The Applicant Proposes the Conditional Use of “Household Pet, Grooming” at 1800 Bonanza Drive to Install a Self-Service Dog Wash Tub in the General Commercial Zoning District. PL-24-06175
(A) Public Hearing; (B) Action
- 1.B. **180 Daly Avenue – Administrative Conditional Use Permit** – The Applicant Proposes a Retaining Wall Greater than Six Feet in the Side Setback in the Historic Residential - 1 Zoning District. PL-24-06163
(A) Public Hearing; (B) Action

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for meeting attendees who park in the China Bridge parking structure.**

Planning Commission Staff Report



Subject: 1800 Bonanza Drive
Application: PL-24-06175
Author: Meredith Covey, Planner I
Date: August 1, 2024
Type of Item: Administrative Conditional Use Permit

Recommendation

(I) Review the proposed Conditional Use of Household Pet, Grooming (II) conduct a public hearing, and (III) consider approving the Administrative Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (see Exhibit A).

Description

Applicant: Brule Creek Om Land LLC.
Location: 1800 Bonanza Drive
Zoning District: General Commercial
Adjacent Land Uses: General Commercial
Reason for Review: The Planning Director reviews and takes Final Action on Administrative Permits¹

LMC Land Management Code
GC General Commercial

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

The Applicant proposes the installation of a free-standing dog wash tub in an existing car wash bay, that will no longer be utilized to wash cars. The use, Household Pet, Grooming is a Conditional Use in the General Commercial (GC) Zoning District. The proposed dog wash is a self-service tub that is 95" in width, 70" in height, and 29" in depth. The proposed tub does not require any permanent connections or support labor. No plumbing, structural or electrical modifications are needed, and the proposed equipment would draw power and water from the existing power outlet and plumbing.

Background

1800 Bonanza Drive is an existing car wash in the GC Zoning District. The existing Structure on the property was constructed in 2002. 1800 Bonanza Drive is located on

¹ LMC [§ 15-1-8\(E\)](#).

Lot B of the Centura Commons Subdivision (Recorder #608134) (Exhibit B). The current Use of the property is Retail and Service, Commercial-Auto Related which is a Conditional Use in the GC Zoning District.

On September 13, 2001, Notice of Planning Commission Final Action was issued to the Applicant at 1790 Bonanza Drive approving a Subdivision of a metes and bounds parcel into two lots of record. The Applicant also received notice of Planning Commission Action for 1800 Bonanza Drive, approving the Conditional Use for a car wash with the following Conditions of Approval:

- All standard conditions of the project approval shall apply to this project.
- Receipt and approval of a Construction Mitigation Plan (CMP) by the Community Development Department is a condition precedent to the issuance of any building permit.
- The applicant must receive approval of the landscape plan prior to the issue of a building permit.
- Prior to approval of a building permit the applicant shall submit, for Staff's review, revised building plans.
- All lighting on the building, existing and new, must comply with the Chapter 9.5(i) of the Land Management Code, the Park City Night Sky Ordinance.
- The Conditional Use shall expire one year from the date of the Planning Commission issue unless the Conditional Use has commenced on the property.
- All access improvements along Bonanza Drive including Lot A and Lot B of the Centura Commons subdivision shall be completed as part of the construction of the car wash.
- The applicant shall utilize a water reclamation system as part of the mechanical equipment for the car wash.
- Recordation of the Subdivision plat is required prior to the issue of any building permits.
- The parking on the existing site be brought into conformance with the Land Management Code and existing uses. Future uses will require recounting of the parking.
- Improvements recommended by the City Engineer will be constructed as part of Phase I of this project.
- Temporary parking will be provided for the Business Commons to replace spaces displaced during car wash construction.

Parking requirements were calculated pursuant to the requirements of the Land Management Code at the time of approval on September 13, 2001. The Applicant was required to provide 50 Parking Spaces for the two lots known as Business Commons as a Condition of Approval. An increase in the intensity of use on the site requires a recounting of the parking.

The Building Department issued a Building Permit to 1800 Bonanza Drive for a car wash on February 2, 2002. Ol' Miners Car Wash is an active car wash on site (Business Liscence #00001062).

Analysis

(I) The proposal to install a self-service dog wash complies with the GC Zoning District requirements.

The purpose of the GC Zoning District is to

1. allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is convenient to transit, employment centers, resort centers, and permanent residential Areas,
2. allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,
3. protect views along the City's entry corridors,
4. encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,
5. allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,
6. encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and
7. encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

The proposed self-service dog wash will be installed in an existing car wash bay (Exhibit C), which no longer services cars. The existing Structure is compliant with the Lot and Site requirements of the GC Zoning District and the proposed use will not increase the footprint of the existing structure or increase the intensity of use on site. The proposed Use complies with purpose No. 1 of the GC Zoning District as it creates a range of commercial Uses available in the district.

(II) The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC [§ 15-1-10\(E\)](#).

There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Director shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects

of the proposed Use in accordance with applicable standards. The Planning Director may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards. LMC [§ 15-1-10](#).

CUP Review Criteria	Analysis of Proposal
Size and Location of the Site	Complies: The proposed self-service dog wash is located within the existing car wash and will not increase the building footprint on the site. The existing car wash complies with the Lot and Site requirements of the GC Zoning District
Traffic	Complies: The proposed Use will not increase traffic on site. The self-service tub will be located in an existing car wash bay.
Utility Capacity	Complies with mitigation: The proposed Use will not require any additional electricity, or water hookups. The proposed Use will utilize existing utility capabilities on site. Condition of Approval 1 requires that the Applicant coordinate with the Snyderville Basin Water Reclamation District to install additional equipment to ensure proper drainage of wastewater to avoid issues with sewer infrastructure.
Emergency Vehicle Access	Complies: The proposed Use will not alter emergency vehicle access on site.
Parking	Complies: The proposed Use will not increase the intensity of use on the property. The self-service tub will be located in an existing car wash bay. The bay will only be used as a self-service dog wash and will no longer serve as a car wash.
Internal Vehicular and Pedestrian Circulation System	Complies: The proposed Use will not alter the existing vehicular circulation pattern on site. Customers will pull into the bay with the self-service dog wash and exit in the same manner as the other car wash bays on site.
Fencing, Screening, and Landscaping	Complies: The proposed Use will be located within the existing Structure; no additional fencing, screening or landscaping is required.
Building Mass, Bulk, and Orientation	Not Applicable: No buildings or structures are proposed as part of this Application.
Signs and Lighting	Complies: The Applicant is not proposing any signs or lighting as part of the proposed Use.
Physical Design and Compatibility with Surrounding Structures	Complies: The proposed Use will be located within the existing structure. The existing Structure is currently compatible with the surrounding Structures.
Noise, Vibration, Odors, Steam, or Other Mechanical Factors	Complies: The proposed Use will not generate any additional noise, vibration, odors, steam, or other mechanical factors.

Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas	Not Applicable: The proposed Use will not impact the control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup Areas.
Expected Ownership and Management	Complies: The proposed Use will be owned and operated by Ol' Miners Car Wash.
Reviewed for Consistency with the Goals and Objectives of the Park City General Plan	Complies: Goal 12.1 of the General Plan is to "Maintain commercial and light industrial uses within the City limits to meet the needs of residents and visitors. Develop and monitor an inventory of commercial and industrial space to support local businesses, prevent economic leakage, and decrease vehicle miles traveled." The proposed Use will provide an additional commercial service to residents and visitors of Park City.

(V) The Development Review Committee reviewed the proposal on July 16.²

The Snyderville Basin Water Reclamation District (SBWRD) requested the Applicant coordinate with them to install additional equipment to ensure proper drainage of wastewater to avoid issues with sewer infrastructure, as outlined in Condition of Approval 1.

Department Review

The Planning Department reviewed this report.

Notice

Staff published notice on the City's website and posted notice to the property on July 17, 2024. Staff mailed courtesy notice to property owners within 300 feet on July 17, 2024.

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Director Designee may approve the ACUP Application;

² The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

- The Planning Director Designee may deny the ACUP Application and direct staff to make Findings for the denial; or
- The Planning Director Designee may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Centura Commons Subdivision Plat

Exhibit C: Proposed Plans



Planning Department

August 1, 2024

Greg Cropper
PO Box 4183
Park City, Utah 84060

NOTICE OF PLANNING DEPARTMENT ACTION

Description

Address:	1800 Bonanza Drive
Zoning District:	General Commercial
Application:	Administrative Conditional Use Permit
Project Number:	PL-24-06175
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	August 1, 2024
Project Summary:	The Applicant Proposes the Conditional Use of Household Pet, Grooming at 1800 Bonanza Drive through the Installation of a Self-Service Dog Wash Tub

Action Taken

On August 1, 2024, the Planning Director conducted a public hearing and approved the Conditional Use of Household Pet, Grooming at 1800 Bonanza Drive based on Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 1800 Bonanza Drive is an existing car wash in the General Commercial (GC) Zoning District and was constructed in 2002.
2. 1800 Bonanza Drive is in the GC Zoning District.
3. 1800 Bonanza Drive is located on Lot B of the Centura Commons Subdivision (Recorder #608134).
4. On September 13, 2001, the Planning Commission approved the Conditional Use Permit for a car wash on the site.
5. On February 2, 2002, the Building Department issued a Building Permit to 1800 Bonanza Drive.
6. The proposed Use of Household Pet, Grooming is conditional in the GC Zoning District as outlined in the Land Management Code (LMC) § 15-2.18-2(A).

7. As indicated by the Applicant, the proposed dog wash tub will be installed in an existing car wash bay.
8. The bay where the proposed dog wash tub will be installed will no longer be used to wash vehicles.
9. As indicated by the Applicant, the proposed dog wash is a self-service tub that is 95" in width, 70" in height, and 29" in depth.
10. As indicated by the Applicant The proposed tub does not require any permanent connections or support labor. No plumbing, structural or electrical modification are needed, and the proposed equipment would draw power and water from the existing power outlet and plumbing.
11. The Planning Department evaluates an Administrative Conditional Use Permit based on the following criteria outlined in LMC § 15-1-10(E):

CUP Review Criteria	Analysis of Proposal
Size and Location of the Site	Complies: The proposed self-service dog wash is located within the existing car wash and will not increase the building footprint on the site. The existing car wash complies with the Lot and Site requirements of the GC Zoning District
Traffic	Complies: The proposed Use will not increase traffic on site. The self-service tub will be located in an existing car wash bay.
Utility Capacity	Complies: The proposed Use will not require any additional electricity, or water hookups. The proposed Use will utilize existing utility capabilities on site.
Emergency Vehicle Access	Complies: The proposed Use will not alter emergency vehicle access on site.
Parking	Complies: The proposed Use will not increase the parking needs for the site. The self-service tub will be located in an existing car wash bay.
Internal Vehicular and Pedestrian Circulation System	Complies: The proposed Use will not alter the existing vehicular circulation pattern on site. Customers will pull into the bay with the self-service dog wash and exit in the same manner as the other car wash bays on site.
Fencing, Screening, and Landscaping	Complies: The proposed Use will be located within the existing Structure.
Building Mass, Bulk, and Orientation	Not Applicable: No buildings or structures are proposed as part of this Application.
Signs and Lighting	Complies: The Applicant is not proposing any signs or lighting as part of the proposed Use.

Physical Design and Compatibility with Surrounding Structures	Complies: The proposed Use will be located within the existing structure. The existing Structure is currently compatible with the surrounding Structures.
Noise, Vibration, Odors, Steam, or Other Mechanical Factors	Complies: The proposed Use will not generate any additional noise, vibration, odors, steam, or other mechanical factors.
Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas	Not Applicable : The proposed Use will not impact the control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup Areas.
Expected Ownership and Management	Complies: The proposed Use will be owned and operated by Ol' Miners Car Wash.
Reviewed for Consistency with the Goals and Objectives of the Park City General Plan	Complies: Goal 12.1 of the General Plan is to "Maintain commercial and light industrial uses within the City limits to meet the needs of residents and visitors. Develop and monitor an inventory of commercial and industrial space to support local businesses, prevent economic leakage, and decrease vehicle miles traveled." The proposed Use will provide an additional commercial service to residents and visitors of Park City.

12. The Development Review Committee reviewed the proposal on July 16, 2024

13. Planning Staff published public notice to the City website. Staff posted notice to City Hall, and the property on July 17, 2024. Staff mailed courtesy notices to the adjacent property owners on July 16, 2024.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Section 15-1-10(E) *Conditional Uses* and Chapter 15-2.8 *General Commercial (GC) District*
2. The Use is compatible with surrounding Structures in Use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. The Applicant shall coordinate with the Snyderville Basin Water Reclamation District to install additional equipment to ensure proper drainage of wastewater

to avoid issues with sewer infrastructure.

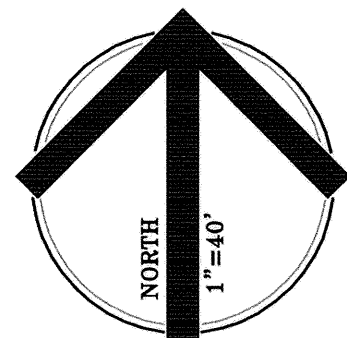
2. Final building plans and construction details shall reflect substantial compliance with the plans reviewed August 1, 2024, by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning, Building, and Engineering Departments may result in a stop work order.
3. The Applicant is responsible for notifying the Planning Department of any changes, modifications, or deviations from the approved scope of work. Any modifications shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior construction.

If you have questions or concerns regarding this Final Action Letter, please call (435) 640-8683 or email meredith.covey@parkcity.org.

Sincerely,

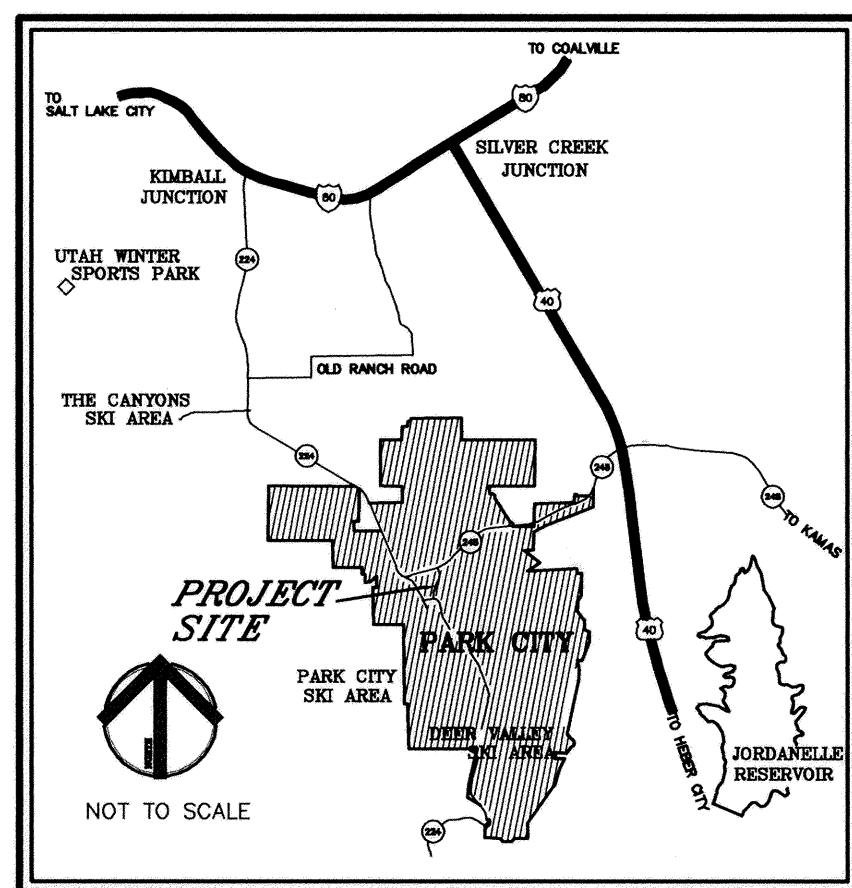
Rebecca Ward,
Planning Director

CC: Meredith Covey, Project Planner



LEGEND

- ◆ SECTION CORNER
- FOUND EXISTING IRON ROD OR AS NOTED
- SET IRON ROD AND CAP (UNLESS NOTED OTHERWISE)
- 1790 STREET ADDRESS ON BONANZA DRIVE



VICINITY MAP

GENERAL NOTES:

- 1) Subdivision is subject to a reciprocal easement, Entry No. 186422, Book 205, Page 257, for parking, vehicular and pedestrian traffic granted affecting the entire parcel and all of Munchkin and Woodbine Roads.
- 2) All proposed construction and improvements to Lot "A" of the Centura Commons Subdivision will require review and approval by the Planning Commission as a Master Planned Development Application.

UTILITY EASEMENT APPROVAL

The utility easements shown hereon have been approved and accepted this 30 day of NOV., 2001.

by Utah Power, A division of Pacifi Corp.,
Authorized Agent

BOUNDARY DESCRIPTION:

Beginning at a point which is North 89°44'14" East along the Center Section line 100.44 feet from the Center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°44'40" West 2656.01 feet between said Center of Section and the West Quarter Corner of said Section 9); and running thence South 89°44'14" East along said Center Section Line 593.32 feet; thence South 64°24'48" West 773.24 feet; thence North 00°37'14" East 57.56 feet; thence North 20°20'25" East 297.67 feet more or less to the Point of Beginning.

Containing 2.36 Acres More or Less

LOT 'A' DESCRIPTION:

Beginning at a point which is North 89°44'14" East along the Center Section line 221.13 feet from the Center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°44'40" West 2656.01 feet between said Center of Section and the West Quarter Corner of said Section 9); and running thence South 89°44'14" East along said Center Section Line 472.63 feet; thence South 64°24'48" East 773.24 feet to the Easterly Right of Way line of Bonanza Drive; thence along said Easterly Right of Way line the following two (2) courses: 1) thence North 00°37'14" East 57.56 feet; 2) thence North 20°20'25" East 173.02 feet; thence South 69°39'35" East 103.81 feet; thence North 63°57'06" East 126.83 feet; thence North 26°02'54" West 107.65 feet to the Point of Beginning.

Containing 1.85 Acres More or Less

LOT 'B' DESCRIPTION:

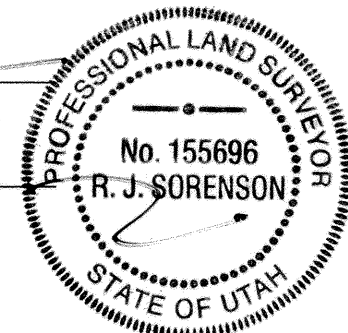
Beginning at a point on the Easterly Right of Way line of Bonanza Drive, said point being North 89°44'14" East along the Center Section line 100.44 feet from the Center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being North 89°44'40" West 2656.01 feet between said Center of Section and the West Quarter Corner of said Section 9); and running thence South 89°44'14" East along said Center Section Line 120.69 feet; thence South 26°02'54" East 107.65 feet; thence South 63°57'06" West 126.83 feet; thence North 69°39'35" West 103.81 feet to said Easterly Right of Way line of Bonanza Drive; thence North 20°20'25" East along said Easterly Right of Way line 124.65 feet to the Point of Beginning.

Containing 0.51 Acres More or Less

SURVEYOR'S CERTIFICATE

I, Randy J. Sorenson, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 155696 as prescribed under the laws of the State of Utah. I further certify that by the authority of the Owners, I have caused a survey to be made of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets hereafter to be known as "CENTURA COMMONS, A Two Lot Subdivision", and that same has been surveyed and staked on the ground as shown on this plat.

Randy J. Sorenson
Date Oct 23, 2001



OWNER'S DEDICATION AND CONSENT TO RECORD

Known all men by these presents: that the undersigned is the owner of the hereon described tract of land, and hereby causes the same to be divided into lots and streets, together with easements as set forth on this plat, hereafter to be known as "CENTURA COMMONS, A Two Lot Subdivision".

Also, the owner hereby dedicates to Summit County, Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Snyderville Basin Special Recreation District and the Park City Fire Service District, a non-exclusive easement over the access and utility easements and roadways shown hereon for the purpose of providing access and for utility installation, maintenance, use and eventual replacement, and to provide emergency services, and also dedicate to the public the roads and public trails as shown on this plat intended for the use of the public.

Executed this 24th day of October, 2001

GREATER PARK CITY COMPANY, a Utah corporation,

Vernon A. Greco, President

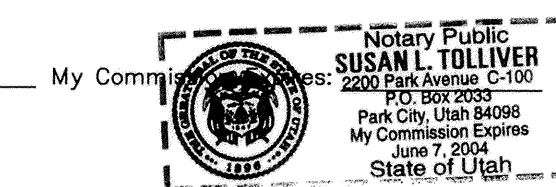
ACKNOWLEDGMENT

State of Utah:

County of Summit:

On this 24th day of October, 2001, personally appeared before me, Vernon A. Greco, who, being duly sworn, did say that he is President of GREATER PARK CITY COMPANY, a Utah corporation, Owner, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation and did acknowledge to me that said corporation executed the same.

Susan L. Tolliver
Notary Public



LESSOR'S CONSENT TO RECORD

The undersigned Lessor hereby consents to the recordation of this plat.

Executed this 23 day of October, 2001.

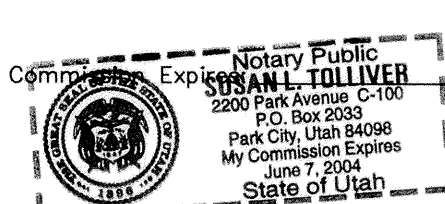
CENTURA CANYONS, L.L.C., a Utah limited liability company,
by ENSEARCH MANAGEMENT COMPANY, INC., a Nevada corporation, it's Manager,

Rodman Jordan, President

ACKNOWLEDGMENT

On this 23rd day of October, 2001, personally appeared before me Rodman Jordan, who being duly sworn did say that he is the president of ENSEARCH MANAGEMENT COMPANY, INC., a Nevada corporation, manager of CENTURA CANYONS, L.L.C., a Utah limited liability company, Lessor, and the signer of the foregoing Lessor's Consent to Record, and duly acknowledged to me that he executed the same.

Susan L. Tolliver
Notary Public



TRUST DEED BENEFICIARY'S CONSENT TO RECORD

BANK ONE, N.A., a Utah corporation, the undersigned Trust Deed Beneficiary, hereby consents to the recordation of this plat.

Executed this 24th day of October, 2001.

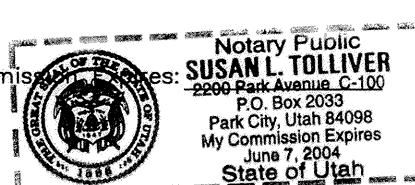
BANK ONE N.A., a Utah corporation

Robyn M. Bishop
by Robyn M. Bishop, Vice President

ACKNOWLEDGMENT

On this 24th day of October, 2001, personally appeared before me, Robyn M. Bishop, who, being duly sworn did say that she is a vice president BANK ONE, N.A., a Utah corporation, and the signer of the foregoing Trust Deed Beneficiary's Consent to Record, and duly acknowledged to me that she executed the same.

Susan L. Tolliver
Notary Public



CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 31st DAY OF December, 2001.

Jim Wier
CHAIRMAN

SEWER DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 29th DAY OF November, 2001.

By D. O.
S.B.W.R.D.

CITY ENGINEER

REVIEWED FOR CONFORMANCE WITH AVAILABLE INFORMATION IN THE PARK CITY ENGINEERING DEPARTMENT ON THIS 31st DAY OF DECEMBER, 2001.

Chris W. Johnson
CITY ENGINEER

CITY COUNCIL

PRESENTED TO THE PARK CITY COUNCIL THIS 20th DAY OF SEPTEMBER, 2001. AT WHICH TIME THIS PLAT WAS APPROVED.

Dana Williams
MAYOR
Sand M. Seath
CITY RECORDER

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 4th DAY OF JANUARY, 2002.

Timothy L. Townsend
CITY ATTORNEY

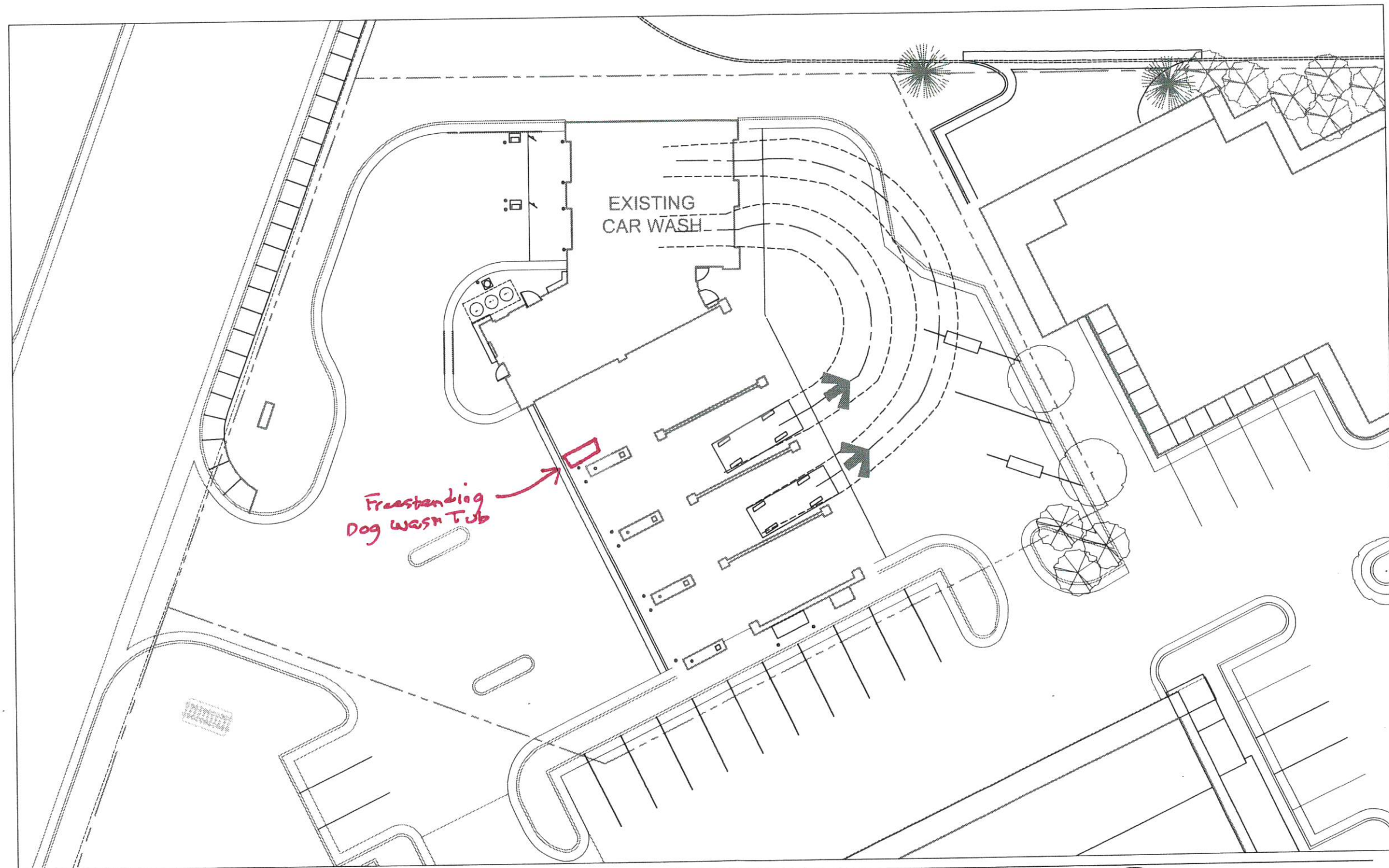
RECORDED

ENTRY NO. 608134 BOOK --- PAGE ---
STATE OF UTAH COUNTY OF SUMMIT

DATE 1-10-2002 TIME 16:16 PM
RECORDED AND FILED AT THE REQUEST OF:

Coalition Title
FEE: \$35.00
Alan Ingers
COUNTY RECORDER

JACK JOHNSON COMPANY
1777 Sun Peak Dr. * Park City, Utah 84098
(435) 645-9000 * fax (435) 649-1620



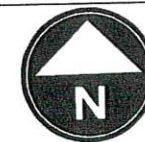
 ELLIOTT
WORKGROUP

20' Passenger Car / Truck

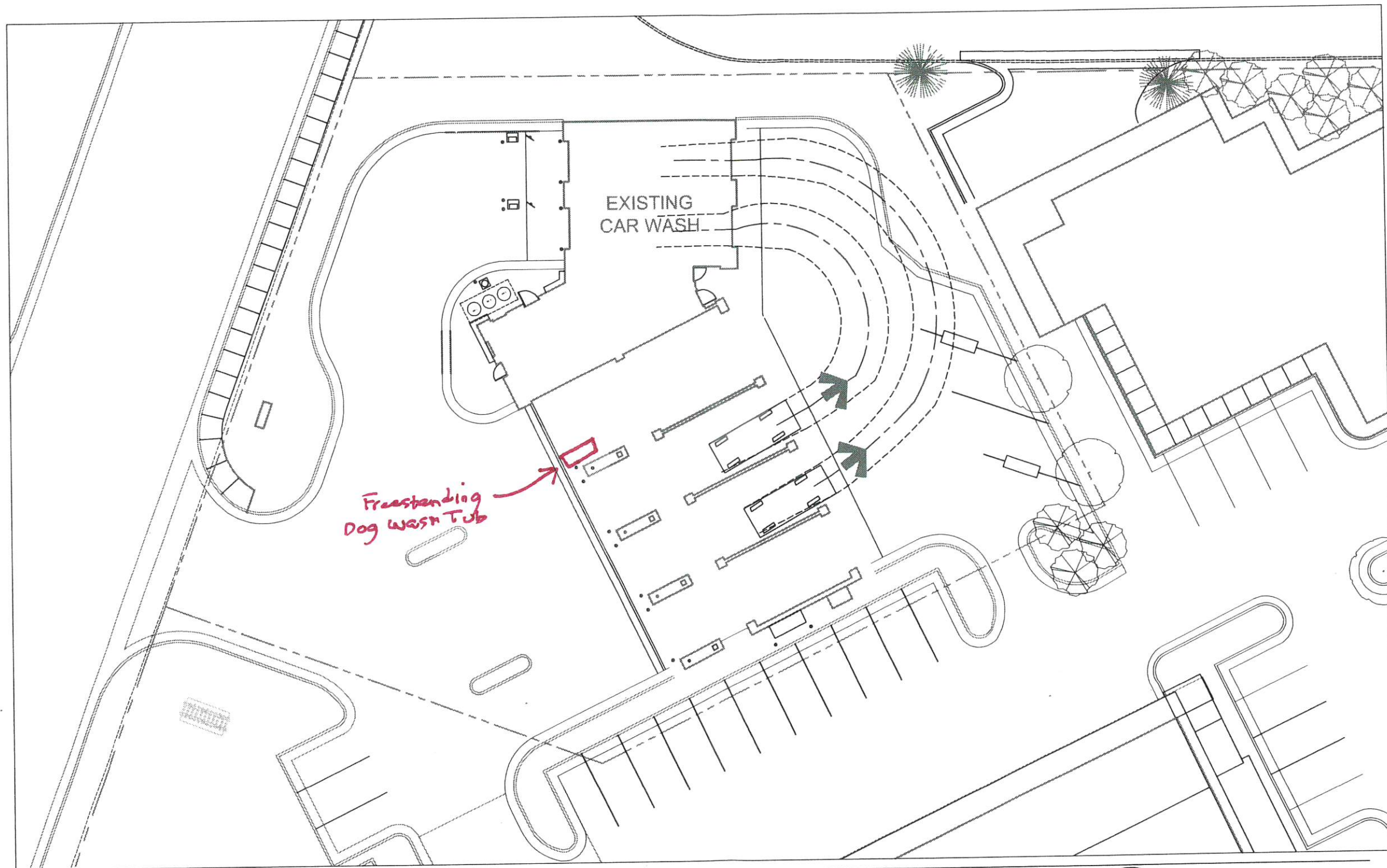
May 10, 2017



SCALE: 1"=20'-0"



01' Miner Car Wash



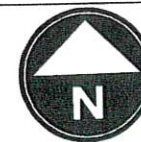
 ELLIOTT
WORKGROUP

20' Passenger Car / Truck

May 10, 2017



SCALE: 1"=20'-0"



01' Miner Car Wash

Planning Department Staff Report



Subject: 180 Daly Avenue
Application: PL-24-06163
Author: Virgil Lund, Planner I
Date: August 1, 2024
Type of Item: Administrative Conditional Use Permit

Recommendation

(I) Review the proposed Administrative Conditional Use Permit for a retaining wall that is 8 feet in height from Final Grade in the Side Setback at 180 Daly Avenue, (II) conduct a public hearing, and (III) consider approving the Administrative Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Willemmina Yospe
Applicant Representative: Blackdog Stone and Landscape

Location: 180 Daly Avenue, a Significant Historic Site

Zoning District: Historic Residential – 1

Adjacent Land Uses: Single-Family Dwellings

Reason for Review: Retaining walls greater than six feet in the Side Setback require an Administrative Conditional Use Permit in the Historic Residential-1 Zoning District.¹

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

Summary

The Applicant proposes an Administrative Conditional Use Permit (ACUP) for a retaining wall greater than six feet in height within the Side Setback at 180 Daly Avenue. The proposed retaining wall will be eight feet from Final Grade, and will span the length of the property, approximately 45 feet.

¹ LMC [§ 15-2.2-2](#)

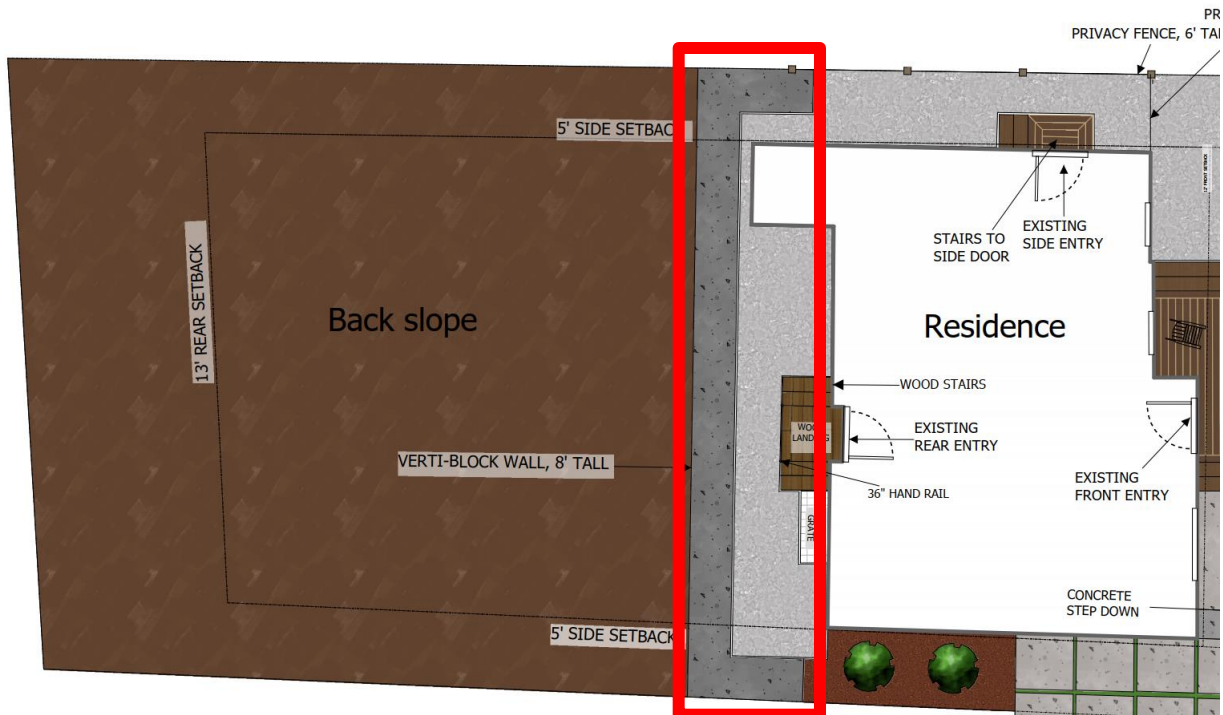


Figure 1: Proposed Retaining Wall in Rear of Property Highlighted in Red

Background

180 Daly Avenue is a Significant Historic Structure on Park City's Historic Site Inventory constructed circa 1925. The Applicant proposes an eight-foot-tall retaining wall to stabilize the slope in the rear of the property to make the rear yard usable and protect the Historic Structure from the hillside.



Figure 2: Image of 180 Daly and Rear Slope

On July 5, 2024, Staff determined the application submittal was complete.

Analysis

See the Final Action Letter, Exhibit A, for analysis.

The Development Review Committee reviewed the proposal on July 2, 2024, and requires Conditions of Approval.²

The Engineering Department requires engineered plans for the retaining wall to be submitted with Building Permit submittal.

Department Review

The Planning Department reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on July 22, 2024. Staff mailed courtesy notice to adjacent property owners on July 22, 2024.³

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Director may approve the ACUP for an eight-foot-tall retaining wall in the Side Setbacks.
- The Planning Director may deny the ACUP for an eight-foot-tall retaining wall in the Side Setbacks and direct staff to make Findings for the denial.
- The Planning Director may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Proposed Plans

² The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

³ LMC [§ 15-1-21](#)



Planning Department

August 1, 2024

Charlotte Jacketta, Blackdog Stone and Landscape
180 Daly Avenue

CC: Willemina Yospe

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	180 Daly Avenue, a Significant Historic Site
Zoning District:	Historic Residential – 1
Application:	Administrative Conditional Use Permit
Project Number:	PL-24-06163
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	August 1, 2024
Project Summary:	The Applicant proposes an Administrative Conditional Use Permit for an eight-foot-tall retaining wall in the Side Setback at 180 Daly Avenue.

Action Taken

On August 1, 2024, the Planning Director conducted a public hearing and approved the Administrative Conditional Use Permit for an eight-foot-tall retaining wall that is 44 feet in width and encroaches into the five foot Side Setbacks according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Applicant proposes an Administrative Conditional Use Permit (ACUP) for an eight-foot-tall and 44-foot-wide retaining wall within the five-foot Side Setback at 180 Daly Avenue.
2. 180 Daly Avenue is a Significant Historic Structure on Park City's Historic Site Inventory constructed circa 1925.



Planning Department

3. The Applicant proposes an eight-foot-tall and 44-foot-wide retaining wall to stabilize the slope in the rear of the property and to make the rear yard usable.
4. 180 Daly Avenue is a 3,986-square-foot Lot, Lot 1 of the Daly Delight Plat Amendment, recorded November 28, 2018.
5. On July 5, 2024, Staff determined the application submittal was complete.
6. Retaining walls greater than six feet in height within the Side Setback require an ACUP pursuant to LMC Section 15-4-2.
7. The proposal, as conditioned, complies with the Historic Residential – 1 Zoning District requirements.
 - a. Setbacks:
 - i. Front Setback: 12 feet
 1. The retaining wall will be located approximately 40 feet from the front property line.
 - ii. Rear Setback: 13 feet
 1. The retaining wall will be located approximately 45 feet from the rear property line.
 - iii. Side Setback: 5 feet
 1. Fences and retaining walls are listed as a Side Setback exception in Land Management Code (LMC) Section 15-2.2-3(J).
 2. The proposed retaining wall will be eight feet in height from Final Grade located within the Side Setback and will extend up to the side property line.
 3. The Applicant shall submit an access agreement with the Building Department prior to Building Permit issuance.
 - b. Final Grade Must be within Four Feet of Existing Grade
 - i. The Applicant will not manipulate the Existing Grade with the proposed retaining wall, it will be installed up against the hillside and will not change the Existing Grade.
 - c. Significant Vegetation: The Applicant must protect Significant Vegetation during any development activity.
 - i. No Significant Vegetation will be impacted by the retaining wall.
 - d. Development on Steep Slopes: A Steep Slope Conditional Use Permit is required for construction of any Structure with a Building Footprint in excess of two hundred square feet if the Building Footprint is located on or projecting over and existing Slope of thirty percent or greater.



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- i. The Applicant proposes a retaining wall with a footprint of approximately 160 square feet and does not trigger Steep Slope review.
- 8. The proposal, as conditioned, complies with the *Regulations For Historic Residential Sites* in LMC Section 15-13-2(B)(1)(d).
 - a. New retaining walls should be consistent with historic retaining walls in design, material, scale of materials, as well as size and mass of the wall. Simple board-formed concrete, stone, and other historic materials are recommended over concrete block, asphalt, or other modern concrete treatments.
 - i. The Applicant proposes a concrete block retaining wall.
- 9. The proposal, as conditioned, complies with LMC Section 15-4-2 Fences and Retaining Walls.
 - a. The height of retaining walls in the Side Setback may exceed six feet in height from Final Grade subject to approval of an ACUP (LMC Section 15-4-2(A)(1))
 - i. The Applicant proposes a retaining wall that is eight feet in height from Final Grade within the Side Setback.
- 10. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC Section 15-1-10(E)
 - a. Size and Location of the Site
 - i. The proposed retaining wall will help stabilize the slope in the rear of the property and will help prevent the hillside from encroaching into the historic structure. The proposed retaining wall is eight feet from Final Grade and spans the length of the property, approximately 50 feet.
 - b. Traffic
 - i. Not applicable.
 - c. Utility Capacity
 - i. The Development Review Committee reviewed the proposal on July 2, 2024, and confirmed the proposal conforms with their requirements. The Committee requires Conditions of Approval, outlined below.
 - d. Emergency Vehicle Access



Planning Department

- i. The Development Review Committee reviewed the proposal on July 2, 2024, and confirmed the proposal conforms with their requirements.
- e. Parking
 - i. Not applicable.
- f. Internal Vehicular and Pedestrian Circulation System
 - i. No mitigation required.
- g. Fencing, Screening, and Landscaping
 - i. LMC Section 15-5-5(N) requires at least fifty percent (50%) of the Landscaped Area shall be Water Wise Landscaping containing approved non-invasive drought tolerant plants, and/or minimal irrigation. The proposed landscape plan contains plants and trees that are found on the Park City Waterwise Landscaping Plant List and is approximately 50 percent of the landscaped area.
- h. Building Mass, Bulk, and Orientation
 - i. No mitigation required.
- i. Useable Open Space
 - i. Not applicable
- j. Signs and Lighting
 - i. No signs or lighting are proposed or approved with this ACUP.
- k. Physical Design and Compatibility with Surrounding Structures
 - i. The proposed concrete-block retaining wall will help stabilize the slope in the rear of the property and will help prevent the hillside from encroaching into the historic structure. The proposed retaining wall is eight feet from Final Grade and spans the length of the property, approximately 44 feet.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors
 - i. Not applicable
- m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas
 - i. Not Applicable.
- n. Expected Ownership and Management
 - i. The property owner is Willemina Yospe and has provided signature on the application.



Planning Department

- o. Environmentally Sensitive Lands, Physical Mine hazards, Mine Waste, Soils Ordinance, Steep Slopes and Appropriateness of the Proposed Structure to the Existing Topography of the Site
 - i. As conditioned, the proposed retaining wall over eight feet shall be permitted through engineering review and an approved building permit to ensure appropriateness of the structure to the existing topography of the site.
- p. General Plan
 - i. The General Plan encourages materials that are compatible for the Historic District and Historic Sites.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements outlined in LMC Chapter 15-2.2 Historic Residential - 1 (HR-1) Zoning District, Chapter 15-13 Regulations for Historic Districts, Section 15-4-2 Fences and Retaining Walls, and Section 15-1-10(E) Conditional Use Permits.
2. The Use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any difference in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Any changes, modifications, or deviations from the approved retaining wall that have not been approved in advance by the Planning Department may result in a stop work order.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved Retaining Wall.
3. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
4. The Applicant shall submit engineered plans for the retaining wall at Building Permit submittal.
5. The retaining walls shall be consistent with historic retaining walls in design, material, scale of materials, as well as size and mass of the wall.
6. The Applicant shall submit an access agreement with the Building Department prior to Building Permit issuance.



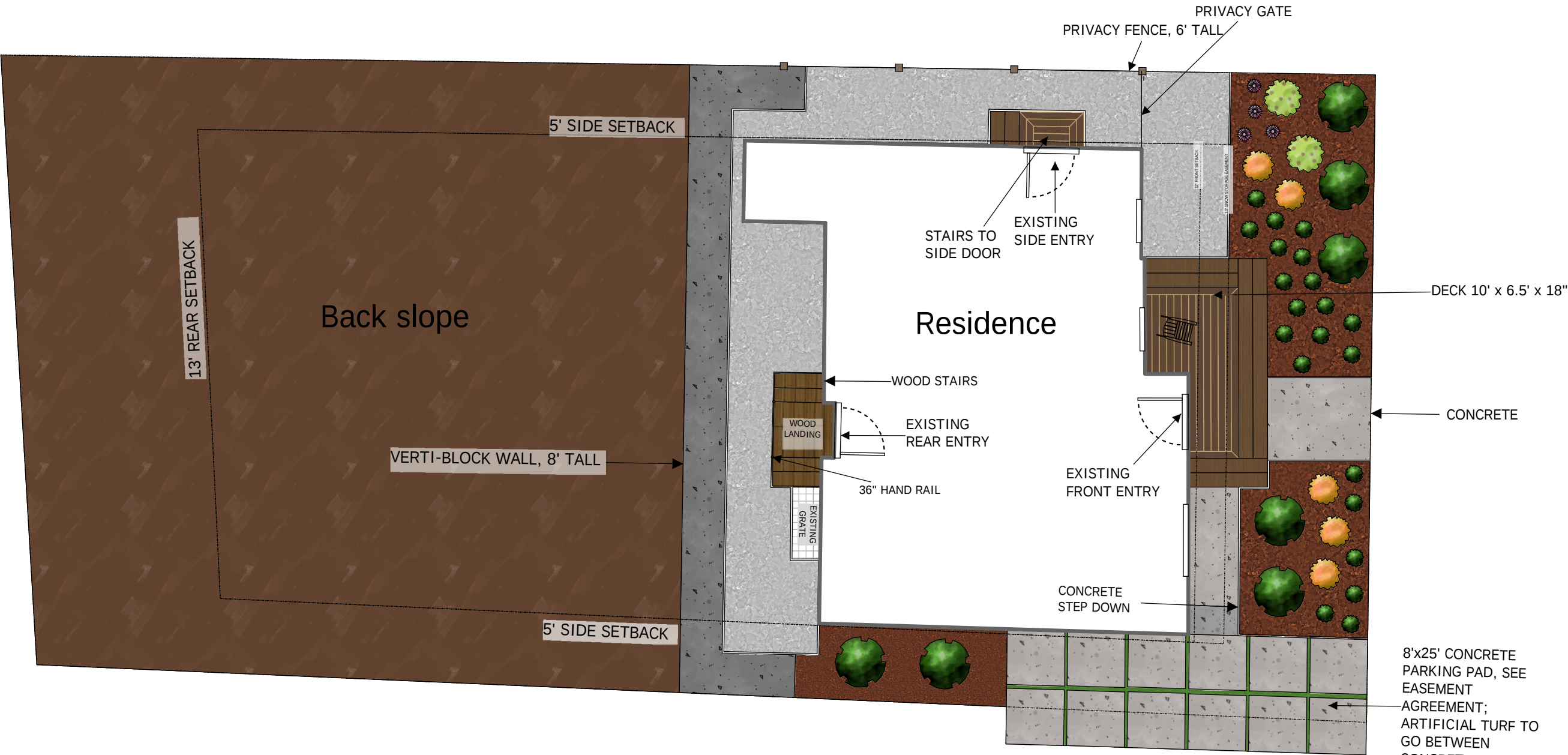
Planning Department

If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org

Sincerely,

Rebecca Ward
Planning Director

CC: Virgil Lund



NOTES:
Deck and side entry stairs meet HR-1 District code.

Master Plan - Revised

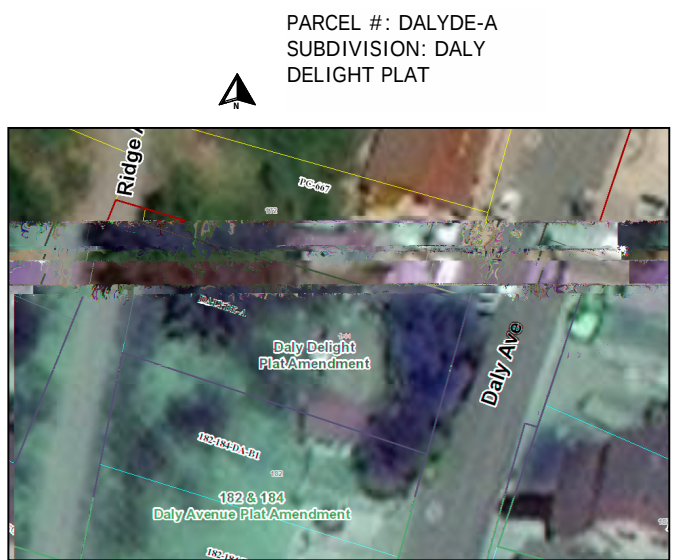
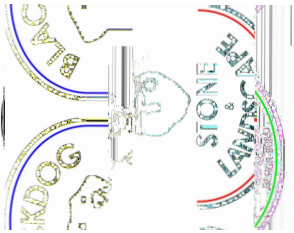
DESIGNED BY: MARINA KNIGHT &
CHARLOTTE JACKETTA
REVIEWED BY: JOHN MINAHAN
5/10/2024

YOSPE RESIDENCE

180 DALY AVENUE
PARK CITY, UT 84060
310-351-3496

BLACKDOG STONE &
LANDSCAPE

P.O. BOX 982755
PARK CITY, UT 84098

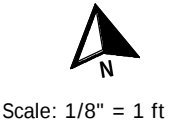
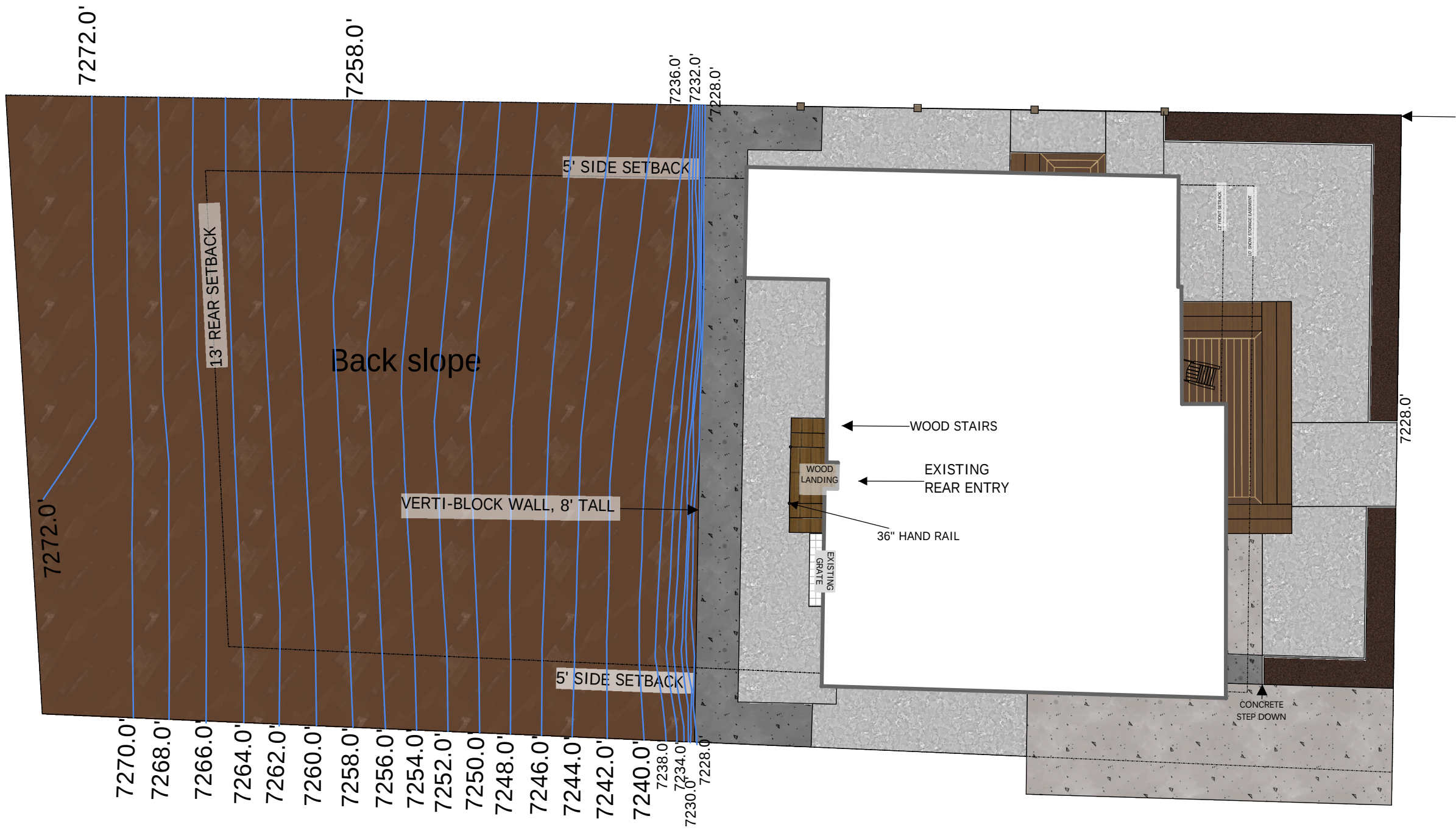


Plant Legend			
Symbol	Qty	Common Name	Botanical Name
	5	Butterfly Milkweed	Asclepias tuberosa
	2	Coneflower	Echinacea purpurea
	4	Evening Primrose	Oenothera caespitosa
	7	Snowberry	Symphoricarpos albus
	21	Sweet Woodruff	Galium odoratum

Scale: 1/8" = 1 ft



PARCEL #: DALYDE-A
SUBDIVISION: DALY
DELIGHT PLAT



Scale: 1/8" = 1 ft



BLACKDOG STONE &
LANDSCAPE
P.O. BOX 982755
PARK CITY, UT 84098

YOSPE RESIDENCE
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Master Plan - Revised

DESIGNED BY: MARINA KNIGHT &
CHARLOTTE JACKETTA
REVIEWED BY: JOHN MINAHAN
5/10/2024

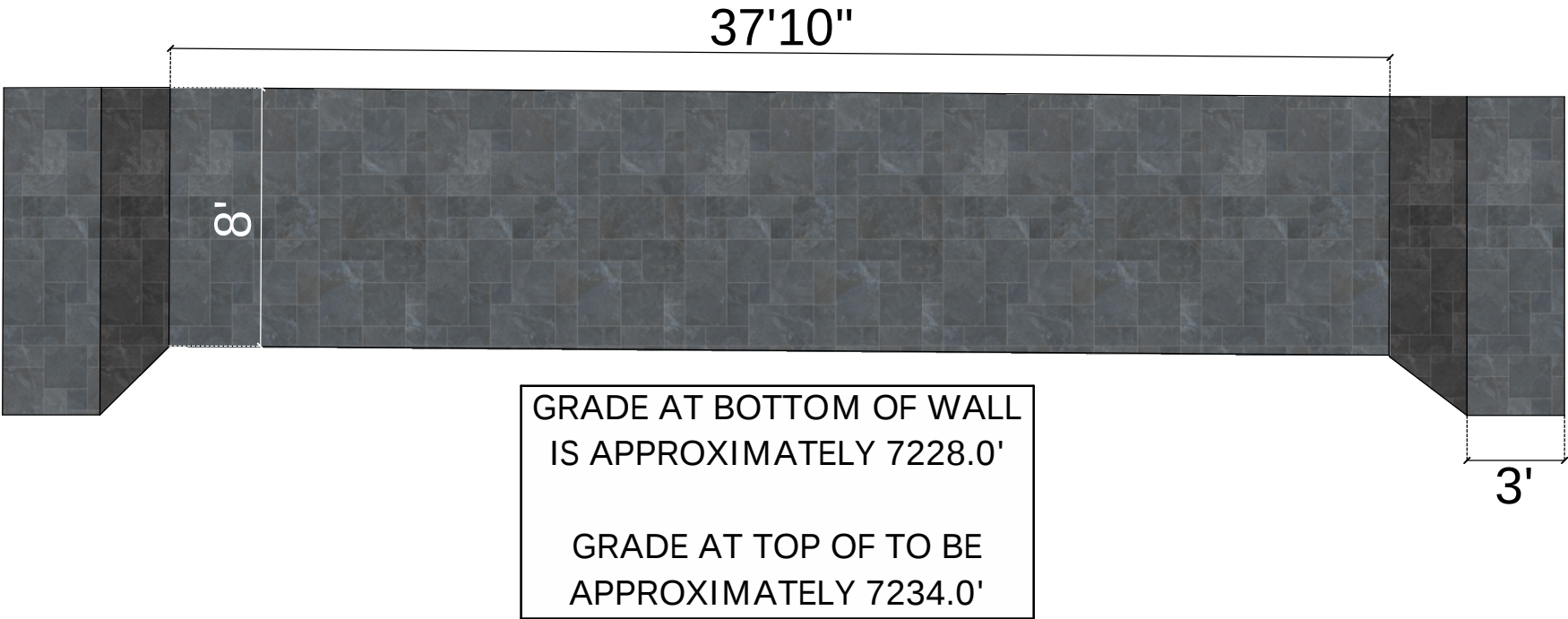
NOTES:
Deck and side entry stairs meet HR-1 District code.

VERT-BLOCK WALL

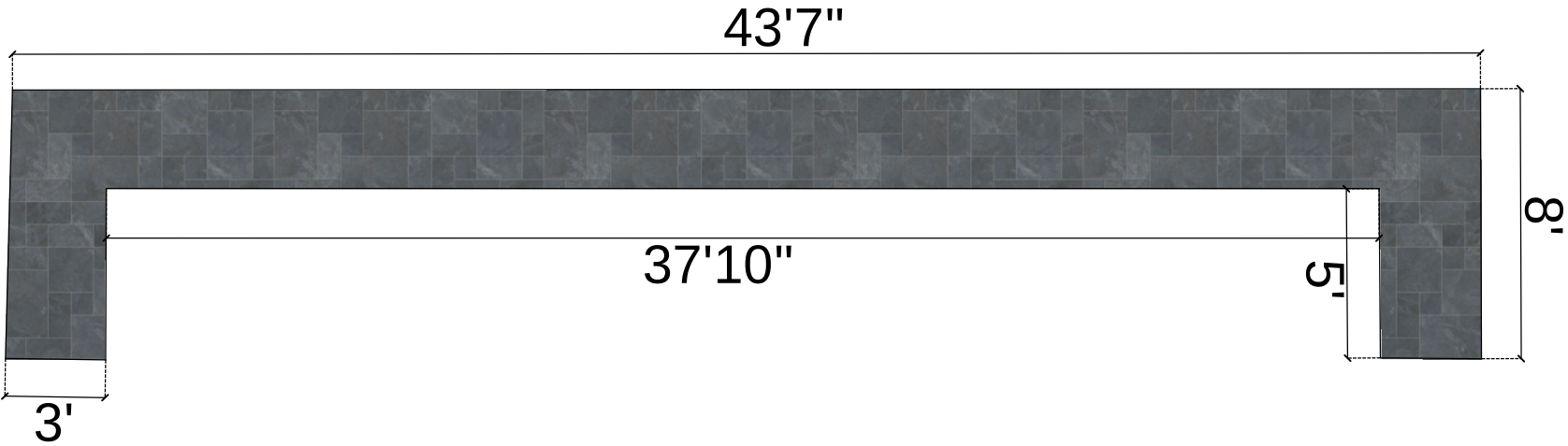
MATERIAL: VERTICALLY POURED
PRECAST CONCRETE WALL



FRONT VIEW:



TOP VIEW:



Scale: 3/16" = 1 ft

NOTES:
Deck and side entry stairs meet HR-1 District code.

VERTI-WALL SECTION
ELEVATION
DESIGNED BY: MARINA KNIGHT &
CHARLOTTE JACKETTA
REVIEWED BY: JOHN MINAHAN
2/21/2024

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