

Administrative Action Meeting
June 13, 2024
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PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
June 14, 2024
<https://us02web.zoom.us/j/88167820277>

STAFF:

Rebecca Ward, Planning Director (virtual); Lillian Zollinger, Planner II (virtual); Virgil Lund, Planner I (virtual); Jacob Klopfenstein, Planner I; Ed Roman, Planning Department Administrative Assistant; Sara Rush-Mabry, Park City Transit (virtual), Timothy Sanderson, Transportation Director (virtual)

PUBLIC:

Rick Hoeft, Patricia Kravtin (virtual), Trent Smith (virtual), Justin Keys (virtual)

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The Planning Director called the meeting to order at 12:00 PM.

ROLL CALL

The Planning Director noted that the Planning Team was at an off-site retreat at the Park City Library and some team members were participating in the meeting remotely.

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

1300 Snow Creek Drive – Administrative Permit – PL-24-6120 – The Applicant Proposes to Construct 34 Additional Parking Spaces at the Snow Creek Master Planned Development.

Planning Director Ward noted that the item would be continued to a date uncertain but was publicly noticed for a public hearing.

At 12:00 PM, the Planning Director opened a public hearing. There was no public input.

At 12:00 PM, the Planning Director closed the public hearing.

MOTION: The Planning Director **CONTINUED** the Administrative Permit for 1300 Snow Creek Drive to a date uncertain.

Planning Director Ward noted that the item would be publicly noticed prior to being reviewed at a future meeting.

1234 Rothwell Road – Historic District Design Review Modification – PL-24-06112 – The Applicant Proposes to Construct an Addition on a Single-Family Dwelling in the Recreation Commercial Zoning District.

Planning Director Ward explained that the application for an addition to a Single-Family Dwelling would be continued to a date uncertain while the applicant coordinates with the Building Department for further information.

At 12:01 PM, the Planning Director opened a public hearing.

Patricia Kravtin said the home at 1234 Rothwell Road sits directly above her home. She said there were multiple hearings and years of discussion about the Kings Crown development, with many conditions of approval placed on that development. She said she hoped that in evaluating the addition to the home, it is held to the same standard. She added that because of the density of the development, an addition on the home would impact other homes in the development.

At 12:03 PM, the Planning Director closed the public hearing.

MOTION: The Planning Director **CONTINUED** the Historic District Design Review Modification for 1234 Rothwell Road to a date uncertain.

Planning Director Ward noted that the item would be publicly noticed prior to further review.

1053 Iron Horse Drive/1616 Short Line Road – Administrative Permit – PL-24-06146 – The Applicant Requests an Administrative Permit to Install an Overhead Pantograph Electric Charger for Public Transit Buses in the General Commercial Zoning District.

Planner Zollinger presented the proposal and noted that the site is part of the Park City Public Works subdivision. She noted that the applicant was awarded a grant for public transit bus charging infrastructure and this proposal is part of that grant. Planner Zollinger noted that the proposal complies with the requirements of the Land Management Code.

Planner Zollinger added that the applicant will be required to submit additional information showing that the overhead charging infrastructure will not exceed 20 feet in height. She also added that the city Development Review Committee reviewed the proposal, and the committee did not require any additional conditions of approval.

At 12:06 PM, the Planning Director opened a public hearing. There was no public hearing.

At 12:06 PM, the Planning Director closed the public hearing.

MOTION: The Planning Director **APPROVED** the Administrative Permit for 1053 Iron Horse Drive/1616 Short Line Road in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. 1053 Iron Horse/1616 Short Line Road is Lot 1 of the Park City Public Works Subdivision, a 5.11-acre corner lot with access on Short Line Road and Iron Horse Drive.
2. The Applicant was awarded \$43 million in grant funding for charging infrastructure and expansion of the City's electric bus fleet. The Applicant proposes installing:
 - a. A reinforced concrete pad for the bus charging area.
 - b. An overhead pantograph electric charger for public transit buses within the bus pull-out on Short Line Road and associated electrical equipment.
3. The overhead pantograph electric charger is a Public Transit Amenity. Land Management Code (LMC) Section 15-15-1 defines Public Transit Amenity Areas: *Structures, infrastructure, and equipment necessary to operate public transit and public multi-modal transportation, including but not limited to items of comfort, convenience, and safety that are available to the general riding public, including bus pull-outs, bus shelters, bus electric charging equipment, benches, signage, and bike racks.*
4. LMC Section 15-2.18-2(A)(33) establishes Public Transit Amenity Areas as an Allowed Use in the General Commercial Zoning District subject to an Administrative Permit and compliance with LMC Section 15-4-24.
5. The overhead pantograph electric charger will straddle property and Short Line Road and will encroach into the Front Setback. LMC Section 15-2.18-3(B)(8)

establishes Public Transit Amenity Areas as an exception to Front Setback requirements.

6. LMC Section 15-4-24 outlines the following requirements for Public Transit Amenity Areas:

- a. An Administrative Permit is required with approval by the Planning Director and City Engineer. The City Engineer's Determination is Attachment 1 to this Final Action Letter.
- b. Courtesy notice must be provided pursuant to LMC Sections 15-1-12 and 15-1-21.
 - i. On May 29, 2024, Planning staff mailed post cards to adjacent property owners and posted notice to the property. Staff posted notice to the City website and to City Hall.
- c. The installation shall not impede pedestrian circulation, emergency access, or public safety.
 - i. On June 4, 2024, the Development Review Committee evaluated the proposal and found it complies with their requirements.
 - ii. 1616 Short Line Road is not a public transit stop at this time but is rather a bus pull-out area where drivers may park for a break or change shifts. If the location becomes a public transit stop, trash and recycling shall be provided and shall be screened from neighboring properties and the right-of-way.
 - iii. Structures shall not exceed 20 feet in height from Existing Grade. The proposed overhead charger is approximately 18 feet from Existing Grade.
 - iv. The Planning Department shall determine the Limits of Disturbance and shall require mitigation for loss of Significant Vegetation. The existing conditions note significant vegetation is near the area proposed to accommodate electrical equipment. A Condition of Approval requires protection of significant vegetation during and after construction.

Conclusions of Law

1. The proposal complies with LMC Chapter 15-2.18 *General Commercial Zoning District*.
2. The proposal complies with LMC Section 15-4-24 *Public Transit Amenity Areas*.

Conditions of Approval

1. If the location becomes a public transit stop, the Applicant shall install sufficient screened trash and recycling facilities for the Public Transit Amenity Area.

2. At the building permit stage, the Applicant shall verify through a roof over topography exhibit that the maximum height of the overhead charger from Existing Grade does not exceed 20 feet.
3. The Applicant shall protect significant vegetation during and after construction.
4. Signs and outdoor lighting are not approved as part of this Administrative Permit. Any future sign or outdoor lighting installations require Planning Department review and approval prior to installation.
5. Prior to issuance of a building permit, the Applicant must meet with the Engineering Department to address the proposed modifications to change the crown of the roadway and flatten the cross slope. The modifications must be revised to meet City standards.

2279 Samuel Colt Court – Administrative Conditional Use Permit – PL-24-06115 – The Applicant Proposes an Internal Accessory Dwelling Unit in an Existing Single-Family Dwelling in the Single-Family Zoning District.

Planner Zollinger presented the proposal for an Internal Accessory Dwelling Unit. She noted that there is an existing Single-Family Dwelling on the lot and the applicant is proposing to create an IADU. She noted that the proposal is compliant with the requirements of the Land Management Code.

Planner Zollinger noted that the proposal is compliant with parking requirements for Internal Accessory Dwelling Units. She also noted that the unit will be required to be owner-occupied full time, will be prohibited from being sold separately from the main Dwelling, and will be prohibited from being sold as a short-term rental.

At 12:08 PM, the Planning Director opened a public hearing. There was no public input.

At 12:08 PM, the Planning Director closed the public hearing.

MOTION: The Planning Director **APPROVED** the Administrative Conditional Use Permit for 2279 Samuel Colt Court in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. 2279 Samuel Colt Court is in the Single Family (SF) Zoning District and has an existing Single-Family Dwelling (SFD) on the Site that was constructed in 1979.
2. Pursuant to Land Management Code (LMC) § 15-2.11-2, a SFD is an Allowed

Use in the SF Zoning District.

3. Pursuant to LMC § 15-2.11-2, an Internal Accessory Dwelling Unit (IADU) is an Allowed Use in the SF Zoning District, subject to Administrative Permit approval.
4. IADUs are subject to LMC § 15-4-7.1(B), which requires an Administrative Permit.
5. The Planning Department evaluates an Administrative Permit for an IADU as outlined in LMC § 15-4-7.1:

Requirement	Analysis
Size – 6,000 square foot (sq. ft.) Lot with one SFD	Complies: 9,147 sq. ft. Lot with one SFD.
Parking – One parking space per IADU. May be provided in tandem if existing driveway exceeds 35' from the Property Line	Complies: One parking space is proposed more than 25' back from the property line on the existing driveway.
Ownership - The Single-Family Dwelling shall be occupied by the Owner and the Internal Accessory Dwelling Unit shall not be sold separately.	See Condition of Approval 3
Deed restriction- A deed restriction "notice to purchaser" must be filed with the county recorder, which shall state, "A permit for an Internal Accessory Dwelling Unit was issued to _____, the current Owner of this Property on _____. This permit runs with the land and is automatically transferred to the new owner by the sale or transfer of this Property, provided however, if the Use by the new Owner does not continue to comply with the conditions of approval, the permit may be invalidated by the Planning Department pursuant to Section 15-4-7.1(C). Prospective purchasers should be advised that only one (1) unit on the Property may be rented; the other must be occupied by the Owner. The Owner shall strictly adhere to all the conditions of approval and	See Condition of Approval 4

the prohibition of the rental of either Dwelling Unit for short term rentals of less than thirty (30) days.”	
Nightly Rentals - Neither the Single-Family Dwelling or Internal Accessory Apartment may be rented for periods of time less than thirty (30) days.	See Condition of Approval 5
Homeowners Association Notification - All Internal Accessory Dwelling Units shall be subject to the Homeowners Association notification requirements established in Section 15-1-12(F).	Complies: The Applicant noticed the HOA on May 23, 2024.

6. The Development Review Committee reviewed the proposal on June 4, 2024, and confirmed the proposal complies with their required standards.
7. Planning Staff published public notice to the City website and posted notice to City Hall, the Post Office, and the property on May 30, 2024. Staff mailed courtesy notices to the adjacent property owners on May 30, 2024.

Conclusions of Law

1. The proposal complies with the LMC requirements pursuant to Chapter 15-2.11, *Single Family (SF) District* and Section 15-4-7.1, *Internal Accessory Dwelling Units*.

Conditions of Approval

1. Final plans and details shall reflect substantial compliance with the plans reviewed June 13, 2024, by the Planning Department. Any changes, modifications, or deviations from the approved plans that have not been approved in advance by the Planning, Building, and Engineering Departments may result in a stop work order.
2. 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.
3. The Single-Family Dwelling shall be occupied by the Owner and the Internal Accessory Dwelling Unit shall not be sold separately.
4. A deed restriction “Notice to Purchaser” in a form approved by the City

Attorney's Office must be filed with the County Recorder for the property before a Building Permit may be issued for the IADU.

5. The property owner shall live full-time in the Single-Family Dwelling. The Internal Accessory Apartment may not be rented for periods less than thirty (30) days.
6. The parking space for the IADU shall be on the driveway of 2279 Samuel Colt Court.
7. Trash and recycling receptacles shall be stored on site and placed for trash and recycling pickup according to the Municipal Code of Park City § 6-1-11.

3981 Kearns Boulevard – Administrative Conditional Use Permit – PL-23-05958 – The Applicant Proposes Phase I of the Studio Crossing Master Planned Development.

Planner Lund presented the Administrative Conditional Use Permit and noted that pursuant to the Development Agreement for Studio Crossing, there is a requirement that prior to any construction on the site, an Administrative Conditional Use Permit must be reviewed and approved by the Planning Director.

Planner Lund noted that additional information regarding building height was submitted by the applicant and would be reviewed soon. He noted that the buildings included in Phase I of the Studio Crossing development are limited to 40 feet. He noted that any future Uses may require additional permitting pursuant to Condition of Approval #4.

Planning Director Ward requested modifying Condition of Approval #9 to require that the building heights for the north and south mixed-use buildings comply with the approval documents as determined by the Planning Director prior to building permit issuance.

Applicant Trent Smith asked when the roof-over topo map that was submitted would be reviewed by the Planning Department. Planner Lund said he would review the map tomorrow.

Planning Director Ward noted that the Planning Department would be able to set up a meeting with Applicant Representative Justin Keys after the Applicant has reviewed the approval documents.

Mr. Keys said that timeline would work for him and he had no issues with the language that was proposed to require the development to be in compliance with governing

documents. Mr. Keys noted that the applicant was under the impression that screening for mechanical equipment and elevator penthouses could be an exception to the building height, but in the interest of moving the development along the applicant is bringing the screening elements into compliance with the building height requirement rather than redesigning the building.

At 12:14 PM, the Planning Director opened a public hearing. There was no public input.

At 12:14 PM, the Planning Director closed the public hearing.

MOTION: The Planning Director **APPROVED** the Administrative Conditional Use Permit for 3981 Kearns Boulevard in accordance with the amended Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Studio Crossing Master Planned Development is located at 3981 Kearns Boulevard on 20.46 acres and is part of the Park City Film Studios First Amended Subdivision.
2. On November 9, 2022, The Planning Commission approved the Studio Crossing Master Planned Development (MPD) for a mixed-use project including at least 185 affordable for-rent units. The project also includes 60,000 square feet of Commercial Uses, up to 100 market-rate condominiums, a transit stop and shelter, and a bike share and trail connection.
3. On December 15, 2022, the City Council approved Ordinance No. 2022-47 amending the Annexation and Zoning Ordinance for the Studio Crossing property.
4. On December 15, 2022, the City Council approved the Housing Mitigation Plan for Studio Crossing which requires the Applicant to construct 65 on-site affordable dwelling units (42.4 Affordable Unit Equivalents or 38,160 square feet) in Phase I.
5. On January 17, 2024, the Development Agreement for the Studio Crossing MPD was recorded with Summit County, Recorder Entry No. 01214657.
6. Section 2.1 of the Studio Crossing Development Agreement requires an Administrative Conditional Use Permit prior to any construction activity.
7. The Applicant proposes an Administrative Conditional Use Permit for Phase I of the Studio Crossing MPD.
8. On April 19, 2024, the Studio Crossing Subdivision Plat was recorded with Summit County, Recorder Entry No. 1218425.

9. The Applicant proposes 104 Affordable Deed Restricted Units (totaling 60,000 square feet) in the Mixed-Use South and Mixed-Use North Buildings of Phase 1.
 - a. The remaining affordable units in the project will be constructed as part of the "Any-time Phase" which includes an all-affordable building with an additional 104 affordable units.
10. The Applicant proposes a total of 29,642 square feet of commercial space for Phase 1 on the ground level of the South and North Mixed-Use Buildings.
11. The Applicant proposes 287 Parking Spaces to be constructed in Phase 1.
12. The Application complies with the Studio Crossing Subdivision Plat.
 - a. The proposed mixed-use buildings will be located within the platted building pods.
13. The Application complies with the Development Agreement for the Studio Crossing MPD.
 - a. On November 9, 2022, The Planning Commission approved the Studio Crossing MPD. The proposed plans comply with the approved Studio Crossing MPD.
14. The Application, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E)
 - a. Size and Location of the Site
 - i. The proposed buildings for Phase I comply with the approved Subdivision Plat, and the plans reviewed and approved by the Planning Commission on November 9, 2022.
 - b. Traffic considerations
 - i. The Planning Commission reviewed a Trip Generation Memorandum for the proposed MPD on November 9, 2022, and determined the proposed mix of uses was appropriate for the surrounding streets.
 - c. Utility capacity
 - i. The Development Review Committee reviewed the application on February 6, 2024, and confirms the proposal conforms to their requirements.
 - d. Emergency vehicle access
 - i. The Park City Fire District approved the proposed project on April 18, 2024.
 - e. Off-Street parking

- i. LMC § 15-3-6(A) requires 1 Parking Space for residential apartment units less than 1,000 square feet and 1.5 Parking Spaces for residential apartment units greater than 1,000 square feet but less than 2,000 square feet. The residential parking requirement for Studio Crossing according to LMC § 15-3-6(A) is 108 Parking Spaces.
 - ii. LMC § 15-3-6(B) outlines parking requirements for non-residential uses. The Applicant does not have proposed uses for the commercial space in Phase I. Major Retail Commercial and Intensive Office Uses require five Parking Spaces per 1,000 square feet of net leasable floor Area.
 - iii. The Parking requirement based on 29,642 square feet of assumed Major Retail Commercial space or Intensive Office space and the proposed residential units is 256 Parking Spaces required for Phase I based on LMC § 15-3-6.
 - iv. The Planning Commission reviewed a Parking Analysis submitted by the Applicant on November 9, 2022. According to the Development Agreement, the Applicant is required to construct 566 Parking Spaces for all phases of development. The Applicant proposes 287 Parking Spaces to be constructed for Phase I, exceeding the LMC requirement of 256 Parking Spaces
- f. Internal vehicular and pedestrian circulation system
 - i. Vehicle Access is located off State Route 248 (Kearns Blvd). The Applicant obtained a Conditional Access Permit from UDOT on January 3, 2024.
- g. Fencing, Screening, and landscaping
 - i. There is no fencing proposed, and the Applicant has submitted a Landscape Plan that is compliant with LMC § 15-5-5(N).
- h. Building mass, bulk, and orientation
 - i. The proposed buildings for Phase I are compliant with the site plan reviewed and approved by the Planning Commission November 9, 2022.
- i. Useable Open Space
 - i. MPDs require a minimum of 60% Open Space. However, the previous MPD had no minimum Open Space requirement per the Annexation Agreement. The updated Studio Crossing MPD site

plan increases the amount of Open Space over the previously approved MPD.

- j. Signs and lighting
 - i. All proposed signs must be approved through a Sign Permit submitted to the Planning Department prior to installation.
 - ii. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000-degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.
- k. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing
 - i. The proposed buildings for Phase I are compliant with the site plan reviewed and approved by the Planning Commission November 9, 2022.
- l. Noise, vibration, odors, steam, or other mechanical factors
 - i. Any proposed commercial uses must comply with the City Noise Ordinance.
- m. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas
 - i. The Applicant proposes to screen the trash and recycling areas with metal panel enclosures with standing seam metal roofs and heavy-duty metal gates.
- n. Expected ownership
 - i. The owner of record for Studio Crossing is Quinn Capital Partners, LLC, and has signed off on this application.
- o. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site
- p. Review for consistency with the goals and objectives of the Park City General Plan

- i. Goal 7 of the Park City General Plan is to create a diversity of primary housing opportunities. This project adds to the affordable rental stock of Park City, increasing housing opportunities for Park City residents and workers.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements, Studio Crossing Master Planned Development, and Section 15-1-10(E) Conditional Use Permits.
2. The Use will be compatible with surroundings 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. Any changes, modifications, or deviations from the approved plans 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 plans.
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 majority of the 60,000 square feet of Commercial Uses in the project shall be limited to smaller-scale community oriented commercial Uses set forth in the Application and Final Plan Set dated October 26, 2022, and the applicant shall not be required to return to the Planning Commission for a CUP unless noted herein. Any Conditional Use that requires a CUP in the Regional Commercial Overlay and has a parking requirement of 5 stalls per 1,000 square feet or greater, shall require a CUP except for Restaurants, Bars, or Child Care Centers. A detailed parking analysis shall be submitted at the time of CUP application to allow Planning Staff to calculate the parking demand in relation to the parking supply. Telecom Antennas, Office Intensive, Retail/Service Intensive, and Medical Office/Clinic shall require a CUP.
5. The Planning Department shall complete an Administrative CUP for any Child Care Center, Intensive Office, and/or Major Retail or Major Service Use, to ensure that most of the Commercial Uses are smaller-scale and community

- oriented, and that there is sufficient parking and/or drop off/pick-up areas for the proposed mix of uses. A detailed parking analysis shall be submitted at the time of Administrative CUP application to allow Planning Staff to calculate the parking demand in relation to the parking supply.
6. Commercial Uses shall not include Hotels of any kind, any business with a Drive-Up window, or Gasoline Service Station.
 7. Signs for commercial uses must receive a sign permit from the Planning Department.
 8. Rooftop mechanical equipment shall be architecturally screened from public view.
 9. Building heights for the north and south mixed-use buildings shall be in compliance with the approval documents as determined by the Planning Director prior to Building Permit issuance.
 10. Deed restrictions for all affordable units shall be recorded with Summit County prior to any final inspections, building permit closure, or issuance of Certificates of Occupancy for any market-rate, commercial, or affordable units.
 11. The Applicant shall submit approval from the City Engineer for the secondary access to the site, prior to Building Permit issuance.
 12. All prior Conditions of Approval for the Studio Crossing MPD and Plat Amendment continue to apply.

The Park City Administrative Action meeting adjourned at 12:14 PM.

Approved by Planning Director:

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned below the text "Approved by Planning Director:".