

PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
January 18, 2024
<https://us02web.zoom.us/j/88167820277>

STAFF:

Rebecca Ward, Planning Director; Lillian Zollinger, Planner II (virtual); Jacob Klopfenstein, Planning Department Administrative Assistant.

PUBLIC: Brent N. Bateman, Elizabeth Flaherty, Steve Walton

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

ROLL CALL

The Planning Director noted that Staff and Members of the Public are in attendance.

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

703 Park Avenue – Modification to Administrative Conditional Use Permit – PL-23-05873 – The Applicant Proposes to Add 40 Additional Outdoor Dining Seats Without Increasing Existing Dining Occupancy in the Historic Recreation Commercial Zoning District.

Planner Zollinger presented the Modification to Administrative Conditional Use Permit application. Planner Zollinger noted that the applicant is requesting a modification to add four additional outdoor dining seats to an existing 2010 approval of 30 seats. Planner Zollinger noted that the proposal is compliant with current zoning regulations.

Planner Zollinger also noted that numbering of the Conditions of Approval was out of order and would be corrected for the Final Action Letter.

Applicant Bateman asked about how to measure the 10-foot snow storage easement. Planner Zollinger noted that it is listed on the plat and would be provided for the applicants.

At 12:05 PM, the Planning Director opened a public hearing. There was no public input.

Director Ward requested amending Finding of Fact 11 reflect that the applicant is requesting four additional seats for a total of 34.

Director Ward also asked about where customers and employees park. The applicants said customers typically park along Park Avenue or in the China Bridge parking garage and walk to the restaurant, and most employees park at the Richardson Flat park and ride lot and take transit to the restaurant.

At 12:07 PM, Director Ward closed the public hearing.

MOTION: The Planning Director **APPROVED** the Modification to Administrative Conditional Use Permit for 703 Park Avenue in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended with Finding of Fact 11 reflecting a total of 34 seats and corrected numbering of the Conditions of Approval.

Findings of Fact:

1. This application has been reviewed under Section 15-1-10 of the Land Management Code and criteria 1-16.
2. The outdoor dining is to be located in front of the Distillery on the side fronting Park Avenue.
3. The underlying zoning on this property is Historic Residential Commercial (HRC).
4. The application, as conditioned, complies with all requirements of the Land Management Code, Section 15-1-10.
5. There are not any new signs or lighting associated with this project.
6. The outdoor dining area will be allowed from 11:00 am – 10:00 pm.
7. The outdoor dining will occur year round.
8. The approved steel chairs and tables are originally dated Planning approved August 30, 2010.
9. There are no additional utilities associated with this proposal.
10. The site plan stamped approved August 30, 2010 reflects the layout of the original approved Outdoor Dining.
11. The Applicant proposes to add four additional outdoor seats for a total of 34.

Conclusions of Law:

1. The application complies with all requirements of Section 15-1-10(E) of the Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding residential and commercial structures in use, scale, mass and circulation.
3. As conditioned the use is consistent with the Park City General Plan.

4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. Nothing herein shall allow any violation to the International Fire Code, International Building Code, or Park City Municipal Code, including any violation of the Municipal Noise Ordinance. Please find specifics as they pertain to this approval attached (Section 6-3-8 and 6-3-9 attached).
2. A forty-four inch (44") minimum width for egress will be maintained. See site plan approved August 30, 2010.
3. Final building plans and construction details shall reflect substantial compliance with the updated plans reviewed January 18, 2024, by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning Department may result in a stop work order.
4. The Applicant is responsible for notifying the Planning Department of any changes, modifications, or deviations from the approved scope of work. Changes shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior construction.
5. The final proposed landscaping plan shall be reviewed under a Historic District Design Review Pre-Application.
6. Occupancy, including indoor and outdoor customers and employees, shall not at any time exceed 193. The total outdoor dining occupancy shall not exceed 34.
7. Music, from patio speakers, is limited from 11am to 10pm and shall comply with the City Noise Ordinance.
8. Permanent structures in the 10' snow storage easement are prohibited unless an Encroachment Agreement with the Engineering Department is recorded.

The Park City Administrative Action meeting adjourned at 12:07 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:".

