

Administrative Action Meeting
October 26, 2023

PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
October 26, 2023
<https://us02web.zoom.us/j/88167820277>

STAFF:

Rebecca Ward, Interim Planning Director; Jack Niedermeyer, Planner I; Jaron Ehlers, Planning Technician; Jacob Klopfenstein, Planning Department Administrative Assistant (virtual); Dave Gustafson, Engineering Department Project Manager.

PUBLIC: Andy Badger (virtual)

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

ROLL CALL

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

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

1665 Bonanza Drive – Administrative Conditional Use Permit – PL-23-05795
– The Applicant Proposes to Reconstruct a Vault and Switch-Gear Mechanical Unit in the Frontage Protection Zone.

Planner Niedermeyer presented the Administrative Conditional Use Permit application and explained that a primary reason for the proposal is to mitigate wildfire concerns. Planner Niedermeyer noted that the proposal complies with zoning requirements outlined in the Land Management Code. Planner Niedermeyer also noted that the Building and Engineering departments reviewed the proposal.

Planner Niedermeyer presented the Staff recommendation to the Interim Planning Director.

Interim Director Ward asked for clarification on whether or not the existing vault at the site would be removed. Planner Niedermeyer confirmed that it will be removed. At 12:06 PM, the Interim Planning Director opened a public hearing. There was no public input.

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

MOTION: The Planning Director **APPROVED** the Administrative Conditional Use Permit for 1665 Bonanza Drive in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Site is located at 1665 Bonanza Drive.
2. The Site is Lot 46-B of the Resubdivision of Lot 46 Prospector Square.
3. The Site is located within the General Commercial (GC) Zoning District and Frontage Protection Zone (FPZ).
4. The Applicant proposes to construct a vault and switch gear unit in Northwest portion of Lot 46-B to underground existing distribution lines.
5. On August 11, 2023, the Applicant submitted an Administrative Conditional Use Permit application for 1665 Bonanza Drive.
6. On October 5, 2023 the City Council Approved an Underground Right-of-Way Easement for the proposed vault.
7. On October 23, 2023 the Application was considered complete.
8. Staff published notice on the City's website and posted notice to the property on October 11, 2023.
9. Staff mailed courtesy to property owners within 300 feet on October 11, 2023.
10. The analysis section of the staff report is incorporated herein.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.18 *General Commercial Zoning District*.
2. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.20 *Frontage Protection Zone Zoning District*.
3. The proposal complies with the Land Management Code Requirements pursuant to Section 15-1-10, *Conditional Use Review Process*.
4. The Use is compatible with surrounding Structures in use, scale, mass, and circulation.
5. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans dated July 31, 2023, and approved by the Planning Department on

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October 26, 2023. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments.

2. The vault and switch-gear mechanical unit shall be located entirely within the recorded limits of the Underground Right-of-Way Easement, approved by the City Council on October 5, 2023.
3. The applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
4. 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.
5. All areas disturbed during construction surrounding the construction within the scope of this permit shall be restored and revegetated.
6. Significant vegetation shall be protected during construction.
7. This site is within the Park City Soils Ordinance Boundary. The Applicant shall obtain approval from the City's Environmental Regulatory Program Manager prior to building permit issuance.

1800 Park Avenue – Administrative Conditional Use Permit – PL-23-05889 –
The Applicant Proposes Installing a Temporary Bus Shelter in the General Commercial Zoning District and Frontage Protection Zone to Provide Shelter for Transit Riders While the Permanent Bus Shelters are Completed.

Planner Ehlers presented the Administrative Conditional Use Permit proposal. Planner Ehlers noted that the proposal complies with zoning requirements outlined in the Land Management Code. Planner Ehlers noted that the Engineering Department has reviewed the proposal, and the Building Department will review the proposal as part of the building permit process.

Planner Ehlers presented the Staff recommendation to the Interim Planning Director.

At 12:09 PM, the Interim Planning Director opened a public hearing. There was no public input.

At 12:09 PM, the Interim Planning Director closed the public hearing.

MOTION: The Interim Planning Director **APPROVED** the Administrative Conditional Use Permit for 1800 Park Avenue in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

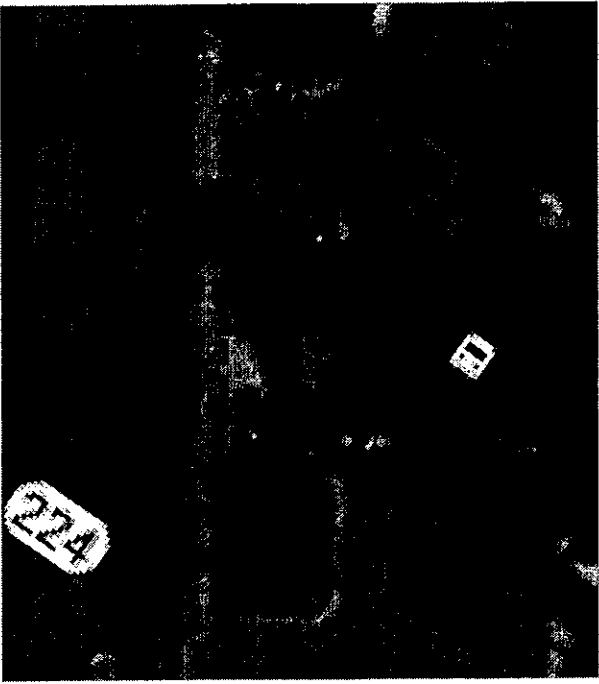
1. The Applicant seeks an Administrative Conditional Use Permit (ACUP) to install a temporary bus shelter in the General Commercial Zoning District and Frontage Protection Zone (FPZ).
2. This temporary bus shelter will serve as a temporary bus stop in front of the DoubleTree by Hilton Hotel at 1800 Park Avenue until construction of a permanent bus stop is completed.
3. Construction of the permanent bus shelter is anticipated to be completed by the end of the year.
4. The Applicant proposes to install a 10' x 15' temporary bus shelter with clear walls to ensure that the buses are visible to the passengers.
5. Two benches are proposed to be installed inside for passengers while they wait.
6. The temporary bus stop is conditioned to be removed once the permanent bus stop in front of Fresh Market is completed, sometime around December 1, 2023, but no later than December 31, 2023.
7. The temporary bus shelter is proposed to be installed at 1800 Park Avenue in the General Commercial Zoning District.
8. In the General Commercial Zoning District, Temporary Improvements require an Administrative Conditional Use Permit (ACUP).
9. Land Management Code (LMC) § 15-15-1 defines a Temporary Improvement as a Structure built, or installed, and maintained during construction of a Development, or during a Special Event or activity and then removed prior to release of the performance Guarantee. . . .
10. Pursuant to LMC § 15.2.18-1, one of the purposes of the General Commercial Zoning District is to 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.
11. The temporary bus shelter is proposed to be installed in the Frontage Protection Zone (FPZ).
12. Pursuant to LMC § 15-2.20-4, the purpose of the Frontage Protection Zone (FPZ) is to preserve Park City's scenic view corridors, preserve and enhance the rural resort character of Park City's entry corridor, provide a significant landscaped buffer between Development and highway Uses, minimize curb cuts, driveways and Access points to highways, and allow for future pedestrian and vehicular improvements along the highway corridors.

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13. LMC § 15-2.20-4(D) allows for essential public facilities such as bus shelters to be installed within the FPZ pursuant to an ACUP approval and review by the Planning, Engineering, and Building Departments. The Engineering Department reviewed the proposed temporary bus shelter on October 17, 2023, and did not require Conditions of Approval. The Applicant will be required to submit a permit with the Building Department for review and approval prior to installation.
14. 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.
15. The Planning Department 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 Department 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 temporary bus shelter is 150 square feet in size and is proposed to be installed proximate to the new permanent bus shelter under construction. The temporary bus shelter will provide convenience for transit riders during the construction of the new permanent bus shelters.
Traffic considerations	Complies: The temporary bus shelter is to support transit passengers and therefore will not generate additional traffic.
Utility capacity	No Mitigation Required
Emergency vehicle access	No Mitigation Required
Parking	No Mitigation Required

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Internal circulation	Condition of Approval Recommended The temporary bus shelter is proposed to be constructed on the DoubleTree by Hilton Hotel property and will slightly encroach into the sidewalk along the eastern side of Park Avenue, illustrated in the image below. Condition of Approval 3 requires the temporary bus shelter to be installed in a location that maintains sufficient sidewalk width for pedestrians that meets ADA accessibility standards.
Location 	

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Fencing, screening, and landscaping	No Mitigation Required
Building mass, bulk, and orientation	No Mitigation Required
Usable open space	No Mitigation Required
Signs and lighting	No Mitigation Required Pursuant to Municipal Code of Park City Section 12-8-1(A), signs erected by or at the direction of Park City Municipal Corporation are exempt from the requirements of the Sign Code. Signs related to transit services are therefore allowed. All other signage is prohibited. Outdoor lighting must comply with the requirements of the Dark Sky Code outlined in LMC Section 15-5-5(J) and must be fully shielded, down-directed, with bulbs 3,000 degrees Kelvin or less.
Compatibility with surrounding structures	No Mitigation Required
Noise and mechanical factors	No Mitigation Required
Control of delivery and service vehicles	No Mitigation Required
Ownership	Condition of Approval Required The Applicant shall submit verification from the property owner approving the temporary bus shelter location prior to submitting a building permit application.

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Appropriateness of the structure to existing topography	No Mitigation Required No changes to topography are proposed.
Consistency with the General Plan	Complies: Goal 3 of the Park City General Plan is to encourage alternative modes of transportation on a regional and local scale to maintain small town character. The temporary bus shelter improves the experience for transit riders while permanent bus shelters are installed.

16. The Development Review Committee met on October 17, 2023 and finds the proposal meets development standards.

17. Staff posted public notice to the property, mailed notice to adjacent property owners, and posted notice to the City's website on October 11, 2023.

Conclusions of Law

1. The proposal to install a temporary bus shelter complies with the Land Management Code requirements pursuant to Section 15-1-10(E) *Conditional Use Permit Criteria*, Chapter 15-2.18 *General Commercial District*, and Chapter 15-2.20 *Frontage Protection Zone*.
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 is responsible for notifying the Planning Department prior to making any changes to this approval.
2. The Applicant shall submit verification from the property owner approving the temporary bus shelter location prior to submitting a building permit application.
3. The temporary bus shelter shall be installed in a location that maintains sufficient sidewalk width for pedestrians that meets ADA accessibility standards.

The temporary bus shelter shall be removed by December 31, 2023, unless the Applicant submits a written request to the Planning Department requesting an extension prior to the expiration of this approval.

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The Park City Administrative Action meeting adjourned at 12:09 PM.

Approved by Planning Director:

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

