



June 9, 2021

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CC: Wendy Smith

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 1129 Park Avenue & 1128 Woodside Avenue

Zoning District: Historic Residential – 1

Application: Conditional Use Permit

Project Number: PL-21-04818

Action: Approved

Date of Final Action: June 9, 2021

Project Summary: Conditional Use Permit for a Duplex with one unit—a Significant Historic Structure—accessed from Park Avenue and one unit accessed from Woodside Avenue

Action Taken

On June 9, 2021, the Planning Commission conducted a public hearing and approved a Duplex Conditional Use Permit for 1129 Park Avenue and 1128 Woodside Avenue according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The property is located at 1129 Park Avenue and 1128 Woodside Avenue.
2. The Historic District Design Review (HDDR) application for the new Duplex Dwelling is under review, pending Planning Commission approval of the Duplex Dwelling

Conditional Use Permit and recordation of the Jupiter Moons Plat Amendment. The Historic Preservation Board approved Material Deconstruction to accommodate the proposed Duplex addition on June 2, 2021, pending Planning Commission approval of the Conditional Use Permit.

3. The property is located within the Historic Residential – 1 (HR-1) Zoning District and meets the purpose of the zone.
4. A Duplex Dwelling is a Conditional Use in the HR-1 Zoning District.
5. Following recording of the plat amendment, the lot will contain 4,699 square feet.
6. Access to the property is from Park Avenue and Woodside Avenue, both public streets.
7. Two parking spaces are provided for each unit.
8. The neighborhood is characterized by a mix of historic and non-historic residential structures (single-family and Duplex Dwellings). The homes are a mix of one- to two-story residential developments.
9. An overall building footprint of 1,777.5 square feet is proposed. The maximum allowed footprint for this lot is 1,804 square feet.
10. The proposed Duplex Dwelling complies with the front and rear setbacks. The minimum front and rear setbacks are 15 feet, for a total of 30 feet.
11. The proposed addition complies with the side setbacks. The minimum side setbacks are 3 feet, for a total of 6 feet.
12. The proposed Duplex Dwelling complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than twenty seven feet (27') in height. The 10 foot minimum horizontal step in the downhill façade has a maximum height of 23 feet. The Contributory Roof Form has a 7:12 pitch which complies with the Contributing Roof Form requirement of 7:12 – 12:12 pitch. The Secondary Roof Form has a 3:12 pitch and is subordinate to the Contributory Roof Form.
13. The proposed addition has an interior height of 35 feet, which complies with the required interior height of 35 feet.
14. There are no unmitigated impacts to LMC 15-1-10(E)(1) Size and location of the site, as the Lot containing the Duplex Dwelling is 5,329 square feet. Per LMC 15-2.2-3 Lot And Site Requirements, Developments consisting of a Duplex Dwelling require a Lot Area at least equal to 3,750 square feet. The proposed site complies with the minimum lot size for a Duplex Dwelling.
15. There are no unmitigated impacts to LMC 15-1-10(E)(2) Traffic considerations including capacity of the existing Streets in the Area, as the Duplex Dwelling will not be adding additional vehicles to Park Avenue. The proposed design meets the requirements for parking as indicated in the Review Criteria 5.
16. There are no unmitigated impacts to LMC 15-1-10(E)(3) Utility capacity, as this project has been reviewed by the applicable utility companies and internal departments. No concerns were brought up by those entities during their review.
17. There are no unmitigated impacts to LMC 15-1-10(E)(4) Emergency vehicle access as Emergency vehicles will access the site directly from Park/Woodside Avenue. No issues have been identified at this time.

18. There are no unmitigated impacts to LMC 15-1-10(E)(5) Location and amount of off-street parking, as two parking spaces are provided for each unit. The entire site provides a total of four parking spaces.
19. There are no unmitigated impacts to LMC 15-1-10(E)(6) Internal vehicular and pedestrian circulation system, as vehicular and pedestrian access to the site is from Park/Woodside Avenue, a public road.
20. There are no unmitigated impacts to LMC 15-1-10(E)(7) Fencing, Screening and landscaping to separate the Use from adjoining Uses, as Fencing and/or screening has not been proposed for the site.
21. There are no unmitigated impacts to LMC 15-1-10(E)(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots, as the proposed Duplex Dwelling is located on the lot in a manner that reduces the visual and environmental impacts.
22. There are no unmitigated impacts to LMC 15-1-10(E)(9) Usable Open Space, as the proposed structure complies with all applicable lot and site requirements, thus providing open space similar to that provided by other development on Park Avenue.
23. There are no unmitigated impacts to LMC 15-1-10(E)(10) Signs and lighting, as the proposal does not include any signs. All exterior lighting features must be Fully Shielded and comply with the Outdoor Lighting Code.
24. There are no unmitigated impacts to LMC 15-1-10(E)(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing, as the proposed design is visually compatible with the neighborhood, similar in scale and mass to surrounding structures, and visual impacts are mitigated. The applicant has staggered the units of the duplex to reduce the overall width and bulk at the street. The applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to two stories in height, which is compatible with the existing house and the neighborhood overall.
25. There are no unmitigated impacts to LMC 15-1-10(E)(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property Off-site.
26. There are no unmitigated impacts to LMC 15-1-10(E)(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas, as this is a Duplex Dwelling which is consistent with other residential uses on Park Avenue. No delivery, loading, or trash pick-up areas will be more intensive than the existing development on the street.
27. There are no unmitigated impacts to LMC 15-1-10(E)(14) Expected Ownership and management of the project as primary residences, Condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities, as this property will be sold to a private property owner. The Duplex will be under one owner unless the property owner files a condominium plat amendment with the Planning Department for Planning Commission review and recommendation, and City Council approval.
28. There are no unmitigated impacts to LMC 15-1-10(E)(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and

appropriateness of the proposed Structure to the topography of the Site, as the property is located outside the Soils Ordinance and therefore is not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.

29. There are no unmitigated impacts to LMC 15-1-10(E)(16) Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding, as the proposed Duplex Dwelling fulfills the Goals, Objectives, and/or Implantation Strategies of the General Plan, including Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.
30. Staff posted legal notice to the property and mailed notice to property owners within 300 feet on May 26, 2021. The *Park Record* published legal notice on May 26, 2021.

Conclusions of Law

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria for a Duplex as established by the [LMC 15-1-10](#).
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.
4. A landscape plan is required to be submitted with the building permit. Changes to an approved landscape plan must be reviewed and approved by the Planning Department prior to landscape installation.
5. This approval will expire on June 9, 2022, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration.
6. Recordation of the Jupiter Moons Plat Amendment is required prior to building permit issuance.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5059 or email brendan.conboy@parkcity.org.

Sincerely,

John Phillips, Planning Commission Chair

CC: Brendan Conboy

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