

# Planning Commission Staff Report



**Subject:** 909 Woodside Avenue  
**Application:** PL-21-04803  
**Author:** Aiden Lillie, Planner I  
**Date:** June 9, 2021  
**Type of Item:** Planning Commission - Conditional Use Permit

## Summary Recommendations

Staff recommends the Planning Commission review the 909 Woodside Avenue Conditional Use Permit (CUP) for the construction of a basement addition using the footprint of the existing Historic Structure located within the Building Setback, hold a public hearing, and consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

## Description

**Applicant:** Jon Hangartner represented by Jonathan DeGray  
**Location:** 909 Woodside Avenue  
**Zoning District:** Historic Residential (HR-1) Zoning District  
**Historic Designation:** Significant  
**Reason for Review:** Conditional Use Permit applications are reviewed and approved by the Planning Commission

## Acronyms

CUP Conditional Use Permit  
HDDR Historic District Design Review  
HPB Historic Preservation Board  
HR-1 Historic Residential District  
HSI Historic Sites Inventory  
LMC Land Management Code

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

## Executive Summary

On April 1, 2021 the Planning Department received a complete Conditional Use Permit application for 909 Woodside Avenue. The applicant is proposing to construct a basement addition using the footprint of the existing Historic Structure located within the Building Setback.

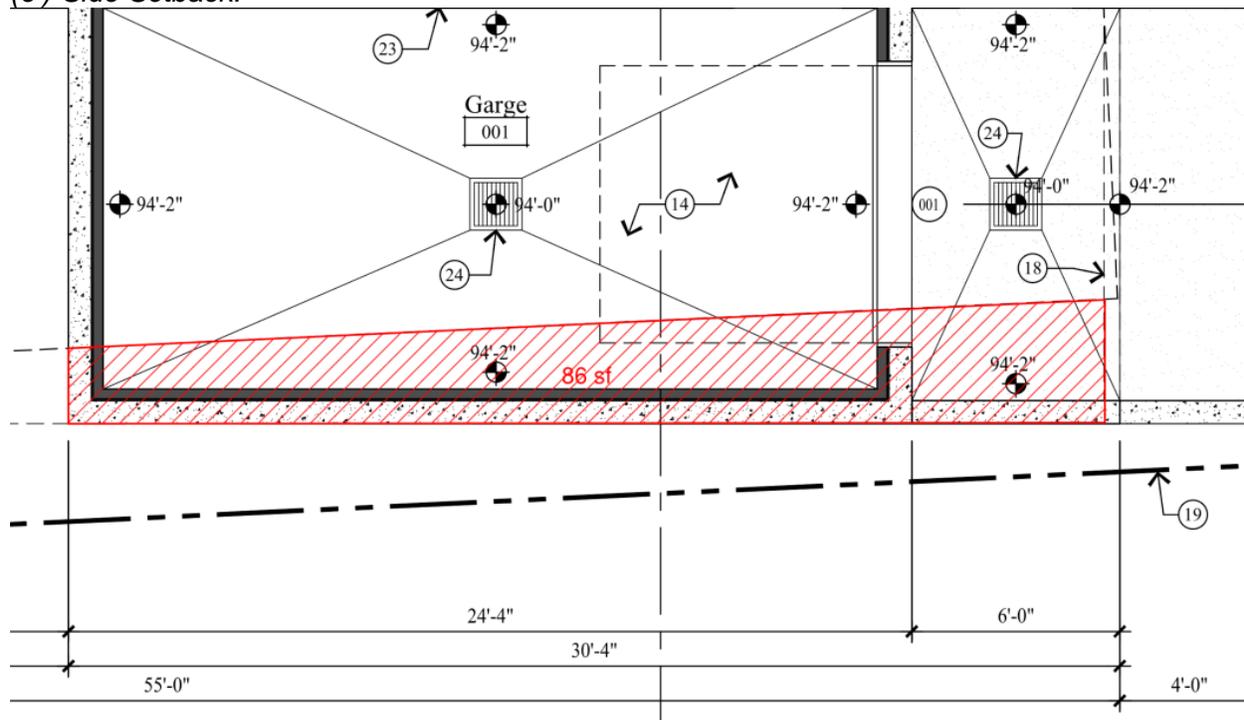
## Background

The property located at 909 Woodside Avenue is designated as Significant on the Park City Historic Sites Inventory (HSI) (see [Historic Site Form](#)). The subject property is located in the Historic Residential (HR-1) Zoning District.

## Proposal

Park City's Land Management Code [§ 15-2.2-4](#) states "In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings and/or Structures, including detached Garages". The Applicant seeks an exception to the Building Setback for the proposed addition to the Historic Building. The applicant proposes to construct a basement addition using the footprint of the existing Historic Structure. The existing Historic Structure encroaches into the south Side Setback by 86 square feet; this CUP is for the approximate 86 square feet of the proposed basement addition that is within the Side Setback. If the CUP is not approved, the applicant will construct the new foundation within the Side Setback but will not be allowed to use the basement area within the Side Setback as conditioned/finished floor area ([LMC § 15-2.2-3](#)).

*Image 1: Basement Floor Plan showing proposed basement addition area within the Five Foot (5') Side Setback.*



## Analysis

The Conditional Use Permit is subject to the following review criteria in the LMC:

- Per LMC [§ 15-2.2-4](#) In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings.
- Per [LMC § 15-1-10\(E\)](#), the proposal is subject to review according to the Conditional Use Permit Criteria.

Staff has included the following sections for Analysis:

- I. LMC § [15-2.2-3](#) Lot and Site Requirements and LMC § [15-2.2-5](#) Building Height
- II. LMC § [15-2.2-4\(A\)](#) Existing Historic Structures Exception
- III. [LMC § 15-1-10\(E\) Conditional Use Permit Review Criteria](#)

**(I) Staff recommends the Commission approve the 909 Woodside Avenue Conditional Use Permit because it complies with the HR-1 Zoning District Requirements outlined in LMC Chapter [15-2.2](#).**

a. HR-1 Zoning Code Land Use Table

Zoning Requirement	Analysis of Proposal
Minimum Lot Area – 1,875 square feet	Lot contains 3,750 square feet.
Minimum Lot Width – 25 feet	Lot Width of 50 feet.
Minimum Front Setback – 10 feet	Historic Structure – 10 feet
Minimum Rear Setback – 10 feet	Proposed addition – 11 feet
Minimum Side Setback – 5 feet	Proposed addition – 6 feet to the north side, and 2 feet to the south side subject to this CUP approval
Maximum Building Height – 27 feet	Proposed addition – 27 feet

- b. Per LMC § [15-2.2-4](#) Existing Historic Structures: *Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Non-Complying Structures.*

**(II) Staff recommends the Planning Commission approve the 909 Woodside Avenue Conditional Use Permit because it complies with the Requirements outlined in LMC § [15-2.2-4\(A\)](#)**

A. **EXCEPTION.** In order to achieve new construction consistent with the Historic District Design Guidelines, the Planning Commission may grant an exception to the Building Setback and driveway location standards for additions to Historic Buildings:

The applicant is seeking an exception to the Building Setback for the proposed basement addition using the Historic Structure’s footprint that is located within the Building Setback.

Requirement	Analysis of Proposal
1. Upon approval of a Conditional Use permit, and	Pending Planning Commission review and approval of subject application.
2. When the scale of the addition and/or driveway is Compatible with the Historic Structure, and	Complies. The scale of the addition is Compatible with the Historic Structure as the addition maintains the same-sized building module and roof form of the Historic Structure and respects the Historic proportions. The proposal is necessary for the rehabilitation of the Historic Structure, as the existing

	Historic Structure will remain in its Historic location on the Site and requires a new foundation. The HDDR application for the design of the rear addition and basement level is currently under review for compliance with the Historic District Design Guidelines.
3. When the addition complies with all other provisions of this Chapter, and	Complies. The addition complies with all HR-1 Zoning requirements (see table in Section I above)
4. When the addition complies with the adopted Building and Fire Codes, and	Complies as conditioned (see Condition of Approval 8).
5. When the addition complies with the Design Guidelines for Historic Districts and Sites.	The Historic District Design Review application is currently under review for compliance with the Design Guidelines. Staff will review and approve the HDDR, pending the approval of the Conditional Use Permit.

**(III) Staff recommends the Commission approve the 909 Woodside Avenue Conditional Use Permit because it complies with 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 Commission 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 Commission 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](#).

a. Conditional Use Permit Criteria Analysis Table

CUP Review Criteria	Analysis of Proposal
1. Size and location of the site	No unmitigated impacts. The size and location of the site is conducive to the proposed development as it complies with the HR-1 Zoning District requirements as well as with the Design Guidelines.
2. Traffic considerations including capacity of the existing Streets in the Area	No unmitigated impacts. There is no change in Use that would generate additional vehicular trips beyond the current and Historic Single-Family use.
3. Utility capacity	No unmitigated impacts. The utilities are accessed from Woodside Avenue. All utility requirements will be reviewed during the Building Permit review.
4. Emergency vehicle access	No unmitigated impacts. The emergency vehicle access is from Woodside Avenue.
5. Location and amount of off-street parking	No unmitigated impacts. The Historic Structure is exempt from Off-Street parking requirements. The proposal creates one (1) off-street parking space.
6. Internal vehicular and pedestrian circulation system	No unmitigated impacts. There are no changes to the internal vehicular and pedestrian circulation system.
7. Fencing, Screening, and landscaping to separate the Use from adjoining Uses	No unmitigated impacts. The Use is not proposed to change. The adjoining Uses are also Single-Family Dwellings; the fencing, screening, and landscaping will comply with the HDDR requirements.
8. Building mass, bulk, and orientation, and the location of Building on the Site, including orientation to Buildings on adjoining Lots	No unmitigated impacts. The design of the Structure is compatible in building mass, bulk, and orientation. The location of the existing Historic Structure is not proposed to change.
9. Usable Open Space	No unmitigated impacts. The proposed landscaping complies with the Design Guidelines for Historic Districts and Historic Sites.
10. Signs and lighting	No unmitigated impacts. No signs are proposed. The lighting will comply with LMC 15-5-5(J) as conditioned.
11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing	No unmitigated impacts. The proposal is compatible with the surrounding Structures in mass, scale, style, design, and architectural detailing as the addition is being reviewed for compliance with the Design Guidelines for Historic Districts and Historic Sites. The scale of the addition is Compatible with the Historic Structure as the addition maintains the same-sized building module and roof form of the Historic Structure and respects the Historic

	<p>proportions. The proposal is necessary for the rehabilitation of the Historic Structure, as the existing Historic Structure will remain in its Historic location on the Site and requires a new foundation. The HDDR application for the design of the rear addition and basement level is currently under review for compliance with the Historic District Design Guidelines.</p>
<p>12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site</p>	<p>Not applicable. There are no changes in Use that will result in additional noise, vibration, odors, steam, or other mechanical factors. All exterior mechanical equipment will be screened and comply with the underlying Setback requirements.</p>
<p>13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup areas</p>	<p>Not applicable. There are no changes in Use that will impact the control of delivery and service vehicles, loading and unloading zones, or Screening of trash pickup areas.</p>
<p>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</p>	<p>Not applicable. A Single-Family Dwelling is an allowed Use in this Zone.</p>
<p>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</p>	<p>No unmitigated impacts. The property is relatively flat. The proposed improvements will be appropriately re-graded and reviewed thoroughly through the Building Permit. This site is not considered a Steep Slope (30% or greater slope) and will not require Slope retention.</p>
<p>16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency</p>	<p>No unmitigated impacts. This proposal has been reviewed for consistency with the Goals and Objectives of the Park City General Plan. The General Plan establishes several goals and objectives specific to Historic Preservation, including, but not limited to:</p>

shall not alone be binding	<ul style="list-style-type: none"> <li>• Goal 15: Preserve the integrity, mass, scale compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.</li> <li>• Objective 15A: Maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.</li> <li>• Objective 15B: Maintain character, context and scale of local historic districts with compatible infill development and additions.</li> </ul>
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- b. Staff finds the CUP criteria are met by the proposed application and will not require any additional conditions for mitigation.

**The Development Review Committee did not identify any concerns with the proposed Conditional Use Permit.**

**Department Review**

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

**Notice**

Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on May 26, 2021. Staff mailed courtesy notice to property owners within 300 feet on May 26, 2021. The *Park Record* published notice on May 26, 2021. LMC [§ 15-1-21](#).

**Public Input**

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

**Alternatives**

- The Planning Commission may approve the 909 Woodside Avenue Conditional Use Permit;
- The Planning Commission may deny the 909 Woodside Avenue Conditional Use Permit; or
- The Planning Commission may request additional information and continue the discussion to a date uncertain.

**Exhibits**

Exhibit A: Draft Final Action Letter

Exhibit B: Existing Plans and Elevations

Exhibit C: Physical Conditions Report and Historic Preservation Plan  
Exhibit D: Existing Conditions Photographs