



Administrative Hearing – Action Letter

Subject: Outdoor Dining Administrative Conditional Use Permit
Author: Liz Jackson, Planner
Project Number: PL-20-04500
Property Address: 628 Park Avenue
Historic Designation: Significant Site and New Construction
Date of Hearing: April 3, 2020
Date of Action: June 22, 2020
Type of Item: Administrative Conditional Use Permit for Outdoor Dining

Summary Recommendations:

The Planning Director has reviewed and held a public hearing for the 628 Park Avenue Administrative Conditional Use Permit (ACUP) and has approved the ACUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found below.

Proposal:

The Applicant is proposing to utilize an existing plaza on the northernmost property of 628 Park Avenue, adjacent to the Historic Significant building, for an Outdoor Dining Area to operate from 7:00 AM – 10:00 PM. These would be the same hours as a Restaurant within the adjacent, existing Historic building on the Site. The Applicant is proposing a layout of tables with chairs, seating areas, low wattage string lighting, and speakers (proposed as to be played between 11:00 AM and 10:00 PM). The Outdoor Dining Area is also proposed to be surrounded by landscaping and allow for up to 81 occupants.

Per Land Management Code (LMC) 15-2.6.-2, a Restaurant and Café are Allowed Uses within the Historic Commercial Business (HCB) Zoning District. Within the HCB District, the proposed Restaurant, Outdoor Dining Use is listed as a Conditional Use which requires an ACUP.

Per Municipal Code 6-3-9 Noise Levels, a stationary source of sound (referring to the proposed music speakers) for a Residential Use is 55 bBA (A-weighted decibels) and 65 dBA for a Commercial Use. This is for use between the hours of 6:00 AM and 10:00 PM. Per this section of Code, when a noise source can be identified and its noise measured in more than one land use category, the limits of the least restrictive use shall apply at the boundaries between different land use categories.

A Business License will be required for this Site. The Applicant has confirmed that the existing building on Lots 26, 27, and 28 of this Site will be a restaurant, a permitted Use

in this Zone. All Conditions of Approval for this ACUP will be added to the Business License file.

The Applicant also applied for a Historic District Design Review (HDDR, permit PL-19-04207) for the proposed Café Structure on the Site. This Structure is not included in this permit. This is proposed to be detached and in front (northeast) of the non-historic portion of the existing Structure. As Outdoor Dining is included in the proposal for this HDDR project, an ACUP is required, per the Zoning District. In this permit, which is the same proposal for Outdoor Dining layout as what is shown in the ACUP plans submitted on June 11, 2020, the Applicant confirmed the Buildings' (existing Historic Structure and proposed Café Structure) Floor Area Ratio for parking. The proposal complies with LMC 15-2.6-4, as the Floor Area of this two-level Structure is 231 square feet on the main level and 309 square feet in the underground basement level, as measured. The basement includes a powder room, mechanical room, and storage room, which according to LMC 15.2.6-9(B) are not included in the Floor Area calculation for parking.

The proposal complies with LMC 15-2.6-9 Parking Regulations as this Site was current as of January 1, 1984 in their assessment to the Main Street Parking Special Improvement District. As such, the Applicant is exempt from providing more parking on the Site. The current proposed Café Structure does not exceed a Floor Area Ratio of 1.5 for the Site. As this Site's address of 628 Park Avenue includes Lots 25-28 of Block 8 of the Park City Survey, staff reviewed the existing Historic Structure's current Floor Area total, and added the new Cafe Structure's total Floor Area to that amount. As measured, the 4 Lots combined have an Area of 8,444 square feet, which would allow for a Floor Area Ratio of 12,666 square feet. This would also allow for exclusions of powder rooms, mechanical rooms, and storage room, per LMC 15-2.6-9(B).

The existing Historic Structure has a total Floor Area of 6,626, as measured, and is in accordance with LMC 15-2.6-9(B). The new Structure has a total Floor Area of 540 square feet, as measured, and will not cause the Site to exceed its requirements for Parking, per LMC 15-2.6-9(D). The proposed Area of Outdoor Dining has a square footage of 1,212, as measured, and as such if it were to be added to the Floor Area of the Structure, it would not exceed the 1.5 FAR allowance of 12,666 square feet. See Pre 1984 Parking Exemption section below for more information.

History of the Site:

Date	Application	Outcome
September 28, 1994	Conditional Use Permit – Outdoor Dining	Approved with Conditions
July 10, 2008	Determination of Continuation of Use	Planning Department issued a letter to the owner of the Site stating that the Outdoor Dining Use had been continued from the time of its 1994 approval.
July 26, 2011	ACUP – Outdoor Dining	Application for an ACUP for

		Outdoor Dining. Applicant is re-issued the Determination letter from July 10, 2008.
January 19, 2016	Historic District Design Review	Waiver letter issued for a temporary trash enclosure to shield the dumpster to the south of the Historic building. It appears this enclosure was replaced with a permanent one at some point.
April 25, 2019	Historic District Design Review	Applicant applies for permit for a Café Structure – still in review, pending updates to the Site Plan.
March 12, 2020	ACUP	Applicant applies for permit.

Outdoor Dining is now an ACUP - as opposed to the 1994 approval of a Conditional Use Permit - and the Conditions of the Approval needed to be re-evaluated, the Planning Director determined that a new ACUP would need to be issued for the newly proposed Outdoor Dining Area. In addition, the last tenant of the Site vacated in the winter of 2017/2018, per confirmation from the Applicant, the Use of the Outdoor Dining Area has not been continuous since then.

Pre 1984 Parking Exemption:

Per LMC 15-2.6-9(D), Lots, which were current in their assessment to the Main Street Parking Special Improvement District as of January 1, 1984, are exempt from the parking obligation for a Floor Area Ratio (FAR) of 1.5. Buildings that are larger than 1.5 FAR are Non-Conforming Buildings for Off-Street parking purposes. This Site was current in their assessment, per the requirements of this section of the LMC, and does not exceed the Site's FAR of up to 1.5. According to LMC 15-15, Floor Area, Gross Commercial is defined as "the Area of a Building including all enclosed Areas excluding parking areas. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Commercial Floor Area. Areas below Final Grade used for commercial purposes including, but not limited to, storage, bathrooms, and meeting space, are considered Floor Area." According to this definition, and the requirements of LMC 15-2.6-9(B), the Outdoor Dining Area is not considered a part of the FAR calculation and would not be required to provide parking. The third floor will not be used for dining, as confirmed by the applicant.

History of Trash on the Site:

The existing trash enclosure (pictured in Exhibit C) that sits on Lot 28 of 628 Park Avenue is currently shared between 628 Park Avenue and 625 Main Street tenants. Surrounding property owners submitted public comment (see Exhibit B) regarding this outdoor trash enclosure, specifically indicating that the trash is not being upkept, is unsightly to the neighborhood, and attracted vermin. These emails indicated that this

has continued up to 2020. The City had not received complaints about the trash enclosure since 2018, according to City records, until the Sundance Film Festival of 2020 when a complaint was called into the City about a temporary dumpster being too close to Park Avenue. Per an email from Seth Hill, manager of the Downstairs Club at 625 Main Street, they have worked with Republic Services to find a solution for this Site as the Site's slope has proven to be problematic for the garbage trucks to remove the trash when it is in a full dumpster. The solution to this was to utilize individual cans, instead of one large dumpster.

The Applicant has agreed to further mitigate the concerns for the trash enclosure by adding a lock to the enclosure and security cameras mitigate the cans being used for disposal by individuals other than the businesses at 628 Park Avenue and 625 Main Street. Staff further addresses the trash enclosure in the Findings of Fact and Conditions of Approval below.

Findings of Fact for Approval of the Administrative Conditional Use Permit (CUP):

1. Site Location
 - A. The Outdoor Dining area is located on the northernmost Lot of the property at 628 Park Avenue (Lot 25 of Block 8 of the Park City Survey). The Legal Description is LOTS 25 & 26, 27 & 28 BLK 8 PARK CITY SURVEY, per Summit County, parcel number PC-113.
 - B. The Site is designated as Significant on the City's Historic Sites Inventory (HSI).
2. Site Zoning
 - A. The property is partially located in the Historic Commercial Business (HCB) Zoning District and is subject to all requirements of the Park City Land Management Code (LMC). A portion of 628 Park Avenue is within the Historic Residential (HR-2A) Zoning District. The Lot on which this project is located (Lot 25, as listed in Finding of Fact 1) is within the HCB Zoning District, and the LMC requirements for that Zone are listed herein. The project is contained entirely within Lot 25.
 - B. Restaurant, Outdoor Dining requires an ACUP Permit in the HCB Zoning District.
 - C. The ACUP for Outdoor Dining requires that the proposed Use be in compliance with LMC 15-2.6-12(B)(1) Outdoor Dining.
 - D. The HCB Zone has no minimum Setbacks.
3. Compliance with ACUP Criteria of LMC 15-2.6-12(B)(1)
 - A. **The proposed Use complies with LMC 15-2.6-12(B)(1)(a)** in that the proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping. The Applicant has proposed more landscaping than what exists currently and as this Site has historically been used for Outdoor Dining, it will not be diminishing any existing parking.

- B. **The proposed Use *complies with LMC 15-2.6-12(B)(1)(b)*** in that the proposed seating Area does not impede pedestrian circulation. The existing sidewalk on the adjacent Heber Avenue will remain accessible for the general public. The current layout of the seating and table areas allows for pedestrian movement in and out of the Site.
- C. **The proposed Use *complies with LMC 15-2.6-12(B)(1)(c)*** in that the proposed seating Area does not impede emergency Access or circulation. The Building Department and Fire District have reviewed the plan and there are no concerns with the proposed layout at this time.
- D. **The proposed Use *complies, as conditioned, with LMC 15-2.6-12(B)(1)(d)*** in that proposed furniture is Compatible with the Streetscape. The furniture shown in the plans is simple in design, and made predominantly with wood, metal, and/or stone. The massing of the proposed stone firepit Structure (on the western, Park Avenue, Lot Line of Lot 25) is visually subordinate and compatible to the Historic Structure. This firepit Structure will be nine feet tall by six feet wide (9' x 6') and the proposed placement frames the Outdoor Dining Area. There is a second firepit proposed that is low to the ground and will not be visible above the surrounding boxwood hedge. The Design Review Team (DRT) has reviewed the Outdoor Dining Area. Per the DRT's comments, the stone firepit Structure appears similar to historic masonry found in Park City. The HCB Zone has no minimum Setback requirements. Proposed string lights will need to be in compliance with LMC 15-5-5(J), in that the lights will need to be down-directed and shielded. Staff has determined that as these are not technically seasonal lights, but are functioning to illuminate the Outdoor Dining Area, LMC 15-5-5(J)(13) does not apply. See Condition of Approval 1(C)(i).
- E. **The proposed Use *complies, as conditioned, with LMC 15-2.6-12(B)(1)(e)*** in that no music or noise is in excess of the City Noise Ordinance, Title 6. The Applicant has added landscaping to the Park Avenue adjacent Lot Line, as well as the firepit Structure, which will buffer noise. Currently, there is one (1) tree on the western Lot Line, and the Applicant is proposing seven total at that location. Any speakers may only face inward on the property (i.e. may not face out toward Park Avenue, Heber Avenue, or Main Street. See Conditions of Approval 7.
- F. **The proposed Use *complies with LMC 15-2.6-12(B)(1)(f)*** in that no Use after 10:00 PM is permitted. Applicant has confirmed that there will be no Outdoor Dining Use at this Site after 10:00 PM.
- G. **The proposed Use *complies with LMC 15-2.6-12(B)(1)(g)*** review of the Restaurant's seating capacity to determine appropriate mitigation

measures in the event of increased parking demand. This Site is exempt from requiring more parking, due to the Site being covered by the Pre 1984 Parking Exception. See section Pre 1984 Parking Exception above.

4. Compliance with CUP Criteria 15-1-10(E)
 - A. **The proposed Use *complies with LMC 15-1-10(E)(1) Size and Location of the Site*** in that this is an existing Site that has been utilized as Outdoor Dining in the past. Many restaurants on Main Street and Park Avenue have Outdoor Dining Uses.
 - B. **The proposed Use *complies with LMC 15-1-10(E)(2) Traffic Considerations Including Capacity of the Existing Streets in the Area*** in that the Site is exempted from parking requirements of the Zone, per the 1984 Parking Exception.
 - C. **The proposed Use *complies with LMC 15-1-10(E)(3) Utility Capacity, Including Storm Water Run-off*** in that the Site's existing hardscape patio Area will remain a hard-scape and the run-off will not be greatly impacted. No concerns were identified at the City's Design Review Committee meeting regarding the Outdoor Dining Use.
 - D. **The proposed Use *complies with LMC 15-1-10(E)(4) Emergency Vehicle Access*** in that the Site's Access will remain the same.
 - E. **The proposed Use *complies with LMC 15-1-10(E)(5) Location and Amount of Off-Street Parking*** in that the Site is exempted from parking requirements of the Zone, per the 1984 Parking Exception.
 - F. **The proposed Use *complies with LMC 15-1-10(E)(6) Internal Vehicular and Pedestrian Circulation System*** in that the Site's Outdoor Dining layout allows for circulation of restaurant patrons. The Applicant is also adding a second bicycle rack on the western property lines, per the request of the Planning Department. Internal vehicular circulation does not apply.
 - G. **The proposed Use *complies as conditioned with LMC 15-1-10(E)(7) Fencing, Screening, and Landscaping to Separate the Use from Adjoining Uses*** in that the proposal includes boxwood hedges on the north and west Lot Lines, as well as six (6) Colorado Spruces and two (2) Bristle Cone Pine trees on the west Lot Line, to act as a noise barrier. Staff will review final plant material at the HDDR Pre-application phase. The proposed firepit, as well as the HDDR Café Structure will also assist in preventing excess noise from the Site. See Conditions of Approval 7 and 10.
 - H. **The proposed Use *complies with 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*** in that the Site's

proposed Outdoor Dining Area has minimal massing and is similar to Outdoor Dining Uses on Main Street and Park Avenue.

- I. **LMC 15-1-10(E)(9) usable Open Space** is not applicable to this Permit.
- J. **The proposed Use *complies as conditioned with LMC 15-1-10(E)(10) Signs and Lighting*** in that the Site's proposed Outdoor Dining Area's lighting will need to be down-directed and shielded. See Condition of Approval 1(C)(i).
- K. **The proposed Use *complies as conditioned with LMC 15-1-10(E)(11) Physical Design and Compatibility with Surrounding Structures in Mass, Scale, Style, Design, and Architectural Detailing*** in that the Site's proposed furniture and firepits are simple in design, are utilizing natural materials, and shall be approved prior to installation to ensure that the final furniture and designs are compatible with this Site and the Historic District. Final – including, but not limited to - furniture, lighting, and firepits shall be approved prior to installation through a Historic District Design (HDDR) Pre-application to be submitted by the Applicant to the Planning Department. Approval of this HDDR Pre-application will be required prior to installation. See Condition of Approval 10.
- L. **The proposed Use *complies as conditioned with LMC 15-1-10(E)(12) Noise, Vibration, Odors, Steam, or Other Mechanical Factors that Might Affect People and Property Off-Site*** in that these aspects are applicable to the Site's proposed furniture and firepits. The gas firepits won't emit smoke or odor. There is seemingly no aspect that will cause vibration, as long as the Noise Ordinance of Municipal Code Title 6 is complied with. See Conditions of Approval 7.
- M. **The proposed Use *complies as conditioned with LMC 15-1-10(E)(13) Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas.***
Currently, the southernmost Lot's Area is utilized for loading, unloading, delivery and services. This will remain the same. The historical conditions of the trash enclosure – which have negatively impacted the neighborhood, per Exhibit A – have been partially remedied, as the City has only received one (1) complaint since 2018. That being said, the trash enclosure will need to be modified to address vermin, overflow of trash, and consistency of cleanliness. Staff believes this can be accomplished by adding a roof to the Structure to shield the trash containers from sight, adding a lock to the Structure to ensure it stays closed and is used by the 625 Main Street and 628 Park Avenue tenants only. See Conditions of Approval 11.

- N. **The proposed Use *complies* with 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** in that the Site's proposed Use will be a restaurant, an associated Café, and an Outdoor Dining Area. The entire property is owned by one (1) entity. The current owner, Daniel Madanes, is the owner and manager of the Site. He will be for the foreseeable future.
- O. **The proposed Use *complies as conditioned* with LMC 15-1-10(E)(15) 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** as this Site is within the Park City Soils Ordinance boundary and any proposed work that affects Grade will need to comply with the Park City Soils Ordinance. See Condition of Approval 12.
- P. **The proposed Use *complies* with 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** in that the proposed Use of the Site is consistent with the Small Town, Historic Character, and Natural Setting Goals of the General Plan. Specifically, this Use will activate this property, which has been vacant for more than two years, with a space that will draw community members and tourists. This will increase vibrancy in this Area, but does require mitigation to lessen impacts on the neighboring properties. The design of the proposed Outdoor Dining Area is consistent with the Historic Districts' charm and will not detract from the adjacent properties or the Districts overall. No natural or landscaped Open Space will be affected.
5. The Outdoor Dining will occur year round, weather permitting. The Outdoor Dining Area will be unenclosed.
 6. The Outdoor Dining is consistent with similar Outdoor Dining Uses in the HCB and nearby Zones.
 7. An approved Conditional Use can be appealed under LMC 15-1-18.

Conclusions of Law for Approval of the Administrative CUP:

1. The application is consistent with the Park City Land Management Code, including chapters 15-1-10, Conditional Use Permits; 15-2.6-2, Uses; 15-2.6-3, Lot and Site Requirements; and section 15-2.6-12(B)(1), Outdoor Dining.
2. The proposed Use, as conditioned, will be compatible with the 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 of the Administrative CUP:

1. Standard Conditions of Approval applying to all Conditional Use Permit Criteria for Review:
 - A. The building owner and holder of the Business License(s) for this Use are responsible for compliance with Conditional Use Permit (Permit) for this Use.
 - B. The Conditions of Approval apply to the Site overall.
 - C. All Standard Conditions of Approval as shown below apply to the building and all of the Uses identified in the Permit.
 - a. The Building Owner is responsible for compliance with all Conditions of Approval.
 - b. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions included herein. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code; International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
 - c. A Building Permit shall be secured for any new construction or modifications to structures authorized by this permit.
 - d. All construction shall be completed according to the approved plans on which Building Permits are issued. Approved plans include all Site improvements shown on the approved Site Plan.
 - e. All modifications to plans as specified by Conditions of Approval and all final design details, such as materials, dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, and/or Historic Preservation Board prior to issuance of any Building Permits.
 - f. No changes to the existing Structure are proposed or approved with this Permit.
 - g. Permits and approvals terminate upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
 - h. No Signs, permanent or temporary, may be constructed on a Site or building without a Sign Permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master

Sign Plan prior to submitting individual Sign Permits. Any proposed Signs on the existing Structure, proposed Café Structure, or Outdoor Dining Area will require a Sign Permit from the Planning Department.

- i. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, exterior lights shall be reviewed by the Planning Department. Lighting shall be down-directed and shielded, per LMC 15-5-5(J).
 - j. Any violation of any City ordinance or pertinent Code may result in criminal and / or a civil action in accordance with Park City Administrative Code Enforcement Program. This process may include revocation of any Business License, Conditional Use Permit, or other City approval after a hearing in accordance with the applicable ordinance, or if a hearing is not provided for, a show cause hearing before the Planning Commission.
2. A copy of the Conditions of Approval for this Use shall be available onsite and accessible and visible to the public during operating hours. The Conditions of Approval of the ACUP will be listed on the Business License for the Restaurant and Outdoor Dining Area.
 3. Following the first 12 months of operation of the Use, Planning Staff will conduct a review of the compliance of the Use with the Conditions of Approval and review the findings with the owner/operator.
 4. Violations.
 - A. Violations may be evidenced by a Notice of Determination of Violation, or any citation or order by an appropriate authority, which is not appealed and overturned.
 - B. The Police Department will notify the Planning Department of any Violations within 24 hours of the report.
 - C. Within any 12 month period, should the City Planning Director determine the Administrative CUP or Municipal Code was violated three (3) or more times, and the Violations had not been adequately cured, the City Planning Director, or other applicable Appeal Body, may hold a Public Hearing in accordance with the Code to determine whether the Administrative CUP should be revoked or additional Conditions of Approval or limitations should be added.
 5. The Outdoor Dining Use shall only operate between 7:00 AM and 10:00 PM, to be in alignment with the hours of the adjacent 628 Park Avenue restaurant. If the hours change, the Outdoor Dining Area hours shall reflect those changes.
 6. The Outdoor Dining Area shall not be used for activities that may create dust or odor, such as, but not limited to, cooking.
 7. Noise.
 - A. Site shall comply with Municipal Code Chapter 6-3 Noise.

- B. The speakers onsite shall be directed inward on the Site and not toward Park Avenue, Heber Avenue, and/or Main Street. The owner shall orient the activities so as to minimize sound impacts to the surrounding neighborhoods.
 - C. The owner/operator shall be responsible to ensure that the sound system maintains level adjustments not to exceed provisions of the Park City Noise Ordinance (Municipal Code 6-3-9) for the outdoor use. The only noise proposed is ambient music from speakers, directed inward on the Site. Music being played through speakers shall comply with Municipal Code Title 6. Acoustic, non-amplified live entertainment may be permitted in the Outdoor Dining Area, subject to the Park City Noise Ordinance.
 - D. All music is limited from 11:00 AM to 10:00 PM.
 - E. No elevated stages are allowed within the Outdoor Dining Use Area.
 - F. If there is a filed noise ordinance complaint associated with the use of the Outdoor Dining Area, City staff can require a meeting to review compliance with Ordinances and the possible implementation of a Noise Management Plan, if necessary, to achieve ordinance compliance. Nothing herein shall limit any enforcement otherwise available under the Municipal Code. It is possible that more landscaping, relocation of landscaping, and/or other methods of noise mitigation may be required, based on staff's review at that time.
8. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas for this Site shall remain subject to the Park City Noise Ordinance, Municipal Code 6-3-9. Loading, unloading, opening, or otherwise handling of equipment and refuse is prohibited between the hours of 10:00 PM and 7:00 AM.
 9. Nothing herein restricts the Applicant from otherwise applying for Special Event Permits in accordance with Municipal Code Title 4A. In which case, if approved in the discretion of the City Council, the terms of such approval shall control.
 10. A Historic District Design Review pre-application shall be submitted to the Planning Department prior to installation of the Outdoor Dining Area furniture, Structures, landscaping (including, but not limited to, plant material and ground cover), and lighting, and shall include specific details about the design of each aspect. Lighting shall be down-directed and shielded, per LMC 15-5-5(J). No changes to exterior lighting shall be made unless approved in writing by the Planning Department prior to installation. This plan will also include the final design for the trash enclosure on the southernmost Lot.
 11. The trash enclosure will comply with the LMC and Historic District Design Guidelines at the time of application submittal. Conditions related to the trash enclosure include:
 - A. The Applicant will install a security camera(s) toward the enclosure and a roof over the trash enclosure.

- B. The owners and tenants of 628 Park Avenue and 625 Main Street will ensure that the trash enclosure Area is locked at all times, unless being utilized for trash disposal.
 - C. The trash enclosure will be monitored to ensure that overflow of trash will not occur.
 - D. The trash enclosure will have a roof added to minimize the visual impact of the trash cans within.
 - E. If there is a filed complaint associated with the trash enclosure, City staff can require a meeting to review compliance with this ACUP and possibly require further mitigation. Nothing herein shall limit any enforcement otherwise available under the Municipal Code.
12. At the time of Building Permit(s), the Applicant shall comply with the Park City Soils Ordinance.

This constitutes Final Action by the Planning Director in accordance with Land Management Code (LMC) 15-1-11(D).

If you have any questions or concerns regarding this letter, please do not hesitate to contact Project Planner, Liz Jackson, by phone (435-615-5065) or email at liz.jackson@parkcity.org.

Sincerely,



Bruce Erickson
Planning Director

CC: Liz Jackson, Planner

Exhibit A – Plans
Exhibit B – Public Comments
Exhibit C – Staff Site Visit April 15, 2020