

Planning Commission Staff Report



Subject: 1200 Little Kate Road
Application: PL-24-06039
Author: Virgil Lund, Planner I
Date: May 8, 2024
Type of Item: Conditional Use Permit

Recommendation

(I) Review the Conditional Use Permit to relocate and expand the outdoor swimming pools at the Park City Municipal Athletic and Recreation Center (MARC) located at 1200 Little Kate Road in the Residential Development Zoning District, (II) conduct a public hearing, and (III) consider approving the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Park City Municipal Corporation

Location: 1200 Little Kate Road

Zoning District: Residential Development

Adjacent Land Uses: Multi-Family Residential

Reason for Review: The Planning Commission reviews Conditional Use Permits, holds a public hearing, and takes Final Action¹

LMC Land Management Code
MARC Municipal Athletic and Recreation Center
MPD Master Planned Development
RD Residential Development

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

¹ LMC [§ 15-1-8\(G\)](#)

Summary

The Land Management Code (LMC) identifies public swimming pools as Public Recreational Facilities, which are a Conditional Use in the Residential Development (RD) Zoning District.² The MARC has an existing CUP and MPD, as outlined in the background section of the report. The Planning Commission held a work session on February 28, 2024, and determined the proposed changes to relocate and expand the outdoor swimming pools at the MARC are minor modifications to the MARC Master Planned Development (MPD) ([Staff Report](#), [Minutes](#)). The Planning Director takes Final Action on minor modifications to MPDs through an Administrative Permit. Condition of Approval 3 requires the Applicant to obtain an Administrative Permit reviewed by the Planning Director prior to Building Permit submittal. Therefore, this staff report and Planning Commission review is limited to the new CUP for the proposed changes to the swimming pools.

The existing lap pool at the MARC is 3,200 square feet with six lanes and was built in 1990. The existing leisure/recreation pool is 2,600 square feet and was built in 2003. A conditions analysis study conducted in June 2022 identified deficiencies in the pools along with critical upgrades and improvements that would be needed in the short term to maintain the existing pools. Additionally, the pools are currently separated by landscaping and are grade-separated on different elevations. The Applicant states that this separation creates staffing and safety concerns for the pools.

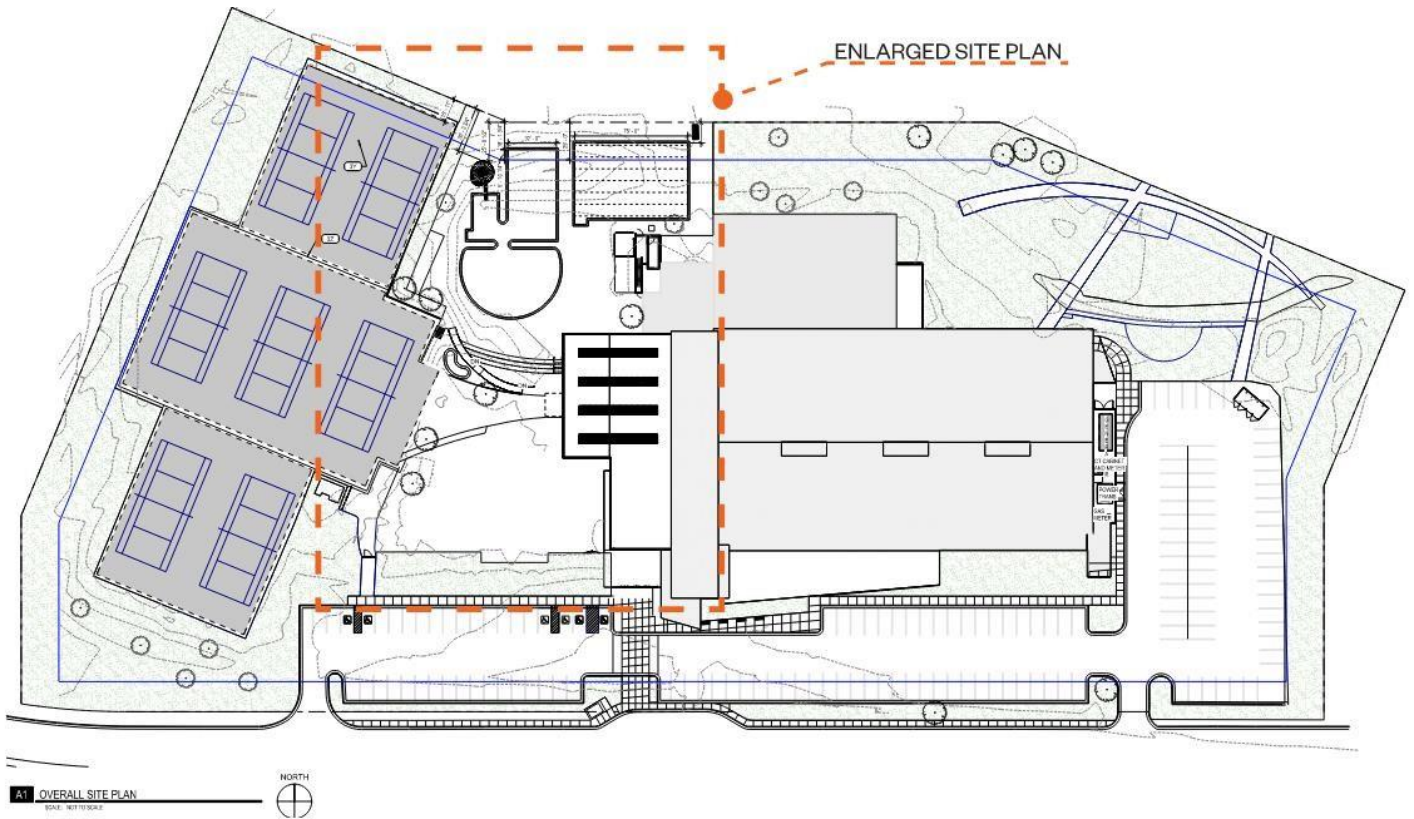
² LMC [§ 15-2.11-2\(B\)\(13\)](#)



The City Council has prioritized pool replacements for the current budget cycle to maintain current pool usage and avoid high maintenance costs with the existing pools. The Applicant proposes to replace the current pools with a new lap pool, a multi-use pool that will accommodate learn-to-swim programs, water aerobics, recreation, and additional lap swimming, a separate zone for toddlers, and a third zone to accommodate a catch pool for a slide. See Exhibit B, Applicant's Narrative.

The Applicant proposes the following:

- The existing lap pool is 3,200 square feet. The proposed lap pool will maintain the same size.
- The existing leisure pool is 2,600 square feet with a 125-square-foot hot tub. The proposed leisure pool will be increased by 2,400 square feet to 5,000 square feet.
- Constructing a 712-square-foot addition to the existing structure for the pool mechanical equipment.
- Constructing a 210-square-foot addition to the existing structure for the lifeguard area.
- Constructing a 318-square-foot party pavilion (Exhibit E).



Background

The Planning Commission approved a CUP for the Park City Racquet Club on November 17, 1976, which included an expansion of the existing Racquet Club for additional tennis courts, racquet ball courts, and a squash court (Exhibit C).

On January 20, 2010, the Planning Commission approved the MARC Conditional Use Permit (CUP) and MPD (Master Planned Development) for a 73,000-square-foot Public Recreation Facility, including seven outdoor tennis courts, four outdoor pickleball courts (added in 2013), an outdoor six-lane 25-yard lap pool constructed in 1990, and a recreation pool built in 2003 (Exhibit D).

On August 06, 2012, the Planning Department approved an Administrative Conditional Use Permit (ACUP) to reconstruct the outdoor tennis courts and to construct four additional pickleball courts (Exhibit F). The City issued Building Permit (BD-12-17439) for the reconstruction of the tennis courts and the addition of the pickleball courts on August 6, 2013.

Analysis

The Land Management Code (LMC) identifies public swimming pools as Public Recreational Facilities, which are a Conditional Use in the Residential Development (RD) Zoning District.³

³ LMC [§ 15-2.11-2\(B\)\(13\)](#)

LMC [§ 15-15-1](#) defines Public Recreation Facilities as:

Recreation facilities operated by a public agency and open to the general public with or without a fee.

(I) The proposal, as conditioned, complies with the MARC Master Planned Development.

LMC [§ 15-6-5\(C\)](#) states “[t]he minimum Setback around the exterior boundary of a Master Planned Development shall be twenty-five feet (25') for Parcels greater than two (2) acres. The MARC MPD is over seven acres. The Planning Commission may decrease the required perimeter Setback from twenty-five feet (25') for MPDs greater than two (2) acres to the zone-required Setback if it is necessary to provide desired architectural interest and variation.

On February 28, 2024, the Applicant requested the Planning Commission review the proposal under the Zoning District Setbacks which require a 15-foot rear Setback ([Minutes](#)). Staff reiterates that the Planning Commission has authority to reduce the perimeter Setback within an MPD for architectural interest and variation. During the February 28, 2024 meeting, the Commission discussed the Setbacks for the proposed pools. While not taking a formal vote, four Commissioners considered the possibility of applying the Zoning District rear Setback. Does the Planning Commission find the reduced MPD perimeter Setback to the 15-foot Zoning District provides architectural interest and variation?

Because relocation of the pools functionally only creates site capacity for additional outdoor courts, and no changes to the existing project architecture or new variations to structures are proposed, based on the plans staff currently has under review, staff finds the proposal does not appear to meet the criteria for the MPD perimeter Setback reduction. As a result, staff recommends a Condition of Approval that the Applicant either comply with the required 25-foot perimeter Setback, or apply for a Variance and obtain approval from the Board of Adjustment for the requested reduction to the perimeter Setback, prior to submitting a building permit, but the Planning Commission may remove this Condition of Approval and find the pools provide architectural interest and variation.

(II) The proposal, as conditioned, complies with the Conditional Use Permit 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](#).

CUP Review Criteria	Analysis of Proposal
1. Size and Location of Site	<p>Complies: The proposed pools are in an appropriate location at the rear of the property and are similar in size and dimensions to other public pools.</p>
2. Traffic Capacity	<p>Complies: The adopted Transportation Impact Study Guidelines require submittal of a Traffic Impact Study when a project triggers 25 or more net new vehicle trips during the weekday AM or PM peak hour or other analysis hour at the discretion of Park City staff. The proposed pools do not trigger an increase in traffic pursuant to the adopted Transportation Impact Study Guidelines.</p>
3. Utility Capacity	<p>Complies: On February 20, 2024, the Development Review Committee reviewed the proposal and confirmed the proposal conforms with their requirements.</p>
4. Emergency Vehicle Access	<p>Complies: The proposal will not change emergency access to the property. On February 20, 2024, the Park City Fire District reviewed the proposal and confirmed the proposal conforms with their requirements.</p>
5. Off-Street Parking	<p>Complies: Per LMC § 15-3-6 a Public Recreation Facility requires five Parking Spaces per 1,000 square feet of floor Area. The total number of code-required Parking Spaces for the MARC is 330. The proposed structural addition requires an additional six Parking Spaces.</p> <p>The original Raquet Club prior to the construction of the MARC had 155 Parking Spaces. The 2010 MPD approved a reduction to 148 Parking Spaces. The Applicant submitted an updated parking</p>

	analysis that shows a parking demand of 142.6 Parking Spaces in the
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	<p>Winter/Fall and 144 Parking Spaces in Spring/Summer (Exhibit G).</p> <p>Staff recommends a Condition of Approval to require the Applicant to provide an updated parking analysis annually to the Planning Department after the summer season to analyze parking impacts of the proposed pool and structural expansions. The Planning Commission retains authority to add Conditions of Approval if future parking mitigation is required. There is no adjacent on-street parking allowed so there are no adverse impacts at peak use and patrons must use alternative transportation to the MARC. Public transit bus stops are adjacent to the MARC parking.</p>
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6. Internal Vehicular and Pedestrian Circulation System	<p>Complies: The location of the proposed pools adjacent to each other and away from the tennis circulation will improve pedestrian access, staffing, safety, and security issues.</p>
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7. Fencing, Screening, and Landscaping	<p>Complies: The existing five-foot-tall chain link fence surrounding the perimeter of the property will not be changed. The Applicant proposes to remove five trees and replace them on site. Condition of Approval 4 requires the Applicant to screen the proposed pools with Significant Vegetation and include a landscape plan with Building Permit submittal.</p>
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8. Structure Mass, Bulk, and Orientation	<p>Complies: The proposed pools are similar in size and dimensions to standard public pools.</p>
9. Useable Open Space	<p>Complies: Finding of Fact #2 from the Development Agreement for the MARC MPD states: “The proposed facility Open Space is 44.7% and includes exterior tennis and pools as well as future phases.”</p> <p>The proposal to increase the size of the recreation pool by 2,400 square feet does not decrease the MPD required Open Space, since the pools were included in the original analysis of Landscaped Open Space.</p> <p>LMC § 15-15-1 defines Open Space: Open Space, Landscaped: “Landscaped Areas,</p>
	<p>which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures.”</p> <p>The proposed structural additions will decrease the Open Space by 1,240 square feet, a minor reduction for a 7.5-acre Lot (0.4% reduction).</p>
10. Signs and Lighting	No Signs or additional lighting are proposed or approved with this application.
11. Physical Design and Compatibility with Surrounding Structures	<p>Complies: Unless the Planning Commission agrees to an additional COA as recommended by staff regarding the 25’ setback, the nearest Structure is approximately 30 feet from the proposed pools and is screened with existing vegetation and landscaping. Condition of Approval 4 requires the Applicant to screen the proposed pools with the replaced Significant Vegetation and include a landscape plan with Building Permit submittal.</p>

12. Noise, Vibration, Odors, Steam, or Other Mechanical Structures	Condition of Approval 5 requires adherence to Municipal Code of Park City Chapter 6-3 Noise . The proposed hours of operation: Lap Pool: Mid-April to October: 6AM – 7PM. Rec Pool: Memorial Day to Labor Day: 9AM – 7PM.
13. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas	Complies: No changes to the delivery, loading and unloading zones, or trash and recycling areas are proposed.
14. Expected Ownership	The MARC is owned by Park City Municipal Corporation.
15. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slopes	Complies: The proposed pools are not located on a steep slope and are outside of the Park City Soils Ordinance.
16. General Plan Consistency	Complies: The proposed pools comply with Goal 9 and Objective 9A of the General Plan: Goal 9: “Park City will continue to provide
	unparalleled parks and recreation opportunities for residents and visitors.” Objective 9A: “Maintain local recreation opportunities with high quality of service, exceptional facilities, and variety of options.”

(III) The Development Review Committee reviewed the proposal on February 20, 2024, and does not require any Conditions of Approval.⁴

Department Review

The Planning Department, Executive Department, and City Attorney’s Office reviewed this report.

⁴ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney’s Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 24, 2024. Staff mailed courtesy notice to property owners within 300 feet on April 24, 2024. The *Park Record* published courtesy notice on April 24, 2024.⁵

Public Input

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

Alternatives

- The Planning Commission may approve the Conditional Use Permit;
- The Planning Commission may deny the Condition Use Permit and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information and continue the discussion to date uncertain.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Applicant's Narrative

Exhibit C: 1976 CUP Final Action Letter

Exhibit D: 2010 MPD Approved Site Plan

Exhibit E: Proposed Plans

Exhibit F: PL-12-01565 Final Action Letter

Exhibit G: 2024 Parking Study

⁵ LMC [§ 15-1-21](#)