PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 14, 2018

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, John Phillips, Laura Suesser

EX OFFICIO: Planning Director, Bruce Erickson; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Thimm, who was excused.

ADOPTION OF MINUTES

January 10, 2018

MOTION: Commissioner Band moved to APPROVE the Minutes of January 10, 2018 as written. Commissioner Phillips seconded the motion.

VOTE: The motion passed. Chair Strachan abstained since he was absent from the January 10th meeting.

January 17, 2018

MOTION: Commissioner Band moved to APPROVE the Minutes of January 17, 2018 as written. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson stated that the Five-Year Affordable Housing report that was provided in the Staff report and listed on the agenda under Staff Communications was for informational purposes only. Rhoda Stauffer, the City Housing Specialist, was present to answer general questions. If the Planning Commission wanted to talk about specifics in the report, the Staff would have to schedule a work session to have that discussion and properly notice it.

Commissioner Suesser asked if they were prohibited from asking questions about the report this evening. Assistant City Attorney McLean stated that they could ask questions, but because it was noticed as Staff and Board Communications, it was not anticipated as a work session.

Chair Strachan thought the questions would help the Planning Commission determine whether or not to have a work session. He suggested that they take care of other communications and disclosures before moving to the Affordable Housing.

Commissioner Band stated that she was replacing Steve Joyce as the COSAC Liaison, but they still needed an alternate. Commissioner Suesser volunteered to be the alternate.

MOTION: Commissioner Band moved to nominate Commissioner Suesser as the alternate for COSAC. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

On behalf of the Planning Commission, Commissioner Band gave Chair Strachan a bottle of Don Perignon champagne as a thank you for his 10 years of service on the Planning Commission and for leading the Commissioners through Treasure Hill and many other projects.

Chair Strachan gave each of the Commissioners High West Whiskey because those who were remaining on the Planning Commission would need it, and those leaving the Planning Commission deserved to have it.

Director Erickson introduced Graham Bunt, the new Planner Analyst, who would be sharing duties with Liz Jackson and Laura Newberry.

On behalf of the Staff, Assistant City Attorney McLean thanked Commissioner Strachan for his incredible service over the last ten years. It has been a pleasure having him. Chair Strachan replied that it was his pleasure to be there. He was ready to go, but he was also sad to be leaving. For the Commissioners staying on, he wished them nothing but the best.

<u>Five-year Affordable Housing Plan – Staff has prepared a drafted Housing Plan for review and adoption by City Council at their February 15, 2018 Council Meeting. Staff is providing the report to Planning Commission in order to add Commission input to</u>

<u>the City Council's review.</u>

Rhoda Stauffer, City Housing Specialist, remarked that the intent was to get Planning Commission feedback that she could take to the City Council. The City Council would be looking at this report at their meeting the following evening, but they were not ready to adopt it at this point. She encouraged the Commissioners to send emails to her and Jason with suggestions and comments beyond what they talk about this evening.

Commissioner Suesser noted that the outside consultant and the Blue Ribbon Commission had recommended a change to the 15% requirement, and that was still being looked at by the Planning Staff. She recalled that the Planning Commission heard from the Blue Ribbon in July 2017, and she wanted to know the status of where that issue was with the Planning Department.

Ms. Stauffer stated clarified that it was actually the Legal Staff and the Housing Staff who were looking at this in a number of ways, and they would be coming back to the Planning Commission with a more thorough analysis. Ms. Stauffer explained that the question is parity for people building 20 units that are all 10,000 square foot units versus someone building 20 units that are each 1,000 square feet. Each scenario would be required to provide the exact same obligation. The Staff believed that needed to be reconsidered, and possibly looked at as a percentage of square feet or a percentage of bedrooms; rather than a percentage of units. They were still looking at it because they did not want to push the envelope to the point where a person building a 1,000 square foot house would have a housing obligation. That was not the intention.

Commissioner Suesser stated that she would email the rest of her comments regarding the report.

Commissioner Band also had comments and questions and offered to email her comments, as well.

Assistant City Attorney McLean asked if the Commissioners wanted this to come back as a work session or whether they were comfortable communicating directly with Ms. Stauffer.

Commissioners Suesser and Band were comfortable submitting their comments to Ms. Stauffer directly.

Director Erickson stated that Community Development Director, Anne Laurent, has suggested that when this plan is approved by the City Council, that it become a technical attachment to the General Plan. The Planning Commission would have that discussion to amend the General Plan Section with respective to housing.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. **Treasure Hill, Creole Gulch and Town Lift Mid-station Sites – Vote by Planning Commission on a resolution supporting Treasure Hill Continuance to date uncertain and supporting the Mayor and City Council consideration of purchasing the property.**

Mayor Andy Beerman thanked Commissioner Strachan and Commissioner Campbell for their service on the Planning Commissioner. In his ten years of service, Commissioner Strachan has done a tremendous job for the community. He personally thanked him and he believed Mayor Thomas would have said the same thing. Mayor Beerman noted that two months ago they approached Commissioner Strachan when Treasure was at a critical point. They understood that he had plans to spend time over the holidays and in January with his family, and was looking forward to retiring from the Planning Commission. At that time, they asked him and Commissioner Campbell to stay on for additional time and he thanked them both for seeing this through. Mayor Beerman hoped that after the presentation this evening they would think it was worthwhile.

Mayor Beerman stated that the 33-year odyssey with Treasure Hill may be nearing a solution. After a lot of back and forth he believed they had found what was potentially a win/win situation. Three weeks ago he received a call from the property owner, and all the property owners had agreed that they were interested in selling the property to the City for preservation. It would remove all density and put this controversy to an end. Mayor Beerman also thanked the Sweeney's for making that available to the community; recognizing that the City had struggled with honoring their property rights and at the same time making this fit with the character and scale of Old Town, and that this might be the best solution for everybody going forward. It was a great compromise.

Mayor Beerman stated that the deal is a straight up land purchase at $64 million. The City would put down $6 million as earnest money and that money would be non-refundable and contingent upon a bond being passed in November for the remainder of the money. If the bond does not pass, that money goes towards a 10% density reduction on the property and they all go back into the process where they left off in December, which was 17.2. There would be three hearings to move forward with that process. Mayor Beerman was confident that the Planning Commission had good notes to pick up where they left off in that process. However, he was more confident that the community would want to see the hillside preserved and support this bond.

Mayor Beerman reported that consideration of a land purchase was scheduled in front of the City Council the following evening for approval. He was before the Planning Commission this evening to answer questions and address any concerns.

Commissioner Suesser understood that the purchase and settlement agreement were not finalized, but the City Council would still vote on it. Mayor Beerman replied that they were finalized. They were finished with the redlines as of this afternoon. It has been published and they would have the complete copy tomorrow. They have known the substance of it for weeks, and it was just going back and forth on redlines. He pointed out that nothing significant had changed.

Commissioner Suesser had concerns about the City agreeing that any appeal would be heard and voted on within six months of a Planning Commission decision. The appeal process would not be within the City's control and she was concerned that by agreeing to that time frame the City would risk losing the 10% reduction.

City Attorney Mark Harrington replied that it is in their control, which is why they agreed to it. They could be specific in the Request for Proposal to make sure that the board members who apply for the appeal panel have that understanding and build the framework within that time commitment. Mr. Harrington noted that six months is longer than most other appeals that have taken place, other than where there has been a complete redo or an extraneous circumstance. He explained that the process still allows the opportunity for the parties to agree to mutual continuances; but given the time requirements in the current Code to prosecute the appeal, they felt that six months was a reasonable timeframe. Mr. Harrington stated that Jody Burnett was consulted regarding that provisions and he was the drafter of that compromise section.

Commissioner Suesser was curious about whether or not there was a definition of 10% of the project density in the Settlement and Purchase Agreement. City Attorney Harrington replied that it would be the unit equivalents, but he could not recall off the top of his head whether or not it was tied to the Master Planned Development. He would look into it and provide the answer. Mr. Harrington remarked that it does not call out the specific area because they allow the Planning Commission and the applicant to determine that through the process. It does not require proceeding with 17.2 or anything else. It just allows that submission to be heard and decided by March of 2019 with three public hearings.

Commissioner Suesser understood that if the proposal comes back it would be a 10% reduction of 17.2. City Attorney anticipated that, but the applicant could also decide to submit a modification for something different. They did not want to tie the hands of the applicant and make it look like the City was pushing 17.2; but at the same time preserving their right to pursue 17.2 exactly as is.

Commissioner Campbell believed the worst thing that could happen would be for the bond to fail in November. He saw the Planning Commission as cheerleaders in support, and he hoped the City would use them publicly in that capacity. He recalled that 30%+ of the people in the unofficial poll conducted by the Park Record responded by asking “What is Treasure”. Commissioner Campbell pointed out the need for educating the public because he feared that 100% of that 35% would vote no on the bond. He wanted to know what they could do as a Board to help push support for the bond. Commissioner Campbell believed that the more people understand it, the more they would be in favor. He recognized the group who has been involved and invested in the Treasure Hill process, but there are many other people voting who were not affected or paid attention. It is important to educate those people, and he was willing to help in any way possible.

Mayor Beerman appreciated the offer. He stated that they would be looking for advocates in the community to promote the bond. Once it is set in motion, the role of the City Council and City Staff would be informational only. They can help people make good decisions but they will not advocate one way or another. However, there are activist groups in town who plan to advocate. Those who are leaving the Planning Commission can, as individuals, help inform the community. Mayor Beerman stated that the forums they held and individual encounters with the City Council members have been very positive. He was not too concerned about the polls. Mayor Beerman agreed that a lot of education needed to be done because several myths revolve around the project and why the City is moving forward with a buyout. He believes that Park City is a quality of life community and has always been very supportive of open space. He hoped that would continue.

Commissioner Campbell asked City Attorney Harrington to provide guidance on what the Commissioners would be allowed to say and how much they could be advocates. Mr. Harrington offered to prepare guidelines for the Commissioners. He thought the law was clear in terms of what the City can and cannot do in its official capacity, as well as what the Commissioners can do in their capacity as the Planning Commission. He pointed out that the restrictions do not apply to individuals; however, those remaining on the Planning Commission need to remain objective and make sure they do not cloud the record in their ability to objectively hear an application if it comes back. Mr.

Harrington would delineate the boundaries for them but he did not believe that needed to be addressed this evening.

Commissioner Campbell clarified that at some point he would like to get some guidance so he knows exactly what he is or is not allowed to say. City Attorney Harrington offered to come back with that request.

Chair Strachan opened the public hearing.

Steve Swanson wanted to address the Planning Commission one last time on this momentous occasion. They have drilled down on this for so long that he wanted to raise a few points. Mr. Swanson clarified that he was speaking as a citizen of Park City and not speaking on behalf of any group. He stated that Treasure Hill is a unique place and deserves protection for many reasons. He would refer to Treasure Hill/Creole Gulch because they combine into one and add to each other to make a very special place. The idea that that message needs to be brought out into the greater public is worth discussing. Mr. Swanson thought the public would support that as well. Regarding the history of Treasure Hill, Mr. Swanson stated that he has spoken before about the generosity of the citizens who live in Park City, and he believes Treasure encapsulates that. It is a generous place, it has given of itself, it has given back to the City over time. It is a special place that has a history that connects very well with Park City. It is the birth of ski jumping. Mr. Swanson thought it was accurate to say that Park City wouldn't be Park City without Treasure Hill. It served as the backdrop and it has witnessed a long history. In that respect, he would say Treasure isn't in Park City but rather Treasure is Park City. It is worth protecting and now is a good time to come to that realization.

Mr. Swanson acknowledge that the Planning Commission and the elected leadership deserves their thanks. However, when he looks back 35 years throughout the process, he felt like that all rowed this boat and that is something to consider. He asked them to think about all the people who have borne witness to this process and gave up their time. Their connection with the process has been very important because they witnessed the process and followed it through to the logical conclusion. Mr. Swanson believed that regardless of what side they were on when decisions were made, they were all in favor of saving Treasure Hill and passing it into the future.

Mr. Swanson noted that the process was followed. It was rigorous and thorough and it was lawful. No stone was left unturned, and the process can be repeated again if it ever becomes necessary with other challenges. Mr. Swanson thought everyone was fair to the process. It respected property rights, it avoided a dreaded lawsuit, and it was as efficient as possible considering the length of time. Mr. Swanson believed the prospects for the future are good. He personally would support and be an advocate for the bond. He acknowledged THINC was a vital part of the discussion and without that group he did not believe they would have reached this point. Mr. Swanson commented on a saying, "we are known by the tracks we leave", and he thought this boded well for the community. If the bond is successful, he believes future generations will look back to this time and realize that people were thinking about the future and not just short-term.

Mr. Swanson thanked everyone for their efforts and their time.

John Stafsholt, a resident at 633 Woodside Avenue, thanked the Sweeney's for making this possible, and he also thanked Liz Rad. He noted that the City was setting up a land purchase of $64 million with $6 million of earnest money and a 100% conservation easement. He attended one of the public sessions which was great, and he applauded a great idea by the City to have Matt Dias, Mayor Beerman and others present to explain to the public what was occurring. Mr. Stafsholt stated that even though it is hard to believe "What is Treasure" is a large number in Park City. He has spoken with people who were totally against the bond primarily because they were misinformed. Once they find out what is really going on they change their mind fairly easy. He thought any help in educating the people would be beneficial.

Mr. Stafsholt pointed out that in the session he attended there was discussion around 22 unit equivalents that are available for TDRs. He asked if that was part of this agreement.

Mayor Beerman replied that the option was being kept alive, but the City Council had not decided whether or not to retire those.

Mr. Stafsholt stated that from the people he talks to that muddies the waters. If they are going to pay that amount of money and conserve the land 100%, he questioned why they would pull out the 22 UEs for something the City wants. Mr. Stafsholt believed that issue hurts the public opinion for the vote. He thought they needed to keep it clean and straight with a purchase agreement and a payment and the land stays vacant forever. It should not be affordable housing or anything else. People understand conservation and it should remain that way.

Mr. Stafsholt stated that those who have been through the process do not want to hear from the public that the City is sneaking something in around the 22 UEs; and he has heard that several times. Mr. Stafsholt stated that the $6 million for the 10% density decrease stated that for the sake of transparency, the public will need to know in very simple terms what the 10% decrease would be. If it is not defined precisely in the agreement, he recommended that they define it so everyone knows what it means and what it would entail.

Mr. Stafsholt emphasized that the City should look at defining the 10% decrease and they should consider removing the UEs out of the proposal for the bond. He thanked the Mayor and everyone else on behalf of the future Parkites yet to be born.

Chair Strachan closed the public hearing.

Commissioner Phillips stated that earlier this month he went moonlight snowshoeing through this property and walked a trail where the power station changes. He remarked that being there alone at night was a unique moment. Being in this situation and everything that had to fall in place for this to happen was a great opportunity for everyone to win. Commissioners Phillips hoped the agreement would succeed; but if that is not the case, he and others on the Planning Commission were prepared to follow through with where they left off. He thanked everyone involved for getting to this point, including his fellow Commissioners, the applicant, the Mayor, City Council, and the Staff.

Commissioner Suesser asked if this situation was unique or whether it is always the case when something will be on the ballot that the City Council, the Mayor, and the Planning Commissioners cannot advocate. She asked if that procedure was followed for Bonanza Flats. Mayor Beerman replied that it is State law and it is consistent.

Chair Strachan stated that he has been doing this for ten years and the landscape of property rights in such a pro-property rights State, as well as the landscape of the Legislature, makes it such that the biggest and best weapon is the pocketbook. If they want to preserve the quality of life they enjoy in Park City, the citizens have to use their pocketbook because the developers hold the cards. The Planning Commission, the City Council, and the Land Management Code can only go so far, and where they stop is where their pocketbooks should pick up. Chair Strachan believed this was one of those instances. Even under the most restrictive scenario that the Planning Commission could impose on this developer, there was still going to be a considerable amount of excavation and development, which was allowed under the existing Code, the existing zoning and the MPD. If no one wants that, then it was time to pay to keep it from happening.

Chair Strachan thought this made perfect sense and it was exactly the reason why they bond for things and why they should bond to preserve their quality of life. To echo Commissioner Campbell, Chair Strachan stated that he would champion and cheerlead this bond as hard as he could because in his opinion it is the perfect solution to an enormous problem. Sitting on the Planning Commission and having worked so hard on it, there was no way they could have reached this point. He believed that $64 million was a bargain, and he was saying that based on ten years of experience. Chair Strachan emphasized that he would do his best to convince anyone who is uninformed or not in favor of the bond, because from his perspective this agreement could not be any better. He thanked Mayor Beerman and former Mayor Jack Thomas for making this a reality.

MOTION: Commissioner Band moved to support the Mayor and City Council consideration of purchasing the property of Treasure Hill, Creole Gulch and Town Lift Midstations, and to CONTINUE to a date uncertain. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Assistant City Attorney McLean requested that because this was a resolution that the Planning Commission vote on a separate motion for continuance.

MOTION: Commissioner Band moved to CONTINUE the Treasure Hill item to a date uncertain. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Mayor Beerman thanked the Commissioners for their great work.

2. <u>925 Woodside Avenue – A plat amendment proposing to combine two existing lots of record addressed at 925 Woodside Avenue into one lot of record</u>. Application PL-17-03726

Planning Director Bruce Erickson reviewed the application in the absence of Tippe Morlan, the project planner.

Director Erickson reviewed the proposed plat amendment for 925 Woodside to combine an existing lot and a half lot into one lot of record. The site consists of the entirety of Lot 7 and the north half of Lot 6 of Block 10 of Snyders Addition to Park City. There is an existing non-historic structure on the lot that was constructed in 1971. The property line between the two existing lots bisects the structure. The requested plat amendment would resolve the lot line issue.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for the plat amendment at 925 Woodside Avenue.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to forward a POSITIVE recommendation to the City Council for the plat amendment at 925 Woodside Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 925 Woodside Avenue</u>

1. The property is located at 925 Woodside Avenue.

2. The property consists of Lot 7 and the north half of Lot 6 of Block 10 of Snyders Addition.

3. The property is in the Historic Residential (HR-1) District.

4. There is an existing non-historic structure at this address.

5. The existing home was constructed in 1971.

6. The property line between the two existing lots bisects the structure.

7. The applicant proposes to combine the subject lots into one lot of record.

8. Lot 7 consist of 1,875 square feet and is 25 feet by 75 feet. The north half of Lot 6 included in this application consists of 937 square feet and is 12.5 feet by 75 feet.

9. No known encroachments exist on this property.

10. The existing home is a single-family dwelling which is an allowed use in the HR-1 district.

11. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lot has an area of 2,812 square feet.

12. The minimum lot width is in the HR-1 zone is 25 feet. The proposed lot meets the requirements of this zone at 37.5 feet in width.

13. The proposed lot will also be 75 feet deep.

14. The minimum front yard setback is 10 feet. The existing house has a 14.4 foot front yard setback.

15. The minimum rear yard setback is 10 feet. The existing house has a 24-foot rear yard setback.

16. The minimum side yard setback is 3 feet on each side. The existing house has a 12.3 foot side yard setback on the north side and a 5.5 foot side yard setback on the south side.

17. The maximum building footprint for a lot this size is 1,201 square feet. The existing footprint meets this standard at approximately 715 square feet.

18. A Historic District Design Review application is required for any new construction proposed at the existing site.

<u>Conclusions of Law – 925 Woodside</u>

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

<u>Conditions of Approval – 925 Woodside</u>

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.

3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.

4. A 10-foot wide public snow storage easement will be required along Woodside Avenue.

3. <u>2346 Good Trump Court – Queen Esther Village No. 1 Unit 6 Amended Condominium Plat – A condominium plat amendment proposing to transfer 108 square feet of Common Space to Private Space allowing the property owner to convert their deck area into living space</u>.
Application PL-17-03712

Planning Director Erickson reviewed the application in the absence of Planner Morlan, the project planner.

Director Erickson reviewed the request for condominium plat amendment to transfer 108 square feet of common area to private area under an existing deck at Good Trump Circle, on the east side of Deer Valley.

The Staff recommended that the Planning Commission conduct a public hearing and considering forwarding a positive recommendation to the City Council for the Queen Esther Village No. 1 Unit 6 Amended Plat located at 2346 Good Trump Court.

Commissioner Phillips asked if something similar had been done on other units in the same property. Director Erickson replied that nothing similar has been done in this particular project, but it has occurred many times in other projects throughout the City.

Commissioner Phillips agreed that the Planning Commission has approved these requests in the past, but he could not recall whether there was a prior request at these condominiums. Chair Strachan was surprised that they did not see more of these requests.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Suesser moved to forward a POSITIVE recommendation to the City Council for the condominium plat amendment for 2346 Good Trump Court based on the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Chair Strachan announced that the majority of Commissioners would be socializing at the No Name Saloon and he encouraged the public to attend. He thanked the Staff again for ten years of a great time. The civility and the professionalism has been remarkable, and he doubted that many cities could say that.

Findings of Fact - 2346 Good Trump Court

1. The property is located at 2346 Good Trump Court.

2. The property consists of Unit 6 of the Queen Esther Village No. 1 Condominiums.

3. The property is in the Residential Development (RD) Zone District and part of the Deer Valley Master Planned Development.

4. There is an existing multi-unit structure at this address.

5. The existing structure was constructed in 1981.

6. The proposed plat converts the deck area – 108 square feet of Common Space – into Private Space.

7. The existing deck area sits beneath the second floor balcony.

8. Unit 6 is currently 1994.92 square feet in area and is proposed to be 2102.92 square feet.

9. The Queen Esther Village Project I Homeowner's Association held a vote in October of 2017, and 81 percent of homeowners approved this proposal with 21 out of 26 owners voting in its favor.

10. The use as residential condominiums is unchanged.

11. The Queen Esther Village No. 1 subdivision is comprised of 26 units within 7 structures.

12. The Deer Valley MPD allows 26 individual units as part of the Solamere development. No increase in number of units is proposed.

13. Density within the Solamere development is determined by unit and not by unit equivalents/square footage.

14. The maximum height allowed is 28 feet from existing grade. No additional building height is proposed. All proposed construction is within the existing building envelope and roof. Building complies with the 28' height allowance.

15. The required front setback is a minimum of 20 feet. No construction is proposed into the existing front setback area.

16. The required rear setback is a minimum of 15 feet. No construction is proposed into the existing rear setback area.

17. The required side setbacks are a minimum of 12 feet. No construction is proposed into the existing front setback areas.

18. The current LMC requires 2 parking spaces for a multi-family unit with a floor area of over 2,000 square feet. The unit currently has 2 off-street parking spaces in its garage and no additional parking is required.

19. The building does not exceed the allowable 28' building height and there are no nonconforming setback issues.

20. All construction is proposed within the existing building envelope.

21. The common area is designated as a blanket utility easement.

<u>Conclusions of Law – 2346 Good Trump Court</u>

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 2346 Good Trump Court

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. An appropriate NFPA Fire Suppression System is needed as required by the Building and Fire Departments.

4. All conditions of approval of the Queen Esther Village No. 1 plat shall continue to apply.

5. The applicant may submit an application for a building permit according to City procedures after this plat amendment has been recorded.

6. Prior to plat recordation, letters from utility providers (Questar, Rocky Mountain Power, and communications entities) shall be submitted to Planning, that indicate there are no public utilities located under the deck, in the area proposed to be converted from common to private, or approval is granted to relocate such public utilities at the Unit owner's expense.

The Park City Planning Commission Meeting adjourned at 6:15 p.m.

Approved by Planning Commission: ____