



**PARK CITY MUNICIPAL CORPORATION
SPECIAL PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 2, 2025**

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Laura Suesser, Bill Johnson, Henry Sigg, Rick Shand, Christin Van Dine

EX OFFICIO: Rebecca Ward, Planning Director; Elissa Martin, Planning Project Manager; Alec Barton, Senior Planner; Virgil Lund, Planner II; Meredith Covey, Planner I; Jacob Klopfenstein, Planner I; Mark Harrington, City Attorney

1. ROLL CALL

Chair Sarah Hall called the meeting to order at 5:30 p.m.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from March 12, 2025.

MOTION: Commissioner Van Dine moved to APPROVE the Planning Commission Meeting Minutes from March 12, 2025, as presented. Commissioner Sigg seconded the motion. The motion passed with the unanimous consent of the Commission.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward reported that there would be two neighborhood meetings regarding the General Plan update. The Masonic Hill meeting was scheduled for Monday, April 7, 2025, in the Council chambers, and the Park Meadows meeting would be on Tuesday, April 8, 2025, at 1200 Little Kate Road.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. CONTINUATION

- A. 2060 Park Avenue (Park City Police Department) – Modification to Conditional Use Permit** – The Applicant Proposes to Construct Eight Parking Spaces in the Residential Development – Medium-Density Zoning District and Sensitive Land Overlay. PL-25-06413.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Sigg moved to CONTINUE the 2060 Park Avenue Conditional Use Permit and public hearing to a date uncertain. The motion was seconded by Commissioner Johnson. The motion passed with the unanimous consent of the Commission.

- B. 1127 Woodside Avenue – Plat Amendment** – The Applicant Proposes to Amend the Recorded Plat to Remove a Plat Note Restricting the Total Maximum Building Footprint on the Lot to 2,100 Square Feet in the Historic Residential – 1 Zoning District. PL-24-06317.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Van Dine moved to CONTINUE the 1127 Woodside Avenue Plat Amendment and public hearing to the April 23, 2025 Planning Commission Meeting. The motion was seconded by Commissioner Suesser. The motion passed with the unanimous consent of the Commission.

- C. 239 Daly Avenue – Plat Amendment** – The Applicant is Proposing to Combine Several Overlapping Meets-and-Bounds Parcels as well as Lot 26, Block 73, All Into One Lot of Record in the Historic Residential-1 Zoning District for a Significant Historic Site. PL-24-06298.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Sigg moved to CONTINUE the 239 Daly Avenue Plat Amendment and public hearing to a date uncertain. The motion was seconded by Commissioner Suesser. The motion passed with the unanimous consent of the Commission.

6. REGULAR AGENDA

- A. **1354 Park Avenue (City Park) – Subdivision** – The Applicant Proposes a Three-Lot Subdivision for City Park in the Urban Park Zoning District. PL-24-06247.

Planner II, Virgil Lund presented the Staff Report and indicated that the presentation would encompass Items 6A and 6B.

On December 11, 2024, the Planning Commission approved the Community Center Master Plan Development (“MPD”), which requires Subdivision Plat approval prior to issuance of a Building Permit. The proposed Subdivision complies with the Urban Park Zoning District requirements and all standards found in Land Management Code (“LMC”) § 15-7. Planner Lund reported that there is Good Cause for the Subdivision because it creates three Lots from existing metes-and-bounds parcels, as well as a Lot for the future community center. He noted that the Applicant must obtain City Council approval of the Right-of-Way vacation prior to plat recordation.

The Applicant proposes to vacate approximately 21,000 square feet of Eastern Avenue and a 4,631-square-foot portion of Calhoun/13th Street. Park City Municipal Corporation will retain ownership. The proposed Right-of-Way vacation complies with Utah Code Resolution 8-98, and no person will be materially injured by the vacation. Staff recommended that the Planning Commission approve the proposed Subdivision based on the Final Action Letter and forward a positive recommendation for the Right-of-Way vacation to the City Council for consideration on May 1, 2025.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

In response to a question from Commissioner Van Dine, City Attorney, Mark Harrington clarified that two separate motions would be required.

MOTION: Commissioner Johnson moved to APPROVE the 1354 Park Avenue Three-Lot City Park Subdivision based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. City Park is comprised of several metes-and-bounds parcels and platted Lots owned by Park City Municipal Corporation (PCMC) and surrounded by residential neighborhoods to the south, west, and north and Poison Creek and Deer Valley Drive to the east.

2. The Applicant proposes combining the metes-and-bounds parcels to create a three-lot Subdivision for City Park.
3. Miner's Hospital, a Landmark Historic Site on Park City's Historic Sites Inventory, and the existing Recreation Building proposed Community Center and recreation fields are within proposed Lot 1 (14.21 acres). The skate park is within proposed Lot 2 (4.18 acres), and the Mawhinney parking Lot is within proposed Lot 3 (0.87 acres).
4. A separate metes-and-bounds parcel includes 28,303 square feet (0.65 acres) of Park Avenue, unplatted and undedicated. The proposed City Park Subdivision dedicates this area as Park Avenue Right-of-Way (ROW).
5. City Park includes a basketball court, two volleyball courts, sports fields, a playground, a skatepark, and a 5,000-square-foot Recreation Building constructed prior to 1987. The Recreation Building has undergone minor remodels and improvements over the years. The facilities need comprehensive updates.
6. On December 11, 2024, the Planning Commission approved the Community Center MPD for a 15,000-square-foot Community Center at City Park to replace the existing 5,000-square-foot Recreation Building.
7. Land Management Code (LMC) § 15-6-4(I) requires the Applicant to submit a draft Development Agreement to the Planning Department for review and ratification by the Planning Commission within six months of approval. On March 12, 2025, the Planning Commission ratified the Development Agreement for the Community Center MPD and continued the public hearing for the proposed Subdivision to April 4, 2025.
8. Condition of Approval 20 from the Community Center MPD Final Action Letter states: "The Applicant shall obtain Planning Commission approval of a subdivision and record the approved subdivision with the Summit County Recorder's Office prior to building permit submittal.
9. The proposed Subdivision complies with the requirements of the Urban Park Zoning District outlined in LMC Chapter 15-2.26.
 - a. The purpose of the UPZ, outlined in LMC § 15-2.26-1, is to:
 - i. Promote the preservation of Historic Buildings, Structures, Sites, or Objects;
 - ii. Preserve the vegetation and habitat of natural Areas;
 - iii. Provide for careful review of low-intensity recreational Uses and environmentally-sensitive, non-motorized trails;

- iv. Establish and preserve districts for land Uses requiring substantial Areas of Open Space covered with vegetation that are substantially free from Accessory Buildings, Streets, and Parking Lots;
 - v. Permit recreational Uses and preserve recreation land;
 - vi. Encourage parks, golf courses, trails, and other compatible public or private recreational Uses, and preserve and enhance park amenities; and
 - vii. Encourage sustainability, conservation, and renewable energy.
 - b. The proposed Subdivision preserves and enhances park amenities, creates a Lot for the new Community Center, promotes the preservation of Miner's Hospital through the vacation of unused but platted Right-of-Way underneath and adjacent to the building, vacation of unused but platted Right-of-Way where the South End Pavilion is located, and dedicates a portion of Park Avenue as Right-of-Way.
10. The proposed Subdivision complies with the requirements outlined in LMC Chapter 15-7.
- a. The City Park Subdivision is a minor Subdivision, containing not more than three Lots fronting an existing street. The Preliminary Plat and Final Plat are reviewed as one submittal.
 - b. LMC § 15-7.3-2 outlines the relevant general Subdivision requirements:
 - i. Subdivision Name: The proposed name of the Subdivision must not duplicate, or too closely approximate, the name of any other Subdivision platted with Summit County, Utah. On March 3, 2025, the County Recorder confirmed the name "City Park Subdivision."
 - ii. Limits of Disturbance/ Vegetation Protection: The Forestry Board reviewed the proposed Community Center on September 5, 2024, and requires that landscaping be compliant with Wildland-Urban Interface requirements outlined in Municipal Code of Park City (MCPC) Chapter 11-21, including no vegetation planted within 30 feet of any structure and requiring plantings from the approved species list outlined in MCPC Section 14-1-5. The Forestry Board also requires the replacement of 44 of the 48 significant trees that

will be removed or impacted as a result of the new Community Center.

1. The Applicant provided a conceptual Landscape Plan that complies with LMC § 15-5-5(N). The Landscape Plan identifies a total of 48 significant trees which will be removed with the construction of the proposed Community Center building and recreation amenities; it also details the planting of 49 new trees of two-inch caliper and at least 50% water-wise plant species.
 2. Condition of Approval 3 from the Community Center MPD Final Action Letter states: "The Forestry Board requires that the flowering crab apple trees of 18 inches in diameter or larger that are currently located on the Site be replaced with new trees of the same species and 3 inches in diameter. The trees must be planted and evaluated for viability prior to issuance of a Certificate of Occupancy."
- iii. Open Space: The Applicant proposes to maintain 489,951 square feet of Open Space or 79% of the site. The Open Space is a mix of Landscaped Open Space with recreational courts and fields, and Natural Open Space that contains undisturbed natural vegetation running along the Poison Creek Trail. The Open Space located on the proposed Lots 2 and 3 will not be affected.
- iv. Roads: The Applicant proposes to vacate a 21,775-square-foot portion of Eastern Avenue on proposed Lot 1 and a 4,631-square-foot portion of Calhoun/13th Street located in City Park. The proposed ROW to be vacated is owned by PCMC, and PCMC will retain ownership.
1. The Applicant must obtain City Council approval prior to plat recordation.
- v. Utility Lines:
1. A series of utility easements are within the proposed City Park Subdivision and will be retained. These include:

- a. Utah Power and Light Easements (Summit County Recorder Entry Nos. 229744, 173092, 256294, 257303, 173094).
 - b. Snyderville Basin Water Reclamation District Easements (Summit County Recorder Entry Nos. 301868, 238170).
- vi. Drainage Ways: Poison Creek runs along the north property line and all Development associated with the Community Center MPD will maintain a 25-foot Setback from the creek, ensuring the creek will not be disturbed.
- vii. Soil Conditions: The Site is within the Soils Ordinance. Condition of Approval 6 from the Community Center MPD Final Action Letter states: "The Applicant shall be required to provide a clean 6" soil cap at all disturbed areas, and all existing disturbed soil that cannot be reused on site will require testing and disposal offsite. This must be completed subject to approval by the Environmental Regulatory Program Manager."
- viii. Trails and Sidewalks: The existing Poison Creek Trail will not be affected. The Applicant proposes a trail connection to the Poison Creek Trail and additional sidewalks surrounding the proposed Development.
- ix. Topsoil Preservation and Final Grading: The Site is within the Soils Ordinance. Condition of Approval 6 from the MPD Final Action Letter states: "The Applicant shall be required to provide a clean 6" soil cap at all disturbed areas, and all existing disturbed soil that cannot be reused on site will require testing and disposal offsite. This must be completed subject to approval by the Environmental Regulatory Program Manager."
- x. Architectural Standards: The Applicant proposes a building design for the Community Center that is compatible with historic proportions and dimensions of the Miner's Hospital building. The Applicant submitted a Historic District Design Review (HDDR) – Pre-Application on August 19, 2024. On February 20, 2025, the Planning Director approved the HDDR for the proposed Community Center.

- xi. Waterbodies and Water Courses: No existing waterbodies are within the proposed Subdivision. Poison Creek runs along the east property line and all Development associated with the Community Center MPD will maintain a 25-foot Setback from Poison Creek, ensuring the creek will not be disturbed. Maintenance responsibilities for Poison Creek will not change, and the proposed Development does not require additional protection or enhancement of Poison Creek. The location of Poison Creek does not affect access to any of the proposed Lots. Access to the Lots is off Sullivan and Park Avenue.
- c. LMC § 15-7.3-3 outlines general Lot design requirements:
 - i. Revegetation, Seed, and Sod: The Site is within the Soils Ordinance. Condition of Approval 6 from the MPD Final Action Letter states: "The Applicant shall be required to provide a clean 6" soil cap at all disturbed areas, and all existing disturbed soil that cannot be reused on site will require testing and disposal offsite. This must be completed subject to approval by the Environmental Regulatory Program Manager."
 - ii. Debris and Waste: Staff recommends Condition of Approval 3: "Unless otherwise approved by the City Engineer and Building Official, no cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Subdivision at the time of issuance of a Certificate of Occupancy for the Community Center."
 - iii. Drainage: The Engineering Department reviewed the proposal on September 3, 2024, and February 4, 2025, and confirms the proposal conforms to all drainage and stormwater runoff requirements.
- 11. There is Good Cause for the City Park Subdivision.
 - a. LMC § 15-15-1 defines Good Cause as "[Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character

of the neighborhood and Park City and furthering the health, safety, and welfare of the Park City community.”

- b. The proposed Subdivision consolidates City-owned parcels associated with the City Park into three Lots, dedicates built but unplatted Park Avenue, and retains utility easements. The proposed Subdivision creates a Lot for the construction of a future Community Center providing public benefits to visitors and residents.
12. The Development Review Committee reviewed the proposal on February 4, 2025, and confirmed the proposal conforms with their requirements.
13. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on February 26, 2025.
14. Staff mailed courtesy notice to property owners within 300 feet on February 26, 2025.
15. *The Park Record* published courtesy notice on February 26, 2025.
16. On March 12, 2025, the Planning Commission opened a public hearing for the City Park Subdivision and continued the public hearing to April 2, 2025.

Conclusions of Law

1. There is Good Cause for the City Park Subdivision because the proposed Subdivision consolidates City-owned parcels associated with City Park into three Lots, dedicates built but unplatted Park Avenue, allows for the vacation of Eastern Avenue within Lot 1 to reflect existing conditions, and preserve Miner’s Hospital, allows for the vacation of Calhoun/13th Street and retains utility easements. The proposed Subdivision creates a Lot for the construction of a future Community Center providing public benefits to visitors and residents.
2. The City Park Subdivision is consistent with LMC Chapter 15-2.26 Urban Park Zone and Chapter 15-7 Subdivisions.
3. Neither the public nor a person will be materially injured by the City Park Subdivision.
4. Approval of the City Park Subdivision, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the City Park Subdivision Plat for compliance with State law, the LMC, and the Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record the plat with Summit County within one year from the date of Planning Commission approval. If recordation has not occurred within one year, this approval for the Subdivision 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 Planning Director.
3. Unless otherwise approved by the City Engineer and Building Official, no cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Subdivision at the time of issuance of a Certificate of Occupancy for the Community Center.
4. All Conditions of Approval from the Community Center Master Planned Development and Conditional Use Permit shall apply.
5. The Applicant must obtain City Council approval of the proposed vacation of Eastern Avenue within proposed Lot 1 and Calhoun/13th Street prior to plat recordation or shall return to the Planning Commission for continued review.

The motion was seconded by Commissioner Van Dine. The motion passed with the unanimous consent of the Commission.

- B. 1354 Park Avenue (City Park) – Vacation of Right-of-Way –** The Applicant Proposes to Vacate a 21,775-square-foot Portion of Eastern Avenue within Proposed Lot 1 and a 4,631-square-foot portion of Calhoun/13th Street within Proposed Lot 2 of the City Park Subdivision. PL-24-06247.

This item was discussed with Item A.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

Motion: Commissioner Van Dine moved to forward a POSITIVE recommendation to the City Council for the Vacation of a 21,775-square-foot Portion of Eastern Avenue within Proposed Lot 1 and a 4,631-square-foot portion of Calhoun/13th Street within Proposed

Lot 2 of the City Park Subdivision based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Ordinance. The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

- C. 364 and 368 Woodside Avenue – Plat Amendment** – The Applicant Proposes the Wardell Replat First Amended Plat to Subdivide the Existing 4,791.6-Square-Foot Lot to Create One 1,875.5-Square-Foot Lot (Lot B) and One 2,812.5-Square-Foot Lot (Lot A). PL-25-06434.

Planner I, Meredith Covey presented the Staff Report and indicated that the subject property is 4,791.6 square feet and located in the HR-1 Zoning District. The Applicant proposed subdividing it into two lots, one 2,812.5 square feet and one 1,865 square feet. The existing non-historic structure will be removed. As conditioned, the proposal is in compliance with LMC § 15-2.2 and § 15-7.1-3(B). Staff found Good Cause for the Plat Amendment because it does not create any nonconformities or vacate any easements or Rights-of-Way. It will also create two compliant Lots and remove an existing non-conforming lot.

Commissioner Johnson asked if the Plat would be recorded after the existing structure is demolished and how the Steep Slope Conditional Use Permit (“SSCUP”) would align with the process. Planner Covey reported that once the existing Single-Family Home is demolished, the Plat can be recorded. The SSCUP application could be reviewed by the Planning Commission prior to Plat recordation, but a Building Permit could not be issued until the home is demolished and Plat recorded. The home was built in 2001 and has no historic relevance.

In response to a question raised by Commissioner Suesser, Planner Covey clarified that two Lots were combined in 2001, and the Applicant was now proposing to subdivide the current Lot. As combined, the current Lot is larger than the maximum area allowed in the HR-1 Zoning District, and Good Cause is that the subdivision will remove a non-conforming Lot and create two compliant Lots.

Chair Hall opened the public hearing.

Charlotte O’Connell gave her zip code as 84060 and asked if the only restrictions for building on the two Lots would be to meet current requirements for size, setbacks, building height, etc.

There were no further public comments. The public hearing was closed.

Planner Covey stated that the Applicant proposed two Single-Family Dwellings, which will both require an SSCUP and be reviewed for compliance with Zoning and Historic District Design regulations.

Commissioner Suesser asked if it would be possible to build a home on the combined Lots without disturbing the Steep Slope. The Applicant's representative, Megan Blosser of Alliance Engineering, stated that she was unsure of the answer to that question. Director Ward stated that Staff would need to perform additional research in order to provide that information to the Commission. Marshall King of Alliance Engineering stated that it is a very steep, downhill lot, and the current structure is also on the Steep Slope.

MOTION: Commissioner Van Dine moved to APPROVE the 364 and 368 Woodside Avenue Plat Amendment based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. On March 16, 2000, the City Council adopted Ordinance No. 2000-16 approving the Wardell Replat to combine Lot 17 and Lot 18 and the north half of Lot 19 Block 3 of the Park City Survey into one 4,791.6-square-foot Lot, 368 Woodside Avenue.
2. 368 Woodside Avenue is in the Historic Residential – 1 (HR-1) Zoning District.
3. The platted but unbuilt 4th Street Right-of-Way is to the north of the property and contains public stairs.
4. The Existing Conditions Survey provided by the Applicant shows the Single-Family Dwelling, which is non-historic and was constructed in 2001.
5. The Applicant proposes to demolish the existing Single-Family Dwelling to subdivide the Lot to create two Lots.
6. The Applicant proposes to construct two Single-Family Dwellings on the two new lots.
7. The site is a Steep Slope and the new Single-Family Dwellings will require an SSCUP reviewed by the Planning Commission.
8. The Applicant submitted two Historic District Design Review Pre-Applications under review with the Planning Department (PL-25-06388, PL-25-06389).
9. The proposed Plat Amendment complies with Land Management Code (LMC) § 15- 2.2-3 Lot and Site Requirements for the HR-1 Zoning District:

- a. The minimum Lot Area is 1,875 square feet for a Single-Family Dwelling and the maximum Lot Area is 3,750 square feet.
 - i. Lot A is proposed to be 2,812.5 square feet and is compliant.
 - ii. Lot B is proposed to be 1,875 square feet and is compliant.
- b. The minimum width of a Lot is 25 feet when measured 15 feet back from the Front Lot Line pursuant to LMC §15-2.2-3.
 - i. Lot A is proposed to be 37.5 feet wide and is compliant.
 - ii. Lot B is proposed to be 25 feet wide and is compliant.
10. The Planning Commission finds Good Cause for this Plat Amendment because it does not create any non-conformities. No Public Street, Right of Way, or easement will be vacated or amended. The proposed plat creates two Lots that are compliant with the maximum Lot Area for the HR-1 Zoning District and removes an existing non-conforming Lot.
11. The Development Review Committee reviewed this proposal on February 18, 2025, and requires no Conditions of Approval.
12. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 19, 2025. Staff mailed courtesy notices to property owners within 300 feet on March 19, 2025. *The Park Record* published notice on March 19, 2025.

Conclusions of Law

1. The Plat Amendment is consistent with the LMC, including Chapter 15-2.2 Historic Residential - 1 (HR-1) Zoning District and § 15-7.1-3(B) Classification Of Subdivision – Plat Amendment.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. 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:

1. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State

law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.

2. The existing Single-Family Dwelling is required to be demolished prior to recordation of the plat.
3. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one year's 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 Planning Director.
4. Future development must comply with LMC Section 15-2.2-6 Development on Steep Slopes, and Chapters 15-2.2 Historic Residential – 1, 15-3 Off-Street Parking, and 15-13 Regulations for Historic Districts and Historic Sites.

The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

- D. 424 Park Avenue – Condominium Plat Amendment** – The Applicant Proposes The Blue Church Lodge Condominium Units F & H Amended Plat to Change a Portion of the Ownership of Unit H to be Common Area and to Remove a Dividing Wall Between Unit H and F to Increase the Square Footage of Unit F by 328 Square Feet. PL-24-06419.

Planner Covey presented the Staff Report and indicated that the proposed Condominium Plat Amendment was for 424 Park Avenue, a Landmark Historic Structure in the HR-2A Zoning District. The proposal complies with LMC § 15-2.3, § 15-13, and § 15-7.1.

The Applicant proposed to:

- Remove a dividing wall on Level 2 between Unit F and Unit H to increase the area of Unit F by 358 square feet, for a total of 928 square feet.
- Change the ownership of the remaining Unit H on Levels 2, 3, and 4 to Common Area.

A diagram indicating the change in ownership and square footage was reviewed. Staff found Good Cause for the Plat Amendment because there are no proposed changes to the existing structure; no public street, easement, or Right-of-Way is vacated; and it does not trigger additional parking requirements.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Sigg moved to APPROVE the 424 Park Avenue Condominium Plat Amendment based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 424 Park Avenue is in the Historic Residential – 2A Zoning District (Parcel No. BCL-A).
2. The property is part of the Blue Church Lodge Condominium Plat recorded with Summit County in 1984 (Entry No. 223678).
3. The existing Structure is a Landmark Historic Structure on Park City's Historic Sites Inventory and was constructed c. 1897. The Structure was historically used as a Church.
4. In 1984 the Structure was condominiumized into eight residential units.
5. The Applicant owns Unit H and Unit F located on Levels 2, 3, and 4 of the Structure. Unit F is the Applicant's private residence. Unit H is owned by the Applicant and is platted as Private Ownership but is used as common area by the residents of Blue Church Lodge.
6. The existing square footage of Unit F is 570 square feet.
7. The existing square footage of Unit H is 985.
8. The Applicant proposes to remove a dividing wall on Level 2 between Unit F and Unit H increasing the area of Unit F by 358 square feet to a total of 928 square feet.
9. The Applicant proposes to convert the remaining private area of Unit H on Levels 2, 3, and 4 to common area.
10. The proposed Condominium Plat does not alter the Building Footprint, Building Height, or the Use of the existing Structure.
11. The proposed Condominium Plat is consistent with the Lot and Site requirements of the HR-2A Zoning District as it does not alter the external portion of the Structure.

12. Pursuant to LMC § 15-3-6, condominium units not greater than 1,000 square feet in floor area require one Parking Space per Dwelling Unit. The proposed plat amendment does not increase the floor area of Unit F to greater than 1,000 square feet and no additional parking is required.
13. There is Good Cause for this Condominium Plat because there are no proposed changes to the existing structures and no public street, Right-of-Way, or easement is vacated or amended. The conversion of 627 square feet of private area to common area reflects existing conditions. The minor increase of 358 square feet to Unit F results in a 928-square-foot residential unit and does not trigger additional parking requirements.
14. The Development Review Committee reviewed the proposal on February 18, 2025, and requires no Conditions of Approval.
15. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 19, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 19, 2025. *The Park Record* published courtesy notice on March 19, 2025.

Conclusions of Law

1. There is Good Cause for this Condominium Plat Amendment because there are no proposed changes to the existing structures and no public street, Right-of-Way, or easement is vacated or amended.
2. The Plat Amendment is consistent with the Land Management Code, including Chapter 15-2.3 Historic Residential -2 (HR-2) Zoning District, Chapter 15-3 Off Street Parking Requirements, and § 15-7.1-3(B) Classification Of Subdivision – Plat Amendment.
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

1. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Condominium Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.

2. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one 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 Planning Director.
3. The Applicant will be required to update the CC&Rs to reflect the amended plat.

The motion was seconded by Commissioner Suesser. The motion passed with the unanimous consent of the Commission.

Chair Hall reported that Commissioner Johnson had left the meeting.

- E. 2380 Good Trump Court – Condominium Plat Amendment –** The Applicant Proposes Converting 269 Square Feet of Common Ownership Area and Limited Common Ownership Area to Private Ownership Area for Unit 2 of the Queen Esther Village No. 1 Condominium Plat in the Residential Development Zone. PL-25-06438.

Planner I, Jacob Klopfenstein presented the Staff Report and reported that the Applicant proposed to convert 269 square feet of common and limited common area to private area for Unit 2 of the Queen Esther Village Condominium Plat. The subject area consists of 218 square feet in the northeast corner of the ground level, which is currently being used as a private bedroom, and 51 square feet of the entry porch, which they propose to enclose. The Planning Commission approved a similar request for the adjacent unit at 2366 Good Trump Court in January 2025.

Architectural drawings and photographs were reviewed, and Planner Klopfenstein noted that the exterior of the building would not change. Staff found Good Cause to approve the Plat Amendment because it corrects the outstanding issue of the two areas currently platted as limited common and common areas that were being used exclusively by 2380 Good Trump Court. Staff recommended that the Planning Commission conduct a public hearing and consider approval of the Condominium Plat Amendment.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Van Dine moved to APPROVE the 2380 Good Trump Court Condominium Plat Amendment based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. 2380 Good Trump Court is an attached single-family condominium unit.
2. 2380 Good Trump Court is Unit 2 of the Queen Esther Village No. 1 Condominium Plat, recorded with Summit County Recorder's Office on August 26, 1981.
3. The Applicant proposes converting a 218-square-foot area at the northeast corner of the ground level of 2380 Good Trump that has been used in the past as a bedroom but is shown as common area on the current plat, to private area.
4. The Applicant also proposes converting a 51-square-foot area that is currently used as part of the front porch of 2380 Good Trump Court and is shown as limited common area on the current recorded plat to private area.
5. The Applicant provided proof that at least two-thirds of Unit Owners voted in the affirmative on January 30, 2025, to authorize the conversion of common area and limited common area to private area. Building Permit records indicate that a rear deck was added to 2380 Good Trump Court in 2015, and a front deck was added in 2016.
6. On March 15, 2018, the City Council approved a plat amendment to convert 108 square feet of common area underneath a deck adjacent to Private Area for Unit 6 of the Queen Esther Village No. 1 Condominium Plat.
7. The Planning Commission reviewed and approved a Plat Amendment for 2366 Good Trump Court, Unit 1 of the Queen Esther Village No. 1 Condominium Plat, on January 8, 2025. This Plat Amendment was to convert 269 square feet of common and limited common space to private area and was nearly identical to the Applicant's request for 2380 Good Trump Court, which is a mirror image of 2366 Good Trump Court.
8. The Plat Amendment proposal, as conditioned, complies with the requirements of the Residential Development (RD) Zoning District.
 - a. A 20-foot Front Setback is required, and a 25-foot Front Setback is required for front-facing garages for Single-Family and Duplex Dwellings.
 - i. 2380 Good Trump Court maintains a minimum 170-foot Front Setback to the west.

- b. A 12-foot Side Setback is required.
 - i. 2380 Good Trump Court maintains a minimum 200-foot Side Setback to the south and a minimum 8.75-foot Side Setback to the north. The 8.75-foot Side Setback is the required north Side Setback as shown on the current recorded plat.
 - ii. 2380 Good Trump Court has been in the RD zone since it was constructed in 1981. The 1980 Land Management Code that was in effect at the time of the construction of 2380 Good Trump Court required a 12-foot Side Setback. The 1980 CUP that originally approved the Queen Esther Planned Unit Development (PUD) did not grant any setback exceptions, so it is not clear why the non-compliant north side setback for this unit was approved.
 - iii. Condition of Approval 1 prohibits any modifications to Building Height and Setbacks as part of the Plat Amendment approval and requires a plat note: any new construction must comply with the Residential Development Zoning District Requirements.
- c. A 15-foot Rear Setback is required.
 - i. 2380 Good Trump Court maintains a minimum 55-foot Rear Setback to the east.
- d. The maximum allowable Building Height is 28 feet maximum from Existing Grade, or 33 feet maximum from Existing Grade with a roof pitch of 4:12 or greater.
 - i. The existing structure is approximately 35 feet, 7 inches from Existing Grade, and has a roof pitch of 6:12. Building Permit records do not indicate if or when this noncompliant height was approved.
 - ii. Condition of Approval 1 requires a plat note that states that any new construction shall comply with the Residential Development Zoning District regulations.
- 9. The proposed Plat Amendment complies, as conditioned, with Land Management Code (LMC) Chapter 15-3 Off-Street Parking.
 - a. LMC § 15-3-6 requires two parking spaces per Dwelling Unit for a condominium with 2,000 square feet or more of floor Area. The existing unit includes approximately 2,740 square feet, and the proposed Plat Amendment will increase the floor Area to

approximately 2,969 square feet, so two parking spaces are required for the unit.

- b. LMC § 15-3-3(F) states the minimum required parking space dimensions are 9 feet wide and 18 feet deep. The unit includes a two-car garage that is approximately 18 feet, $\frac{3}{4}$ inches wide, and 27 feet, 4 inches deep, which meets the minimum dimensions for two parking spaces.
10. The property includes easements that will not be impacted by the proposed Plat Amendment.
- a. The Queen Esther Village No. 1 Condominium Plat notes that all common areas are dedicated as public utility easements.
 - b. Condition of Approval 2 requires the Applicant to obtain letters prior to plat recordation from public utility providers (including, but not limited to, Enbridge, Rocky Mountain Power, and communications providers) indicating there are no public utilities located under the 218-square-foot area located at the northeast corner of the ground level of 2380 Good Trump Court that is proposed to be converted from Common Ownership to Private Ownership, or that approval is granted to relocate any such public utilities at the Unit owner's expense. Condition of Approval 2 requires the Applicant to provide these letters to the Planning Department prior to plat recordation.
 - c. No other easements would be affected by the proposed plat amendment.
11. LMC § 15-7.1-6(C) requires the Planning Commission to find Good Cause to approve a Plat Amendment.
- a. LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City Community."
 - b. No public street, Right-of-Way, or easement is vacated or amended with the proposed Condominium Plat Amendment.

- c. Per the Applicant, the 218-square-foot area on the ground floor has been finished as a bedroom in the past. The 51-square-foot area on the ground floor is currently used as a portion of the front porch. Since these two areas are currently being used for private uses, staff finds Good Cause to approve the Condominium Plat Amendment, as conditioned, to convert these areas from common area and limited common area to private area to reflect existing conditions at the Site.
12. The Development Review Committee reviewed the proposal on March 4, 2025, and does not require Conditions of Approval.
13. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 19, 2025. Staff mailed courtesy notice to property owners within 300 feet on March 19, 2025. *The Park Record* published courtesy notice on March 20, 2025.

Conclusions of Law

1. There is Good Cause for this Condominium Plat Amendment because it amends the Plat to reflect existing conditions.
2. The Plat Amendment complies, as conditioned, with the LMC, including Chapter 15-2.13 Residential Development (RD) District, and Chapter 15-7 Subdivisions.
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

1. Modifications to Building Height or Setbacks as part of this Plat Amendment are prohibited. The Applicant shall include a plat note that states that any new construction shall comply with the Residential Development Zoning District requirements.
2. The Applicant shall obtain and submit to the Planning Department for the project file letters from public utility providers (including, but not limited to, Enbridge, Rocky Mountain Power, and communications providers) indicating there are no public utilities located under the 218-square-foot area located at the northeast corner of the ground level of 2380 Good Trump

Court that is proposed to be converted from common area to private area, or that approval is granted to relocate any such public utilities at the Unit owner's expense. The Applicant shall provide these letters to the Planning Department prior to plat recordation.

3. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval, prior to recordation of the plat.
4. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one year's 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 Planning Director.

The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

- F. Moonshadow Condominiums – Plat Amendment** – The Applicant Proposes to Increase the Private Area Square Footage for Units A and B and to Define the Private Area and Limited Common Area for Unit G in the Residential Development Zoning District. PL-25-06436.

Planner Lund presented the Staff Report for Units A, B, and G of the Moonshadow Condominiums and indicated that the private area square footage would change as follows:

- Unit A: Increase from 5,770 square feet to 7,698 square feet.
- Unit B: Increase from 5,636 square feet to 6,853 square feet.
- Unit G: Undeveloped. Proposed square footage of 7,493 square feet.

Architectural drawings and photographs were reviewed. All additional square footage for Unit A will be added on the basement level, and Unit B will have an addition on the first floor.

The proposed Plat Amendment complies with Ordinance 2018-54, ROS Zoning District requirements, the Empire Pass MPD, Flagstaff Development Agreement, and all off-street parking requirements. Staff found Good Cause for the Plat Amendment because no public street or Right-of-Way will be vacated or amended, and it maintains compliance with the Empire Pass MPD and Development Agreement. Staff recommended that the Planning Commission review and consider approving the proposed Plat Amendment and consider approving it based on the Final Action Letter.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

In response to a question raised by Commissioner Van Dine, Planner Lund reported that a Building Permit was previously submitted to construct the basement for Unit A, but it was denied based on the need for a Plat Amendment.

MOTION: Commissioner Van Dine moved to APPROVE the Moonshadow Condominiums Plat Amendment for Units A, B, and G based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Moonshadow Condominiums are part of the Flagstaff Annexation Area, governed by the Flagstaff Development Agreement. The Moonshadow Condominiums are part of the Village at Empire Pass Master Planned Development within the Residential Development (RD) – Master Planned Development and Recreation and Open Space (ROS) Zoning Districts.
2. The Moonshadow Condominiums contain eight PUD-style units. The 2007 Amended Flagstaff Development Agreement describes PUD-style units as “clustered, detached, single-family or duplex units with common open space and coordinated architecture.”
3. The City Council adopted Ordinance No. 2018-54 approving the Moonshadow Condominiums on October 25, 2018.
4. On July 1, 2019, the Moonshadow Condominiums Plat was recorded with Summit County (Recorder Entry No. 111351). The Plat created an eight-unit condominium. As part of the Village at Empire Pass Master Planned Development Approval and the Amended Flagstaff Development Agreement, the Planning Commission approved no more than 31 Unit Equivalents (UEs) of residential density (62,000 square feet) for the Moonshadow Condominiums.
5. Condition of Approval 7 from Ordinance No. 2018-54 states: “Administrative Conditional Use Permits (ACUP) are required prior to building permit issuance for the Moonshadow Condominiums.” Units A, B, C, D, F, and H have approved ACUPs and have been issued building permits. Ordinance No. 2018-54, Condition of Approval 9 states “[t]he plat shall note that... a supplemental Condominium Plat for each unit shall be approved and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental plats may be combined.”

6. On June 26, 2024, the Planning Commission approved the First Amended and Restated Moonshadow Condominiums Plat defining the private and limited common area for Units A and B. Unit G was not included in the First Amended and Restated Moonshadow Condominiums Plat. The Applicant proposes to increase the private area square footage for Unit A from 5,770 square feet to 7,698 square feet and for Unit B from 5,636 square feet to 6,853 square feet. Private area square footage for Unit G is proposed to be 7,493 square feet.
7. On July 16, 2024, the Applicant submitted a building permit revision for the proposed 1,928-square-foot addition for Unit A.
8. Planning staff rejected the proposed building permit revision and requested the Applicant first complete a Plat Amendment for the proposed addition to Unit A.
9. On February 25, 2025, the Applicant submitted a building permit revision for a proposed 1,217-square-foot addition for Unit B.
10. Planning staff rejected the proposed building permit revision and requested the Applicant first complete a Plat Amendment for the proposed addition to Unit B.
11. The First Amended Moonshadow Condominiums Plat defines 5,770 square feet of private area for Unit A and 5,636 square feet for Unit B.
12. The proposed First Amended and Restated Moonshadow Condominiums Plat Amending Units A, B, and G:
 - a. Adds 1,928 square feet of private area for Unit A.
 - b. Adds 1,217 square feet of private area for Unit B.
 - c. Defines 7,493 square feet of private area and 6,331 square feet of limited common area square footage for Unit G.
13. The First Amended and Restated Moonshadow Condominiums Plat Amending Units A, B, and G complies with the Moonshadow Condominium requirements.
 - a. The City Council approved the Moonshadow Condominiums with the following Setbacks (Ordinance No. 2018-54):

- i. Front Setback Requirement: "Fifteen foot (15') front setbacks (20' to the front of the garage) are approved to cluster units closer to the private street in order to decrease cut and fill, decrease driveway area, increase the separation from areas of 40% and greater slope, and to protect additional existing vegetation."
 - ii. The proposed plat amendment complies with the Front Setback requirement.
 - 1. Unit A garage Front Setback: 21 feet 10 inches.
 - 2. Unit B garage Front Setback: 20 feet.
 - 3. Unit G garage Front Setback: 46 feet.
 - iii. Side Setback Requirement: The Side Setbacks are 12 feet between structures. For units that abut the Subdivision Lot lines, the Structures must maintain a minimum Side Setback of 12 feet.
 - iv. The proposed plat amendment complies with the 12-foot Side Setback requirement.
 - 1. Unit A and B Side Setbacks: 26 feet 7 inches and 26 feet 8 inches.
 - 2. Unit A Side Setback along Subdivision Lot line: 70 feet.
 - 3. Unit G Setbacks: 20 feet 6 inches and 23 feet.
 - v. Rear Setback Requirement: The Rear Setback is zero feet (0') which is the RD/ROS Zoning District line. No Structures are proposed in the ROS-zoned portion of the plat.
14. The First Amended and Restated Moonshadow Condominiums Plat Amending Units A, B, and G complies with the Recreation and Open Space Zoning District requirements.
- a. No structures are proposed or approved to be constructed in the ROS portion of the plat. Each unit has limited common area that is located within the ROS Zoning District.
15. The First Amended and Restated Moonshadow Condominiums Plat Amending Units A, B, and G complies with the Village at Empire Pass Master Planned Development and the Amended Flagstaff Development Agreement.
- a. As part of the Village at Empire Pass Master Planned Development Approval and the Amended Flagstaff Development Agreement, the

Planning Commission approved no more than 31 UEs of residential density (total of 62,000 square feet) for the Moonshadow Condominiums, with no individual unit exceeding 7,750 square feet of floor area. The Amended Development Agreement requires PUD-style units to include all floor area, including all basement areas, in the UE calculations. Six hundred square feet of garages are excluded per unit.

- b. No individual unit in this plat amendment exceeds 7,750 square feet. Each individual unit may not exceed 7,750 square feet of floor area consistent with the Amended Development Agreement.
 - i. Unit A (Proposed): 7,698 square feet.
 - ii. Unit B (Proposed): 6,853 square feet.
 - iii. Unit C: 7,493 square feet.
 - iv. Unit D: 6,544 square feet.
 - v. Unit F: 7,614 square feet.
 - vi. Unit G (Proposed): 7,493 square feet.
 - vii. Unit H: 7,689 square feet.
- 16. The First Amended and Restated Moonshadow Condominiums Plat Amending Units A, B, and G complies with Chapter 15-3, Off-Street Parking.
 - a. Condominium units greater than 2,000 square feet in floor area require two Parking Spaces per unit. Double car garages must be at least twenty feet (20') wide by twenty feet (20') deep. Units A, B, and G have interior garages measuring at least 20 feet wide by 20 feet deep and accommodate two Parking Spaces per unit, complying with parking requirements.
- 17. The proposal complies with LMC § 15-7.1-3(B), Plat Amendment
 - a. Changes to platted elements including conversion of Common Area/Limited Common Area within a condominium requires a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.3(B) and approval shall require a finding of Good Cause.
 - b. LMC § 15-15-1 defines Good Cause as "Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character

of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

- c. Staff finds Good Cause for this plat amendment because the proposed square footages for Units A and B are compliant with Ordinance No. 2018-54 and the Village at Empire Pass MPD. A supplemental plat defining limited common and private area for unit G is required prior to issuance of a certificate of occupancy. No Public Street or Right-of-Way is vacated or amended.
18. The Development Review Committee reviewed the proposal on March 4, 2025, and confirmed the proposal conforms to their requirements.
19. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on March 19, 2025.
20. Staff mailed courtesy notice to property owners within 300 feet on March 19, 2025.
21. *The Park Record* published courtesy notice on March 19, 2025.

Conclusions of Law

1. There is Good Cause for this plat amendment.
2. The plat amendment is consistent with LMC Chapter 15-2.13 Residential Development District, and § 15-7.1-3(B) and § 15-7.1-6.
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 below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

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, the Conditions of Approval, and the amended CC&Rs prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval 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 Planning Director.

3. Conditions of Approval of the Village at Empire Pass Master Planned Development, Village at Empire Pass North Subdivision Plat, the Amended Flagstaff Development Agreement, and all related Technical Reports continue to apply.
4. An Administrative Conditional Use Permit is required for the remaining Unit (Unit E) prior to issuance of any building permits for the Unit.
5. The Limited Common Area that is within the ROS Zoning District of each unit must comply with the ROS requirements and Ordinance No. 2018-54: "Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports." The Amended Development Agreement prevents the construction of any residential, commercial, or retail Structures within the ROS-zoned limited common area for each unit.
6. Each individual unit may not exceed 7,750 square feet of floor area consistent with the Amended Development Agreement. The Amended Development Agreement requires PUD-style units to include all floor area, including all basement areas, in the UE calculations. 600 square feet of garages are excluded.

The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

- G. 2400, 2470, and 2510 Deer Valley Drive East – Condominium Plat Amendment** – The Applicant Proposes to Transfer a Portion of Platted Common Area at the South End of the Powder Run Condominiums in the Residential Development Zoning District to Deer Valley. The Area Is Included in the Snow Park Village Lot 1 Subdivision. PL-25-06464.

Senior Planner, Alec Barton presented the Staff Report and reported that Items G, H, and I would be reviewed concurrently.

Snow Park Village Phase I was approved in February 2025. In March 2025, three applications were received related to the project:

- Powder Run Condominium Plat Amendment
- Snow Park Village Lot 1 Subdivision
- Snow Park Village Parking Structure Condominium Plat

Powder Run Condominium is located adjacent to Snow Park Lodge, and they have proposed transferring approximately one-quarter acre of platted common area to Deer Valley Development Corporation. Snow Park Lodge is a 24.28-acre Lot that includes the existing Snow Park Lodge, the vacated portions of Deer Valley Drive, surface parking lots, and a proposed 0.22-acre common area. The Condominium Plat for the Snow Park Village parking structure includes expandable area on the ground level to accommodate future Phase 2 of the development, as well as three underground parking levels and a multi-modal transit center.

Planner Barton reported that the Plat Amendment, Subdivision, and Parking Structure Condominium Plat comply with requirements of the Land Management Code and the Deer Valley Master Plan Development. All approvals are conditioned on completion of the property sale outlined in Item G, and Staff will closely monitor the Conditions of Approval to ensure compliance for each application.

In response to a question from Commissioner Suesser, Planner Barton reported that the Powder Run site consists of three condominium buildings that are accessed via a driveway. The platted common area that was proposed to be transferred is not currently developed. The current aerial map and proposed Condominium Plat were reviewed.

Chair Hall opened the public hearing.

Kim Tessiatore gave her zip code as 84060 and indicated that she is the president of the Powder Run at Deer Valley Owner's Association, which is immediately adjacent to the Deer Valley property. Powder Run supports Deer Valley's development efforts. They reviewed the proposed Plats and found both to accurately reflect Powder Run's intent subject to the successful completion of the underlying land transaction. She noted that the land has not yet been conveyed to Deer Valley. While discussions have been generally favorable and Powder Run anticipates closing to take place within two months, the land sale is subject to continued negotiations and a favorable vote by Powder Run's members.

Given the significance of the anticipated closing to both Plats before the Planning Commission, Powder Run respectfully requested that any approval or positive recommendation list the closing of the underlying transaction as a Conditional of Approval so that all parties are aware that the land must be legally conveyed prior to Plat recordation.

There were no further public comments. The public hearing was closed.

Commissioner Suesser asked about the proposed use of the property. Hannah Tyler of Deer Valley Resort stated that it will be part of the drop-off area for ski school.

MOTION: Commissioner Sigg moved to APPROVE the 2400, 2470, and 2510 Deer Valley Drive East Condominium Plat Amendment based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. Powder Run Condominiums, 2400, 2470, and 2510 Deer Valley Drive, is in the Residential Development (RD) Zoning District.
2. Powder Run is a three-building, 33-unit condominium development governed by the Deer Valley Master Planned Development and platted as Powder Run Condominiums (Summit County Recorder Entry No. 241128).
3. The Condominium Plat was approved by the Planning Commission on September 11, 1985, and by the City Council on October 31, 1985.
4. Powder Run is adjacent to the proposed Snow Park Village. Deer Valley has been in discussion with Powder Run about the transfer of approximately 0.22 acres of platted common area to Deer Valley to be included in the Snow Park Village Lot 1 Subdivision to facilitate modifications for access to the ski school drop-off area at the Snow Park Lodge.
5. On March 25, 2025, the Applicant submitted an updated Project Intent. Based on the updated Project Intent, staff recommends Conditions of Approval concerning the timing of sale, plat recordation, and documentation of the owners association vote to approve and record the plat amendment.
6. The proposed Condominium Plat is consistent with the Lot and Site requirements of the RD Zoning District. The proposed transfer of approximately 0.22 acres of common area to Deer Valley does not alter Setback or Building Height requirements for Powder Run Condominiums.
7. LMC § 15-2.13-3 establishes Setbacks for the RD Zoning District: Front (20 feet), Rear (15 feet), Side (12 feet). The Front, Rear, and north Side Setbacks are not impacted by the proposed plat amendment. Building A is closest to the proposed south Lot Line, reduced from approximately 240 feet to approximately 160 feet, still well above the required side Setback of 12 feet.
8. The proposed Condominium Plat Amendment complies with the Deer Valley Master Planned Development.

- a. In 1986, the Fifth Amended Deer Valley Master Planned Development dated 12/23/1986 established the following for Powder Run:
 - i. Density: 25 units
 - ii. Height: 35 feet
 - iii. Parcel size: 3.2 acres
 - b. In 2001, the Eighth Amended Deer Valley Master Planned Development modified the approval to transfer units to Powder Run for a total of 33 units. No modifications to the constructed 33 units are proposed.
 - c. The proposed Plat Amendment transfers 0.22 acres to the Snow Park Village Lot 1 Subdivision to facilitate minor modifications to access. While the Deer Valley MPD does not establish specific Open Space requirements for Powder Run Condominiums (Paragraph N of the MPD states that, with the exception of specific areas identified in MPD exhibits, “all remaining property in the Project is hereby designated “usable open space” as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by the City or permitted by the Code as presently in effect”), staff calculated the acreage that is built and the acreage that remains open space for Powder Run. The amount of open space as a percentage of the plat’s total acreage decreases by less than two percentage points, from 78.4% to 76.8%.
9. The proposed Condominium Plat Amendment complies with parking requirements.
- a. LMC § 15-3-6 establishes parking requirements for Condominium units based on the size of the unit. The number and size of units at Powder Run Condominiums will not change with the proposed plat amendment.
10. The proposed Condominium Plat Amendment complies with the Plat requirements outlined in LMC Chapter 15-7.1.
- a. Plat Amendments require a finding of Good Cause and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended. The Applicant does not propose to vacate or amend a Public Street, Right-of-Way, or easement.

- b. LMC § 15-15-1 defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and Park City and furthering the health, safety, and welfare of the Park City community.”
 - c. There is Good Cause for this Condominium Plat because it transfers a small, 0.22-acre area of platted common area to the Deer Valley Development Company to be included in the Snow Park Village Lot 1 Subdivision. The proposed redevelopment of Snow Park Village provides public amenities and benefits including improved pedestrian and transit infrastructure.
- 11. The proposed Condominium Plat Amendment includes a Condition of Approval pertaining to the pending sale of the land to Deer Valley.
 - a. The Powder Run at Deer Valley Owners Association provided a letter indicating support for the plat amendment pending sale of the land to Deer Valley. Deer Valley submitted separate application for Subdivision of Snow Park Village Lot 1, which includes “Parcel 2,” the 0.22-acre area to be transferred from Powder Run to Deer Valley.
- 12. The Development Review Committee reviewed the proposal on April 1, 2025. Staff will incorporate any required Conditions of Approval into the Final Action Letter.
- 13. The Planning Department and City Attorney’s Office reviewed this report.
- 14. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on March 19, 2025.
- 15. Staff mailed courtesy notice to property owners within 300 feet on March 19, 2025.
- 16. *The Park Record* published courtesy notice on March 19, 2025.

Conclusions of Law

- 1. There is Good Cause for this Condominium Plat because it transfers a small, 0.22-acre area of open space and platted common area to the Deer Valley Development Company. The area is included in the Snow Park

Village Lot 1 Subdivision. The proposed redevelopment of Snow Park Lodge provides public amenities and benefits including improved pedestrian and transit infrastructure.

2. The Plat Amendment is consistent with the Plat requirements outlined in LMC Chapter 15-7.1.
3. Neither the public nor any person will be materially injured by the Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

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 shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval 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 Planning Director.
3. Powder Run is under contract to sell approximately 0.22 acres of common area to Deer Valley Development Company on terms described in the purchase agreement, as it may be amended. If for whatever reason the sale is not completed by the time the plat is ready to record, the plat associated with this application cannot be recorded until such time as closing on the subject property takes place.
4. Prior to submitting final redlines of the plat amendment to the Planning Department, Powder Run at Deer Valley Condominium Association must submit documentation of the vote to approve and record the plat amendment transferring approximately 0.22 acres of common area to Deer Valley Development Company as reflected by an updated title report.

The motion was seconded by Commissioner Van Dine. The motion passed with the unanimous consent of the Commission.

- H. 2250 Deer Valley Drive South – Subdivision** – The Applicant Proposes Snow Park Village Lot 1, a 24.28-acre Lot including Snow Park Lodge and the Future Snow Park Village in the Residential Development Zoning District. PL-22-05168.

Planner Barton reviewed the Plat showing the proposed 24.28-acre Lot for Snow Park Village Phase 1, which includes the existing Snow Park Village, the vacated portions of Deer Valley Drive, surface parking lots, and the previously discussed area that will be transferred from Powder Run Condominium to Deer Valley Resort.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Sigg moved to APPROVE the 2250 Deer Valley Drive South Subdivision based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Applicant proposes the Snow Park Village Subdivision combining metes-and-bounds parcels associated with the existing Snow Park Lodge, open space, and proposed Snow Park Village.
2. The Applicant's initial proposal was to create a 24.01-acre Lot. The Applicant has since modified their request to incorporate an additional 0.22 acres identified as Parcel 2, which is currently common area of the Powder Run Condominiums, to create a 24.28-acre Lot. Conditions of Approval 19 and 20 require the Applicant to complete the required Conditions of Approval related to the condominium plats to encompass this 0.22-acre addition prior to Snow Park Village Subdivision Plat recordation.
3. The Applicant proposes developing Snow Park Village in two phases. The Applicant received Planning Commission approval on February 26, 2025, for Phase I for the construction of a partially underground three-level parking garage with up to 1,971 parking spaces, an underground public transit center adjacent to Snow Park Lodge, and pedestrian and infrastructure improvements. The Applicant proposes a Phase II vertical development CUP that has not yet been submitted.
4. On September 30, 2021, the Applicant petitioned the City to vacate a portion of Deer Valley Drive to allow for a more efficient design with a larger Snow Park Village plaza area. On January 31, 2022, the Applicant supplemented the request with updated legal descriptions for the Deer Valley Drive vacation.

5. On December 14, 2023, the City Council approved Ordinance No. 2023-56 vacating a portion of Deer Valley Drive. The Applicant's proposed Snow Park Subdivision reflects the vacated Rights-of-Way. Ordinance No. 2023-56 requires the Applicant to dedicate public access and Right-of-Way easements over an expanded Doe Pass Road. The Applicant's proposed Snow Park Subdivision reflects these required improvements and access.
6. The proposal to create a 24.28-acre Lot, as conditioned, complies with the Residential Development Zoning District and Deer Valley MPD.
 - a. The table below outlines the development requirements for the RD Zoning District and Deer Valley MPD. The Applicant's proposed 24.28-acre Lot, as conditioned, complies with the Subdivision regulations outlined in Land Management Code Chapter 15-7.

Development Requirement	Analysis
Lot Size: No minimum Lot Size in the RD Zoning District (LMC Chapter 15-2.13) .	Complies.
Setbacks: The minimum Setback around the exterior boundary of an MPD is 25 feet for Parcels greater than two acres (LMC Section 15-6-5(C)).	Complies. The Snow Park Village parking structure exceeds the 25-foot Setback along all street frontages.
Density: The Deer Valley MPD establishes 209.75 Residential Unit Equivalents, 21,890 square feet of commercial and support space, and accessory uses for Snow Park Village.	Complies. Snow Park Village Phase I does not involve the construction of any residential units or commercial and support space. The Planning Commission will evaluate proposed density during the project's Phase II vertical development CUP.
Building Height: The Deer Valley MPD establishes a maximum height of 45 feet from natural grade.	Complies. Snow Park Village Phase I involves the construction of a partially underground parking structure. The Planning Commission will evaluate proposed building height during the project's Phase II vertical development CUP.

7. The Applicant's proposed 24.28-acre Lot, as conditioned, complies with the Subdivision regulations outlined in Land Management Code Chapter 15-7.
 - a. The purpose of the Subdivision regulations includes in part:

- i. Protecting and providing for the public health, safety, and general welfare of Park City.
 - ii. Guiding future growth and development of Park City in accordance with the General Plan.
 - iii. Protecting the character and the social and economic stability of all parts of Park City and to encourage the orderly and beneficial development of all parts of the municipality.
 - iv. Protecting and conserving the value of land throughout the municipality and the value of buildings and improvements upon the land and to minimize conflicts among uses of land and buildings.
 - v. Providing adequate and efficient transportation, water, sewer, recreation, and other public requirements and facilities.
 - vi. Providing the most beneficial relationship between uses of land and buildings and circulation of traffic, having particular regard to the avoidance of congestion in streets, and pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and buildings.
 - vii. Ensuring public facilities are available and have sufficient capacity.
- b. The site has long been envisioned for Snow Park Village. In 1977, the City approved a Special Exception Permit for the Deer Valley MPD, which has been amended 12 times through 2016. The Deer Valley MPD outlines 209.75 Residential Unit Equivalents, 21,890 square feet of commercial and support space, and support commercial as defined in the LMC at the time of application. Additionally, the 2014 General Plan anticipates Snow Park Village: “[t]he opportunity exists for a true ‘village’ base area to be built that is complementary to the surrounding multifamily condominiums set around the periphery of the parking lots.” The Applicant proposes creating a 24.28-acre Lot for Snow Park Village that includes the existing Snow Park Lodge, open space, and the surface-level parking Lots proposed to be redeveloped.
- c. The Applicant proposes a Major Subdivision to create one 24.28-acre Lot accessed by the existing Deer Valley Drive with modifications approved through Ordinance No. 2023-56 vacating portions of Deer Valley Drive. The Applicant proposes expanding Doe Pass Road within the Lot to accommodate 75-foot-wide improvements, including transit bus bays, pedestrian improvements, and Rights-of-Way improvements, and dedicating a perpetual public access easement over the expanded Doe Pass Road.

8. The Applicant's proposed Snow Park Village development was reviewed by the Planning Commission on September 11, 2024, October 9, 2024, October 30, 2024, November 13, 2024, December 11, 2024, January 22, 2025, and February 26, 2025.
9. The Development Review Committee reviewed the proposed Subdivision on April 6, 2021, February 7, 2023, September 17, 2024, and December 17, 2024.
10. The Applicant proposes constructing Snow Park Village over a five-year period, from 2025-2030.
11. The Planning Commission waived the preliminary Subdivision review pursuant to Land Management Code (LMC) Sections 15-7.1-3(A) and 15-7.1-4(A) to combine the review of the Preliminary and Final Subdivision.
12. The Applicant proposes modifications to Deer Valley Drive to conform with the vacation of portions of Deer Valley Drive pursuant to Ordinance No. 2023-56.
13. The Applicant proposes modifications to Deer Valley Drive to create a Shared Managed Lane and to improve traffic circulation within the Deer Valley Loop.
14. The Applicant proposes expanding and improving Doe Pass Road and granting perpetual public access rights, including emergency, utility, and transportation easements.

Conclusions of Law

1. The proposed 24.28-acre Lot complies with the requirements of the Land Management Code, including Chapter 15-7 *Subdivision*, as conditioned.

Conditions of Approval

1. The City Planner, City Attorney's Office, and City Engineer shall review and approve the final form and content of the Subdivision Plat for compliance with state law, the Land Management Code, and these Conditions of Approval prior to recordation of the plat.
2. The Applicant shall record this Subdivision with Summit County within one year from the date of Planning Commission approval. If recordation has not occurred within one year's 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.

3. The Applicant is responsible for obtaining permission for temporary and permanent encroachments that may be required for Right-of-Way improvements for road, pedestrian, and bicyclist improvements prior to submitting a building permit.
4. The Applicant must construct road improvements in compliance with the adopted Park City Design Standards, Construction Specifications, and Standard Drawings.
5. The Applicant must erect or post acceptable Guarantees ensuring each road sign required by the City Engineer is installed according to the relevant requirements.
6. The Applicant must install streetlights in accordance with the adopted Park City Design Standards, Construction Specifications, and Standard Drawings as approved by the City Engineer.
7. The Applicant is required to mill and overlay Doe Pass Road and Deer Valley Drive from the Marsac roundabout intersection with S.R. 224 and around the Deer Valley Drive loop as required by the City immediately upon substantial completion of material delivery for all phases of construction.
8. Public pedestrian and bicycle circulation shall be provided through a combination of five-foot sidewalks and 10- to 12-foot-wide multi-use pathways detailed in the Snow Park Phase I Conditional Use Permit plans dated December 20, 2024.
9. The Applicant shall improve Doe Pass Road as depicted in the plans dated December 20, 2024, and shall grant on the plat perpetual public access rights, including emergency, utility, and transportation easements in a form approved by the City Engineer and City Attorney.
10. The project is over 1.0 acres and must meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program.
11. Final utility plans shall be submitted with the building permit.
12. Dry utility infrastructure must be located on the property and shown on building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened.

13. The Snyderville Basin Water Reclamation District's review and approval of the utility plans for conformance to the District's standards is a condition precedent to building permit issuance.
14. The Applicant is obligated to agree in writing to construct and convey to the City storage facilities, pumping facilities, and transmission lines, as agreed upon and approved by the Public Utilities Director and City Engineer at the time of issuance of the building permit, to the extent necessary to store and transmit culinary water, irrigation water, and water for fire flows to the buildings and structures covered by the building permit and to connect the same to the water system of the City, and shall evidence to the satisfaction of the City the ability of the Applicant to comply with such agreement.
15. All water, stormwater, and fiber infrastructure must first be approved by the Public Utilities Engineer and meet the current Park City Municipal Standard Plans, Drawings, and Specifications.
16. A geotechnical report, grading, compaction, erosion, and drainage plans shall be submitted with the building permit plans.
17. A stormwater run-off and drainage plan shall be submitted with the building plans and approved by the City prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement stormwater Best Management Practices. Post-development drainage shall not exceed predevelopment drainage.
18. The Applicant shall address areas for public gathering places within the Snow Park Village as part of the Phase II vertical development CUP.
19. Powder Run Condominiums is under contract to sell approximately 0.22 acres of common area to Deer Valley Development Company on terms described in the purchase agreement, as it may be amended. If for whatever reason the sale is not completed by the time the plat is ready to record, the plat associated with this application cannot be recorded until such time as closing on the subject property takes place as reflected in an updated title report.
20. Prior to submitting final redlines of the plat amendment to the Planning Department, Powder Run at Deer Valley Condominium Association must submit documentation of the vote to approve and record the plat amendment transferring approximately 0.22 acres of common area to Deer Valley Development Company as reflected by an updated title report.

21. The Snow Park Village Subdivision is subject to Conditions of Approval in the Final Action Letter for the Snow Park Village Phase I Conditional Use Permit (PL-21-04811) and Master Planned Development Modification (PL-21-04767).
22. Prior to submitting a plat for final redline review, the Applicant shall coordinate with the City to ensure public dedication, access, and easements reflect the requirements of Ordinance No. 2023-56 and the February 26, 2025, Planning Commission approval of Snow Park Village Phase I in a form to be approved by the City Attorney's Office.
23. Prior to submitting a plat for final redline review, the Applicant shall coordinate with the City to ensure public dedication, access, and easements for pedestrian and bicyclist access reflect the requirements of Ordinance No. 2023-56 and the February 26, 2025, Planning Commission approval of Snow Park Village Phase I in a form to be approved by the City Attorney's Office.

The motion was seconded by Commissioner Suesser. The motion passed with the unanimous consent of the Commission.

- I. **2250 Deer Valley Drive South – Condominium Plat** – The Applicant Proposes to Create a Condominium Plat for the Snow Park Village Parking Structure (Phase I of the Snow Park Village Development) in the Residential Development Zoning District. The Parking Structure Consists of Three Levels with Up to 1,971 Parking Spaces. PL-25-06418

Planner Barton presented the Staff Report and indicated that the proposed Condominium Plat for the Snow Park Village Parking Structure in the Phase I Development that was approved by the Planning Commission in February 2025. It consists of a surface-level expandable area, three underground parking levels, and a multi-modal transit center. The Plat is subject to the same Conditions of Approval as Items G and H, as well as additional conditions outlined in the Final Approval Letter.

Chair Hall opened the public hearing.

Charlotte O'Connell asked about the definition of "expandable" and if the Plat indicated the final footprint for the building structure.

There were no further public comments. The public hearing was closed.

Attorney Harrington clarified that the existing expandable area would not require a Plat Amendment if the buildings are within that boundary, but any additional changes during

the buildout process would require a boundary amendment. Wade Budge of Deer Valley Resort agreed with Attorney Harrington's statement.

MOTION: Commissioner Van Dine moved to APPROVE the 2250 Deer Valley Drive South Condominium Plat based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. Snow Park Village, 2250 Deer Valley Drive South, is in the Residential Development (RD) Zoning District and part of the Deer Valley Master Planned Development (MPD).
2. The Applicant bifurcated the review and development of the Snow Park Village into two phases. The first phase, which was approved by the Planning Commission on February 26, 2025 (Agenda Packet, Item 5.B.; Minutes, p. 36), is limited to the construction of up to 1,971 parking spaces in a three-level partially underground parking structure; an underground transit center; and road, utility, and pedestrian and pathway improvements.
3. Phase II will include mixed residential and commercial uses in the building atop the parking structure. Building Height, Density, Uses, and other requirements of the RD Zoning District will be considered during Phase II. The Applicant has not yet applied for Phase II.
4. The Applicant proposes the Snow Park Village Parking Commercial Condominium for Phase I of Snow Park Village:
 - a. Up to 1,971 parking spaces in a three-level partially underground public and private parking structure;
 - b. An underground public transit center; and
 - c. Road, utility, and pedestrian and pathway improvements.
5. The proposed Condominium Plat Amendment complies with the requirements of the Residential Development Zoning District.
 - a. The proposed Condominium Plat is within the RD Zoning District.
 - b. LMC § 15-2.13-2(B) establishes a Parking Area or Structure with five or more spaces to be a Conditional Use. On February 26, 2025, the Planning Commission approved the Snow Park Village Phase I, including the partially underground parking structure.

- c. Because the Snow Park Village is an MPD, a project perimeter Setback greater than Zoning District Setbacks is required. LMC § 15-6-5(C) establishes a 25-foot perimeter Setback for MPDs on Parcels greater than two acres.
 - d. The expandable area for Unit D, the surface level unit, exceeds the 25-foot perimeter Setback from all property lines.
6. The proposed Condominium Plat Amendment complies with the Snow Park Village Phase I approvals.
- a. On December 14, 2023, the City Council approved Ordinance No. 2023-56 vacation a portion of Deer Valley Drive, which requires the Applicant in part to:
 - i. Reduce the number of parking spaces designated for day skier use to 1,360 and restrict day skiers from parking in spaces reserved for hotel, residential, dining, retail, entertainment, and commercial uses.
 - ii. Implement paid parking upon completion of parking structure.
 - iii. Facilitate a new site plan for a public transit center to accommodate transit, resort/lodging vehicles, and drop-off lanes.
 - iv. Dedicate public access and Right-of-Way easements over an expanded Doe Pass Road.
 - b. The proposed plat is an expandable condominium project with surface-level Unit D, which is the foundation for the Phase II vertical development and establishes private ownership for the proposed pedestrian bridge over Doe Pass Road. The proposed plat then establishes Sub-Units to separate uses to implement the requirements of Ordinance No. 2023-56:
 - i. Sub-Units A1, A2-1, A2-2, A2-3, A2-4, A2-5, and A3 are for commercial and residential uses associated with Snow Park Village Phase II uses for no more than 611 parking spaces. Day skiers are prohibited from parking in these Sub-Units.
 - ii. Sub-Units B2-1, B2-2, and B3 are for day skier parking.
 - iii. Sub-Unit C1 is the public transit center including access from Deer Valley Drive East and the exit onto Deer Valley Drive West.
 - c. Sub-Unit C1 establishes the public transit center that accommodates transit, resort/lodging vehicles, and drop-off lanes, shown in the

Applicant's project plans below and within the proposed condominium plat.

- d. The Planning Commission's Snow Park Village Phase I Final Action Letter Condition of Approval 18 requires the Applicant to construct and operate a new underground public transit center that accommodates public transit agencies, shuttles, and passenger drop-off. Condition of Approval 23 requires the Applicant to enter into an access, operations, and maintenance agreement for the public transit center, detailing the roles and responsibilities between the City and Deer Valley in terms of providing and paying for operations and maintenance, safety and security, and access. The proposed plat establishes the parameters of the public transit center.
 - e. Level 1 also includes parking for commercial and residential uses associated with Snow Park Village Phase II (Sub-Unit A1).
 - f. Level 2 creates separate units for commercial and residential parking associated with Snow Park Village Phase II (Sub-Units A2-1, A2-2, A2-4, and A2-5) and day skier parking (Sub-Units B2-1 and B2-2).
 - g. Level 3 creates separate units for commercial and residential parking associated with Snow Park Village Phase II (Sub-Unit A3) and day skier parking (Sub-Unit B3).
 - h. For compliance with Ordinance No. 2023-56, in addition to creating separate units, staff recommends Conditions of Approval.
 - i. The Applicant shall install and operate gates or other mechanisms to keep day skier parking and commercial/residential parking use separate.
 - ii. The Applicant shall operate the parking structure in accordance with the Snow Park Village Phase I Conditions of Approval and any governing documents related to public improvement district as may be created by an act of the City Council.
 - iii. Prior to initiating redline review of the plat, the Applicant shall include a plat note incorporating all public dedications and easements of the Snow Park Village Lot 1 Subdivision Plat, and such easements shall be reflected on the final plat.
7. As conditioned, the proposed Condominium Plat Amendment complies with the Plat requirements outlined in Utah Code 57-8-13 and LMC Chapter 15-7.1.

- a. Plat Amendments require a finding of Good Cause and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended. The Applicant does not propose to vacate or amend a Public Street, Right-of-Way, or easement.
 - b. LMC § 15-15-1 defines Good Cause as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”
 - c. There is Good Cause for this Condominium Plat because it establishes parameters for compliance with Ordinance No. 2023-56, separating commercial/residential and day skier parking. The proposed redevelopment of Snow Park Village provides public amenities and benefits including improved pedestrian and transit infrastructure. When adopting Ordinance No. 2023-56 vacating a portion of Deer Valley Drive in contemplation of Snow Park Village, the City Council found Good Cause in part because Snow Park Village “is consistent with the General Plan for the Lower Deer Valley Neighborhood which emphasizes maintaining the world-class resort experience, creating a village base area that is complimentary to the surrounding neighborhood, encouraging alternative modes of transportation, and expanding winter and summer recreation amenities which are important to the economy and well-being of Park City.”
8. The proposed Condominium Plat Amendment includes a Condition of Approval pertaining to a pending sale of land involving the transfer of common area from Powder Run Condominiums to Deer Valley.
- a. Deer Valley has been in discussions with Powder Run Condominiums about the transfer of approximately 0.22 acres of platted common area to Deer Valley to be included in the Snow Park Village Lot 1 Subdivision to facilitate modifications for access to the ski school drop-off area at the Snow Park Lodge.
 - b. The Powder Run at Deer Valley Owners Association provided a letter indicating support for the pending sale of 0.22 acres of common area to Deer Valley.

9. The Development Review Committee reviewed the proposal most recently on September 14, 2024, and December 17, 2024.
10. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on March 19, 2025.
11. Staff mailed courtesy notice to property owners within 300 feet on March 19, 2025.
12. *The Park Record* published courtesy notice on March 19, 2025.

Conclusions of Law

1. There is Good Cause for this Condominium Plat because the proposed redevelopment of Snow Park Village provides public amenities and benefits including improved pedestrian and transit infrastructure. When adopting Ordinance No. 2023-56 vacating a portion of Deer Valley Drive in contemplation of Snow Park Village, the City Council found Good Cause in part because Snow Park Village "is consistent with the General Plan for the Lower Deer Valley Neighborhood which emphasizes maintaining the world-class resort experience, creating a village base area that is complimentary to the surrounding neighborhood, encouraging alternative modes of transportation, and expanding winter and summer recreation amenities which are important to the economy and well-being of Park City."
2. As conditioned, the Plat Amendment is consistent with the Plat requirements outlined in Utah Code 57-8-13 and LMC Chapter 15-7.1.
3. Neither the public nor any person will be materially injured by the Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

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 shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval 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 Planning Director.

3. The Applicant shall install and operate gates or other mechanisms to keep day skier parking and commercial/residential parking use separate.
4. The Applicant shall operate the parking structure in accordance with the Snow Park Village Phase I Conditions of Approval and any governing documents related to the public improvement district as may be created by an act of the City Council.
5. Prior to initiating a redline review of the plat, the Applicant shall include a plat note incorporating all public dedications and easements of the Snow Park Village Lot 1 Subdivision Plat, and such easements shall be reflected on the final plat.
6. Powder Run is under contract to sell approximately 0.22 acres of common area to Deer Valley Development Company on terms described in the purchase agreement, as it may be amended. If for whatever reason the sale is not completed by the time the plat is ready to record, the plat associated with this application cannot be recorded until such time as closing on the subject property takes place as reflected in an updated title report.
7. Prior to submitting final redlines of the plat amendment to the Planning Department, Powder Run at Deer Valley Condominium Association must submit documentation of the vote to approve and record the Condominium Plat Amendment transferring approximately 0.22 acres of common area to Deer Valley Development Company.
8. Submit a preliminary draft of the "Declaration of Condominium, Covenants, Conditions, and Restrictions for Snow Park Village Parking Commercial Condominium – A Utah Expandable Condominium Project" for review during the plat redlines process.
9. The Applicant shall obtain approval of the draft redlined plat from the Summit County Recorder's Office and the Summit County Assessor's Office prior to printing to final mylar for recordation.
10. The Snow Park Village Parking Commercial Condominium is subject to Conditions of Approval in the Final Action Letter for the Snow Park Village Phase I Conditional Use Permit (PL-21-04811) and Master Planned Development Modification (PL-21-04767).

The motion was seconded by Commissioner Sigg. The motion passed with the unanimous consent of the Commission.

- J. 732 Crescent Road – Steep Slope Conditional Use Permit** – The Applicant Proposes to Lift and Rehabilitate the Landmark Historic Structure and Construct a Basement and Rear Addition on a Very Steep Slope in the Historic Residential-1 Zoning District. PL-23-05740.

Planning Project Manager, Elissa Martin presented the Staff Report and reported that the Planning Commission reviewed the SSCUP and Preliminary Subdivision Plat Application for 732 Crescent Road at a March 12, 2025, public hearing. The Commission approved the Subdivision Plat but continued the Conditional Use Permit pending modifications to the design of the addition to meet SSCUP criteria and Historic District Design Regulations regarding building scale, massing, and volume. Both sections of the LMC require additions to be visually subordinate to the existing Historic Structure and broken into a series of smaller, individual components or modules that step with the grade and reflect the mass and scale of the existing structure.

The original and modified designs were reviewed, and Manager Martin indicated that the modified design now complies with the following requirements.

Form and Scale

- Addition is broken into a series of modules that step with the Grade.
- Modules reflect the scale of the Historic Structure.
- The garage is subordinate to the main Structure.

Volume

- The volume of the addition is broken up into smaller components, mitigating the difference between the proposed addition and Historic Structure.

Building Height

- Complies with HR-1 Zone height of 27 feet from existing Grade.
- Complies with a maximum interior height of 35 feet.
- Meets 10-foot minimum horizontal step requirement.
- Roof pitch is 7:12.

Lot and Site Requirements

- The maximum building footprint for the 5,668-square-foot Lot is 2,061 square feet, and the updated Plans now show a 2,060-square-foot building footprint.

Staff recommended approval based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Final Action Letter.

Commissioner Shand stated that he believed the modified design was an improvement over the initial application, and he approved of the redesign.

Commissioner Suesser stated that she struggled to see how the Plans comply with the requirement that the addition be subordinate in scale to the primary Historic Structure. Manager Martin stated that she studied the relevant section of the LMC in detail, and her understanding is that if the structure is not actually subordinate in volume and size, it must be broken up into modules so that it does not appear to overwhelm the Historic Structure. It does not require the addition to be smaller than the Historic Structure. Commissioner Suesser stated that the Code specifies, "Additions shall be subordinate in scale to the primary Structure. The footprint of an addition shall not exceed 50% of the footprint of the Historic Structure." Manager Martin noted that it goes on to outline mitigation measures that must be applied if the addition does exceed 50%.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Van Dine agreed with Commissioner Shand's comments on the updated Plans, and with Manager Martin's interpretation of the Code. She believes the addition will be in compliance with the expectations of the relevant sections of the LMC.

Commissioner Sigg agreed with Commissioners Van Dine and Shand that the Applicant succeeded in breaking up the massing and scale of the addition.

MOTION: Commissioner Van Dine moved to APPROVE the 732 Crescent Road Steep Slope Conditional Use Permit based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. On April 5, 2022, the Applicant submitted a subdivision application for a three-lot subdivision that encompassed four metes-and-bounds parcels: PC-338-B, PC-320, PC-320-B and SA-137-1 (PL-22-05223).
2. The Applicant submitted a revised Plat in July of 2023 for a two-lot subdivision of parcel PC-320 (the plat did not include 732 Crescent at that time).
3. On October 26, 2023, the Applicant submitted a Steep Slope Conditional Use Permit application to construct a basement and rear addition to the existing Landmark Historic Structure at 732 Crescent Road (PL-23-05740).

4. A revised Subdivision Plat was submitted on January 29, 2025, for a one-lot subdivision of metes-and-bounds parcel PC-338-B or 732 Crescent Road, a Landmark Historic Site with an existing Historic Structure.
5. Revised house plans pertaining to the SSCUP application (PL-23-05740) were submitted in July 2024, October 2024, January 2025, and February 2025.
6. On March 12, 2025 the Planning Commission considered the SSCUP application and the preliminary Subdivision Plat application, approved the preliminary Subdivision Plat to create one Lot, and continued the SSCUP application to April 2, 2025, requesting the Applicant modify the design of the addition to meet the SSCUP criteria pursuant to LMC § 15-2.2-6 and to be consistent with the Historic District Design Regulations outlined in LMC § 15-13-2(4)(c), related to the scale and compatibility with the Historic Site.
7. On April 2, 2025, the Planning Commission reviewed the Applicant's modified plans for the addition, dated March 27, 2025 (Attachment 1).
8. An HDDR application (PL-23-05741) for the proposed addition has been submitted to the Planning Department and is pending Final Subdivision Plat and SSCUP approval.
9. The existing Landmark Historic Structure was originally constructed in 1904 with additions completed between 1926 and 1938 by Carl Winters; in 2017 the Historic Preservation Board approved the removal of the Winters additions to rehabilitate the Landmark Historic Structure to the early 1900s form; the homeowner at the time only demolished one of three of the non-historic additions, known as "Addition A".
10. On October 2, 2024, the Historic Preservation Board approved reconstruction of Addition A, the removal of 60 square feet of material from Addition C to accommodate a transitional element, and the material deconstruction to accommodate a basement addition and rear addition to the Landmark Historic Structure on a secondary façade.
11. LMC § 15-2.2-4 exempts Landmark Historic Sites from maximum Lot Size regulations.
12. The proposed Lot is 5,668 square feet in area which yields a maximum building footprint of 2,061 square feet, per HR-1 Lot and Site Requirements.
13. The Applicant's updated plans (Attachment 1) indicate the Building Footprint of the proposed addition measures approximately 2,060 square

feet. The footprint of the above-grade rear addition measures 872 square feet.

14. The property has two Front Setbacks, one on the northwest boundary and the other along the northeast boundary, pursuant to LMC § 15-13-2 Regulations for Historic Residential Sites, which requires the front and side yard Setbacks of Historic Sites to be maintained, and the main original location of the main entry of the historic Structure be preserved.
15. LMC § 15-15 defines Lot Depth as the minimum distance measured from the Front Property Line to the Rear Property Line of the same Lot
16. The 732 Crescent Tram Lot is an irregularly shaped Lot which varies between 116 feet and 90 feet in depth; the distance from the rear property boundary along the side Lot line to the point where the side Lot line meets the front Lot line yields slightly over 91 feet. For a Lot with a Depth between 75 feet and 100 feet, the required Front and Rear Setbacks are 13 feet and 12 feet (or vice versa) with a total combined 25 feet of Setbacks.
17. The 732 Crescent Tram Lot is under 62.5 feet in width, which requires minimum Side Setbacks of 5 feet, with a total combined of 14 feet.
18. The proposed addition, as depicted in the House Plans dated March 27, 2025 (Attachment 1), complies with the Front, Rear, and Side Setbacks of the proposed Lot.
19. The proposed addition, as indicated in the house plans dated March 27, 2025, complies with the HR-1 Zone Height of 27 feet from Existing Grade and meets the internal Structure height of 35 feet as measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
20. The proposed addition does not create a Lockout Unit or Accessory Apartment and therefore Off-Street Parking at the Landmark Historic Site is not required, pursuant to LMC § 15-2.2-4, additions to Historic Structures are exempt from Off-Street parking requirements, provided the addition does not create a Lockout Unit or Accessory Apartment.
21. The proposed basement addition includes a single-car-wide tandem garage for the parking of two vehicles, that meets the maximum external door dimensions required by LMC § 15-13-2 Regulations For Historic Residential Sites and the minimum internal dimensions pursuant to LMC § 15-3-4 Specific Parking Area And Driveway Standards For Single Family Residences And Duplexes.

22. The existing shared private driveway minimizes curb cuts on Crescent Road and is encouraged in the Historic District and Steep Slope CUP criteria.
23. The Applicant submitted a Slope Analysis that includes vegetation and contour lines indicating most of the Parcel proposed for development of a Structure with a Building Footprint in excess of 200 square feet consisting of Very Steep Slopes (40%+).
24. LMC Chapter 15-2.2-6, Development on Steep Slopes, states "Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Historic Districts and Historic Sites Chapter 15-13 and Architectural Review Chapter 15-5."
25. Although the site is minimally visible from Designated Vantage Points, the proposed addition will be highly visible from other Vantage Points in Old Town, from Cross Canyon and from Crescent Road and the Crescent Tram pathway.
26. Pursuant to LMC § 15-2.2-6, criterion 6, Building Form and Scale, requires that the addition "must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District";
27. Pursuant to LMC § 15-2.2-6, criterion 8, Dwelling Volume, "[t]he Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures";
28. LMC §15-13-2(B)(4) requires that if the footprint of an addition exceeds 50% of the footprint of the Historic Structure, the mass shall be broken into modules to reflect the mass and scale of those modules seen on the historic structure.
29. The overall Building Footprint of the proposed addition is nearly three times larger than the footprint of the existing Historic Structure, which is 759 square feet, though the above-grade rear addition (872 sf) does not exceed 50% of the Historic Structure's footprint.
30. The proposed addition is broken into a series of smaller modules that reflect the scale of the Historic Structure and provide variation in roof height and orientation;

31. LMC § 15-13-2(B)(6), Regulations for Historic Residential Sites, requires that decks on the front façade of an addition shall be visually minimized from the public ROW;
32. The proposed addition includes a deck with a roof overhang on the third level which is visible from the primary public ROW and is not compliant with the HDDR standards;
33. As conditioned, the proposed addition complies with the HR-1 Steep Slope Conditional Use Permit Criteria, though further modifications to the addition may be required to comply with the HDDR requirements and conditions of approval.
34. The proposed addition does not prohibit a future public staircase that may be constructed from Crescent Tram to Empire Avenue.
35. The analysis of the Staff Report is incorporated herein.
36. Staff published notice on the City's website and the Utah Public Notice website on March 17, 2025. Staff posted notice to the property and mailed courtesy notice to property owners within 300 feet on February 26, 2025. *The Park Record* published notice on March 19, 2025.

Conclusions of Law

1. As conditioned, the proposal complies with the LMC requirements in Chapter 15-2.2, Historic Residential - 1 (HR-1) Zoning District.
2. As conditioned, the proposal complies with the LMC requirements in Chapter 15-2.2-6, Development on Steep Slopes in the HR-1 Zoning District.
3. The proposal complies with the LMC requirements in Chapter 15-3, Off-Street Parking.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans reviewed on April 2, 2025, by the Planning Commission, except modifications required in the Conditions of Approval of this Final Action Letter, and pending design modifications required as part of the Historic District Design Review.

2. Prior to application for a Building Permit, the Applicant shall obtain approval of the Historic District Design Review application, which may require additional modifications to the design of the addition and the driveway to comply with LMC Chapter 15-5 Architectural Review, Chapter 15-11 Historic Preservation, and Chapter 15-13, the Design Guidelines for Historic Districts and Historic Sites.
3. If the Applicant does not obtain a building permit within one year of the date of this approval, this SSCUP approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Director approves an extension.
4. The applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans; any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
5. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
6. Residential fire sprinklers are required for all new construction on this Lot, per the requirements of the Chief Building Official.
7. Prior to HDDR approval, development plans shall be submitted that show all Significant Vegetation within twenty feet (20') of the proposed Development; impact to existing vegetation shall be minimized and trees proposed to be removed will be replaced in a manner that mitigates the visual impact of the Structure when viewed cross canyon and from the Street.
8. The rear addition shall be designed and constructed in compliance with the HR-1 Zoning District requirements for Building Height, including the requirement for Final Grade to be within four vertical feet of Existing Grade, except for window wells, emergency egress, and the garage entrance;
9. Retaining walls shall be no more than four feet in height and shall be screened to minimize their visual impact as they step down the slope; any areas disturbed during construction surrounding the proposed work shall be brought back to their original state.
10. The roof form above the third level deck of the addition shall be reduced in the final design per the HDDR evaluation.

11. Final plans for the driveway shall be evaluated as part of the HDDR for compliance with LMC § 15-13-2(B).
12. If the driveway is being extended or expanded, the gutter may need to be upgraded to handle increased runoff; additionally, the slope of the driveway shall not exceed 14%.
13. If the portion of the driveway that encroaches into the City public Right-of-Way is to be heated, an encroachment agreement approved by the Engineering Department shall be executed and recorded at Summit County.
14. Prior to the issuance of any Building Permits, the Engineering Department shall review and approve the Applicant's Soils Investigation Report and a Geotechnical Report to ensure proper soil stabilization and drainage on site.
15. Prior to submitting a building permit, the Applicant shall submit a plan demonstrating how they will provide the temporary shoring needed during construction, subject to City Engineer approval.
16. City Engineer review and approval of all Lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
17. Because the home is 5' or less from the property line, Snow Shed and Access Agreements will need to be made with neighboring properties.
18. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000 degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.
19. If a Lock-Out unit or Accessory Apartment is proposed at the property at a future date, off-street parking shall be evaluated for compliance with LMC § 15-3-6 Parking Ratio Requirements for Specific Land Use Categories.

The motion was seconded by Commissioner Shand.

Vote on motion: Commissioner Van Dine – Yes; Commissioner Shand – Yes; Commissioner Suesser – No; Commissioner Sigg – Yes. The motion passed 3-to-1.

- K. Parcels PCA-S-79-C, PCA-S-79-B – Amendment to Flagstaff Technical Report #15 – The Applicant Proposes an Amendment to the Flagstaff Development Agreement Technical Report #15 Construction Mitigation Plan to Allow an Additional 4-acre Tipping Site on Parcels PCA-S-79-C and PCA-S-79-B in the Recreation and Open Space Zoning District. PL-25-06403.**

Planner Lund presented the Staff Report and reported that on February 27, 2025, the City Council approved amendments to Ordinance 2023-03 allowing an additional tipping site on Parcels PCA-S-79-B and PCA-S-79-C. The Applicant proposed to amend the Construction Mitigation Flagstaff Technical Report to allow an additional Tipping Site within the Flagstaff Annexation Area with approximately 46,000 cubic yards of soil.

Section 2.10.4.2 of the Flagstaff Development Agreement requires that all excavated materials be kept within the Annexation Area, and the Applicant has indicated that all existing tipping sites have been filled. The applicant proposed the removal of approximately 2.04 acres of Significant Vegetation for access to the Tipping Site.

Planner Lund reported that the request complies with the Flagstaff Development Agreement, Recreation and Open Space Zoning District requirements, and Sensitive Land Overlay.

Chair Hall opened the public hearing. There were no public comments. The public hearing was closed.

Commissioner Suesser expressed concern about approving the request prior to receipt of the additional reporting regarding where dead and dying vegetation will be cleared, compliance with the Department of Natural Resources Division of Water Rights requirements, and review of the wildlife survey. Planner Lund stated that the dead and dying Significant Vegetation was discussed at the last Planning Commission meeting, and it was decided that it must be kept within the parcel boundaries.

Commissioner Suesser asked why they would approve the application without first requiring the wildlife survey and demonstration of compliance with wetland regulations. Planner Lund stated that it was similar to the Deer Valley Lift 7 project. The Applicant has contracted with a wildlife consultant, Bio-West, Inc., to perform the wildlife survey once the snow has melted. That will be required prior to issuance of a Building Permit. Commissioner Suesser stated that it was not the completion of the survey but the survey results that were a concern. She objected to approving the Application without first reviewing the survey results.

Director Ward reported that once the wildlife survey is submitted, it will be reviewed for compliance with LMC § 15.2.21-5 regarding wildlife and wildlife habitat protection. Similar

to Deer Valley Lift 7, conflicts will be minimized to the extent reasonably feasible. A Building Permit is required prior to grading work, and specific Conditions of Approval can be added to the Building Permit based on the wildlife survey.

MOTION: Commissioner Van Dine moved to APPROVE the Amendment to Flagstaff Technical Report #15, Construction Mitigation Plan, based on the following Conditions of Approval:

1. A wildlife survey is required prior to any grading work on the Logan & UP No. 2 Tipping Site.
2. The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal in square footage to the proposed areas of disturbance within the parcel boundary lines.
3. Prior to building permit submittal, the Applicant shall submit a demonstration of compliance with federal wetland regulations pursuant to Land Management Code § 15-2.21-6 and federal regulations.

The motion was seconded by Commissioner Shand.

Vote on motion: Commissioner Van Dine – Yes; Commissioner Shand – Yes; Commissioner Suesser – No; Commissioner Sigg – Yes. The motion passed 3-to-1.

7. ADJOURNMENT

MOTION: Commissioner Van Dine moved to adjourn.

The meeting adjourned at approximately 6:57 PM.