



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MAY 14, 2025**

COMMISSIONERS IN ATTENDANCE: Vice-Chair Christin Van Dine, Laura Suesser, Bill Johnson, Grant Tilson, Rick Shand

EX OFFICIO: Michelle Kellogg, City Recorder; Rebecca Ward, Planning Director; Mark Harrington, Senior City Attorney; Elissa Martin, Planning Project Manager; Rhoda Stauffer, Affordable Housing Project Manager; Chris Eggleton, Director of Economic Development and Housing; Meredith Covey, Planner I; Virgil Lund, Planner II

1. ROLL CALL

In the absence of Chair Sarah Hall, Chair Pro Tempore Christin Van Dine called the meeting to order at 5:30 p.m.

2. SWEARING-IN CEREMONY

A. Swearing-In Ceremony for Bill Johnson and Grant Tilson.

Commissioners Johnson and Tilson were sworn in by City Recorder, Michelle Kellogg.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

A. Planning Commission Chair Election – The Planning Commission will Elect One of Its Members to Serve as Chair for a Term of One Year.

Planning Director, Rebecca Ward, reported that the Planning Commission is scheduled to elect a new Chair to serve a one-year term along with a Chair Pro-Tempore.

Chair Hall opened the floor to nominations.

MOTION: Commissioner Suesser moved to NOMINATE Commissioner Van Dine to serve as Chair and Commissioner Johnson as Chair Pro-Tempore. Commissioner Shand seconded the motion. The motion passed with the unanimous consent of the Commission.

Chair Van Dine assumed the Chair.

4. PUBLIC COMMUNICATIONS

There were no public communications.

5. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from April 9, 2025.

MOTION: Commissioner Suesser moved to APPROVE the Planning Commission Meeting Minutes from April 9, 2025. Commissioner Johnson seconded the motion. The motion passed with the unanimous consent of the Commission.

B. Consideration to Approve the Planning Commission Meeting Minutes from April 23, 2025.

MOTION: Commissioner Johnson moved to APPROVE the Planning Commission Meeting Minutes from April 23, 2025. Commissioner Shand seconded the motion. The motion passed with the unanimous consent of the Commission.

6. CONTINUATIONS

A. Bonanza Park – Land Management Code Amendments – Proposed Land Management Code Amendments Implement the Bonanza Park Small Area Plan through a New Mixed-Use Zoning District to Create a Vibrant and Pedestrian-Oriented Mixed-Use Neighborhood. PL-24-06302.

The above matter was scheduled for City Council discussion on May 22, 2025. The Commission was asked to conduct a public hearing and continue the discussion to June 11, 2025.

Chair Van Dine opened the public hearing.

Jamie Peters reported that she has commented on the zoning changes on a few occasions and submitted a written proposal, however, the Homeowners Association's ("HOA") Attorney submitted a letter in opposition to the zoning to apply to Home Stake right before tonight's meeting. She asked that the letter not go unnoticed. Chair Hall agreed to make those comments available for the June 11, 2025 discussion.

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

Director Ward stated that the matter is scheduled to be heard by the City Council on May 22 and will return to the Commission on June 11.

MOTION: Commissioner Shand moved to CONTINUE the public hearing and discussion on the Bonanza Park Land Management Code ("LMC") until June 11, 2025. Commissioner Johnson seconded the motion. The motion passed with the unanimous consent of the Commission.

- B. 3995 Quinns Drive – Plat Amendment and Condominium Plat –** The Applicant Proposes Amending the Studio Crossing Subdivision Lot 1 to Create Lot A for the Studio Crossing Condominiums Plat for 50 Condominium Townhome Units as Part of Phase III of the Studio Crossing Master Planned Development in the Community Transition (CT) Zoning District, Regional Commercial Overlay (RCO), Sensitive Land Overlay, and the Entry Corridor Protection Overlay. PL-25-06460.

Director Ward recommended that the Planning Commission conduct a public hearing and continue the above matter to May 28 to provide the applicant with time to refine their proposal.

Chair Van Dine opened the public hearing. There were no public comments. The public hearing was continued.

MOTION: Commissioner Suesser moved to CONTINUE the 3995 Quinns Drive Plat Amendment, Condominium Plat, and public hearing to May 28, 2025. Commissioner Shand seconded the motion. The motion passed with the unanimous consent of the Commission.

7. WORK SESSION

- A. 2110 Webster Drive – Plat Amendment –** The Applicant Proposes Amending the Thaynes Canyon Subdivision No. 2, Lot 42 to Create Two Lots in the Single-Family Zoning District. PL-25-06467.

Chair Van Dine reported that no public comment will be taken but there will be future notice at which point public input will be allowed.

Planning Project Manager, Elissa Martin, reported that the proposal is to amend Lot 42 of the Thaynes Canyon Subdivision #2 Plat. This would essentially split Lot 42 into two 0.22-acre and 0.73-acre lots. The intention of the lot split is for the proceeds of the sale to fund future repairs to the tennis courts, which have been in existence for decades. The zoning is single-family throughout the area. Lot 42 is owned by the Thaynes Canyon Tennis Club III, a Utah non-profit corporation.

Ms. Martin reported that the property was annexed into Park City in 1971 as part of the Treasure Mountain Annexation. In 1975, the Thaynes Canyon Subdivision #2 Planned Unit Development ("PUD") and the Tennis Center were approved through a Conditional Use Permit ("CUP"). In 1976, the final plat was recorded. Later that year, the zoning was amended and the area went from Recreational Commercial zoning to Residential Development. As a result, the density changed slightly. When the subdivision was approved, the Recreation Commercial zoning allowed for four units per 5,000-square-foot lot density and was the zoning at the time. When the zoning changed after the subdivision was approved and the final plat recorded later in 1976, the residential density was reduced to 12,000 square foot minimum lot sizes. At the time, it was within the allowed density.

Ms. Martin reported that to approve a plat amendment, the Planning Commission must find good cause. Staff conducted extensive research to better understand what took place in 1975 and 1976. They found that while it complied at the time, the density did not meet the City's single-family zoning requirements for a maximum of three units per acre. Currently, the subdivision has a density of four units per acre. Splitting Lot 42 would actually increase the density. As a result, staff did not recommend approval of the plat amendment. A possible path forward was to evaluate whether the proposal could include a single-family use without increasing density. Staff recommended that the Planning Commission review the proposed Thaynes Canyon Subdivision #2 Lot 42 plat amendment to subdivide Lot 42 into two lots and provide input to the applicant regarding whether there is good cause to approve the plat.

The applicant, Michael Pfeiffer, identified himself as the President of the Association. He also serves as Director of the Thaynes Canyon Tennis Club III which operates and manages the Tennis Center. He shared the perspective of the Tennis Club relative to the request and explained that there are 33 member families. When the association was created, it was a voluntary association where people who joined paid a membership fee and an annual fee. The dues have always been low to accommodate the small expenses they have had over the years. At this point, the courts are in desperate need of replacement. They have used multiple sources to obtain bids to repair the courts but because they are asphalt, they are falling apart and each of the bidders indicated that they are not worth repairing. Alternatives were explored with the cost of repairing the courts estimated at \$350,000 to \$400,000. With 33 members, the assessment was not acceptable.

The other trustees reached out to the membership and asked for recommendations. This was the suggestion put forward. The intent was to split a small lot to create access to capital to make the needed repairs. Those in the neighborhood need to keep as much open space as possible. The concern for the community was that if they did not raise the money, the property would fall into significant disrepair and be an eyesore to both the community and Park City at large. The request is to take the identified lot that is equal in

size to others in the neighborhood. What is proposed would equate to one house within the one-acre area and keep the open space.

Commissioner Shand asked about the current density of the neighborhood. Ms. Martin reported that it is four units per acre with an average lot size being .25-acre. She explained that the City uses net density for the subdivision and that is how the maximum density requirement is presented in the SF zoning district. Commissioner Shand asked if, of the 33 families, there is a majority of support for each to contribute \$10,000 to repair the courts. Mr. Pfeiffer confirmed that they have been working with the Planning Department for over one year and a survey was conducted. Some of the initial members are still involved and do not have the resources to cover the cost. The amount seemed to be untenable.

With regard to density, Mr. Pfeiffer stated that when they initially spoke to the Planning Department about the request, there was some question as to whether the golf course should be included in the open space determination. They were unable to find that information in their research; however, if they were to include the golf course in the density calculation, they would be under that.

Craig Elliott identified himself as the Vice President of the Thaynes Canyon Tennis Club and invited input from the Commission. He explained that the lot size is exactly the same as the homes, which ensures that consistency is maintained in the neighborhood.

Commissioner Suesser commented that had the subdivision not already exceeded the density, they probably could have gotten behind adding the additional density. However, the fact that it already exceeds it caused her to lean toward agreeing with staff that the request was not appropriate.

Mr. Elliott stated that if they were to do the overall calculation of the entire subdivision, including all of the roads and elements, they would be closer to a density of three units per acre. The density of four units per acre was from the previous Code. He explained that Thaynes was done through a process with the Treasure Mountain transfer and the annexation. At the time, the notes and Exhibit C show that they are well below the allowable density. It can be looked at in the following three ways:

1. Looking at the lot itself. If divided into two it is still less than three units per acre.
2. If looked at as the overall subdivision, it is one more than 3 units per acre.
3. The total Development Plan including the golf course, was all done together. The total acreage for the area is well under what is allowed.

Mr. Elliott had not looked at staff's numbers but stated that there was a comment about four units per acre being in the Code previously that was later changed to three. If considering the entire subdivision, his understanding was that it is closer to three units per acre. Commissioner Suesser pointed out that staff dug deep into the matter before making that analysis, which she tended to agree with.

Commissioner Johnson agreed with the Staff Report. He noted that the information provided in the packet shows the Preliminary Site Plan and all of the residential surrounded by open space for the neighborhood. It was designed intentionally for that common area. He noted that the applicant has the opportunity to come back and provide additional information.

Commissioner Suesser asked the applicant to explore the issue further and report back to the Commission. Another question was whether Lot 42 is developable for a single-family home. If it is, they could put restrictions on the tennis court that do not exist currently. It was reported that the matter came up two years ago when the County decided to tax the property as if it were a residential lot. It is necessary to know if it is buildable as one lot. The other option was to carve out this one lot and take the remainder of Lot 42 and restrict its use over time so that there are the same number of residential lots on the property. It would be important to know if the lot is developable as a residence.

A question was raised as to whether there were minutes from 1975 that could be referred to. Ms. Martin was unable to locate the minutes. With regard to the question of whether the lot is developable, Ms. Martin wanted to understand whether the discussion pertained to not subdividing and just being allowed to build a single-family dwelling on Lot 42. In that case, that question would need to be answered to further evaluate the issue. Staff agreed to investigate further and report back to the Commission.

Concern was expressed with the fact that they are creating increased non-conformity from a density that is already non-conforming. The thought was that the argument must be compelling to justify what is proposed. Setting a precedent was also of concern.

A property owner commented that with regard to the HOA, he purchased his lot in 1994 and built the house in 1995. The HOA did not exist at that time. The family joined the club shortly thereafter.

Mr. Pfeiffer appreciated the information and agreed to come back to the Commission. They were doing their best to find a way to make what was proposed work. They like the open space but are afraid that it will turn into a nuisance in the community if they fail to come up with an option that works.

Commissioner Suesser mentioned the possibility of dedicating the property to the City. Ms. Martin agreed to speak with the applicants further about that possibility.

8. REGULAR AGENDA

- A. Moderate Income Housing Plan** – The Planning Commission Will Review Updates to the Moderate-Income Housing Plan Consistent with the Utah Code that will Become the Housing Element of the General Plan. PL-25-06507.

Affordable Housing Project Manager, Rhoda Stauffer, was present with Director of Economic Development and Housing, Chris Eggleton. She provided background information since the matter was last discussed in 2022. Ms. Stauffer reported that the state requires a Moderate-Income Housing Plan to be updated every five years. It is considered the Housing Element of the General Plan. For that reason, it is important that the Commission review and approve it and provide feedback. The State dictates certain implementation strategies that are key to the components of the Moderate-Income Housing Plan. The State provides a list of 29 options and jurisdictions that pick five or more can get priority for future state transportation funding. As a result, Park City has always chosen six to provide a cushion for years when there are unforeseen circumstances. In the past, there has been a goal to provide a Mortgage Assistance Program for City employees. There is already a Mortgage Assistance Program in place for City employees but they were looking to refine it. The financial analysis in the current market makes no sense since a Mortgage Assistance Program would require millions of dollars due to the cost of property in the area. Fortunately, the City chose six strategies so the fact that they could not fulfill that strategy did not have an impact.

On August 1, the New Updated Moderate-Income Housing Plan is due to the State. It was submitted in 2022 and the next plan is not due until 2027. Because the City wants to change its strategy choices, they are required to update the plan. They want to change implementation strategies and the City Council has determined that they need to focus more on the workforce. The State's definition of Moderate-Income Housing is 80% of the Area Median Income ("AMI") but they want to target 50% to 60% workforce wage, which is the reality of those who cannot afford to live here. Ms. Stauffer reported that the AMI is determined by the Department of Housing and Urban Development ("HUD") and is based on who lives here. As expected, it is very high for Park City and is very unrealistic. Income levels in the City are the reason the workforce cannot afford to live here.

Ms. Stauffer explained that in the future plan, they are changing their focus to workforce wage and continue to make changes to Affordable Master Plan Development to provide enhanced incentives for private partners to build affordable housing. There is also a numeric goal to reconfirm that they want 15% of the workforce to be able to live in the City. Currently, it is only 12.1%.

Commissioner Suesser asked what types of workers are being referred to. Ms. Stauffer stated that it pertains to workers of all types. Rental property will focus on 60% of AMI, which involves much more of the workforce that involves housekeeping and retail and

restaurant workers. With regard to for-sale properties, they are looking to focus on the next level of 60% to 80%. That encompasses the management level of teachers, doctors, and police officers. They will still have an attainable category as well that includes doctors and hospital employees who cannot afford to buy property in Park City.

Ms. Stauffer explained that the terms “attainable” and “affordable” are confusing because the State considers moderate-income housing to be 80% of AMI. To her, that is middle income. The workforce is skewed toward lower income because of the number of employees who are in the category of housekeeping, landscaping, retail, and restaurant. They make up the largest number of jobs that people commute into town for. It was clarified that the AMI is based on full-time year-round residents.

Ms. Stauffer identified the following categories and stated that they are working on all of them currently.

1. The City is presently rehabilitating 516 Marsac Avenue for employee housing.
2. Amending land use regulations to allow for higher density. This is very similar to rezoning but the intent is to ensure that affordable housing is built in mixed-use zones and near transit.
3. Land use regulations were proposed to reduce parking requirements. These have been discussed by the Commission in relation to the AMPDs.
4. Reduce, waive, or eliminate impact fees. This is already being done for affordable housing projects.
5. Demonstrate utilization of moderate-income housing set aside from the Community Reinvestment Agency Redevelopment Agency or Community Development and Renewal Agency.

A question was raised regarding item number 4 above and whether it is a good strategy to pursue in light of more density and people being added while underfunding the impact on water, utilities, and wastewater. There was concern raised about penalizing those entities. Ms. Stauffer explained that the waiver of fees is actually adoption for the community good and is something the City already does with other projects for affordable housing. She explained that they need every tool possible to make the units affordable. The waiver of fees is one option.

A comment was made on the demographic and economic changes using the ACS 2023 data where Park City’s median age increased from 40 to 46.8. The recollection was that the General Plan data wasn’t much higher. Director Ward believed that it was and stated that it was tied to the latest Kem Gardner Report for the Housing Assessment. A

Commissioner recalled that they have approved some that are online but they will not be actualized until they are built. 674 existing units have been approved. Ms. Stauffer explained that the City Council decided not to add additional units until they are entitled. It was reported that Studio Crossing has 208 units affordable units, Engine House has 99 affordable, and Hopa has 205.

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

A comment was made that the number of workers working in the City exceeds the population. Commissioner Suesser asked what percentage of the workforce that commutes works at the resorts. She felt strongly about the City putting its energy toward housing people who work in the City, such as teachers rather than try to fill a housing gap that is caused by people who work at the resorts. She thought it would be helpful to have more information on that breakdown and suggested the City receive more support from the resorts. She wanted to incentivize the resorts to house their employees and provide housing for them.

The comment was made that the ski resorts are making a concerted effort to help solve the regional challenges. At the previous day's Wasatch Back Economic Summit, the two counties came together to discuss the matter, which was a main topic of concern. The Economic Development Offices from Summit and Wasatch Counties focused on how to tackle some of those challenges, particularly as the East Village Resort base builds out.

MOTION: Commissioner Johnson moved to forward a POSITIVE recommendation on the Moderate-Income Housing Plan for City Council consideration on June 5, 2025. Commissioner Suesser seconded the motion. The motion passed with the unanimous consent of the Commission.

B. APWA and 2025 Park City Supplemental Standard Plans and Specifications – The Planning Commission will Consider Forwarding a Recommendation to the City Council Regarding an Ordinance Updating the Park City Supplemental Standard Plans and Specifications Pursuant to the Land Use, Development, and Management Act Found in Title 10, Chapter 9a, of the Utah Code (Commonly Referred to as LUDMA).

Public Improvements Engineer, Becky Gutknecht was present along with City Engineer, John Robertson. They were present to discuss a possible recommendation to the City Council to adopt the most current version of the American Public Works Association ("APWA") Standard Plans and Specifications, as well as the Park City 2025 Supplemental Standard Plans and Specifications. Ms. Gutknecht reported that the APWA produces a set of standards by which most municipalities can form. They are produced to improve quality standards as well as consistency throughout different systems. The standards are produced for roadways, storm drain systems, and water standards. The City's Water

Department specifically wants to set its own standards because Park City's system is so unique. That is one of the reasons they have the Park City 2025 Supplemental Standards and Specifications. There are several unique conditions in Park City and the specific standards help to address those unique situations that the general standards of APWA do not necessarily cover.

Some of the specifics include the water standards. Ms. Gutknecht reported that the APWA does not produce telecom standards in the same way, so the City is adopting its own that conform with the Utah Department of Transportation's ("UDOT") telecom standards. Some of the specifics include the type of curbs that are frequently used in the City to avoid all six different types of curbs that are available through the APWA standards. Instead, the City conforms to a few to provide more consistency throughout the City.

A question was raised regarding how often the APWA updates its standards. Mr. Robertson reported that they were last updated in 2017. There have, however, been addendums since that time that were sent to all APWA members. He expected another update in the next one or two years.

Commissioner Suesser asked if the APWA addresses steep slopes, which exist in Park City. Ms. Gutknecht stated that they do not really address that and it pertains more to the installation of utilities and roadways. It does not supersede the Land Management Code ("LMC") and how it requires steep slopes to be addressed.

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

MOTION: Commissioner Shand moved to recommend to the City Council ADOPTION of the most current version of the American Public Works Association, Utah Chapter Standards, and the Park City 2025 Supplemental Standard Plans. The motion was seconded by Commissioner Suesser. The motion passed with the unanimous consent of the Commission.

C. 15 King Road – Plat Amendment – The Applicant Proposes to Amend the Plat to Incorporate a 91-Square-Foot Deed Gap Into a Non-Complying Lot to Create a 4,395 Square-Foot Lot in the Historic Residential - 1 Zoning District. On April 15, 2025, the Board of Adjustment Approved a Variance to Correct the Deed Gap. PL-24-06363.

Planner I, Meredith Covey reported that 15 King Road is a 4,304-square-foot lot in the HR-1 zoning district. There is an existing single-family home on the property that is non-historic that was constructed in 2007. The applicant applied for a plat amendment to incorporate a 91-square-foot deed gap into the lot to create a 4,395-square-foot lot. In 2004, the property underwent a plat amendment and as a result, a survey gap was noted

on the 2003 Existing Condition Survey. On November 6, 2024, the property owner at 24 Daly conveyed the 91-square-foot deed gap to the property owner at 15 King Road. He is now the owner of both properties.

On April 15, 2025, the Board of Adjustment approved the applicant's request for a variance to the maximum lot size in the HR-1 zoning district to address this deed gap. A condition of approval was included that limited the building footprint to 1,716 square feet, which is based on the existing lot size. Staff found good cause that the application complies with this section of the Code because the plat amendment resolves a deed gap from the previous plan amendment, limits the building footprint so that all future development is compliant with the regulations of the zoning district, and no public street right-of-way easement is vacated as a result of the plat amendment.

The conditions of approval were reviewed. Planner Covey reported that the City Attorney and City Engineer will review and approve the final form of the plat amendment. The applicant has one year to record the plat amendment with the County and a plat note will state that the maximum building footprint for the lot is limited to 1,716 square feet. Staff found that the proposed plat amendment complies with the requirements of the HR-1 zoning district regulations and the plat amendment regulations as outlined in the LMC. The staff recommendation was to review the application, conduct a public hearing, and consider approving the plat amendment.

A question was raised as to whether there is an existing snow storage easement on the plat. Planner Covey stated that it could be added as a condition of approval.

In response to a question raised, Planner Covey stated that the applicant's decision to close the deed gap was the result of them working on an expansion to their deck where they ran into issues with the rear setback. At that time they determined that there was a deed gap and wanted to correct it. It was noted that any future construction on the lot will need to comply with the zoning district requirements and they will not be allowed to enclose any area of the deck or expand the building footprint.

Chair VanDine opened the public hearing.

Ryan Marshall, the property owner, had a question regarding the Snow Storage Easement and asked if it is a different requirement than what currently exists. He was informed that the Commission is simply memorializing it in the updated plat. Senior City Attorney, Mark Harrington confirmed that the current recorded plat is shown on Exhibit B, which does not appear to have a Snow Storage Easement. Mr. Marshall stated that they have plenty of snow that gets pushed onto his property when snow plows come down King Road. He wanted to understand what is being required of him. Director Ward explained that in the zone, the front setbacks are 10 to 15 feet. The Snow Storage Easement is generally located within the front setback and already exists. Commissioner

Suesser explained that the conditional approval would memorialize that the Snow Storage Easement runs along the new parcel that closes that gap.

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

MOTION: Commissioner Johnson moved to APPROVE the plat amendment at 15 King Road based on the following:

Findings of Fact

1. 15 King Road (Parcel No. 10-DALY-1 AM-2) is a 4,304-square-foot Lot in the HR-1 Zoning District with a non-historic Single-Family Dwelling (SFD) constructed in 2007.
2. On October 21, 2004, the City Council adopted Ordinance No. 04-48 approving the 10 Daly Avenue Subdivision First Amended to subdivide the 10 Daly Avenue Subdivision into two Lots.
3. 15 King Road is Lot 2 of the 10 Daly Avenue Subdivision First Amended.
4. When the property was subdivided in 2004 there was a 91-square-foot triangle parcel between 15 King Road and adjacent 24 Daly Avenue that was noted as a deed gap on the 2003 submitted boundary survey.
5. On November 6, 2024, the property owner of 24 Daly Avenue conveyed the deed gap triangle parcel to the Applicant.
6. The Applicant is now the owner of 15 King Road and the 91-square-foot remnant deed gap.
7. The Applicant submitted a Plat Amendment to incorporate the 91-square-foot remnant deed gap into the 4,304-square-foot Lot to create a 4,395-square-foot Lot.
8. On October 26, 2023, the City Council adopted Ordinance No. 2023-50 to establish a maximum lot size for Single-Family Dwellings in the Historic Residential Districts of 3,750 square feet.
9. Lots over the maximum Lot Area that were approved prior to the establishment of a Maximum Lot Size in the Historic Residential Districts are Non-Complying pursuant to LMC Chapter 15-9. 15 King Road is a Non-Complying Lot.

10. Pursuant to LMC § 15-9-6 no Non-Complying Structure may not be enlarged.
11. The Applicant requested a Variance from the Maximum Lot Size.
12. On April 15, 2025, the Board of Adjustment approved the Variance from the maximum Lot Area for 15 King Road, finding the request met the criteria in LMC § 15-10-8, conditioning the approval on Building Footprint restrictions.
13. LMC § 15-2.2-3(E) establishes that the Building Footprint of a Lot shall be calculated according to the following formula: $\text{MAXIMUM FP} = (A/2) \times 0.9A/1875$ where FP = maximum Building Footprint and A= Lot Area.
14. The existing Lot is 4,304 square feet and yields a maximum Building Footprint of 1,716 square feet. The inclusion of the 91-square-foot deed gap into the 15 King Road Lot does not allow for an increase in the Building Footprint. Rather, the maximum Building Footprint of the Lot is not permitted to increase beyond 1,716 square feet.
15. Condition of Approval 4 requires the Applicant to include a Plat Note stating that the Building Footprint of the Lot is limited to 1,716 square feet.
16. The Development Review Committee reviewed the proposal on March 18, 2025, and confirmed the proposal complies with required standards.
17. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 30, 2025. Staff mailed courtesy notice to property owners within 300 feet on April 30, 2025.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it resolves a 91-square-foot deed gap.
2. On April 15, 2025, the Board of Adjustment approved a Variance from the Maximum Lot Size established in LMC § 15-2.2-3.
3. The Plat Amendment complies with all other requirements of LMC Chapter 15-2.2 Historic Residential – 1 Zoning District.
4. The Plat Amendment complies with LMC § 15-7.1-3(B) Plat Amendment, as conditioned.

5. Neither any person nor the public will be materially injured by the proposed Plat Amendment.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the Plat Amendment for compliance with State Law, the LMC, and the conditions of approval as a condition precedent to plat recordation.
2. The Applicants will record the Plat Amendment at the County within one year from the date of Planning Commission approval. If the recordation has not occurred within one year, the approval will be void unless the Applicant submits an extension request in writing to the Planning Department prior to the expiration of the approval.
3. A Plat Note shall state the Maximum Building Footprint for the Lot is limited to 1,716 square feet.
4. The applicant shall include a 10-foot snow storage easement as approved by the City Attorney and City Engineer.

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

- D. 9300 Marsac Avenue – Condominium Plat Amendment** – The Applicant Proposes the First Amended Sommet Blanc Condominiums Plat to Reflect Changes to Common Area Mechanical Rooms, to Define Common Area for the Outdoor Pool and Plaza, and to Reduce the Size of Limited Common Area Decks for Units A302, A303, A402, A403, and A502 in the Residential Development Zoning District. PL-25-06431.

Planner II, Virgil Lund, reported that the above request is for a first amended condominium plat for the Sommet Blanc Condominiums. On July 13, 2022, the first condominium plat was approved for the Sommet Blanc Condominiums. It approved three multi-unit dwellings with 49 residential units and a 3,600-square-foot restaurant. On March 9, 2022, the Planning Commission approved a Master Planned Development (“MPD”) amendment to the Flagstaff Development Agreement, the Empire Pass Pod B2 MPD, and a Conditional Use Permit for the Sommet Blanc Project. The proposal is to amend and update easements that have been recorded since the original plat was approved to clarify the common area for the pool and event lawn areas, adjust the common areas for mechanical equipment, and reduce the size of five decks to comply with setback requirements. The proposed plat amendment complies with all governing documents for Sommet Blanc, including the CUP and the MPD amendments. Staff found good cause

for the plat amendment because the non-compliant decks were corrected. Staff recommended the Planning Commission hold a public hearing and consider approving the plat amendment based on the Draft Final Action Letter. The applicant was online and available to answer clarifying questions.

Commissioner Suesser asked for additional information on the amended easements being requested. Planner Lund referenced Exhibit B, which provides a more detailed breakdown of what specifically is being amended and updated. There are certain water line easements, power easements, and an easement with Deer Valley for the ski run that runs through the lot. Those are some of the easements that have been recorded since the project was approved. The record easement numbers were to be added to the plat for clarification.

The applicant, Douglas Ogilvy, reported that the Deer Valley Ski Easement was recorded prior to any design work being done on the current project. Once the project was approved with a Building Permit, they determined that they could widen the ski run to a point where there is a bottleneck. They gave Deer Valley an extra Ski Easement where needed and pulled the Buffer Easement off the patios for the restaurant and Tower C. In the process of going through the final utility design, there were slight changes to alignments for water, electrical, and gas in and out of the buildings, which represented minor changes.

In terms of the pool, the applicant reviewed the plat with prior planners and the absence of items like the pool on the plat caused confusion. They have mainly shown the pool for reference and changed the event lawn. It is the same size but went from a common area to a limited common area.

A question was raised regarding the number of units involved in the deck expansion. Mr. Ogilvy explained that five units face the roundabout on Marsac Avenue and during the Building Permit review, the Planning Department identified the decks within the front yard setback. Per City Code, the applicant is allowed a maximum protrusion into the front yard setback of five feet with a maximum width of 10 feet. Mr. Ogilvy's recollection was that the decks were previously 20 feet long and have been reduced to eight or nine feet. The biggest change to the patio was to Tower C. They wanted to ensure that the patio drains properly. It made more sense to plat the entire area that is concrete below as patio. It did not make sense to install heavy landscaping there because they would have drainage problems. He identified the area shown on sheet 14 of 18, Level 2 of Tower C. That one is that one has grown significantly in size on the plat but the structure beneath has not changed at all.

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

A question was raised as to whether there is a mechanism for preventing skiers on the Lucky Jack ski run from colliding with the pool, event lawn, or any outdoor areas on the plat. Mr. Ogilvy reported that on the plat there are two easements in favor of Deer Valley. There is a ski easement and a buffer easement. Under the terms of the Buffer Easement entered into with Deer Valley eight years earlier, it is typically a 20-foot widening of the ski run followed by a 20-foot buffer where there cannot be hard structures or landscaping that is not approved by Deer Valley. They are in close coordination with the Deer Valley operations to ensure that what they are doing is safe. He explained that the intent of the buffer easement is to allow Deer Valley to make sure they do not build anything dangerous on the side of their ski run.

Commissioner Suesser recalled a wall or fence closer to the subject property beyond the ski buffer. Mr. Ogilvy explained that they are for a pool a six-foot barrier is required. On this property, it is more of a moat since the grade drops. The pool has an infinity edge toward the swimming pool but there is a six-foot drop-off from the end of the pool to the bottom of an area that slopes up to the edge of the ski easement. In that area, there will typically be five feet of snow.

MOTION: Commissioner Suesser moved to APPROVE the 9300 Marsac Avenue Sommet Blanc Condominium Plat Amendment subject to the following:

Findings of Fact

1. On July 13, 2022, the Planning Commission approved the Sommet Blanc Condominiums Plat for three Multi-Unit Dwellings with 49 residential Units and a 3,600-square-foot restaurant.
2. The Applicant proposes the First Amended Sommet Blanc Condominiums Plat to:
 - a. Amend power and ski easements.
 - b. Update storm drain, water, conservation, access, and parking easements.
 - c. Clarify Pool and event lawn areas.
 - d. Adjust common areas for mechanical equipment.
 - e. Reduce limited common areas for the decks of five Units to comply with Setback requirements³.
3. The Sommet Blanc Condominiums are governed by the:
 - a. 2007 Empire Pass Pod B-2 Master Planned Development (MPD),.
 - b. 2007 Amended Flagstaff Development Agreement (DA), including 14 technical reports, and
 - c. 2017 B2 East Subdivision approval (Ordinance No. 2017-07).

4. On March 9, 2022, the Planning Commission approved amendments to the 2007 Flagstaff DA and Empire Pass Pod B2 MPD and approved a Conditional Use Permit (CUP) for the Sommet Blanc Condominiums.
5. On September 1, 2022, the City Council approved the Sommet Blanc Condominiums Plat (Ordinance No. 2022-33).
6. On December 9, 2024, the Building Department issued Permit #24-2196 for the Sommet Blanc Condominiums. The Planning Department approved the building permit with a Condition of Approval requiring the Applicant to record a Plat Amendment to accurately reflect the proposed building permit plans.
7. The proposed Plat Amendment complies with the governing documents for Sommet Blanc.
 - a. The amended Flagstaff DA, amended Empire Pass Pod B2 MPD, and CUP approved by the Planning Commission on March 9, 2022, established 81 Unit Equivalents (UEs), or 162,000 square feet for Multi-Unit Dwellings, and 3,600 square feet of support commercial space for a Restaurant for the Sommet Blanc project.
 - b. The proposed Plat Amendment does not alter residential or support commercial space allocated and approved for Sommet Blanc.
8. The proposed Plat Amendment complies with the Residential Development Zoning District Requirements.
 - a. The Applicant proposes the Plat Amendment in part to correct encroachments in the Setbacks.
 - b. The decks shown on the proposed Plat for Units A302, A303, A402, A403, and A502 comply with the Setback requirements outlined in LMC § 15-2.13-3(C)(2)(c) (see images below). Decks encroaching into the Front Setback must not exceed 10 feet in length and cannot encroach more than five feet into the Front Setback. The amended decks have the following dimensions:
 - i. Unit A302: Eight feet one inch wide, encroaching four feet four inches into the Front Setback.
 - ii. Unit A303: Seven feet 11 inches wide, encroaching four feet three inches into the Front Setback.
 - iii. Unit A402: Eight feet wide, encroaching four feet five inches into the Front Setback.
 - iv. Unit A403: Seven feet 11 inches wide, encroaching four feet five inches into the Front Setback.

- v. Unit A502: Eight feet wide, encroaching three feet nine inches into the Front Setback.
 - c. Amend power and ski easements.
 - i. Complies: The amended easements comply with all RD Zoning District requirements. No Structures are proposed or approved within the amended easement areas.
 - d. Update storm drain, water, conservation, access, and parking easements.
 - i. Complies: The easements comply with all RD Zoning District requirements. No Structures are proposed or approved within the easement areas.
 - e. Clarify pool and event lawn areas.
 - i. Complies: The proposed pool and event lawn areas comply with all RD Zoning District requirements and Setbacks. The pool and event lawn areas are approximately 50 feet from the south Lot line.
 - f. Adjust common areas for mechanical equipment.
 - i. Complies: All proposed common areas for mechanical equipment are within the existing platted Building Footprint and comply with all RD Zoning District requirements and Setbacks
9. 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 the proposed Plat Amendment because the amended Plat corrects encroachments in the Setbacks.
10. The Development Review Committee reviewed the proposal on March 4, 2025, and confirmed the proposal conforms to their requirements.
11. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on April 30, 2025.
12. Staff mailed courtesy notice to property owners within 300 feet on April 30, 2025. *The Park Record* published courtesy notice on April 30, 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 LMC § 15-7.1-3 Subdivision Procedures.
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 from the 2007 Empire Pass Pod B-2 Master Planned Development, the 2007 Amended Flagstaff Development Agreement including the 14 technical reports, Ordinance 2017-07, the Sommet Blanc Condominiums CUP, and Ordinance 2022-33 shall apply.

4. The Plat Amendment will not change or alter the amount of residential or support commercial space allocated and approved for the Sommet Blanc Condominiums.

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

- E. 2668 Aspen Springs Drive – Conditional Use Permit** – The Applicant Proposes to Construct a 1,500-Square-Foot Guest House in the Single-Family Zoning District and Sensitive Land Overlay. PL-25-06416.

Planner Lund reported that the request is for a Conditional Use Permit for a guest house on the lot at 2668 Aspen Springs Drive. The applicant, Ryan Swintec, participated remotely. Planner Lund reported that Lot 48 is a vacant lot in the Aspen Springs Ranch Subdivision. A Building Permit for the single-family dwelling was currently under review with the Building Department concurrent with the Building Permit. The proposal is a 1,500-square-foot guest house connected by a covered walkway to the main dwelling. The proposal complies with the Single-Family zoning district requirements including the subdivision plat notes, the Sensitive Land Overlay, and the CUP and guest house criteria.

After further review, staff recommended an amendment to Condition of Approval #8 to correct typos and further clarify the changes to Condition of Approval #8 are shown in red. The guest house is for non-rent paying guests of the primary single-family dwelling. The guest house is not a lodging use where typical lodging services are provided. Payment for use of the guest house is not allowed. Nightly rental of the guest house is prohibited as well as nightly rental of the single-family dwelling.

Staff recommended that the Planning Commission open a public hearing and consider approving the CUP based on the Amended Final Action Letter.

Mr. Swintec reported that they have a hot tub that he was told needed to be applied for because it is 10' x 12', or 120 square feet in size. The hot tub size was supposedly limited to 81 square feet. He did not see that on the materials presented and wanted to make sure that was addressed. Planner Lund explained that the size of the hot tub did not need to be included in the CUP and would be reviewed as part of the Building Permit.

Commissioner Suesser asked about the condition regarding non-paying guests and asked about the thinking behind the prohibition of a long-term rental. Director Ward explained that in the LMC definitions section, for the guest house approval, one of the requirements is that it not be rented out as a long-term rental and limited in terms of use. It was confirmed that a nearby property with a guest house was held to a similar requirement.

Commissioner Van Dine opened the public hearing. There were no public comments. The public hearing was closed.

MOTION: Commissioner Johnson moved to approve the Conditional Use Permit for a guest house at 2668 Aspen Springs Drive subject to the following:

Findings of Fact

1. 2668 Aspen Springs Drive is Lot 48 of the Aspen Springs Ranch Subdivision Phase II recorded June 26, 1992 (Summit County Recorder Entry No. 361321).
2. On April 1, 2025, the Applicant submitted a building permit for the construction of a Single-Family Dwelling (SFD) on Lot 48 (PLAN25-0414).
3. The Applicant proposes constructing a 1,500-square-foot Guest House.
4. Land Management Code (LMC) § 15-15-1 defines a Guest House as an Accessory Building and dwelling intended for non-rent paying guests of the primary Dwelling Unit's residents. Guest Houses are not a lodging use where typical lodging services are provided. Payment is not allowed. Nightly rental of the Guest House is not allowed.
5. The proposed Guest House complies with the Single Family (SF) Zoning District Requirements outlined in LMC Chapter 15-2.11.
 - a. LMC § 15-2.11-3 outlines the Lot and Site Requirements for the Guest House.
 - b. Density: The maximum Density is three (3) units per acre.
 - i. Complies: Lot 48 is two acres. The proposed Guest House will add one Unit to the Lot, for a total of two Units on Lot 48.
 - c. Setbacks: Front Setback – 20 feet, Rear Setback – 15 feet, Side Setback – 12 feet.
 - i. Complies: The proposed Guest House is greater than 50 feet from all Lot Lines.
 - d. LMC § 15-2.11-4 outlines the Building Height requirements for the Guest House.
 - e. Accessory Structures and Guest Houses in the SF Zoning District shall not exceed a maximum height of 18 feet from Existing Grade.

- i. Complies: The Applicant's roof-over-topography plan shows the highest roof ridge of the Guest House is 17 feet 11 inches above Existing Grade.
- f. LMC § 15-2.11-4(A) outlines Building Height exceptions: "Antennas, chimneys, flues, vents, and similar Structures, may extend up to five feet (5') above the highest point of the Building to comply with International Building Code (IBC) requirements."
 - i. Complies: The Applicant proposes a chimney that is 20 feet 1 inch above Existing Grade, one foot 1 inch above the maximum 18-foot height allowance.
- 6. The proposed Guest House complies with the Aspen Springs Ranch Subdivision Phase II Plat Notes.
 - a. Plat note 10 outlines the maximum Gross Residential Floor Area for Lot 48, which is 8,250 square feet, including the SFD and the Guest House. The Applicant's building permit for the SFD indicates a total Gross Residential Floor Area of 6,481 square feet. The total Gross Residential Floor Area for the SFD and Guest House is 7,981 square feet.
 - b. Lot 48 is subject to the "Special Design Restrictions" outlined in plat note 11:
 - i. Maximum dwelling height: 25 feet
 - 1. Complies: The SF Zoning District limits accessory building height to 18 feet. The height of the Guest House is 17 feet 11 inches from Existing Grade.
 - ii. Maximum height of dwelling's ridgeline: 30 feet, with no more than 50% of a dwelling's total ridgeline at or within three feet of this height
 - 1. Complies: The SF Zoning District limits accessory building height to 18 feet. The maximum height of the Guest House's ridgeline is 17 feet 11 inches.
 - iii. Floor level height: Not more than two feet higher than natural grade at the point of the dwelling's primary entrance, except for attic or loft space above the garage
 - 1. Complies: The Guest House's floor level is not located more than two feet higher than natural grade.

- iv. Exterior wall height: 23 feet, measured from the overhanging eave line to the lesser in elevation of natural grade or finished grade
 - 1. Complies: The exterior walls of the Guest House range in height from 12 feet to 16 feet.
 - v. Exterior wall plane length: No more than 30 feet without a change in depth of at least three feet for exterior wall planes parallel to or within 45 degrees of parallel to Highway 224
 - 1. Complies: The north elevation drawing shows a change in depth at 16 feet 10 inches along the exterior wall plane.
 - c. Plat note two states that Lot 48 is limited to a 10,000-square-foot Limits of Disturbance (LOD) area. The LOD includes the total footprint of the SFD and the Guest House, including any patios, decks, or pathways. Driveways and landscaped areas are exempt from the LOD calculations.
7. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code Section 15-1-10(E).
- a. Size and location of the Site.
 - i. The proposed Guest House complies with the special design requirements, maximum Floor Area, and LOD of the Aspen Springs Ranch Subdivision.
 - b. Traffic considerations including capacity of the existing Streets in the Area.
 - i. The proposed Guest House will not increase the amount of traffic on the surrounding streets. The Guest House will be used by the property owners and their guests.
 - c. Utility capacity, including Storm Water run-off.
 - i. The Development Review Committee (DRC) reviewed the proposal on April 15, 2025. The Water Department requires that the water lines be located at a minimum of 10 feet from

the sewer line and a minimum depth of five feet below Final Grade.

- d. Emergency vehicle Access.
 - i. The DRC reviewed the proposal on April 15, 2025, and confirmed the proposal conforms with all emergency vehicle access requirements.
- e. Location and amount of off-Street parking.
 - i. LMC § 15-3-6 requires one Parking Space for a Guest House, in addition to the required Off-Street parking for the SFD. The Applicant proposes a 29-foot-deep 16-foot-wide garage with one Parking Space for the Guest House.
- f. Internal vehicular and pedestrian circulation system.
 - i. The Applicant proposes a driveway to the Guest House Garage for vehicles, and a covered walkway from the SFD to access the Guest House.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses.
 - i. The Applicant does not propose fencing or screening. The Applicant's landscape plan will be reviewed with the building permit for the SFD.
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.
 - i. The proposed Guest House complies with all plat notes for total Floor Area and LOD as established in the Aspen Springs Ranch Subdivision Phase II Plat.
- i. Useable Open Space.
 - i. The proposed Guest House will not impact any of the dedicated Open Space parcels in the Aspen Springs Ranch Subdivision.
- j. Signs and Lighting.

- i. The Applicant does not propose signs or exterior lighting.
- k. Physical Design and Compatibility with Surrounding Structures.
 - i. The proposed Guest House complies with the Special Design Requirements of the Aspen Springs Ranch Subdivision and all requirements found in LMC § 15-5-5.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Factors.
 - i. The Guest House must comply with Municipal Code Chapter 6-3, Noise.
- m. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas.
 - i. All deliveries and service vehicles will use the main entrance and driveway to the SFD.
- n. Expected Ownership and Management.
 - i. The Guest House will be under the same ownership as the SFD.
- o. Within and Adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, and Park City Soils Ordinance, Steep Slopes, and Appropriateness of the Proposed Structure to the Existing Topography of the Site.
 - i. The proposed Guest House is in the Sensitive Land Overlay (SLO) on Lot 48 of the Aspen Springs Ranch Subdivision Phase II Plat. The Guest House is not on a Steep Slope and the Site does not contain any physical mine hazards or waste.
- p. Reviewed for Consistency with the Goals and Objectives of the Park City General Plan.
 - i. The General Plan states the Thaynes neighborhood is one where primary residents choose to live and that the neighborhood should remain a quiet residential area dominated by Single-Family Dwellings, preserving the neighborhood aesthetic. The proposed Guest House is in the Single-Family Zoning District wherein Nightly Rentals are

prohibited. Additionally, the Guest House is within the allotted Limits of Disturbance and restraints established by the plat.

8. The proposed Guest House complies with the Sensitive Land Overlay requirements.
 - a. The Guest House is on Lot 48 of the Aspen Springs Ranch Subdivision Phase II. The Subdivision approval and platting of the Lots considered SLO principles, such as Steep Slopes, proximity to Open Space and wetlands, ridgelines, and visual analysis from Highway 224. The Guest House is not proposed near Steep Slopes, wetlands, or a ridgeline. Lots 40 – 48 of the Aspen Springs Ranch Subdivision are visible from SR-224 and Mcpolin Barn. The Subdivision Plat established special design restrictions for Structures that are parallel to SR-224 to minimize visual impacts. The proposed Guest House complies with the special design restrictions and will be screened by Significant Vegetation and landscaping that will be installed by the Applicant.
9. The proposed Guest House complies with the Guest House criteria outlined in LMC § 15-4-6.
 - a. Guest Houses are a Conditional Use in Zoning Districts where they are permitted and must be reviewed against the Conditional Use permit regulations in LMC Chapter 15-1-10.
 - b. Guest Houses are only permitted on Lots of one acre or greater.
 - i. Complies: Lot 48 is two acres.
 - c. Guest Houses are not allowed in the HRL, HR-2, HCB, ROS, POS, RCO, GC, or LI Zoning Districts.
 - i. Complies: 2668 Aspen Springs Drive is in the SF Zoning District.
 - d. Guest Houses may be no larger than one-third of the size of the main dwelling, in terms of floor Area, and shall be limited to a maximum floor Area of 1,500 square feet.
 - i. Complies: The main dwelling is proposed to be 6,481 square feet. One-third of the main dwelling's square footage would be 2,160 square feet. The Applicant proposes a Guest House that is 1,500 square feet.

- e. A Guest House may not increase the floor Area or Building Footprint as specified in the LMC or any specific Subdivision approval.
 - f. Guest Houses may be attached or detached from the main house and may not be sold or leased separate from the main house. Prior to Building Permit or Certificate of Occupancy issuance, a deed restriction "Notice to Purchaser" stating that the Guest House may not be sold or leased separate from the main house, shall be recorded at the County Recorder's Office.
 - i. Complies: The Guest House will be attached to the main dwelling by a covered walkway.
- 10. The Development Review Committee reviewed the proposal on April 15, 2025 and requires Conditions of Approval.
 - 11. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on April 30, 2025.
 - 12. Staff mailed courtesy notice to property owners within 300 feet on April 30, 2025. *The Park Record* published courtesy notice on April 30, 2025.

Conclusions of Law

- 1. The proposed Guest House complies with the LMC requirements pursuant to Section 15-1-10 Conditional Use Review Process, Chapter 15-2.11 Single Family Zoning District, Chapter 15-2.21 Sensitive Land Overlay, and Section 15-4-6 Guest Houses.
- 2. The Use will be compatible with surrounding Structures in Use, scale, mass, and circulation.
- 3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

- 1. Final buildings plans and construction details shall reflect substantial compliance with the final plans dated April 16, 2025, submitted to the Planning Department and reviewed May 14, 2025, by the Planning Commission.
- 2. 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 prior to construction.

3. The Applicant shall adhere to the Municipal Code of Park City Chapter 6-3, Noise.
4. The Water Department requires that the water lines are located at a minimum 10 feet from the sewer line, and a minimum depth of five feet below Final Grade.
5. The Applicant must submit a building permit for the proposed Guest House.
6. The Guest House must not be sold or leased separate from the main dwelling at 2668 Aspen Springs Drive.
7. Prior to Building Permit issuance, a deed restriction "Notice to Purchaser" stating that the Guest House may not be sold or leased separate from the main house, shall be recorded at the County Recorder's Office.
8. The Guest House is for non-rent paying guests of the primary Single-Family Dwelling residents. The Guest Houses is not a lodging use where typical lodging services are provided. Payment is not allowed. Nightly rental of the Guest House is not allowed.

Commissioner Shand seconded the motion. The motion passed with the unanimous consent of the Commission.

- F. 103 Alice Court – Steep Slope Conditional Use Permit Modification –**
The Applicant Proposes to Modify a Steep Slope Conditional Use Permit to Increase the Height of a Retaining Wall in the Front Setback in the Historic Residential - 1 Zoning District. PL-2506429.

The above Application was withdrawn.

9. ADJOURNMENT

MOTION: Commissioner Johnson moved to adjourn. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 7:20 PM.