

Ordinance No. 2023-44

AN ORDINANCE APPROVING THE SNOW FLOWER CONDOMINIUMS FIFTH AMENDED, AMENDING UNIT 70, LOCATED AT 401 SILVER KING DRIVE, UNIT 70, SUMMIT COUNTY, PARK CITY, UTAH

WHEREAS, the owners of the property at 401 Silver King Drive, Unit 70 petitioned the City Council for approval of the Snow Flower Condominiums Fifth Amended Plat, Amending Unit 70; and

WHEREAS, on July 26, 2023, the *Park Record* published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on July 26, 2023, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted noticed to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on August 9, 2023, the Planning Commission held a public hearing and continued the hearing to August 23, 2023; and

WHEREAS, on August 23, 2023, the Planning Commission reviewed the proposed Plat Amendment, held a public hearing, and forwarded a positive recommendation to the City Council; and

WHEREAS, on September 14, 2023, the City Council reviewed the Snow Flower Condominiums Fifth Amended Plat, Amending Unit 70 and held a public hearing; and

WHEREAS, the Snow Flower Condominiums Fifth Amended Plat, Amending Unit 70 is consistent with the Park City Land Management Code, including § 15-7.1-3(B), § 15-7.1-6, and Chapters 15-2.16 and 15-7.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. APPROVAL. The Snow Flower Condominiums Fifth Amended Plat, Amending Unit 70 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Snow Flower Condominiums Plat was approved in 1978.
2. The property is located at 401 Silver King, Unit 70.
3. The property is listed with Summit County as Parcel number SFL-70.
4. The property is in the Recreation Commercial (RC) Zoning District.

5. The intent of this Plat Amendment is to convert Common Area attic space into Private Area living and storage space for the benefit of Unit 70.
6. In January 2022, the Snow Flower Homeowners Association (HOA) voted to approve the proposed changes to Unit 70 and receive two-thirds approval (67.92% in favor).
7. This conversion will increase the internal living space of Unit 70 from 1,824 square feet to 2,289 square feet.
8. Other units in the Snow Flower Condominiums have amended the plat to convert Common Area attic space to Private Area: Unit 80 (July 2004), Unit 72 (November 2006), Unit 76 (September 2007), and Unit 75 (June 2023).
9. The proposal complies with the RC Zoning District Requirements.
10. All proposed changes are restricted to the interior of the Structure and will not alter the exterior.
11. In 1978, parking requirements for Planned Unit Developments (PUDs) were guided by the LMC but Planning Commission approval was not limited to these requirements.
12. At the time of development, the parking requirement for the Snow Flower Condominiums was 115 parking spaces – a minimum of eight spaces, with 1.5 spaces for each additional unit over five for a Multi-Unit Dwelling.
13. The current LMC requires two parking space per Dwelling Unit with a Floor Area greater than 2,000 square feet in a Multi-Unit Dwelling.
14. The proposal complies with LMC § 15-7.1-3(B) *Plat Amendment*.
15. The Development Review Committee met on March 7, 2023, and finds the proposal meets development requirements.

Conclusion of Law

1. There is Good Cause for this Plat Amendment because it does not change the footprint or mass of the existing Structure, will have no negative impacts to the public, and does not create any non-conformities.
2. The Plat Amendment is consistent with LMC § 15-7.1-3(B), § 15-7.1-6, and Chapter 15-2.16 *Recreation Commercial District*.
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, 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 City Council 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 City Council.

- 3. The Plat shall note that the owner of unit 70 shall not use or cause to be used at any time more than one parking stall on site.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 14th day of September, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Nann Worel
 57775BCB46414F6...

Nann Worel, MAYOR

ATTEST:



DocuSigned by:
Michelle Kellogg
 E5F905BB533F431...

City Recorder

APPROVED AS TO FORM:

DocuSigned by:
Mark Harrington
 B7478B7734C7490...

City Attorney's Office

ATTACHMENTS

Attachment 1: Snow Flower Condominiums Fifth Amended Plat Amending Unit 70

