Ordinance No. 11-26

AN ORDINANCE APPROVING THE SNOWCREST CONDOMINIUM PLAT AMENDMENT LOCATED AT 1530 EMPIRE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the Snowcrest Homeowners Association (Applicant), owners of the property located at 1530 Empire Avenue have petitioned the City Council for approval of the Snowcrest Condominium Plat Amendment; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on October 26, 2011, to receive input on the Snowcrest Condominium Plat; and

WHEREAS, on the aforementioned date, the Planning Commission voted unanimously to send a positive recommendation to the City Council to approve the plat amendment as proposed; and

WHEREAS; the City Council, held a public hearing on November 17, 2011; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Snowcrest Condominium Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Snowcrest Condominium Plat Amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

- 1. The property is located at 1530 Empire Avenue within the Residential Commercial (RC) zoning district.
- 2. There are no proposed changes to the building footprint or any of the existing units within the building, including the exterior elevation, parking, amenities, or otherwise.
- 3. The applicants proposed to drop the name "Hotel" from the recorded name of the condominium plat.
- 4. Per Section 15-2.16-2(A)(7), Chapter 2.16 Recreational Commercial District of Title 15 of the LMC, nightly rentals are permitted, and would be permitted regardless if the name of the condominiums changes or stays the same.
- 5. There are no known nonconformities associated with the existing building or the uses therein.

6. Multi-family dwellings are a conditional use within the RC Zone District.

Conclusions of Law:

- 1. There is good cause for this plat amendment.
- 2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding 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. 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 Land Management Code, and the conditions of approval, prior to recordation of the plat.
- 2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
- 3. The owner of unit 317 shall work with the building department to the building department's satisfaction to mitigate the issues related to the opening of the fire-wall between the loft areas prior to plat recordation.

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

PASSED AND ADOPTED this 17 day of November, 2011.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Janet M. Scott, City Record

Approved as to form:

Mark D. Harrington, City Attorney









