PARK CITY MUNICIPAL CORPORATION PLANNING COMMISSION MEETING MINUTES COUNCIL CHAMBERS MARSAC MUNICIPAL BUILDING JUNE 27, 2018

COMMISSIONERS IN ATTENDANCE:

Chair Melissa Band, Sarah Hall, John Kenworthy, John Phillips, Laura Suesser

EX OFFICIO: Planning Director, Bruce Erickson; Anya Grahn, Planner; Tippe Morlan, Planner; Mark Harrington, City Attorney; Rebecca Ward, Legal Intern

REGULAR MEETING

ROLL CALL

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

ADOPTION OF MINUTES

June 13, 2018

MOTION: Commissioner Kenworthy moved to APPROVE the Minutes of June 13, 2018 as written. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Erickson reported that the Planning Department was planning on only having one Planning Commission meeting in July on July 11th.

Commissioner Kenworthy disclosed a prior working relationship with Jonathan DeGray, the project architect for 89 King Road. However, he did not believe that previous relationship would require him to recuse from that agenda item.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 89 King Road – A request for a Conditional Use Permit to allow construction of a new single-family structure on a steep slope. The applicant proposes at least 200 square feet of Building Footprint to be built upon an existing slope of 30 percent or greater. (Application PL-18-03843)

Director Erickson noted that this normally would be a Consent Agenda item. If the Planning Commission had no questions or concerns the Staff would not give a full presentation. The Commissioners could open the public hearing and take action.

There were no questions or concerns.

Chair Band opened the public hearing.

There were no comments.

Chair Band opened the public hearing.

MOTION: Commissioner Kenworthy moved to APPROVE the conditional use permit for 89 King Road to allow the construction of a single-family home on a steep slope, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 89 King Road

- 1. The property is located at 89 King Road.
- 2. The site consists of the entirety of Lot 26, Lot 27, Lot 28, and a remnant parcel of Lot 25 of Block 76 of the Park City Survey.
- 3. The property is in the Historic Residential Low Density (HRL) District.
- 4. There is an existing non-historic structure at this address which was constructed in 1950.
- 5. The existing structure does not meet current LMC front or side yard setback requirements.
- 6. At the time the residence was constructed, the property was a part of the Historic Residential (HR-1) zoning district.
- 7. The zoning for King Road was changed from HR-1 to HRL as approved by the City Council on June 7, 1984.
- 8. On April 5, 2018, the City Council approved the 89 King Road Plat Amendment to combine the lots and remnant lots of the subject property into one lot of record. This plat is currently pending recordation.

- 9. On May 3, 2018, a Historic District Design Review (HDDR) application was submitted to the City and deemed complete. A public hearing was held on May 17, 2018, application with no public comment made.
- A final decision on the HDDR application is pending an outcome for this Steep Slope CUP application; the current design cannot be approved without Steep Slope approval.
- 11. On May 10, 2018, a complete Steep Slope CUP application was submitted to the City.
- 12. On June 13, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on June 13, 2018, according to requirements of the Land Management Code.
- 13. The proposed home is a single-family dwelling which is an allowed use in the HRL district.
- 14. The minimum lot area in this zone is 3,750 square feet. This lot has an area of 4,915 square feet.
- 15. The minimum lot width is in the HRL zone is 35 feet. This lot meets the requirements of this zone at 75 feet in width.
- 16. The subject lot will also be approximately 60 feet deep.
- 17. The minimum front yard setback is 10 feet. The proposed structure has a 10-foot front yard setback.
- 18. The minimum rear yard setback is 10 feet. The proposed structure has a 10-foot rear yard setback.
- 19. The minimum side yard setback is 5 feet on each side and 18 feet total. The proposed structure has a 14-foot side yard setback on the north side and a 10-foot side yard setback on the south side with a total of 24 feet on both sides.
- 20. The maximum building footprint for a lot this size is 1,864.4 square feet. The proposed footprint meets this standard at approximately 1,784 square feet.
- 21. The proposed structure is approximately 4,059 square feet in size.
- 22. The new construction takes place over slopes that are thirty percent (30%) or greater.
- 23. In many areas, the slope is approximately 100%.
- 24. The proposed structure complies with the maximum building height as follows:
 - a. The structure cannot be more than 27 feet from existing grade. It is proposed to be 25 feet from existing grade at its highest point.
 - b. The structure cannot be more than 35 feet measured from the lowest finish floor plane to the point of the tallest wall top plate. The proposed structure measures at 33.7 feet.
 - c. The final grade must be within 4 vertical feet of the existing grade. The maximum difference proposed is 2 feet.

- d. A 10-foot minimum horizontal step in the downhill façade is required at a maximum height of twenty-three feet (23') from where Building Footprint meets the lowest point of existing Grade. The proposed structure meets this requirement.
- e. The primary roof pitch is required to be between 7:12 and 12:12. The proposed structure has a primary roof pitch of 7:12.
- 25. The garage is proposed to have two (2) standard parking spaces which meet the off-street parking requirement of two (2) spaces.
- 26. This property is located outside of the Soils Ordinance Zone.
- 27. The applicant submitted plans including a streetscape showing how the structure will be observed when viewed from Prospect Avenue.
- 28. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.
- 29. The proposed house is located within the building pad and outside of all setbacks required on the lot.
- 30. The structure is proposed to match the stepping of similar homes in its vicinity.
- 31. The drive access is approximately 10 feet long with a grade of 0 percent from the street.
- 32. The proposed structure is oriented against the lot's existing contours and is stepped with the grade.
- 33. The proposed structure meets all size, height, setback, and volume related requirements indicated in the LMC for the HRL zone.
- 34. The proposed massing component is compatible with both the volume and massing of structures in the area comprised of three story dwellings.

Conclusions of Law – 89 King Road

- 1. The Application complies with all requirements of this LMC.
- 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 – 89 King Road

- 1. All Standard Project Conditions shall apply.
- 2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
 - a. No construction related parking or material storage shall be allowed on the street.

- b. There shall be no construction vehicle staging on the street and deliveries shall be "just in time" to the satisfaction of the City Engineer and Building Department.
- Construction access, deliveries, and parking shall be coordinated with all other construction projects based off of King Road.
- d. These requirements shall be shown in the Construction Mitigation Plan.
- 3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.
- 4. 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.
- 5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
- 6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.
- 7. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes related more specifically to the architectural design made during the Historic District Design Review.
- 8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
- 9. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
- 10. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade unless an exception is granted by the City Engineer per the LMC, Chapter 4.
- 11. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
- 12. Construction waste should be diverted from the landfill and recycled when possible.

- 13. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved by the Planning Department in writing to be removed, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size.
- 14. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
- 15. The plat amendment must be recorded prior to issuance of a building permit.
- 16. This approval will expire on June 27, 2019 if a building permit has not been issued by the building department before the expiration date, unless a written request for an extension is submitted prior to the expiration date and the extension is granted by the Planning Director.
- 2. 1117 Park Avenue A plat amendment proposing to combine the north half of Lot 3 and Lot 4, Block 5 of the Snyder's Addition to Park City into one (1) lot of record measuring 2,812.5 square feet. (Application PL-18-03863)

Planner Grahn was available to answer questions.

Chair Band opened the public hearing.

There were no comments.

Chair Band closed the public hearing.

Commissioner Hall questioned the reference to the non-compliant setback and asked why the Staff was recommending a positive recommendation.

Planner Grahn noted that the applicant has proposed to rotate the house when lifting to add a foundation, which would resolve the setback issue. The Staff had added a condition of approval stating that the plat amendment would not be recorded and the applicant would not be issued a Certificate of Occupancy until the setback is met. Planner Grahn explained that the reason for showing the setback as non-complying on the chart in the Staff report was to make it clear as to why the condition of approval was necessary.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the 1117 Park Avenue plat amendment, based on the Findings of Fact,

Conclusions of Law, and Condition of Approval as found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1117 Park Avenue

- 1. The property is located at 1117 Park Avenue.
- 2. The property consists of the north half of Lot 3 and Lot 4, Block 5, of the Snyder's Addition to Park City.
- 3. The property is in the Historic Residential (HR-1) District.
- 4. This site is not designated as historic on the City's Historic Sites Inventory.
- 5. The Plat Amendment seeks to remove 1.5 lots of record into a single lot of record measuring 2,812.5 square feet.
- 6. The existing house was constructed in 1979. A rear addition was added in 2005. The existing house has been determined to be non-complying as a 1993-1994 addition was constructed with a 2.5-foot side yard setback. The applicant has proposed to rotate the house 2 degrees in order to comply with the 3-foot side yard setback requirements.
- 7. On December 7, 2017, the applicant submitted a Historic District Design Review (HDDR) application for the renovation of the house that included an addition. The application was deemed complete on January 18, 2018.
- 8. The applicant submitted a plat amendment application on May 2, 2018; it was deemed complete on May 16, 2018.
- 9. The minimum lot area for a single-family dwelling is 1,875 square feet in the HR-1 zone. The proposed lots meet the minimum lot area for single-family dwellings as it will measure 2,812.5 square feet. The lot does not meet the minimum size for a duplex.
- 10. A single-family dwelling is an allowed use in the District.
- 11. The minimum width of a Lot is 25 feet measured 15 feet back from the Front Lot Line. The proposed lot width meets the minimum requirement as it is 37.50 feet wide.
- 12. The minimum front yard setbacks for a lot of this depth in the HR-1 Zoning District are 10 feet; the proposal complies and has a front yard setback of 26 feet.
- 13. The minimum rear yard setbacks for a lot of this depth in the HR-1 Zoning District are 10 feet; the proposal complies and has a rear yard setback of 9 feet. It is an existing non-complying structure.
- 14. The minimum side yard setback for a lot of this width is 3 feet for a total of 6 feet in the HR-1 zoning district. The existing house is legal non-complying and has a 6-foot north side yard setback and a 2.5-foot south side yard setback.

- 15. The maximum building footprint for a lot measuring 2,812.5 square feet in the HR-1 Zoning District is 1,200.7 square feet. The existing house complies as it has a footprint of 910 square feet.
- 16. The maximum building height for the HR-1 zoning district is 27 feet from Existing Grade; the existing house is 20.5 feet tall.
- 17. The only encroachment on this site is a fence that wraps around the backyard. Portions of the fence encroach over the rear lot line and into the property at 1110 Woodside Avenue to the west and 1109 Park Avenue to the south.
- 18. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 1117 Park Avenue

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

Conditions of Approval – 1117 Park Avenue

- 1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
- 2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
- 3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official and shall be noted on the plat.
- 4. The fence in the backyard that encroaches into the properties at 1110 Woodside Avenue and 1109 Park Avenue shall be demolished or relocated within the property boundaries of 1117 Park Avenue.
- 5. The City Engineer will also require the dedication of ten foot (10') wide public snow storage easements along Park Avenue
- 6. The applicant shall rotate the house by 2 degrees in order to comply with required 3-foot side yard setbacks of the HR-1 District. The applicant shall provide an updated certified survey following the rotation to verify that the setbacks have been met. No Certificate of Occupancy (CO) will be issued nor will the plat amendment

be recorded until the house has been rotated to comply with the required 3-foot side yard setbacks.

3. <u>227 Main Street – A plat amendment proposing to combine Lots 7 and 8, Block</u> 12, of the Park City Amended Survey into one lot of record measuring 3,750 square feet. (Application PL-18-03847)

Planner Grahn was available to answer questions.

Chair Band opened the public hearing.

There were no comments.

Chair Band closed the public hearing.

Commissioner Kenworthy asked if the Third District Court actions were still ongoing or whether they had ceased with the new owner.

City Attorney Mark Harrington replied that it appears they have ceased. There was an Order to Show Cause for Non-activity on the Courts efforts to clean it up. Mr. Harrington assumed the court action would quietly go away because there has been no activity since the Motion was filed.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for the 227 Main Street plat amendment, based on the Findings of Fact, Conclusions of Law, and the Conditions of Approval found in the draft ordinance. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 227 Main Street

- 1. The property is located at 227 Main Street.
- 2. The property consists of all of Lots 7 and 8 of Block 12 of the Park City Amended Survey.
- 3. The property is in the Historic Commercial Business (HCB) District.
- 4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.
- 5. The Plat Amendment removes an interior lot line and creates one (1) lot measuring 3,750 square feet.

- 6. On October 2, 2015, the Park City Building Department issued a Notice and Order to repair the historic Star Hotel. The building has been uninhabitable since 2015, and no stabilization has occurred.
- 7. On October 6, 2016, the applicant submitted a Determination of Significance (DOS) application to remove the site from the City's Historic Sites Inventory. The Historic Preservation Board (HPB) reviewed the DOS application and found that it met the criteria to be designated as Significant on November 2, 2016. This determination was then appealed to the BOA on February 21, 2017, and the BOA upheld the HPB's determination. This determination has been appealed to Third District Court.
- 8. On July 6, 2017, Planning Director Bruce Erickson found that no payment had been made for the assessment for the property during the period of August 16, 1974 to January 1, 1984 for the Main Street Off-Street Parking Special Improvement District, in accordance with LMC 15-2.6-9(B). Therefore, new construction must provide off street parking. The former owner, West Lake Lands, LLC, appealed this determination on July 17, 2017.
- 9. The Planning Commission reviewed and upheld the Planning Director's determination on August 23, 2017. West Lake Lands, LLC appealed this decision in Third District Court.
- 10. Westlake Lands, LLC sold the property to the current owner, Hoffman Properties, LC, in January 2018. Hoffman Properties, LC took over Westlake Lands, LCC's Historic District Design Review (HDDR) application, which had been deemed complete on May 23, 2017. The HDDR is currently under review as staff has been working with the applicant on complying with the LMC and Design Guidelines.
- 11. On April 20, 2018, the applicant submitted a plat amendment to combine the existing two (2) lots of record into one (1) lot of record. The application was deemed complete on April 26, 2018.
- 12. The minimum Lot Size required in the HCB Zoning District is 1,250 square feet; the proposed lot size is 3,750 square feet.
- 13. The minimum lot width is 25 feet and minimum lot depth is 50 feet in the HCB Zoning District; the proposed lot width is 50 feet and lot depth is 75 feet.
- 14. The HCB Zone has 0 front, rear, and side yard setbacks. The historic building encroaches 4 to 5 feet, increasing from north to south, into the Main Street right-of-way. The existing historic building has a 7.67-foot south side yard setback and 4.04-foot north side yard setback. It has a 25 rear (west) yard setback.
- 15. The HCB Zone allows a Floor Area Ratio (FAR) of up to 4.0. The current historic building has a FAR of approximately 1.45.
- 16. Per LMC 15-2.6-5, the maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet

- (45') above the Natural Grade and connects with the rear portion of the bulk plane. The existing building is 24.67 feet tall.
- 17. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 227 Main Street

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

Conditions of Approval:

- 1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
- 2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
- 3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
- 4. The existing historic building encroaches 4 to 5 feet into the Main Street right-of-way, increasing from north to south. The applicant shall enter into an encroachment agreement with the City Engineer to address this encroachment. The encroachment agreement shall be recorded prior to recordation of the plat.
- 4. 835 Empire Avenue A plat amendment proposing to combine all of Lot 5 and the south half of Lot 6, Block 20, Snyder's Addition to Park City to create one (1) lot of record measuring 2,812.5 square feet. (Application PL-18-03881)

Planner Grahn was available to answer questions.

Chair Band opened the public hearing.

There were no comments.

Chair Band Closed the public hearing.

Commissioner Kenworthy referred to page 119 of the Staff report, Condition #7, and asked how that condition would work.

Planner Grahn stated that typically if a non-historic building can be altered and there is an encroachment, the owner is required to either enter into an encroachment agreement with the neighbor; or for example, if it is an eave overhanging, they must shave off the eave. In this case, because the historic house encroaches, the Staff recommended that the owner enter into an encroachment agreement. However, recognizing that the neighbor may not consent to an encroachment agreement, they would not want to change the historic house to remedy the encroachment.

Chair Kenworthy assumed that was the reason for using the word "request" in the condition. Planner Grahn replied that he was correct. Planner Grahn explained that the formalization would be an encroachment agreement; but if the owner tried to work with the neighbor and could not enter into an encroachment agreement, the City would recognize that they at least tried and the condition would be met.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the 835 Empire Avenue plat amendment, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 835 Empire Avenue

- 1. The property is located at 835 Empire Avenue.
- 2. The site is designated as Landmark on the City's Historic Sites Inventory.
- 3. The house was listed on the National Register of Historic Places in 1984.
- 4. On May 15, 2018, the applicant submitted a plat amendment application; it was deemed complete on May 15, 2018.
- 5. The plat amendment proposes to combine all of Lot 5 and the south half of Lot 6, Block 20, Snyder's Addition to Park City to create one (1) lot of record measuring 2,812.5 square feet.
- 6. An existing set of concrete stairs extend beyond the front (east) property line and into the Empire Avenue right-of-way, and there are also two tiers of railroad tie retaining walls constructed in the Empire Avenue right-of-way.

- 7. Per LMC 15-2.2-4 Existing Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.
- 8. The minimum Lot Size in the HR-1 Zoning District is 1,875 square feet; the applicant is proposing a lot size of 2,812.5 square feet.
- 9. The maximum allowed Footprint for a lot of this size in the HR-1 Zoning District is 1,200.7 square feet; the existing historic house has a footprint of 756 square feet.
- 10. The required front yard setback is 10 feet; the historic house has a 15-foot front yard setback.
- 11. The required rear yard setback is 10 feet; the historic house has a rear yard setback of 19 feet.
- 12. The required side yard setback is 3 feet, for a total of 6 feet. The historic house has a 10-foot north side yard setback and a 0-foot south side yard setback. The eave of the historic house extends over the south lot line.
- 13. The Zone Height is 27 feet and requires a 10-foot horizontal step on the downhill side that occurs at 23 feet above Existing Grade. The current height of the historic structure is 21.5 feet.
- 14. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law - 835 Empire Avenue

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

<u>Conditions of Approval – 835 Empire Avenue</u>

- 1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
- 2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
- 3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.

- 4. A 10-foot-wide public snow storage easement along the frontage of Norfolk Avenue is required and shall be provided on the plat.
- 5. There are non-historic retaining walls and concrete landscape steps that encroach into the Empire Avenue right-of-way in front of 835 Empire Avenue. The applicant shall remove these retaining walls prior to recording the plat. The applicant shall enter into an encroachment agreement with the City Engineer for any landscape steps needed to access the property that are located within the right-of-way.
- 6. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
- 7. The owner shall request to formalize the encroachment of the historic roof eaves with an encroachment agreement from their neighbor to the South.

Approved by Planning Commission:	

The Park City Planning Commission Meeting adjourned at 5:50 p.m.