# AN ORDINANCE APPROVING THE KNUDSON SUBDIVISION PLAT LOCATED AT 1314 & 1350 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Knudson Subdivision located at 1314 & 1350 Empire Avenue, have petitioned the City Council for approval of the Knudson Subdivision; 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 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 29, 2014 to receive input on the proposed subdivision;

WHEREAS, on January 29, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on February 13, 2014 the City Council held a public hearing on the proposed Knudson Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Knudson Subdivision.

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 Knudson Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

## Findings of Fact:

- The property is located at 1314 & 1350 Empire Avenue within the Recreation Commercial (RC) District.
- 2. On December 31, 2013, the applicants submitted an application for a plat amendment to combine eleven (11) lots and the adjacent abandoned Norfolk Avenue ROW containing a total of 25,883 square feet into three (3) lots of record.
- 3. The plat amendment is necessary in order for the applicants to move forward with the City's RDA redevelopment efforts and improvements, which include a possible east/west pedestrian connection from Miner's Hospital to PCMR, as well as remove lot lines under the Acorn Inn and compliance with the northerly side and rear yard setbacks for the Acorn Inn.

- 4. The application was deemed complete on January 7, 2014.
- 5. As per Land Management Code (LMC) 15-7.1-6(Å) "an Owner of the land or his representative shall file with the Planning Department an Application for the approval of a final Subdivision Plat. The application shall include all contiguous holdings of the Owner, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office.
- 6. The Planning Director made a determination on January 23, 2014 and the Planning Commission voted to support the determination that Gary Knudson is not required to subdivide the contiguous holdings located at and around 1314 & 1350 Empire Avenue. Rather, the applicant may move forward with the request for a three (3) lot plat amendment at 1314 & 1350 Empire Avenue only.
- 7. The RC zone requires a minimum lot area of 1,875 square feet.
- 8. Lots A and B have frontage on and access from Empire Avenue. Lot C has frontage on and access from Norfolk Avenue.
- 9. The proposed subdivision contains a total of 25,883 square feet of area. Lot A contains 14,625 sq. ft., Lot B contains 4,133 sq. ft., and Lot C contains 7,125 sq. ft.
- 10. Lot A is intended to be used for a future RDA pedestrian connection between PCMR and Miner's Hospital. The Acorn Inn will remain on Lot B. Lot C is vacant.
- 11. The proposed plat amendment does not create any new non-complying or nonconforming situations.
- 12. The plat amendment secures a public snow storage easement across the frontage of Lot A on Empire Avenue.
- 13. The amendment of eleven (11) lots and the adjacent abandoned Norfolk Avenue ROW would be the second largest plat amendment in the neighborhood. The largest of these plat amendments is the Carl Winters School Subdivision which contains seventy-two (72) lots and the next largest is the Park City High School Mechanical Arts Building which contains seven (7) lots.

# 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. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.

Jack Thomas MA

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

PASSED AND ADOPTED this 13th day of February, 2014

PARK CITY MUNICIPAL CORPORATION

ATTEST:

Marci Heil, City Recorder

Mark Harrington, City Attorney

APPROVED AS TO FORM:

SURVEYOR'S CERTIFICATE

LEGAL DESCRIPTION

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Park City Redemissement Authority

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OWNER'S DEDICATION AND CONSENT TO RECORD

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OWNER'S DEDICATION AND CONSENT TO RECORD

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ACKNOW EDGMENT

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A RE-SUBDIVISION OF PLATTED LOTS AND RIGHT-OF-WAY BLOCK 19, SNYDER'S ADDITION TO PARK CITY SURVEY

KNUDSON SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK GTY, SUMMIT COLINITY, UTAH

1 FIND THIS PLAT TO BE IN APPROVED AS TO FORM THIS ACCORDANCE WITH INCREMENTION ON PLAT OF A.D. DAY OF 2014 A.D. APPROVAL AS TO FORM ENGINEER'S CERTIFICATE

CERTIFICATE OF ATTEST
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MAP WAS APPROVED BY PARK CITY
COUNCIL THIS DATE OF DAY
OF DEATH A.D. PARK CITY RECORDER

BY MAYOR

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AT THE REOUEST OF BOOK PAGE
DATE.

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APPROVED BY THE PARK CITY
PLANKING COMMISSION THIS
DAY OF 2014 A.D. 9Y CHAIRMAN

PLANNING COMMISSION

BY PARK CITY ENGINEER

BY PARK CITY ATTORNEY

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EXHIBIT

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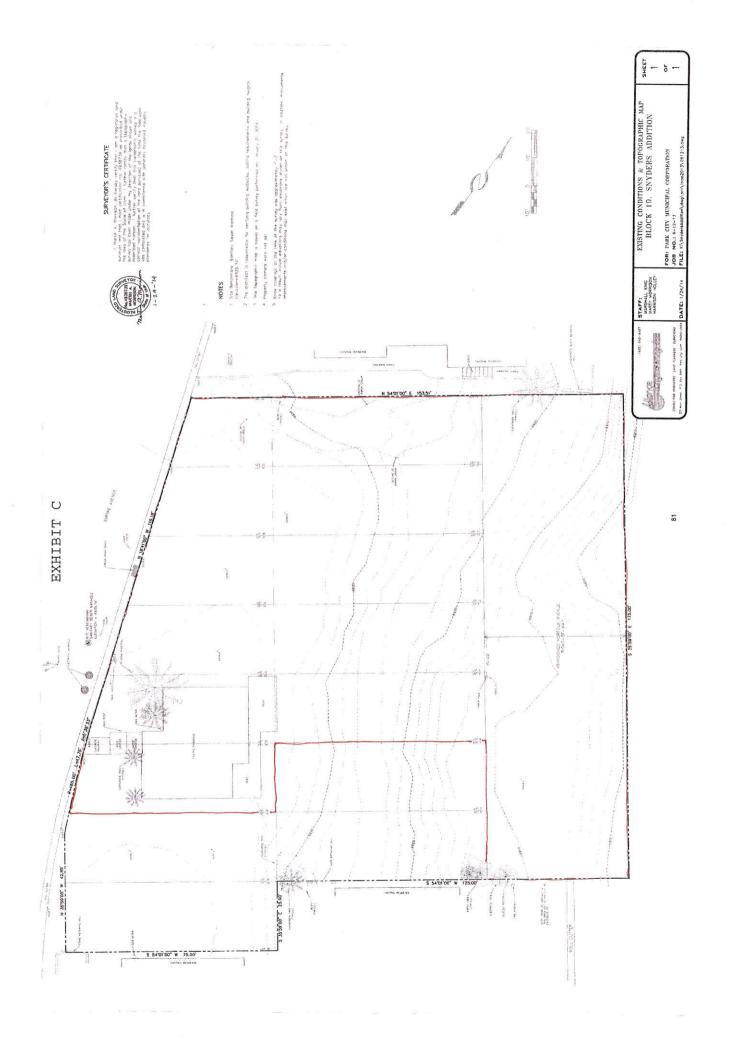
KNUDSON SUBDIVISION

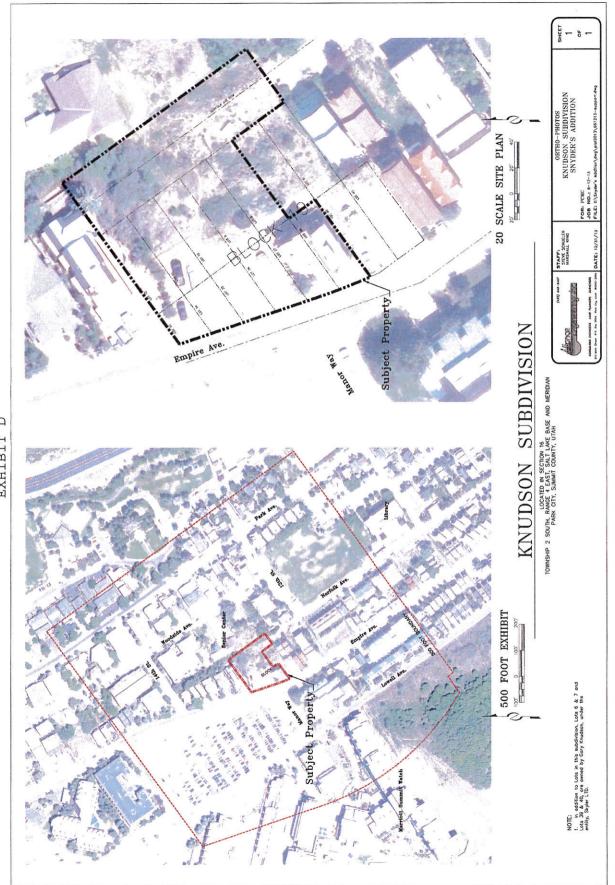
LOCATED IN SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

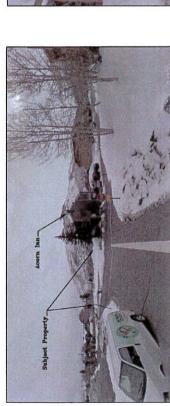
NOTE: In addition to Lats in this subdivision, Lots 6 & 7 and Liots 39 & 40, ore owned by Gory Knudson, under the entity, Styler 2.10.

OWNERSHIP PLAT KNUDSON SUBDIVISION SNYDER'S ADDITION

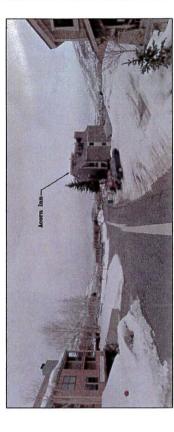
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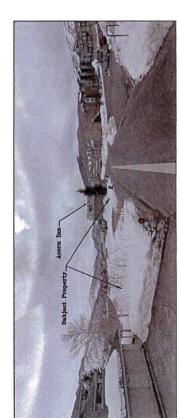




LOOKING EAST FROM MANOR WAY



LOOKING NORTH FROM EMPIRE AVE.



LOOKING SOUTH FROM EMPIRE AVE.

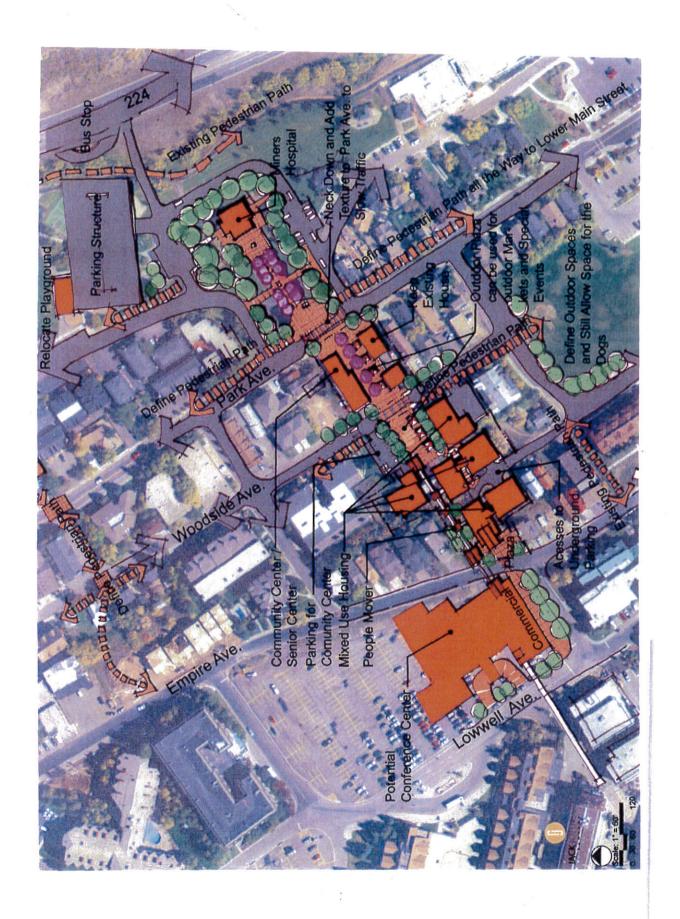


LOOKING WEST FROM NORFOLK AVE.



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EXHIBIT





January 23, 2014

Gary Knudson PO Box 511 Park City, UT 84060

#### NOTICE OF PLANNING DIRECTOR DETERMINATION

Project Address:

1314 & 1350 Empire Avenue

Project Description:

Plat Amendment PL-14-02202

Project Number: Date of Action:

January 23, 2014

# **ACTION TAKEN BY PLANNING DIRECTOR:**

Per Land Management Code (LMC) 15-7.1-6(A) an Owner of the land or his representative shall file with the Planning Department an Application for the approval of a final Subdivision Plat. The application shall include all contiguous holdings of the Owner, unless specifically waived by the Planning Department and Planning Commission, including land in the "same ownership," as defined herein, with an indication of the portion which is proposed to be subdivided, accompanied by an affidavit of ownership, which shall include the dates the respective holdings of land were acquired, together with the book and page of each conveyance to the present Owner as recorded in the County Recorder's office. The affidavit shall advise as to the legal Owner of the Property, the contract Owner of the Property, the date a contract of sale was executed, and, if any corporations are involved, a copy of the resolution legally empowering the Applicant to make the Application.

The Planning Director finds that Gary Knudson is not required to subdivide the contiguous holdings located at and around 1314 & 1350 Empire Avenue. Rather,

the applicant may move forward with the request for a three lot plat amendment at 1314 & 1350 Empire Avenue only.

## Findings of Fact:

- 1. The property is located at 1314 & 1350 Empire Avenue within the Recreation Commercial (RC) District.
- 2. The applicants are requesting to combine eleven (11) lots and the adjacent abandoned Norfolk Avenue ROW containing a total of 25,883 acres into three (3) lots of record. Currently, the property includes Lots 8-12, Lots 33-38, and the abandoned Norfolk Avenue ROW of Block 19 within the Snyder's Addition survey area of Park City.
- 3. The plat amendment is necessary in order for the applicants to move forward with the City's RDA redevelopment efforts and improvements, which include a possible east/west pedestrian connection from Miner's Hospital to PCMR, as well as remove lot lines under the Acorn Inn and provide access for Lot C to Norfolk Ave.
- 4. New additions to the Acorn Inn would require adherence to current setbacks as required in the RC District.
- 5. The property at 1314 Empire Avenue is contiguous with the 2 lots (Lots 39 & 40) directly south along Empire Avenue as well as the 2 lots (Lots 6 & 7) directly south of Lot C.
- 6. The applicant submitted an application for a plat amendment on December 31, 2013.
- 7. The Planning Commission will review the application for a three (3) lot subdivision on January 29, 2014.
- 8. Staff learned that Gary Knudson owned the contiguous property directly south and southeast of 1314 Empire Avenue (Lots 6, 7, 39, & 40) on January 14, 2013.
- 9. Gary Knudson has directly expressed interest in not subdividing the other 4 lots contiguous to 1314 Empire Avenue (Lots 6, 7, 39, & 40). The property contiguous to 1314 Empire Avenue is not already developed and the owner does not intend to develop this property at this time.
- 10. There are no existing structures on the 4 contiguous lots (Lots 6, 7, 39, & 40).

### Conditions of Approval

- 1. All standard conditions of approval shall apply.
- 2. Any modifications to the property contiguous to 1314 Empire Avenue (Lots 6, 7, 39, & 40) will require the applicant to submit a plat amendment application to the Planning Department.

If you have any questions regarding this determination, please don't hesitate to

contact the Planning Department at 435-615-5060.

Sincerely,

Thomas E. Eddington Jr., AICP, LLA Planning Director

Christy J. Alexander, AICP Planner!! CC: