

Ordinance No. 2017-38

AN ORDINANCE APPROVING THE RETREAT AT THE PARK, FIRST AMENDED LOCATED AT THE 1450-1460 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1450-1460 Park Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 10, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 6, 2017, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on public hearing on May, 24, June 14, and June 28, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 28, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 13, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Retreat at the Park, First Amended located at the 1450-1460 Park Avenue.

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

SECTION 1. APPROVAL. The Retreat at the Park, First Amended located at the 1450-1460 Park Avenue, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

1. The property is located at 1450-1460 Park Avenue in the Historic Residential-Medium Density (HRM) District.
2. The subject property consists of Lots 1 and 2 of the Retreat at the Park Subdivision approved by the City Council as Ordinance 07-20 and recorded at Summit County on August 16, 2007.
3. On December 8, 2015, the Planning Department received a Historic District Design Review (HDDR) application for the rehabilitation and relocation of the historic houses at 1450 and 1460 Park Avenue. The HDDR applications were approved on November 21, 2016.
4. On February 3, 2016, the Historic Preservation Board (HPB) approved the material deconstruction for the historic houses at 1450 and 1460 Park Avenue. The HPB approved the relocation of the house at 1450 Park Avenue 8'6" to the

west towards Park Avenue and the relocation of the house at 1460 Park Avenue 5'5" to the west towards Park Avenue was approved by the HPB on March 2, 2016

5. On July 13, 2016, the Planning Department approved Conditional Use Permits (CUP) at each address to allow access off Sullivan Road.
6. On March 20, 2017, the Planning Department received an application for a plat amendment to combine Lots 1 and 2 of the Retreat at the Park Subdivision at 1450-1460 Park Avenue; the application was deemed complete on March 27, 2017.
7. The proposal complies with the allowed uses in the HRM District.
8. The combined lot size will be 18,294.43 square feet.
9. The minimum lot width in the HRM District is 37.50 feet; the combined lot width will be 108.25 feet along Park Avenue and 100.99 feet along Sullivan Road.
10. The required front yard setback is 15 feet in the HRM District; the applicant is providing a 15 foot front yard setback.
11. The required rear yard setback is 10 feet in the HRM District; the applicant is proposing a 22 foot setback.
12. The required side yard setback is 5 feet in the HRM District; the applicant is proposing 5 feet along the north and south side yards.
13. Single-family dwellings are an allowed use in the HRM District.
14. The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance.
15. Property is located in a FEMA Flood Zone A
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

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 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 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 year's 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. Required public improvements and landscaping, as applicable, shall be

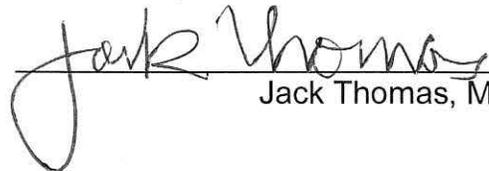
completed at the time of conversion or security provided to ensure completion as provided by ordinance.

4. The applicant shall dedicate a façade preservation easement to the City for the historic structures at 1450 and 1460 Park Avenue following their restoration and prior to sale of the historic buildings to private property owners.
5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Final construction must comply with the Soils Ordinance regulations.
6. The applicant shall show and label their easement with Snyderville Basin Water Reclamation District (SBWRD) on the plat amendment.
7. A ten feet (10') wide public snow storage easement will be required along the Park Avenue frontage of the property.
8. Surface utility boxes for this project shall be located on the property.
9. Because of Park City's implemented Storm Management Plan, construction projects shall need to identify drainage areas and planned Best Management Practices ("BMPs") to control erosion and off-site migration of soils.

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

PASSED AND ADOPTED this 13th day of July, 2017.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

