

Ordinance No. 2017-48

AN ORDINANCE APPROVING THE WOODSIDE PARK SUBDIVISION - PHASE I LOCATED AT 1333 PARK AVENUE, 1353 PARK AVENUE, AND 1364 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on August 5, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on August 9, 2017, proper legal notice was sent to all affected property owners and published in the Park Record and on the Utah Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on August 23, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on August 23, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 31, 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 Woodside Park Subdivision - Phase I located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue.

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

SECTION 1. APPROVAL. The Woodside Park Subdivision - Phase I located at 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue, as shown in Attachment 1, 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 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue in the Historic Residential-Medium Density (HR-M) District.
2. The proposed site location consists of 1333 Park Avenue ("Significant" Single-Family Dwelling), 1353 Park Avenue (the former Park Avenue Fire Station parcel), and 1364 Woodside Avenue (vacant lot).
3. The subject property location currently consists of three (3) existing lots. Existing

1333 and 1353 Park Avenue are each single lots abutting both Park Avenue and Woodside Avenue. Existing 1364 Woodside Avenue consists of Lot 2 of the Sernyak Subdivision which was approved and recorded at Summit County in 2005.

4. The proposed Plat Amendment creates a three-lot (3-lot) subdivision from three (3) existing lots.
5. Existing 1364 Woodside Avenue and 1353 Park Avenue will be combined to create Lot 1. Existing 1333 Park Avenue will be subdivided halfway between Park Avenue and Woodside Avenue to create Lot 2 (abutting Park Avenue) and Lot 3 (abutting Woodside Avenue).
6. A portion (74.3 square feet) of the western boundary of existing 1353 Park Avenue will be dedicated as Right-of-Way for Woodside Avenue.
7. The east-west Access and Utility Easement will run along the southern boundary of Lot 1 and the northern boundary of Lots 2 and 3.
8. The Plat Amendment application was submitted on January 10, 2017 for the Woodside Park Subdivision - Phase I. The application was deemed complete on February 15, 2017 after staff worked with the applicant on the requirements for the submittal.
9. The minimum lot width in the HRM District is 37.5 feet; the lot width of Lot 1 will be 100.99 feet (east boundary) and approx. 167.5 feet (west boundary). The lot width of Lot 2 and Lot 3 is 41 feet each.
10. Per LMC 15-6-5(C) MPD Requirements - Setbacks, the minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size. The Woodside Park Affordable Housing Phase I MPD area is less than one (1) acre in size, therefore, the applicant is requesting that the setbacks be reduced to that of the Zone Setbacks for all Uses.
11. For lots over 75 feet in depth, the required Front Yard Setback for the Single-Family Dwellings and the Parking Lot is 15 feet in the HRM Zoning District.
12. As a part of the Master Planned Development application, the applicant is requesting an additional Front Yard setback reduction for the two (2) Single-Family Dwellings located on Lot 1 abutting Park Avenue. The two (2) Single-Family Dwellings on Lot 1 are proposing 10 feet rather than the Zone required 15 feet Front Yard Setback which is consistent with many of the existing single-family dwellings on Park Avenue (including the neighboring "Significant" Single-Family Dwelling located at 1359 Park Avenue). No additional density is achieved by the decreased setback and all other requirements will still be met.
13. As a part of the Master Planned Development application, the applicant is requesting an additional Front Yard setback reduction for one (1) Parking Space of the Parking Lot abutting Woodside Avenue on Lot 1. The minimum Front Yard Setback for a Parking Lot is 15 feet in the HR-M Zoning District. The applicant is proposing a Front Yard Setback for the Parking Lot of 15 feet on the south and 12 feet 8 inches on the north. Parking Space 13 encroaches into the Front Yard Setback by a maximum of 2 feet 4 inches. The Parking Requirement for the entire project requires that the Parking Lot provide 11.5 Parking Spaces (for complete Parking Analysis, please reference the MPD Staff Report in this Planning Commission Meeting Packet); therefore Parking Space 13 is not

- required to fulfill a Parking Requirement.
14. If the Lot depth is 75 feet or less, then the minimum Front Yard 10 feet.
 15. The required Front Yard Setback for the Multi-Unit Dwelling is 20 feet.
 16. The required rear yard setback for the Single-Family Dwellings and the Parking Lot is 10 feet in the HRM District. The applicant is proposing a 10 foot rear yard setback for the Single-Family Dwellings and Parking Lot.
 17. The required side yard setback for the Single-Family Dwellings is 5 feet in the HRM District. The applicant is proposing a minimum of 5 feet side yard setbacks for the Single-Family Dwellings.
 18. The required side yard setback for the Multi-Unit Dwelling and Parking Lot is 10 feet in the HRM District. The applicant is proposing a minimum of 10 feet side yard setbacks for the Multi-Unit Dwelling and Parking Lot.
 19. A single-family dwelling is an allowed use in the HRM Zoning District.
 20. A Parking Lot and Multi-Unit Dwelling are Conditional Uses in the HRM Zoning District. The Conditional Use Staff Reports can be found within this Planning Commission meeting packet.
 21. Staff finds good cause for this Plat Amendment as the proposed subdivision will create the necessary lot configurations for a compatible infill of Affordable Housing in the Historic District.
 22. 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 requirements of the Soils Ordinance.
 23. The Planning Commission reviewed and continued this Plat Amendment application on July 12th, 2017 and July 26th, 2017.
 24. The Planning Commission, on August 23, 2017, forwarded a positive recommendation to the City Council.
 25. On June 28th, 2017, July 12th, 2016, August 9th, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on June 24th, 2017, July 8th, 2017, and August 5th, 2017 according to requirements of the Land Management Code.
 26. Property is located in a FEMA Flood Zone A.
 27. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. 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,

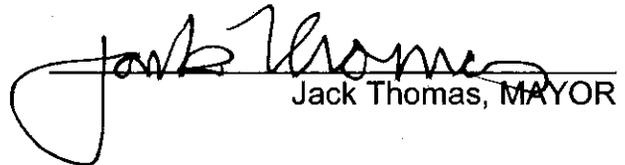
- and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
 3. The applicant shall dedicate a façade preservation easement to the City for the historic structures at 1333 and 1353 Park Avenue following their restoration and prior to sale of the historic buildings to private property owners.
 4. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Final construction must comply with requirements of the Soils Ordinance.
 5. The applicant shall show and label their easement with Snyderville Basin Water Reclamation District (SBWRD) on the plat amendment.
 6. A ten feet (10') wide public snow storage easement will be required along the Park Avenue and Woodside Avenue frontage of the property.
 7. No vehicular access or curb cuts are allowed from Park Avenue.
 8. Modified 13-D sprinklers,
 9. All at grade utility facilities for this development shall be located on the property and not in the adjacent ROW.

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

PASSED AND ADOPTED this 31st day of August, 2017.

PARK CITY MUNICIPAL CORPORATION




Jack Thomas, MAYOR

ATTEST:


Michelle Kellogg
City Recorder

APPROVED AS TO FORM:


Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

SURVEYOR'S CERTIFICATE

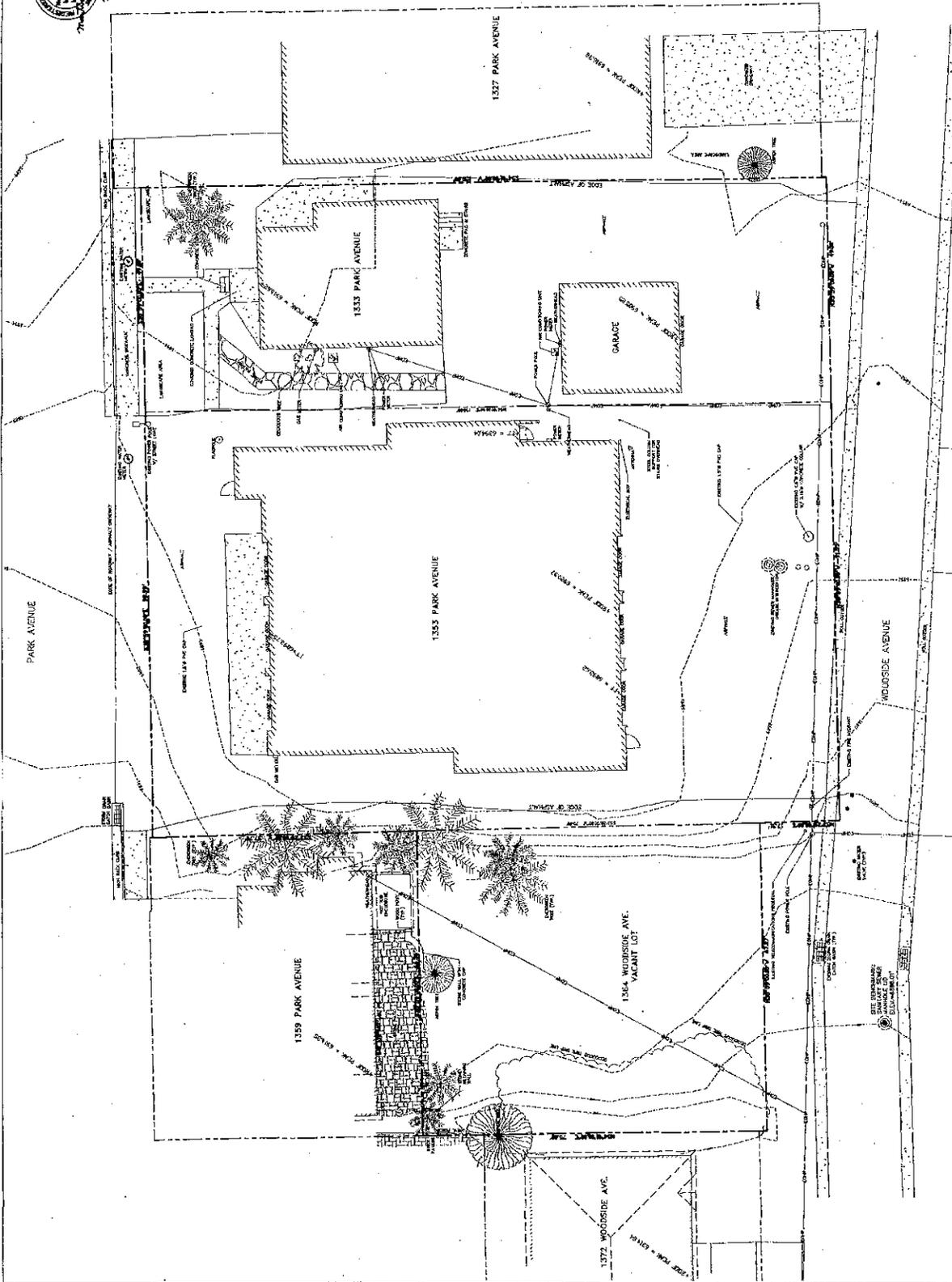
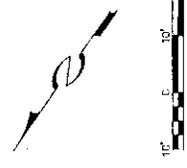
I, the undersigned, being a duly licensed and registered land surveyor in the State of Illinois, do hereby certify that a topographic survey of the land described herein, and the building thereon, was made in accordance with the laws of the State of Illinois, and that the same is a correct representation of the land surveyed and the same is a true and correct representation of the same as the same appears on the ground. I further certify that this topographic survey is a correct representation of the land surveyed and the same is a true and correct representation of the same as the same appears on the ground. I further certify that this topographic survey is a correct representation of the land surveyed and the same is a true and correct representation of the same as the same appears on the ground.



2-3-17

NOTES

1. Site boundaries, boundary lines, building setbacks, zoning requirements and building heights.
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on October 3, 2015, and October 20, 2016.
4. Property corners were not set or found on part of this survey. All other corners were set or found on November 4, 2016 on the east end of the lot with the Summit County Recorder's Office. This survey has not been submitted to the Summit County Recorder's Office. This survey has not been submitted to the Summit County Recorder's Office. This survey has not been submitted to the Summit County Recorder's Office.



EXISTING CONDITIONS & TOPOGRAPHIC MAP

1333, 1337 PARK AVE. & 1324 WOODSIDE AVE.

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO. 7-13-16

FILE: 23-Springside@pcc.gov/7-13-16-16 - Woodside Parking

DATE: 2/7/17

STAFF:
 MICHAEL BENDOWICZ
 SURVEYOR
 MARTIN ANDERSON
 CONSULTANT

DATE: 2/7/17

CONTRACT NUMBER: 1324 WOODSIDE AVENUE

CONTRACTOR: PARK CITY MUNICIPAL CORPORATION

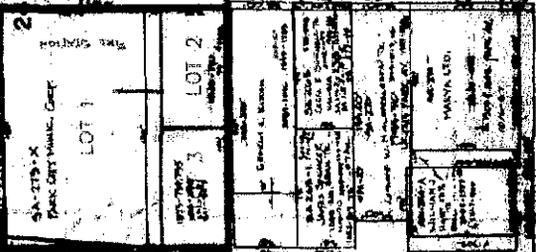
**PARK CITY - BLOCK 24, SECTION 16, T28, R4E, S18 & 19M
SNYDER'S ADDITION**

NOTE: # REFERS TO STREET ADDRESS

NORTH STREET (N 84°0'E)

SNEER CLIFF VILLAGE CONDO PROJECT (Phase 2)

SUBJECT PROPERTY



NORFOLK AVENUE (N 26°19'W)

GENION CITIZEN CENTER

WOODSIDE AVENUE

SUMMIT COUNTY, UTAH

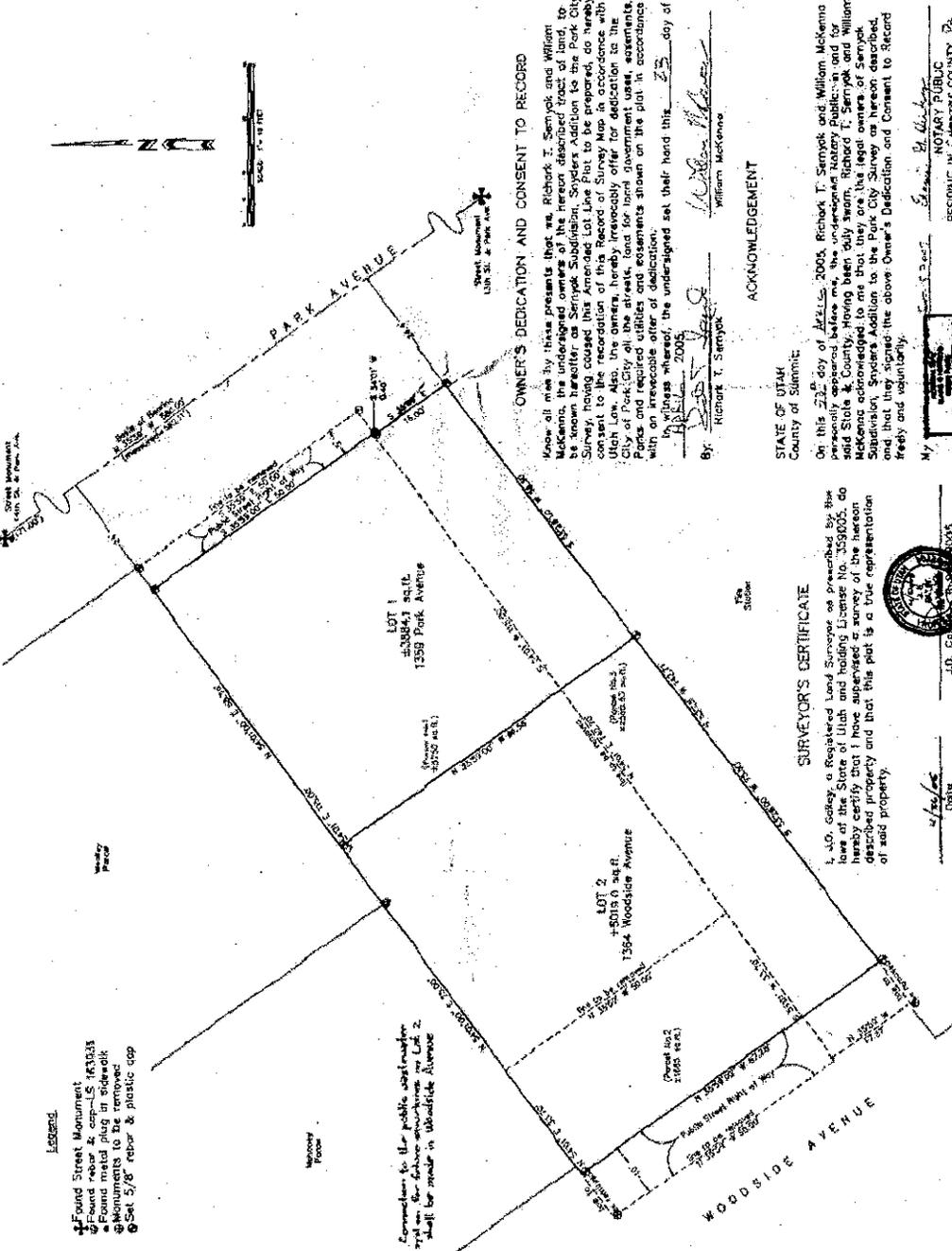
34 140-C
485 SARDENHILL
DRIVE LLC
SALT LAKE CITY, UT 84119



STAFF: MICHAEL GARDNER
BY: [Signature]

DATE: 12/16/16
JOB N
FILE: X

Sernyok Subdivision An Amendment to Block 24, Survey Snyders Addition to the Park City Survey



- NARRATIVE**
- Survey requested by Richard T. Sernyok and William McKenna.
 - Purpose of survey: lot line adjustment between properties.
 - Boundaries of the Snyders Addition as shown on Block 24, Survey, Snyders Addition to the Park City Survey, recorded as Utah County Record No. 147763, and the boundaries of the Sernyok Subdivision as shown on Block 24, Survey, Snyders Addition to the Park City Survey, recorded as Utah County Record No. 147763, in the office of the Summit County Recorder.
 - Date of survey: October, 2004.
 - Property corners set or found as shown.
 - Located in the Northwest Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
 - The survey was made in accordance with the rules and regulations of the State of Utah, and the rules and regulations of the Summit County Recorder.
 - For previous surveys see Record of Survey No. S-314 and S-1954, on file in the office of the Summit County Recorder.
 - No easements are allowed.

OLD LEGAL DESCRIPTIONS

Parcel No. 1
Beginning at a point which is North 54°01' East 356.00 feet and South 35°59' East 196.00 feet from the Northwest corner of Block 24, Snyders Addition to Park City, and running thence South 25°59' East 50.00 feet; thence South 54°01' West 115.00 feet; thence North 35°59' West 50.00 feet; thence North 54°01' East 115.00 feet to the point of beginning.

Parcel No. 2
Beginning at a point which is North 54°01' East 356.00 feet and South 35°59' East 196.00 feet and South 54°01' West 115.00 feet from the Northwest corner of Block 24, Snyders Addition to Park City, and running thence South 25°59' East 50.00 feet; thence South 54°01' West 115.00 feet; thence North 35°59' West 50.00 feet; thence North 54°01' East 115.00 feet to the point of beginning.

Parcel No. 3
Beginning at a point which is North 54°01' East 356.00 feet and South 35°59' East 196.00 feet from the Northwest corner of Block 24, Snyders Addition to Park City, and running thence South 25°59' East 50.00 feet; thence South 54°01' West 115.00 feet; thence North 35°59' West 50.00 feet; thence North 54°01' East 115.00 feet to the point of beginning.

NEW LEGAL DESCRIPTIONS

Lot 1
Commencing at the intersection of Park Avenue and 14th Street, Snyders Addition to the Park City Survey, according to the official plats thereof, and running thence North 54°01' West 115.00 feet; thence South 35°59' East 50.00 feet; thence North 54°01' East 115.00 feet; thence South 35°59' East 50.00 feet to the true point of beginning; thence South 35°59' East 50.00 feet; thence South 54°01' West 115.00 feet; thence North 35°59' West 50.00 feet; thence North 54°01' East 115.00 feet to the point of beginning, containing .38841 square feet, more or less.

Lot 2
Commencing at the intersection of Park Avenue and 14th Street, Snyders Addition to the Park City Survey, according to the official plats thereof, and running thence North 54°01' West 115.00 feet; thence South 35°59' East 50.00 feet; thence North 54°01' East 115.00 feet; thence South 35°59' East 50.00 feet to the true point of beginning; thence South 35°59' East 50.00 feet; thence South 54°01' West 115.00 feet; thence North 35°59' West 50.00 feet; thence North 54°01' East 115.00 feet to the point of beginning, containing .38841 square feet, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, the undersigned, do hereby dedicate to the public use of the State of Utah, the above described tract of land, to be known hereafter as Sernyok Subdivision, Snyders Addition to the Park City Survey, having caused this Amended Lot Line Plat to be prepared, do hereby consent to the recording of this Record of Survey Map in accordance with the Utah Law. Also, the owners, hereby, irrevocably offer for dedication to the public use of the State of Utah, the above described tract of land, with all Parks and required utilities and easements shown on the plat in accordance with the Utah Law.

In witness whereof, the undersigned set their hand this 25th day of October, 2004.

By: *Richard T. Sernyok*
Richard T. Sernyok
William McKenna

ACKNOWLEDGEMENT

I, J.D. Gasky, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.

SURVEYOR'S CERTIFICATE

I, J.D. Gasky, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.

NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY, UT.

[Signature]
Notary Public

<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS 27th DAY OF JULY, 2004 A.D.</p> <p>BY: <i>[Signature]</i> Summit County Recorder</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THE RECORD OF SURVEY MAP WAS FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDER THIS 27th DAY OF JULY, 2004 A.D.</p> <p>BY: <i>[Signature]</i> Summit County Recorder</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 27th DAY OF JULY, 2004 A.D.</p> <p>BY: <i>[Signature]</i> Mayor</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, and FILED AT THE OFFICE OF THE SUMMIT COUNTY RECORDER, THIS 27th DAY OF JULY, 2004 A.D.</p> <p>DATE 7-27-04 TIME 10:58 AM PAGE 1</p>
<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 27th DAY OF JULY, 2004 A.D.</p> <p>BY: <i>[Signature]</i> Chairman</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH PROVISIONS OF THE UTAH PLAT ACT AND I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF SAID PROPERTY.</p> <p>BY: <i>[Signature]</i> Surveyor</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>APPROVED BY THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT THIS 27th DAY OF JULY, 2004 A.D.</p> <p>BY: <i>[Signature]</i> District Engineer</p>	<p>ALPINE SURVEYING, Inc.</p> <p>19 Prospectors Dr. Park City, Utah 84060 (435) 855-8076</p>