

Ordinance No. 2017-49

AN ORDINANCE APPROVING THE PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G, AMENDING LOT 48B AND 48C, LOCATED AT 1787 AND 1791 PROSPECTOR AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1787 and 1791 Prospector Avenue have petitioned the City Council for approval of the Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C; 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 August 9, 2017, to receive input on the Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C;

WHEREAS, the Planning Commission, on August 9, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah, to approve the Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C.

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 Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C, 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 1787/1791 Prospector Avenue.
2. The two (2) existing lots are designated as Lots 48B and 48C of the Prospector Square Supplemental Amendment to Lot G.
3. Both lots are privately owned, located between Parking Lot G of the Prospector Square Subdivision and the Rail Trail.
4. The property is located within the General Commercial District.
5. The proposed Plat Amendment is to combine Lots 48B and 48C into one (1) legal lot of record, removing the interior lot line that separates them.
6. According to the recorded plat Lot 48B contains 4,775 square feet and Lot 48C contains 4,774.44 square feet.

7. The surveyor of record has indicated a size discrepancy with the recorded plat, as his survey shows that both lots are 4,774.0 square feet, which is to be placed on this Plat Amendment.
8. The proposal would create one (1) lot that contains 9,548 square feet.
9. Both lots are currently vacant.
10. None of the other lots, easements, or their configurations as shown on the Prospector Square Supplemental Amendment to Lot G will be affected by this Plat Amendment.
11. The newly created lot will have frontage on an existing private access easement that connects the lots to Prospector Avenue, a public right-of-way.
12. In the General Commercial District, all Residential Uses require a Conditional Use Permit.
13. Zero (0) lot line development is permitted on the subject site, as indicated on Land Management Code § 15-2.18.3(I). Applicable building code requirements for egress, etc., must be adhered to if zero (0) lot lines are used.
14. Future development is limited to the Zone Height of 35 feet from existing grade, as indicated on Land Management Code § 15-2.18-4.
15. Per Plat Note #2 of the Prospector Square Supplemental Amendment to Lot G, all parking demand created with future development shall be mitigated on site with the construction of underground parking.

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 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. New construction shall comply with all applicable parameters of Land Management Code regarding maximum floor area ratio, front, rear, and side yard setbacks, building height, etc.
4. All plat notes included on the Prospector Square Supplemental Amendment to Lot G continue to apply, specifically parking requirements.
5. Modified 13-D sprinklers will 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.

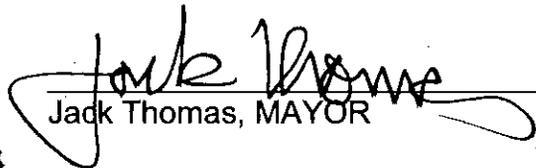
6. The Applicant shall coordinate all future development with the City Engineer to coincide with the future work to be completed along the Prospector Avenue right-of-way.
7. Any soil disturbance or proposed landscaping shall adhere to Park City Municipal Code § 11-15-1.
8. Applicable building code requirements for egress, etc., shall be adhered to if zero (0) lot lines are used.

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

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

PARK CITY MUNICIPAL CORPORATION

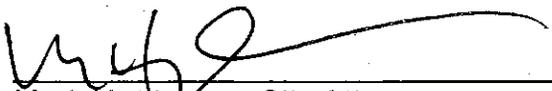



Jack Thomas, MAYOR

ATTEST:


Michelle Kellogg, CITY RECORDER

APPROVED AS TO FORM:


Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

