

Ordinance No. 2018-13

AN ORDINANCE APPROVING THE 89 KING ROAD PLAT AMENDMENT LOCATED AT 89 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 89 King Road has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 28, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 24, 2018, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on March 14, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 14, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 5, 2018, 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 89 King Road Plat Amendment located at 89 King Road.

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

SECTION 1. APPROVAL. The 89 King Road Plat Amendment, 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 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.
5. On February 28, 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 February 24, 2018, according to requirements of the Land Management Code.

6. The City received a Plat Amendment application for the 89 King Road Plat Amendment on January 9, 2018. The application was deemed complete on January 26, 2018.
7. The proposed plat amendment will create one lot 4,915 square feet in size.
8. The existing home was constructed in 1950.
9. The property lines between the existing lots bisect the structure.
10. The applicant proposes to combine the subject lots into one lot of record.
11. No known encroachments exist on this property.
12. The existing home is a single-family dwelling which is an allowed use in the HRL district.
13. The minimum lot area in this zone is 3,750 square feet. The proposed lot has an area of 4,915 square feet.
14. Lot size in this neighborhood ranges from 1,742 to 11,963 square feet. Proposed lot size of 4,915 square feet is consistent with lot sizes in the area and less than the average size of 5,128 sf. There is not sufficient lot area to create two HRL lots of 3,750 square feet each.
15. The minimum lot width in the HRL zone is 35 feet. The proposed lot meets the requirements of this zone at 75 feet in width.
16. The proposed lot will also be approximately 60 feet deep.
17. The minimum front yard setback is 10 feet. The existing house has an 8 foot front yard setback.
18. The minimum rear yard setback is 10 feet. The existing house has a 29 foot rear yard setback.
19. The minimum side yard setback is 5 feet on each side and 18 feet total. The existing house has an 8 foot side yard setback on the north side and a 1 foot side yard setback on the south side with a total of 9 feet on both sides.
20. The existing structure does not meet current LMC front or side yard setback requirements.
21. At the time the residence was constructed, the property was a part of the Historic Residential (HR-1) zoning district.
22. The zoning for King Road was changed from HR-1 to HRL as approved by the City Council on June 7, 1984.
23. The maximum building footprint for a lot this size is 1,864.4 square feet. The existing footprint meets this standard at approximately 1,700 square feet.
24. A Historic District Design Review application is required for any new construction proposed at the existing site.
25. A Steep Slope Conditional Use Permit is required for any construction proposed on slopes greater than 30 percent according to the HRL requirements.
26. King Road is a narrow steep street that can at times receive heavy snowfall. Snow storage easements along public streets allow the City to efficiently plow and clear streets.

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 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. Side lot line snow shedding easements may be required for new construction per requirements of the Chief Building Official.
5. A 10 foot wide public snow storage easement along the King Road frontage shall be shown on the plat.
6. City approval of a Construction Mitigation Plan is a condition precedent to the issuance of any building permits. The Planning Department and Building Department are required to coordinate the Construction Management Plan with adjacent properties if they are under construction.

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

PASSED AND ADOPTED this 5th day of April, 2018.

PARK CITY MUNICIPAL CORPORATION



MAYOR

ATTEST:

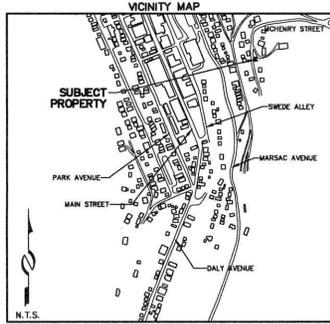
City Recorder

APPROVED AS TO FORM:

City Attorney

Attachment 1 – Proposed Plat

Exhibit A - Attachment 1: Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Registered Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owners, 89 KING ROAD PLAT AMENDMENT has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

Lots 26, 27 and 28, Block 76, Millsite Reservation Subdivision No. 1, Park City Survey, Summit County, Utah, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Also:
Beginning at a point South 68°27' East 13.62 feet from the northwest corner of Lot 25, Block 76 Millsite Reservation to Park City, and running thence South 88°27' East 10.04 feet; thence South 29°52'00" West 2.35 feet; thence North 60°00'40" West 15.87 feet to the point of beginning.

Also:
Beginning at a point that is North 68°27'00" West 34.53 feet from the northeast property corner of Lot 25, Block 76 of the Millsite Reservation Park City, Utah, to the point of beginning; thence North 68°27'00" West a distance of 6.20 feet more or less to a point at a corner on the north line of a warranty deed 415-23; thence South 29°52'00" West a distance of 1.30 feet; thence South 56°25'52" East a distance of 6.07 feet; thence North 31°31'08" East a distance of 2.37 feet to the point of beginning.
Contains 4,915 SQ. FT.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that WASATCH PEAK PROPERTIES, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 89 KING ROAD PLAT AMENDMENT, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.
ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City all the easements and required utilities shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set her hand this _____ day of _____, 2018.

WASATCH PEAK PROPERTIES, LLC, a Utah limited liability company

By: Julie Ponder, Manager

ACKNOWLEDGMENT

State of: _____

County of: _____

On this _____ day of _____, 2018, Julie Ponder personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Manager of WASATCH PEAK PROPERTIES, LLC, a Utah limited liability company, and that said document was signed by her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members and she acknowledged to me that she executed the 89 KING ROAD PLAT AMENDMENT.

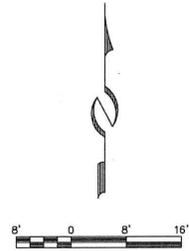
A Notary Public commissioned in _____

Printed Name _____

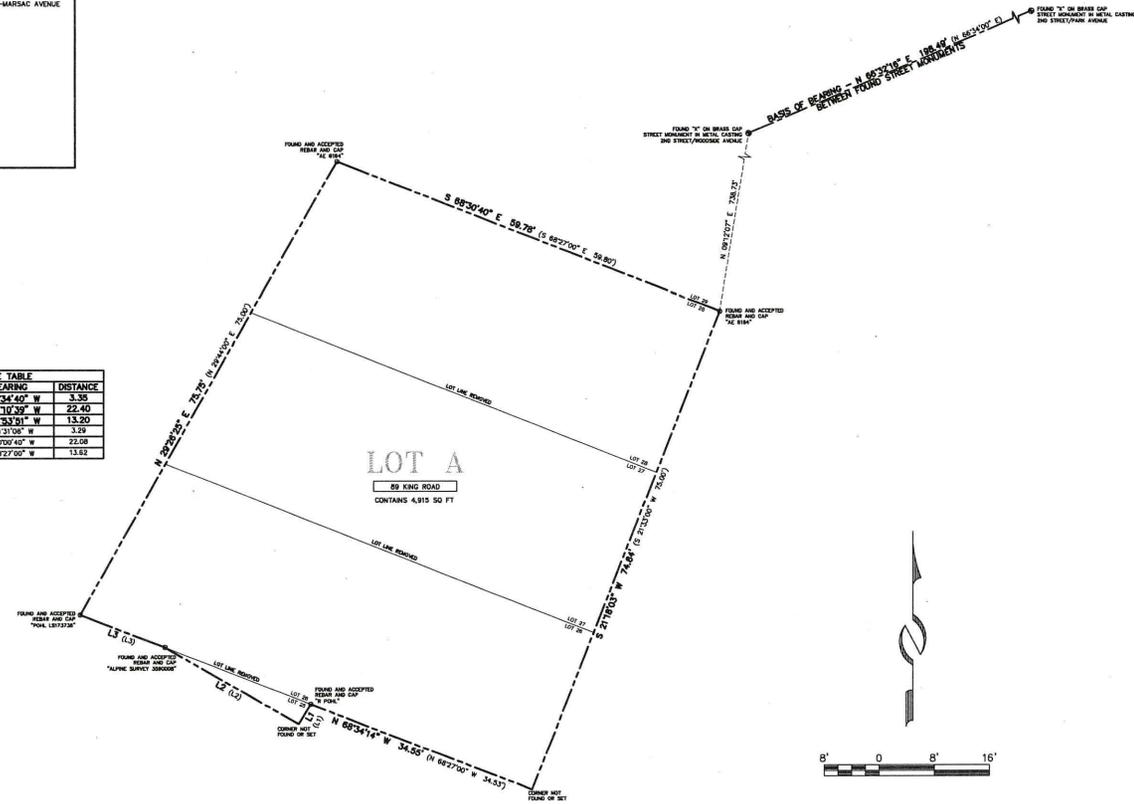
Residing in: _____

My commission expires: _____

Commission No. _____



LINE	BEARING	DISTANCE
L1	S 31°34'40" W	3.35
L2	N 68°17'32" W	22.48
L3	N 68°33'21" W	13.20
(L1)	S 31°31'08" W	3.29
(L2)	N 80°00'40" W	22.68
(L3)	N 68°27'00" W	13.62



BLOCK 76, MILLSITE RESERVATION NO. 1

89 KING ROAD PLAT AMENDMENT

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

NOTE

This plat amendment is subject to the Conditions of Approval in Ordinance 2018-_____.

1/24/18 JOB NO. 12-10-17 FILE: X:\PCSDwg\arc\plat2017\121017.dwg

 (435) 648-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street P.O. Box 2864 Park City, Utah 84060-2864	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
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89 KING ROAD LOT 26, 27 & 28 MILLSITE RESERVATION No. 1

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 724889, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the herein described property and that to the best of my knowledge this plot is a correct representation of said survey.

LEGAL DESCRIPTION

Lots 26, 27 and 28, Block 76, Millsite Reservation Subdivision No. 1, Park City Survey, Summit County, Utah, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Also:
Beginning at a point south 68°27' East 13.62 feet from the northeast corner of Lot 25, Block 76 Millsite Reservation to Park City, and running thence south 68°27' east 16.04 feet; thence south 29°59'20" west 2.35 feet; thence north 50°00'40" west 15.87 feet to the point of beginning.

Also:
Beginning at a point that is north 68°27'00" west 34.53 feet from the northeast property corner of Lot 25, Block 76 of the Millsite Reservation Park City, Utah, to the point of beginning, thence 68°27'00" west a distance of 6.20 feet more or less to a point at a corner on the north line of a warranty deed 415-23; thence south 29°59'20" west a distance of 1.30 feet; thence south 58°28'51" east a distance of 6.07 feet; thence north 31°31'08" east a distance of 2.37 feet to the point of beginning.
Contains 4.915 SQ. FT.

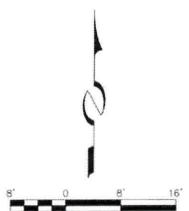
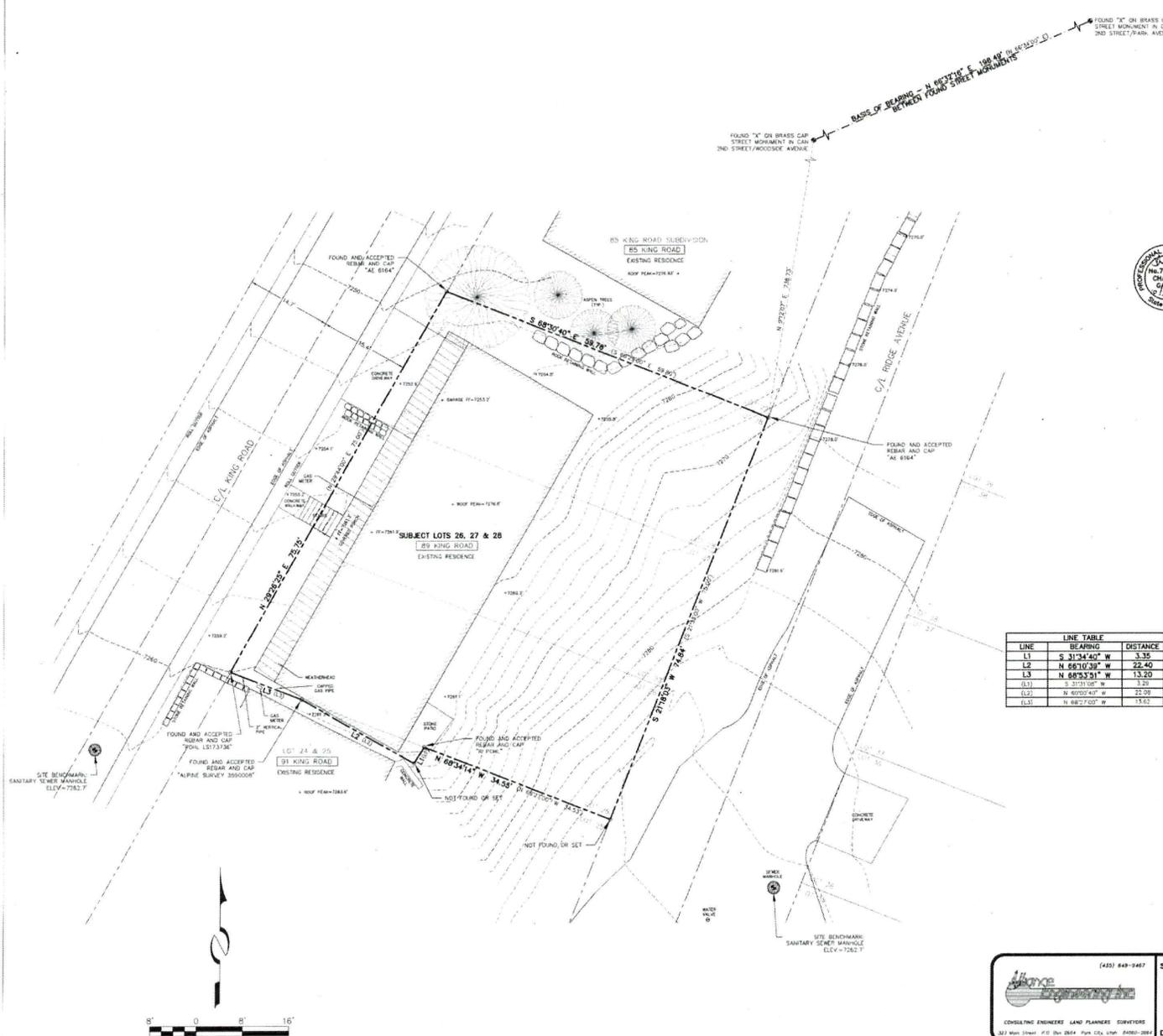
NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plot.
2. Field work for this survey was completed October 30, 2017, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to locate and monument the boundary in addition to performing an Existing Conditions and Topography survey for the possibility of improvements to the property.
4. A Title Report was not provided to the surveyor and only easements and setbacks per subdivision plot were located as part of this survey. This owner of the property should be aware of any liens affecting the property that may appear on a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown herein.
5. Recorded deeds, 85 King Road Subdivision Plat, Amended Park City Survey, Millsite Reservation No. 1 Park City Survey, recorded surveys S-2589, S-6384 all on file and of record in the Summit County Recorder's Office and physical evidence found in the field were all used to determine the boundary as shown on this plot.
6. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
7. Property corners were found as shown.
8. Record bearing and distances when different than measured are in parenthesis () Record bearing and distances shown are from aforementioned documents.
9. Site Benchmark: Sanitary Sewer Manhole Lid Elevation=7262.7' as shown.

LINE	BEARING	DISTANCE
L1	S 31°34'40" W	3.35
L2	N 66°10'39" W	22.40
L3	N 68°53'51" W	13.20
(L1)	S 31°31'00" W	3.20
(L2)	N 66°05'40" W	22.38
(L3)	N 68°27'00" W	13.02

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)



<p>(435) 648-7467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2864 Park City, Utah 84060-2864</p>	<p>STAFF: CHARLES GALATI JUAN CARRASCO JASON WYNNIE</p>	<p>EXISTING CONDITIONS & TOPOGRAPHIC MAP 89 KING ROAD PARK CITY, UTAH</p>	<p>SHEET 1 OF 1</p>
	<p>DATE: 10/30/17</p>	<p>FOR: JULIE POWDER JOB NO.: 12-10-17 FILE: X:\ParkCitySurvey\dwg\svy2017\121017_89 King Rd RODS.dwg</p>	