

Ordinance No. 2018-42

**AN ORDINANCE APPROVING THE 227 MAIN STREET PLAT AMENDMENT
LOCATED AT 227 MAIN STREET, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 227 Main Street has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on June 13, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 9, 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 June 27, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 27, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 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 227 Main Street Plat Amendment located at the same address.

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

SECTION 1. APPROVAL. The 227 Main Street 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 227 Main Street.
2. The property consists of all of Lots 7 and 8 of Block 12 of the Park City Amended Survey.
3. The property is in the Historic Commercial Business (HCB) District.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.
5. The Plat Amendment removes an interior lot line and creates one (1) lot measuring 3,750 square feet.

6. On October 2, 2015, the Park City Building Department issued a Notice and Order to repair the historic Star Hotel. The building has been uninhabitable since 2015, and no stabilization has occurred.
7. On October 6, 2016, the applicant submitted a Determination of Significance (DOS) application to remove the site from the City's Historic Sites Inventory. The Historic Preservation Board (HPB) reviewed the DOS application and found that it met the criteria to be designated as Significant on November 2, 2016. This determination was then appealed to the BOA on February 21, 2017, and the BOA upheld the HPB's determination. This determination has been appealed to Third District Court.
8. On July 6, 2017, Planning Director Bruce Erickson found that no payment had been made for the assessment for the property during the period of August 16, 1974 to January 1, 1984 for the Main Street Off-Street Parking Special Improvement District, in accordance with LMC 15-2.6-9(B). Therefore, new construction must provide off street parking. The former owner, West Lake Lands, LLC, appealed this determination on July 17, 2017.
9. The Planning Commission reviewed and upheld the Planning Director's determination on August 23, 2017. West Lake Lands, LLC appealed this decision in Third District Court.
10. Westlake Lands, LLC sold the property to the current owner, Hoffman Properties, LC, in January 2018. Hoffman Properties, LC took over Westlake Lands, LLC's Historic District Design Review (HDDR) application, which had been deemed complete on May 23, 2017. The HDDR is currently under review as staff has been working with the applicant on complying with the LMC and Design Guidelines.
11. On April 20, 2018, the applicant submitted a plat amendment to combine the existing two (2) lots of record into one (1) lot of record. The application was deemed complete on April 26, 2018.
12. The minimum Lot Size required in the HCB Zoning District is 1,250 square feet; the proposed lot size is 3,750 square feet.
13. The minimum lot width is 25 feet and minimum lot depth is 50 feet in the HCB Zoning District; the proposed lot width is 50 feet and lot depth is 75 feet.
14. The HCB Zone has 0 front, rear, and side yard setbacks. The historic building encroaches 4 to 5 feet, increasing from north to south, into the Main Street right-of-way. The existing historic building has a 7.67 foot south side yard setback and 4.04 foot north side yard setback. It has a 25 rear (west) yard setback.
15. The HCB Zone allows a Floor Area Ratio (FAR) of up to 4.0. The current historic building has a FAR of approximately 1.45.
16. Per LMC 15-2.6-5, the maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane. The existing building is 24.67 feet tall.
17. 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 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. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. The existing historic building encroaches 4 to 5 feet into the Main Street right-of-way, increasing from north to south. The applicant shall enter into an encroachment agreement with the City Engineer to address this encroachment. The encroachment agreement shall be recorded prior to recordation of the plat.

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

PASSED AND ADOPTED this 12th day of July, 2018.

PARK CITY MUNICIPAL CORPORATION

ATTEST:



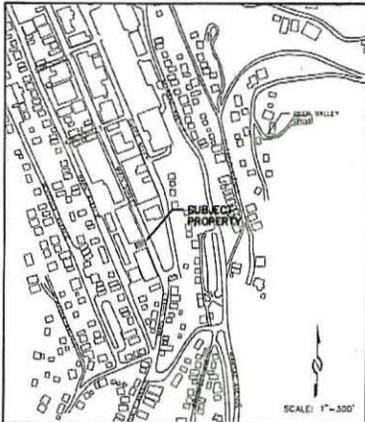
Michelle Kellogg
City Recorder

Andy Beerman
Andy Beerman, MAYOR

APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 724889, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described herein, hereafter to be known as 227 MAIN STREET PLAT AMENDMENT and that the same has been or will be monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

Lots 7 and 8, Block 12, PARK CITY AMENDED, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that HOFFMANN PROPERTIES, L.C. a Utah limited liability company, the undersigned owner of the herein described tract of land, do hereby certify that it has executed this subdivision plat to be prepared, and does hereby consent to the recordation of 227 MAIN STREET PLAT AMENDMENT.

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

Adrian A. Hoffmann, M.D., Manager
HOFFMANN PROPERTIES, L.C. a Utah limited liability company.

ACKNOWLEDGMENT

State Of Utah: _____
County of Summit: _____

On this _____ day of _____, 2018, Adrian A. Hoffmann, M.D. 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 he is the manager of HOFFMANN PROPERTIES, L.C. a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its operating agreement and he acknowledged to me that he executed the 227 MAIN STREET PLAT AMENDMENT.

By: _____
Notary Public
Printed Name: _____
Residing at: _____
My commission expires: _____
Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2018-_____.
2. Record bearings and distances, when different from measured, are shown in parenthesis ().
3. See Record of Survey S-9042.



A LOT COMBINATION PLAT
BLOCK 12, PARK CITY SURVEY
227 MAIN STREET 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

- LEGEND**
- ⊕ Found Street Monument (As-noted)
 - ⊙ 3/4" x 3/8" rebar w/flag, "ALLIANCE ENGINEERING"
 - Found Monument (As-noted)

RECEIVED
APR 20 2018
PARK CITY
PLANNING DEPT
SHEET 1 OF 1

UTAH JOB NO.: 15-4-18 FILE: X:\ParkCitySurvey\Draw\15\150418\150418.dwg

<p>(435) 669-9947 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street, P.O. Box 2014, Park City, Utah 84050-2014</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</p> <p>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018</p> <p>BY: _____ S.B.W.R.D.</p>	<p>PLANNING COMMISSION</p> <p>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018</p> <p>BY: _____ CHAIR</p>	<p>ENGINEER'S CERTIFICATE</p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018</p> <p>BY: _____ PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____, 2018</p> <p>BY: _____ PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE</p> <p>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018</p> <p>BY: _____ MAYOR</p>	<p>CERTIFICATE OF ATTEST</p> <p>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018</p> <p>BY: _____ PARK CITY RECORDER</p>	<p>RECORDED</p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____</p> <p>FEE _____ RECORDER _____</p> <p>TIME _____ DATE _____ ENTRY NO. _____</p>
	<p>UTAH JOB NO.: 15-4-18 FILE: X:\ParkCitySurvey\Draw\15\150418\150418.dwg</p>						

STAR HOTEL SURVEY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
LOTS 7 & 8, BLOCK 12 PARK CITY AMENDED SURVEY
RECORD OF SURVEY—EXISTING CONDITIONS
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

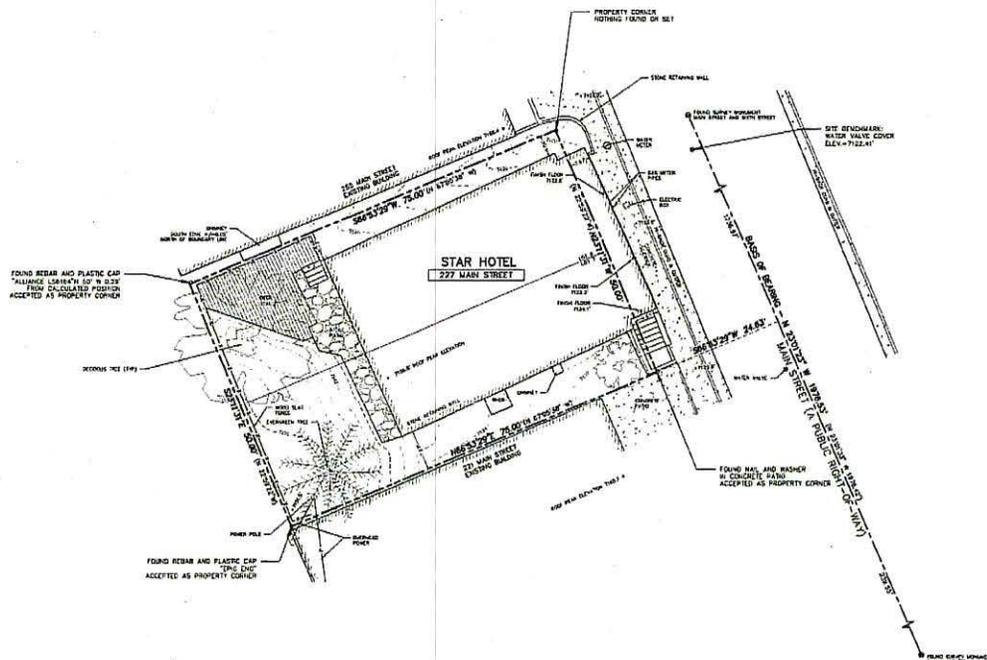
I, Charles Dalati, certify that I am a Professional Land Surveyor and that I hold License No. 7246891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the herein described property and that to the best of my knowledge the plot is a correct representation of said survey.

LEGAL DESCRIPTION

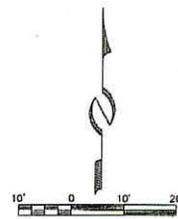
Lots 7 and 8, Block 12, PARK CITY AMENDED, according to the aforesaid plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

NOTES

1. Basis of Bearing for this survey is between the found brass cap street monuments as shown on this plot.
2. Field work for this survey was performed April 24, 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 future improvements to the property.
4. A Title Report was provided to the surveyor and no easements were located as part of this survey.
5. Recorded deeds, TREASURE MOUNTAIN INN SUBDIVISION PLAT, records of survey No.'s, 4-8028, 5-8872, 5-1774 all on file and of record at the Summit County Recorder's Office, and physical evidence found in the field were all considered to determine the boundary as shown on this plot.
6. Site Benchmark: Water Valve Cover, Elevation=7122.41' in Main Street as shown. Vertical Datum for this survey is NAVD 83.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Record bearings and distances when different than measured are shown in parenthesis(). Record data is from Record of Survey S-8028.



- LEGEND**
- 2x4 8\"/>



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APR 20 2018
PARK CITY
PLANNING DEPT.

 <small>ENGINEERING ENGINEERS LAND PLANNING SURVEYORS 222 Main Street, P.O. Box 2064, Park City, Utah 84302-2064</small>	<small>(435) 848-9442</small> STAFF: CHARLES DALATI CHIP TOMSDOWN STEVE CONANT DATE: 4/19/18	EXISTING CONDITIONS & TOPOGRAPHIC MAP 227 MAIN STREET, PARK CITY, UTAH FOR: HOFMANN PROPERTIES, LC JOB NO.: 15-4-18 FILE: X:\ParkCitySurvey\dwg\tr\any2018\150418-227 Main Street\150418.dwg	SHEET 1 OF 1
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