

Ordinance No. 2019-51

AN ORDINANCE APPROVING THE KINGS CROWN RESUBDIVISION FIRST AMENDED PLAT, LOCATED AT 1271 LOWELL AVENUE AND 1217 ROTHWELL ROAD, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 1271 Lowell Avenue and 1217 Rothwell Road have petitioned the City Council for approval of the Condominium Plat; and

WHEREAS, on August 28, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on August 28, 2019, the site was properly noticed and posted according to the 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 September 11, 2019, to receive input on the Condominium Plat; and

WHEREAS, the Planning Commission on September 11, 2019, forwarded a positive recommendation to the City Council; and

WHEREAS, on October 10, 2019, the City Council held a public hearing to receive input on the Condominium Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Kings Crown Resubdivision First Amended Plat, located at 1271 Lowell Avenue and 1217 Rothwell Road.

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

SECTION 1. APPROVAL. The Kings Crown Resubdivision First Amended Plat 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 site is located at 1271 Lowell Avenue and 1217 Rothwell Road.
2. The proposed Plat Amendment affects Lots 2, 30, and 32 of the Kings Crown Resubdivision.
3. The site is located within the Recreation Commercial (RC) District and the Recreation and Open Space (ROS) District.
4. On January 10, 2018 the Park City Planning Commission approved the Kings Crown Master Planned Development (MPD) and a Conditional Use Permit for

Multi-Unit Dwellings throughout the development for market rate and affordable housing units.

5. On February 1, 2018 the Park City Council approved the Kings Crown Re-Subdivision Plat, per Ordinance No. 2018-05.
6. On May 16, 2018 Summit County recorded the Kings Crown Re-Subdivision Plat – entry no. 1091847.
7. On June 13, 2018 the Park City Planning Commission ratified the Development Agreement required by the approved Master Planned Development.
8. On June 14, 2018 Summit County recorded the Development Agreement -entry no. 01093392.
9. On August 30, 2018 the Park City Housing Authority approved the Kings Crown Affordable Housing Mitigation Plan.
10. On June 17, 2019 the Park City Planning Department received a complete Condominium Plat for the Kings Crown Townhome Condominiums.
11. On May 22, 2019 the Planning Commission amended the Master Planned Development (MPD) and Conditional Use Permit (CUP).
12. The proposed Kings Crown Resubdivision First Amended Plat affects Lots 2, 30, and 32.
13. The proposed changes do not change the original approved Density or Unit Equivalent calculations.
14. The Plat Amendment proposes to reallocate a portion of Lot 32 (Platted Open Space) to Lot 30 (Townhome Condominium Site).
15. The Applicant is proposing to reallocate 1,181.43 square feet of Lot 32 to Lot 30. This change is proposed to allow for the proposed Ski Amenity building to be located entirely on Lot 30, which will help resolve Setback requirements for the Accessory Structure.
16. It has been discovered that the actual square footage of Lot 32 was incorrectly Platted on the Kings Crown Resubdivision, recorded May 16, 2018. While the recorded Plat states that Lot 32 is 484,004.47 square feet, the actual square footage of the Lot is currently 482,369 square feet.
17. The total contiguous Open Space percentage in the original proposal was 74.6%. With the corrected square footage of Lot 32, the original proposal included 73.87% contiguous Platted Open Space.
18. As proposed, Lot 32 will be 481,187.57 square feet of platted Open Space, which brings the total percentage to 73.69%.
19. The applicant has indicated that they will not seek to build (sell) duplex lots on applicable lots. The note on the Plat indicating this shall remain.
20. Staff finds good cause for this Plat Amendment as it will allow the Condominium buildings to be phased and it will resolve the issue of a building crossing property lines for the proposed Ski Amenity Building. Additionally, it reflects compliance with the amended Master Plan Development and Conditional Use Permit, and amended Affordable Housing Mitigation Plan.
21. 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 Condominium Plats.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat.
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 and CCRs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall 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. The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards.
4. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program
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. A plat note shall state that all conditions of approval of the amended Master Planned Development, Conditional Use Permit, Kings Crown Re-Subdivision First Amended Plat, and amended Housing Mitigation Plan shall continue to apply.

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

PASSED AND ADOPTED this 10th day of October, 2019.

PARK CITY MUNICIPAL CORPORATION


Andy Beerman, MAYOR

ATTEST:


Michelle Kellogg, City Recorder

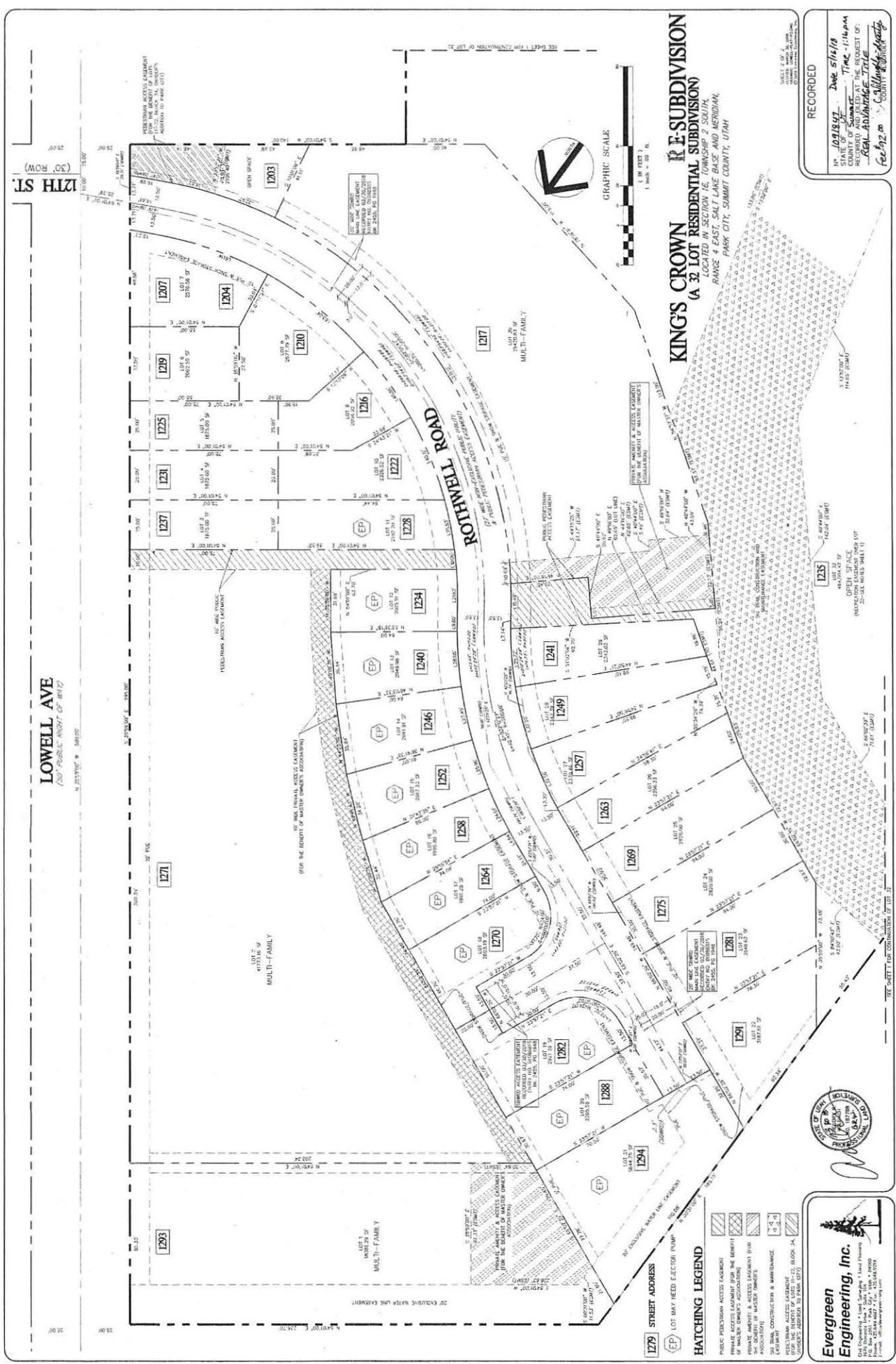


APPROVED AS TO FORM:


Mark Harrington, City Attorney

127TH ST
(30' ROW)

LOWELL AVE
(30' PUBLIC RIGHT OF WAY)



KING'S CROWN RE SUBDIVISION
 (A 32 LOT RESIDENTIAL SUBDIVISION)
 LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH,
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
 PARK CITY, SUMMIT COUNTY, UTAH

RECORDED
 IN 1031847 Date 5/16/18
 COUNTY OF SUMMIT Trac. 116-PM
 RECORDED AND FILED AT THE REQUEST OF:
 REAL ADRIAN...
 Fee: \$22.00

KINGS CROWN RE SUBDIVISION

1279 STREET ADDRESS
 EP LOT MAY NEED ELECTION PUMP

HATCHING LEGEND

- PUBLIC RIGHT OF WAY EASEMENT
- PRIVATE ACCESS EASEMENT (FOR THE BENEFIT OF MASTER OWNER'S ASSOCIATION)
- PRIVATE AMENITY & ACCESS EASEMENT (FOR THE BENEFIT OF MASTER OWNER'S ASSOCIATION)
- 5% BULK CONCRETE FOR WAINSCOTE
- EXISTING ACCESS EASEMENT (FOR THE BENEFIT OF LOT 122, BLOCK 24, CONCRETE ADDRESS, 127 PARK CITY)

Evergreen Engineering, Inc.
 Civil Engineering • Land Clearing • Land Planning
 1200 S. Main Street, Suite 200 • Park City, UT 84302
 Phone: 435.266.7777 • Fax: 435.266.7778
 E-mail: info@evergreeneng.com



SEE SHEET FOR CONTINUATION OF LOT 12