

Ordinance No. 2020-02

AN ORDINANCE APPROVING THE LILAC HILL EAST SUBDIVISION LOCATED AT 729, 741, 747, 751, 755 ROSSIE HILL DRIVE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at all of Government Lots 29 and 30 SEC 15 T2S, R4E, SLB&M (PC-546-547) have petitioned the City Council for approval of the Subdivision; and

WHEREAS, on October 30, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 26, 2019, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, 652 Rossie Hill Drive is the street address number of Unit 2 of the Tahoma Condominiums (TAHOMA-2); and

WHEREAS, 660 Rossie Hill Drive is the street address number of Unit 1 Building 1 of the Quicksilver Condominium (QS-1); and

WHEREAS, on November 27, 2019 the Summit County GIS Coordinator confirmed the addresses for the proposed Subdivision Plat; and

WHEREAS, the three (3) properties currently identified on the Park City Historic Sites Inventory as 622, 652, 660 Rossie Hill Drive shall be identified as 755, 729, 741 Rossie Hill Drive, respectively; and

WHEREAS, Ordinance 2017-05 is an Ordinance approving a Zoning Map amendment from Residential Medium (RM) District to Historic Residential Low-Density (HRL) District; and

WHEREAS, the Planning Commission held a public hearing on December 11, 2019, to receive input on the Preliminary Subdivision; and

WHEREAS, the Planning Commission, on December 11, 2019, forwarded a positive recommendation, combining the Preliminary and Final Subdivision Plats per the requirements of LMC 15-7.1-3, to the City Council; and,

WHEREAS, on January 9, 2020, the City Council held a public hearing to receive input on the Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lilac Hill East Subdivision located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah.

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

SECTION 1. APPROVAL. The Lilac Hill East Subdivision 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 All of Government Lots 29 & 30, Section 15 of Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 15th house on the rear south side in Deer Valley, Park City previously addressed under PC-546; and also as the 13th and 14th houses south side in Deer Valley, Park City previously addressed under PC-547.
2. The site is within the Historic Residential- Low Density (HRL) Zoning District.
3. The proposed Subdivision Plat creates five (5) Subdivision Lots out of two existing Government lots.
4. The application for the Lilac Hill East Subdivision was deemed completed on September 23, 2019.
5. The three (3) existing houses on the site are all designated as Landmark on the Park City Historic Sites Inventory (HSI).
6. All three (3) Historic Structures were likely constructed in the 1890s, and prior to 1907.
7. The properties were initially constructed on mining claims, and the land came to be held by the Bureau of Land Management (BLM).
8. In November 2018, the BLM granted a land patent to Richard Dennis, Pamela Ann Fisher, and Paula Marie Bond for the property.
9. The land was rezoned from RM to HRL through Ordinance 2017-05.
10. There are no known previous applications found for the property as the houses do not have street address numbers.
11. The Historic Sites referenced as 652 and 660 Rossie Hill Drive on the City's Historic Sites Inventory are the addresses of two condominiums to the southeast of this site. 652 Rossie Hill Drive is the street address number of Unit 2 of the Tahoma Condominiums (TAHOMA-2); and 660 Rossie Hill Drive is the street address number of Unit 1 Building 1 of the Quicksilver Condominium (QS-1).
12. At the November 13, 2019 Planning Commission meeting, the item was continued to December 11, 2019.
13. On December 11, 2019 Planning Commission forwarded a positive recommendation to City Council.
14. The proposed Subdivision Plat creates five (5) Lots of record from the existing legal description containing 0.79 acres. The proposal is as follows:
 - a. Lot 1: Proposed address of 741 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 660 Rossie Hill Drive and containing 5,253 sq ft.
 - b. Lot 2: Proposed address of 729 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 652 Rossie Hill Drive and containing 6,566 sq ft.

- c. Lot 3: Proposed address of 755 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 622 Rossie Hill Drive and containing 7,327 sq ft.
 - d. Lot 4: Proposed address of 751 Rossie Hill Drive. Contains 7,437 sq ft,
 - e. Lot 5: Proposed address of 747 Rossie Hill Drive. Contains 6,176 sq ft.
15. A portion of Rossie Hill Drive cuts across the northeast corner of the site (1,146 sq ft) as well as across the south portion of the site (275 sq ft). Both portions of Rossie Hill Drive will be dedicated to the City with this Subdivision Plat, and the street dedication shall be noted on the recorded plat,
16. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.
17. The minimum Setbacks for Lot 1 are:
- a. Side: 5ft for a total of 18ft
 - b. Front/ Rear: 15ft for a total of 30ft
18. The minimum Setbacks for Lot 2 are:
- a. Side: 5ft for a total of 14ft
 - b. Front/ Rear: 15ft for a total of 30ft
19. The minimum Setbacks for Lot 3 are:
- a. Side: 10ft for a total of 24ft
 - b. Front/ Rear: 12ft for a total of 25ft
20. The minimum Setbacks for Lot 4 are:
- a. Side: 10ft for a total of 24ft
 - b. Front/ Rear: 12ft for a total of 25ft
21. The minimum Setbacks for Lot 5 are:
- a. Side: 10ft for a total of 24ft
 - b. Front/ Rear: 10ft for a total of 20ft
22. The Maximum Building Footprint for each Lot are:
- a. Lot 1: 1955,16 square feet
 - b. Lot 2: 2270.04 square feet
 - c. Lot 3: 2427.1 square feet
 - d. Lot 4: 2448.36 square feet
 - e. Lot 4: 2182.52 square feet
23. Single-family dwellings are an allowed use in the HRL District. The minimum Lot Area is 3,750 square feet. The proposed Lots meet the minimum Lot Area. The minimum width of a Lot is thirty-five (35'), measured fifteen feet back from the Front Lot Line. The proposed Lots meet the minimum Lot width.
24. The proposed shared driveway with utilities is required to be a minimum of twenty feet (20') wide. The access road grades are proposed to be less than fourteen percent (14%).
25. Current standards would prohibit any roads over ten percent (10%) from being converted to public Rights of-Way. Neither Planning nor Engineering staff would recommend accepting any part of the private drive as a public Right-of-Way in the future.

26. Staff finds in order to mitigate the impacts of the paved twenty (20) foot wide driveway, a setback of ten feet (10') from the Driveway Easement should be required, per Condition of Approval #5. The applicant has agreed to this Condition of Approval.
27. The City Engineer will require the applicant to grant one (1) – ten foot (10') snow storage easements along the south property line along Rossie Hill.
28. The Site is not located within the Sensitive Lands Overlay District.
29. The Site is not located within the Soils Ordinance Boundary.
30. All development shall comply with the applicable LMC Requirements.
31. A Subdivision Plat is necessary in order for the three (3) Historic Sites to be developed.
32. On October 30, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on October 26, 2016, according to requirements of the Land Management Code. At the November 13, 2019 Planning Commission meeting, this item was continued to December 11, 2019.
33. 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 Subdivision.
2. The Subdivision is consistent with the Park City Land Management Code and applicable State law regarding lot subdivisions.
3. Neither the public nor any person will be materially injured by the proposed Subdivision.
4. Approval of the Subdivision, 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. The applicant shall dedicate the portions of the property that consist of Rossie Hill Drive to the City as part of this Subdivision Plat.
4. A ten foot (10') wide public snow storage easement will be required along the south side of Rossie Hill Drive.
5. All Lots shall have a ten (10') foot setback from the Driveway Easement.
6. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.

7. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
8. 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.
9. Drives (private road I Fire Department access road) shall provide twenty feet (20') wide of clear space to meet Fire Code. If parking impacts this twenty feet (20') wide clear space, it will not be allowed and shall be signed "No Parking". Roads less than twenty-six feet (26') wide shall be marked "No Parking" on both sides of the road. Fire District access shall be noted and identified on the recorded plat.
10. This property shall not be further subdivided.
11. The Driveway Easement from lower Rossie Hill Drive shall be the single vehicular access for all five (5) Lots.

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

PASSED AND ADOPTED this 9th day of January, 2020.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR

1/15/20
Date

ATTEST:



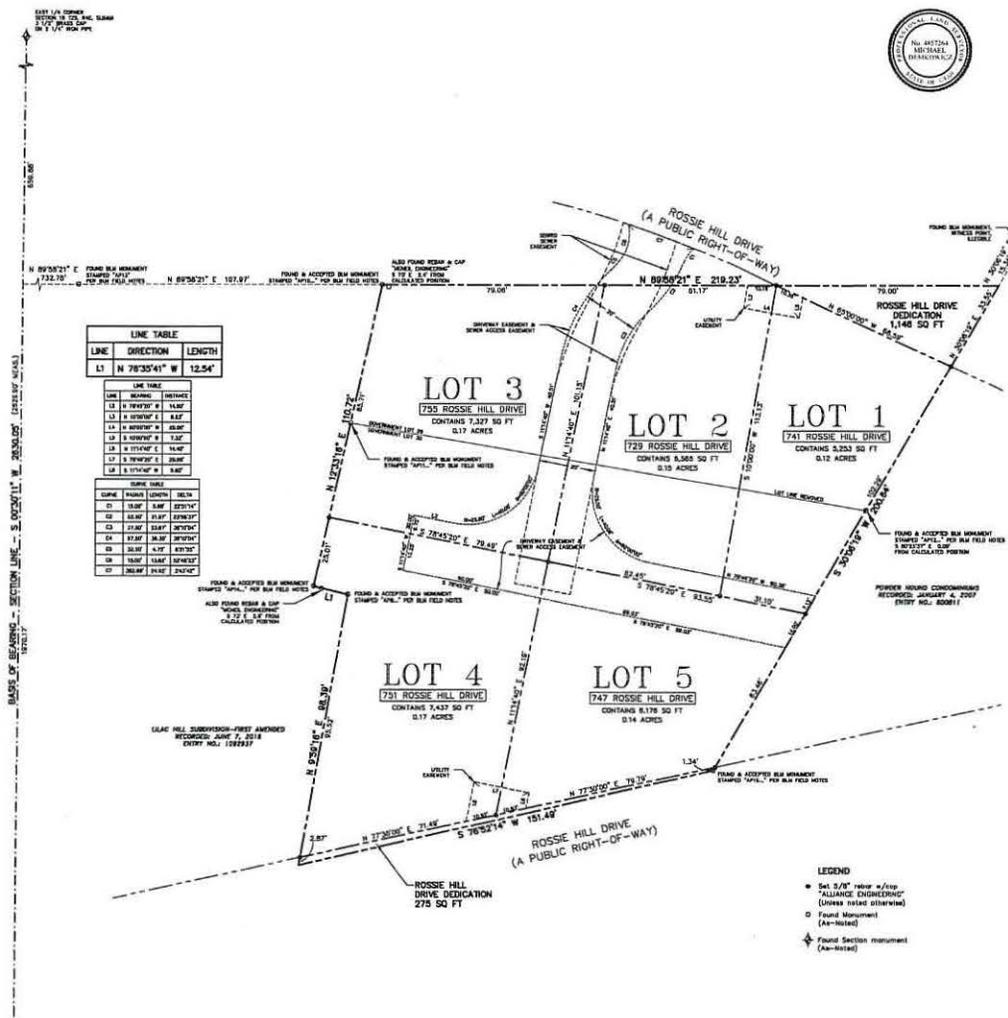
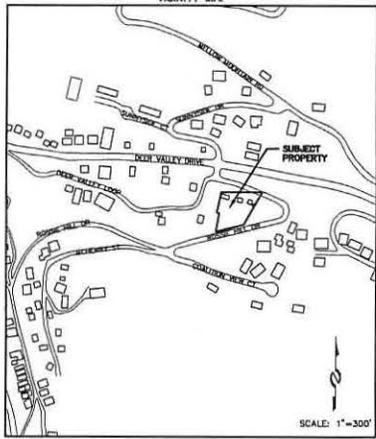
Michelle Kellogg, City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney



LINE	DIRECTION	LENGTH
L1	N 78°35'41\"	12.54'

LINE	BEARING	LENGTH
L1	N 78°35'41\"	12.54'
L2	N 89°52'21\"	8.17'
L3	N 89°52'21\"	8.17'
L4	N 89°52'21\"	8.17'
L5	N 89°52'21\"	8.17'
L6	N 89°52'21\"	8.17'
L7	N 89°52'21\"	8.17'
L8	N 89°52'21\"	8.17'
L9	N 89°52'21\"	8.17'
L10	N 89°52'21\"	8.17'
L11	N 89°52'21\"	8.17'
L12	N 89°52'21\"	8.17'
L13	N 89°52'21\"	8.17'
L14	N 89°52'21\"	8.17'
L15	N 89°52'21\"	8.17'
L16	N 89°52'21\"	8.17'
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L22	N 89°52'21\"	8.17'
L23	N 89°52'21\"	8.17'
L24	N 89°52'21\"	8.17'
L25	N 89°52'21\"	8.17'
L26	N 89°52'21\"	8.17'
L27	N 89°52'21\"	8.17'
L28	N 89°52'21\"	8.17'
L29	N 89°52'21\"	8.17'
L30	N 89°52'21\"	8.17'
L31	N 89°52'21\"	8.17'
L32	N 89°52'21\"	8.17'
L33	N 89°52'21\"	8.17'
L34	N 89°52'21\"	8.17'
L35	N 89°52'21\"	8.17'
L36	N 89°52'21\"	8.17'
L37	N 89°52'21\"	8.17'
L38	N 89°52'21\"	8.17'
L39	N 89°52'21\"	8.17'
L40	N 89°52'21\"	8.17'
L41	N 89°52'21\"	8.17'
L42	N 89°52'21\"	8.17'
L43	N 89°52'21\"	8.17'
L44	N 89°52'21\"	8.17'
L45	N 89°52'21\"	8.17'
L46	N 89°52'21\"	8.17'
L47	N 89°52'21\"	8.17'
L48	N 89°52'21\"	8.17'
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L50	N 89°52'21\"	8.17'
L51	N 89°52'21\"	8.17'
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L57	N 89°52'21\"	8.17'
L58	N 89°52'21\"	8.17'
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L61	N 89°52'21\"	8.17'
L62	N 89°52'21\"	8.17'
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L66	N 89°52'21\"	8.17'
L67	N 89°52'21\"	8.17'
L68	N 89°52'21\"	8.17'
L69	N 89°52'21\"	8.17'
L70	N 89°52'21\"	8.17'
L71	N 89°52'21\"	8.17'
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L91	N 89°52'21\"	8.17'
L92	N 89°52'21\"	8.17'
L93	N 89°52'21\"	8.17'
L94	N 89°52'21\"	8.17'
L95	N 89°52'21\"	8.17'
L96	N 89°52'21\"	8.17'
L97	N 89°52'21\"	8.17'
L98	N 89°52'21\"	8.17'
L99	N 89°52'21\"	8.17'
L100	N 89°52'21\"	8.17'

LILAC HILL EAST SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE
I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 4837264, 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 and described hereon, heretofore to be known as LILAC HILL EAST SUBDIVISION and that the same has been correctly surveyed and monumented on the ground as shown on this plot.

LEGAL DESCRIPTION
All of government Lots 29 and 30, Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian.
Also sometimes known and described as follows:
13th and 14th houses South side in Deer valley, Park City;
15th house rear South side in Deer Valley, Park City.

OWNER'S DEDICATION AND CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as LILAC HILL EAST SUBDIVISION, does hereby certify that it has caused this subdivision plot to be prepared and does hereby consent to the recording of this subdivision plot.
ALSO, the owner hereby irrevocably offers for dedication to the city of Park City all of the streets, lots for local government uses, easements and required utilities shown on this plot in accordance with an irrevocable offer of dedication.
In witness whereof, the undersigned set his hand this ____ day of _____, 2020.

LILAC HILL LLC
a Delaware limited liability company
By: Watanobe Ventures LLC, an Indiana limited liability company
Its Sole Member
By: Todd Franklin Watanobe
Chief Investment Officer
Watanobe Ventures LLC
an Indiana limited liability company

ACKNOWLEDGMENT
STATE OF _____
COUNTY OF _____

On this ____ day of _____, 2020, Todd Franklin Watanobe 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 Chief Investment Officer of Watanobe Ventures LLC, an Indiana limited liability company, Sole Member of Lilac Hill LLC, a Delaware limited liability company, and this said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed LILAC HILL EAST SUBDIVISION.

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

NOTES
1. This plot amendment is subject to the Conditions of Approval in Ordinance 2019-_____
2. See Record of Survey S-_____
3. See Survey 442-AZ, on file with the Bureau of Land Management, and Record of Survey S-4427, on file in the office of the Summit County Recorder.

(435) 649-8487
Alliance Engineering Inc.
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
222 Main Street, P.O. Box 2884, Park City, Utah 84002-2884

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS ____ DAY OF _____, 2020
BY: _____
SUMMIT COUNTY GIS COORDINATOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2020
BY: _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2019
BY: _____
CHAIR

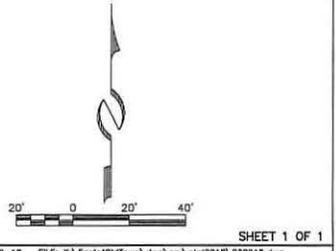
ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2020
BY: _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 2020
BY: _____
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2019
BY: _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2019
BY: _____
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
FEE _____ RECORDER
TIME _____ DATE _____ ENTRY NO. _____



GOVERNMENT LOTS 29 & 30

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15,
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 License 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

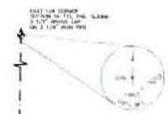
All of government Lots 29 and 30, Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Also sometimes known and described as follows:

- 13th and 14th houses South side in Deer Valley, Park City.
- 15th house near South side in Deer Valley, Park City.

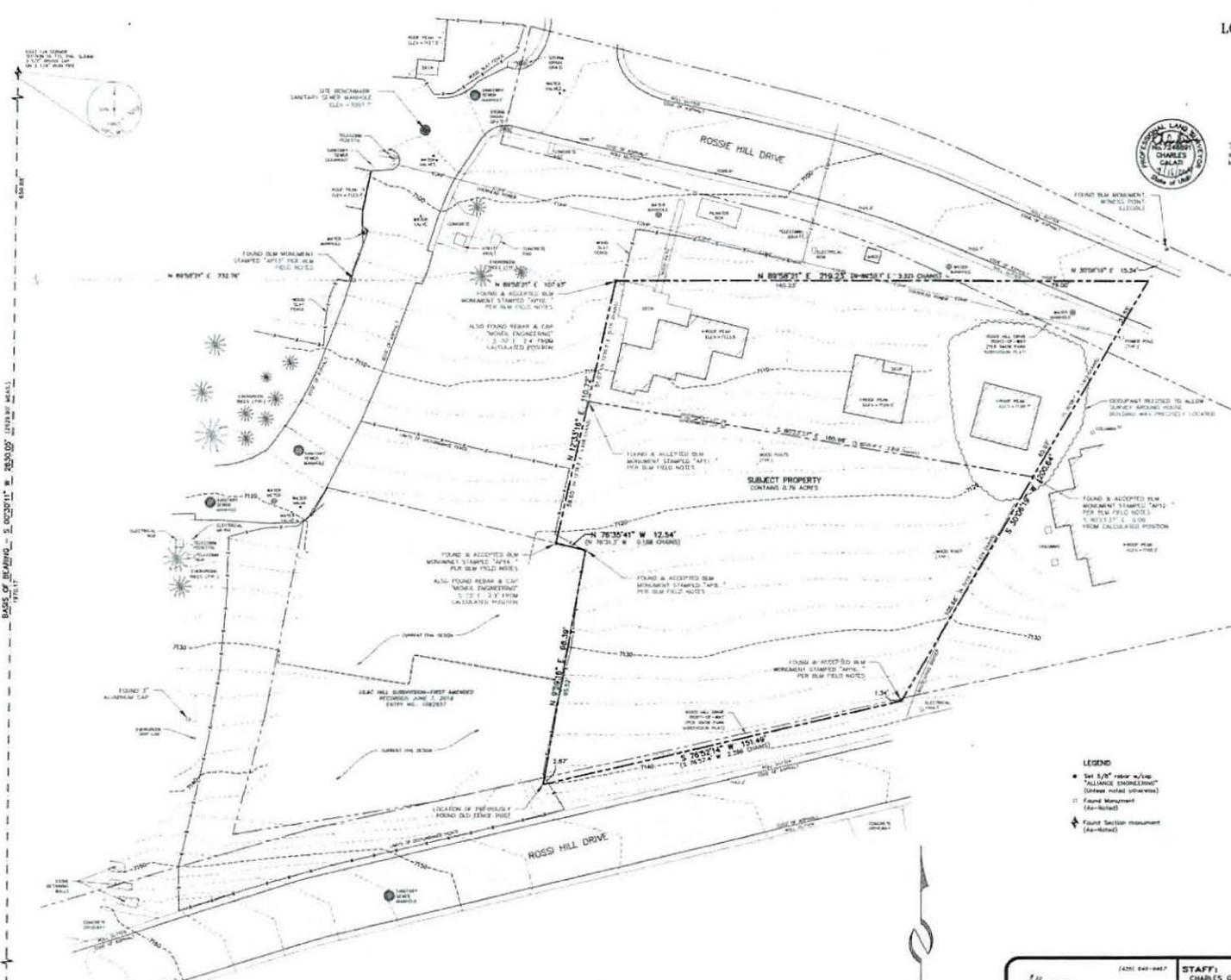
NARRATIVE/NOTES

1. Basis of Bearing for this survey is between the found section monuments as shown on this plot.
2. Field work for this survey was performed October 3, 2018, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform an Existing Conditions and Topographic survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and only assessments and setbacks per subdivision plot were located as part of this survey. This owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of encroachments, encroachments or encroachments on the property surveyed except as shown herein.
5. County tax maps, recorded deeds, Utah Hill Subdivision, Utah Hill Subdivision-First Amended, Snow Park Subdivision Plot, and Plover Mount Condominiums Plot, Record of Survey 5-2800 (all aforementioned documents on file and record in the Summit County Recorder's Office), Surveys 442-A1, 442-AW & 442-AZ and their related field notes (on file with the Bureau of Land Management) and physical evidence found in the field were used to determine the boundary as shown on this plot.
6. Site Benchmark: Sanitary Sewer Manhole, Deviation=7097.7' as shown.
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 from measured, are shown in parenthesis ().



DATE OF DRAWING - 8/16/19 BY - CHARLES GALATI

SCALE: 1" = 40'



- LEGEND**
- Set 3/4" x 3/4" x 1/4" ALLIANCE ENGINEERING (shown as metal spheres)
 - Found Monument (As-Noted)
 - ▲ Found Section monument (As-Noted)



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 223 West Center, P.O. Box 2864, Provo, UT 84601-0286	(435) 441-0467 STAFF: CHARLES GALATI RYAN BETZ JASON WYBINE MARSHALL KING	EXISTING CONDITIONS & TOPOGRAPHIC MAP ROSSIE HILL BLM PARCELS PARK CITY, UTAH	SHEET 1 OF 1
	DATE: 9/16/19	FOR: FRANK WATANABE JOB NO.: 3-9-18 FILE: K:\Caster\Gif\Draw\dwg\Survey\2018\030818-Rossie Hill BLM parcels\030818-topo.dwg	