

Ordinance No. 2021-09

AN ORDINANCE APPROVING AN EXTENSION OF 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 extension of the Subdivision; and

WHEREAS, on February 11, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; 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, on February 25, 2021, the City Council held a public hearing to receive input on the one year extension of approval; and

WHEREAS, it is in the best interest of Park City, Utah to extend 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 extended for one year 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 February 11, 2021, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on February 11, 2021, according to requirements of the Land Management Code.
33. The applicant requested a time extension prior to the expiration of their 2020 approval, and there has been no change in circumstance that would result in an

unmitigated impact, or in a finding of non-compliance with the Park City General Plan or the LMC.

Conclusions of Law:

1. There is no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request..
2. Extension 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 of this extension. If recordation has not occurred within one (1) years' time, this extension will be void.
3. Unless modified above, all Conditions of Approval of Ordinance 2020-02 remain in full force and effect

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

PASSED AND ADOPTED this 25 day of February, 2021.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

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 Andy Beerman, MAYOR

3/3/2021

 Date

ATTEST:

DocuSigned by:

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 Michelle Kellogg, City Recorder

DS


APPROVED AS TO FORM:

DocuSigned by:

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 City Attorney's Office

