

Ordinance No. 2017-49

AN ORDINANCE APPROVING THE PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G, AMENDING LOT 48B AND 48C, LOCATED AT 1787 AND 1791 PROSPECTOR AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1787 and 1791 Prospector Avenue have petitioned the City Council for approval of the Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 9, 2017, to receive input on the Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C;

WHEREAS, the Planning Commission, on August 9, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah, to approve the Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Prospector Square Supplemental Amendment to Lot G, Amending Lot 48B and 48C, 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 1787/1791 Prospector Avenue.
2. The two (2) existing lots are designated as Lots 48B and 48C of the Prospector Square Supplemental Amendment to Lot G.
3. Both lots are privately owned, located between Parking Lot G of the Prospector Square Subdivision and the Rail Trail.
4. The property is located within the General Commercial District.
5. The proposed Plat Amendment is to combine Lots 48B and 48C into one (1) legal lot of record, removing the interior lot line that separates them.
6. According to the recorded plat Lot 48B contains 4,775 square feet and Lot 48C contains 4,774.44 square feet.

7. The surveyor of record has indicated a size discrepancy with the recorded plat, as his survey shows that both lots are 4,774.0 square feet, which is to be placed on this Plat Amendment.
8. The proposal would create one (1) lot that contains 9,548 square feet.
9. Both lots are currently vacant.
10. None of the other lots, easements, or their configurations as shown on the Prospector Square Supplemental Amendment to Lot G will be affected by this Plat Amendment.
11. The newly created lot will have frontage on an existing private access easement that connects the lots to Prospector Avenue, a public right-of-way.
12. In the General Commercial District, all Residential Uses require a Conditional Use Permit.
13. Zero (0) lot line development is permitted on the subject site, as indicated on Land Management Code § 15-2.18.3(I). Applicable building code requirements for egress, etc., must be adhered to if zero (0) lot lines are used.
14. Future development is limited to the Zone Height of 35 feet from existing grade, as indicated on Land Management Code § 15-2.18-4.
15. Per Plat Note #2 of the Prospector Square Supplemental Amendment to Lot G, all parking demand created with future development shall be mitigated on site with the construction of underground parking.

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. New construction shall comply with all applicable parameters of Land Management Code regarding maximum floor area ratio, front, rear, and side yard setbacks, building height, etc.
4. All plat notes included on the Prospector Square Supplemental Amendment to Lot G continue to apply, specifically parking requirements.
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.

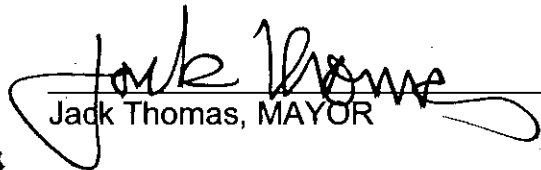
6. The Applicant shall coordinate all future development with the City Engineer to coincide with the future work to be completed along the Prospector Avenue right-of-way.
7. Any soil disturbance or proposed landscaping shall adhere to Park City Municipal Code § 11-15-1.
8. Applicable building code requirements for egress, etc., shall be adhered to if zero (0) lot lines are used.

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

PASSED AND ADOPTED this 31st day of August, 2017.

PARK CITY MUNICIPAL CORPORATION




Jack Thomas, MAYOR

ATTEST:

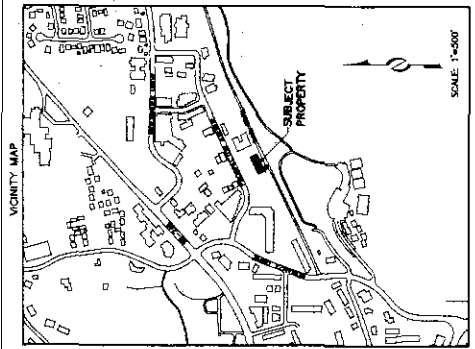

Michelle Kellogg, CITY RECORDER

APPROVED AS TO FORM:


Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Attachment 1 - Proposed Plat Amendment



SURVEYOR'S CERTIFICATE

I, Charles G. Gable, certify that I am a Professional Land Surveyor and that I both, Charles G. Gable, No. 2017, as provided by the laws of the State of Utah, and that by authority of the laws, that I have surveyed and measured the boundaries of the subject property, and that the same have been accurately located on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

All of Lots 48B and 48C, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 6, SUBDIVISION, according to the official plat thereof on file on 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 on this 15th day of March, 2017, the undersigned, the undersigned owner of the above described tract of land, to the record, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 6 - AMENDING LOT 48B & LOT 48C, does hereby certify that it has consented hereto to the provisions, and does hereby consent to the recording of this subdivision plat. In witness whereof the undersigned has executed this certificate and declaration this _____ day of _____, 2017.

ES Lewis, Attorney
SMP 7781 LLC, a Delaware limited liability company

ACKNOWLEDGMENT

State of Utah)
County of Summit) ss. _____
On this _____ day of _____, 2017, the undersigned, _____, who identify _____, as the undersigned owner of the above described tract of land, do hereby certify that the above described tract of land is the subject of said limited liability company, by authority of the undersigned owner of the above described tract of land, to the record, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 6 - AMENDING LOT 48B & LOT 48C.

A Notary Public commissioned in Utah

OWNER'S DEDICATION AND CONSENT TO RECORD

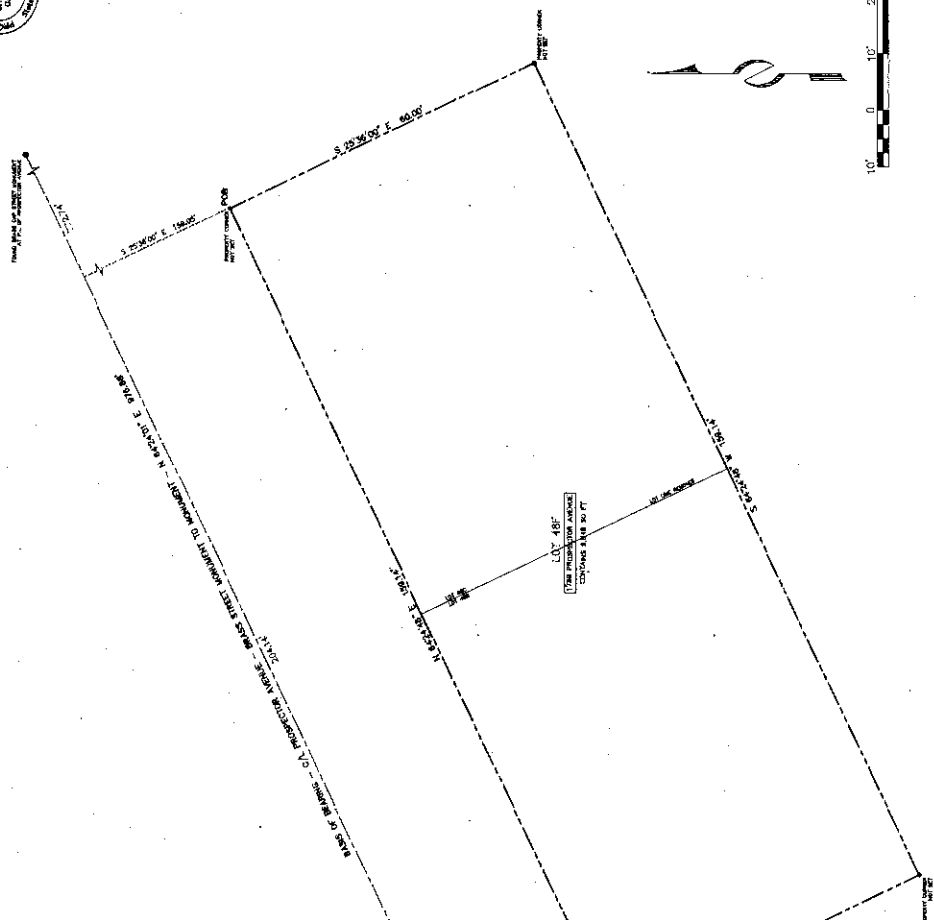
KNOW ALL MEN by these presents, that on this _____ day of _____, 2017, the undersigned, _____, who identify _____, as the undersigned owner of the above described tract of land, do hereby certify that the above described tract of land is the subject of said limited liability company, by authority of the undersigned owner of the above described tract of land, to the record, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 6 - AMENDING LOT 48B & LOT 48C. In witness whereof the undersigned has executed this certificate and declaration this _____ day of _____, 2017.

Prospectors Square Property Owners Association, a Utah non-profit corporation

ACKNOWLEDGMENT

State of Utah)
County of Summit) ss. _____
On this _____ day of _____, 2017, the undersigned, _____, who identify _____, as the undersigned owner of the above described tract of land, do hereby certify that the above described tract of land is the subject of said limited liability company, by authority of the undersigned owner of the above described tract of land, to the record, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 6 - AMENDING LOT 48B & LOT 48C.

A Notary Public commissioned in Utah



PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT 6 AMENDING LOT 48B & LOT 48C

LOCATED IN THE NORTHEAST QUARTER OF SECTION 9,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1 FILE NO. 2017-03-15-17 FILE NO. 2017-03-15-17	
COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 30TH DAY OF MARCH, 2017	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ RECORDER FEE _____ DATE _____ TIME _____ ENTRY NO. _____
CERTIFICATE OF ATTEST I CERTIFY THIS SUBDIVISION PLAT AMENDING LOT 48B & LOT 48C OF MARCH, 2017	BY _____ MAYOR _____ PARK CITY RECORDER
APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017	BY _____ PARK CITY ATTORNEY
ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017	BY _____ CHAIRMAN _____ PARK CITY ENGINEER
PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 8TH DAY OF MARCH, 2017	BY _____ CHAIRMAN _____ PARK CITY ENGINEER
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017	BY _____ S.B.W.R.D. _____

NOTES:
 1. The private wastewater lateral for Lot 48B will cross Parking Lot 6, the corner of Lot 48B (formerly Lots 48B and 48C) was granted. The plat is a public/private utility easement. The easement is to be used for the private water and wastewater lines. The easement is to be used for the private water and wastewater lines. The easement is to be used for the private water and wastewater lines.
 2. This subdivision is subject to the Conditions of Approval in Ordinance 17-_____.

Exhibit C - Existing Conditions & Topographic Survey

LOTS 48B & 48C PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN EXISTING CONDITIONS SURVEY SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

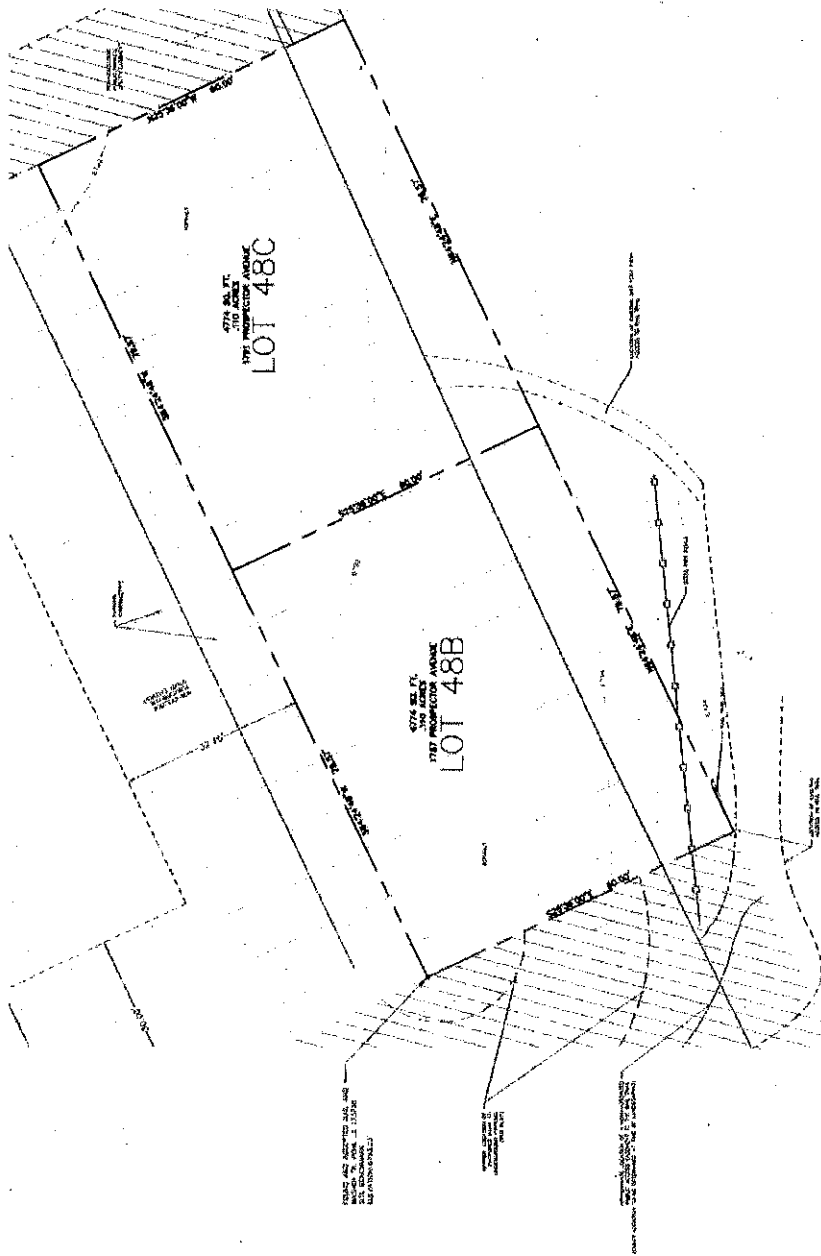
I, Charles Saltzer, do hereby certify that I am a Professional Land Surveyor and that this certificate is a true and correct copy of the original as shown to me by the Surveyor and that I have not altered or changed in any way the original as shown to me by the Surveyor and that I have not altered or changed in any way the original as shown to me by the Surveyor and that I have not altered or changed in any way the original as shown to me by the Surveyor.

LEGAL DESCRIPTION

LOT 48B and 48C, PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G, SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH.

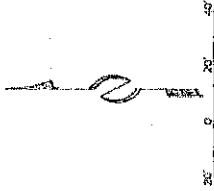
NOTES

1. See Swamson, Row & Taylor, Elevation=4783.27
2. The architect is responsible for verifying building setbacks, zoning requirements and building height.
3. This topographic map is based on field survey completed on May 3, 2017.
4. This is not a boundary survey. A boundary survey was completed on these parcels during 1987 and is recorded on file at the Summit County Recorder's Office.



LEGEND

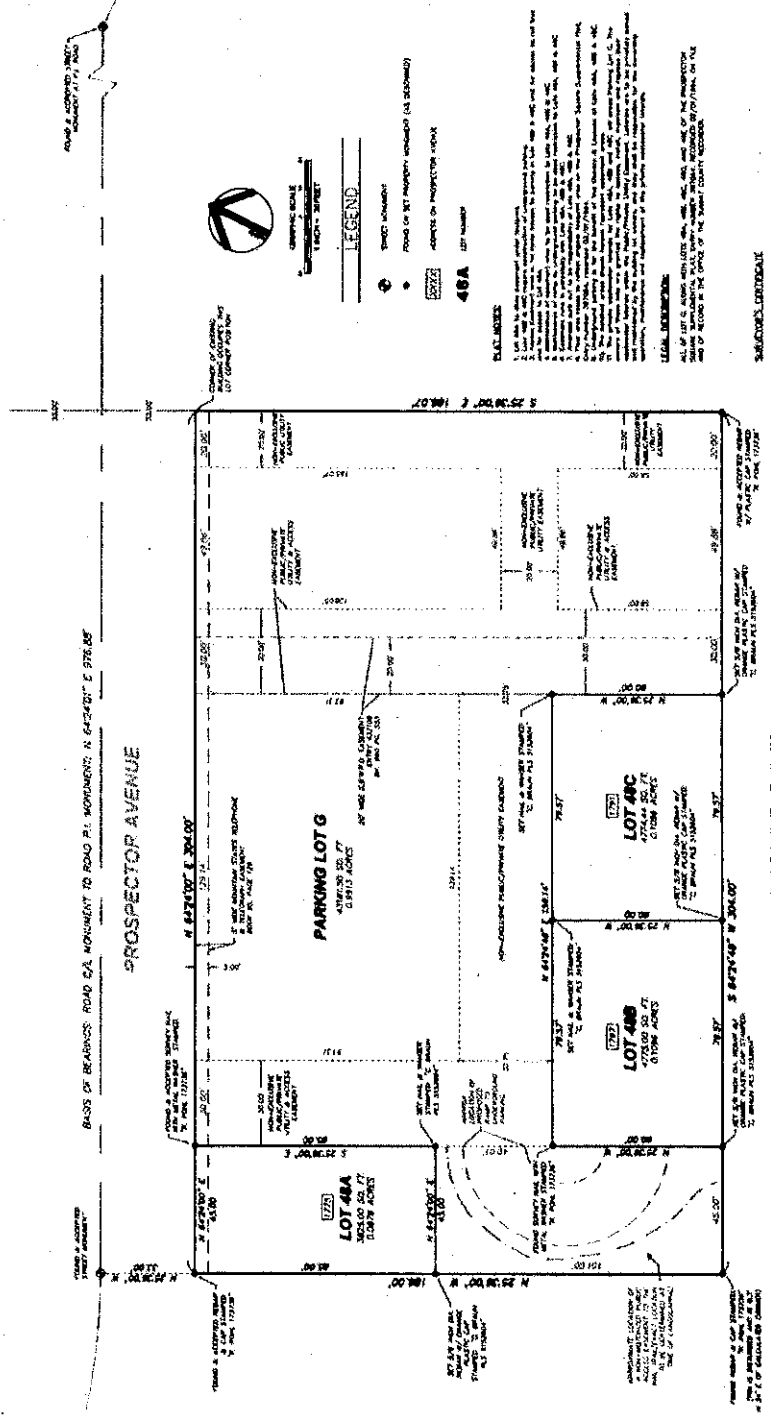
- Existing Building
- Proposed Building



	STAFF CHARLES SALTZER STATE COUNTY LICENSE NO. 1783 NATIONAL INC.	SHEET 1 OF 1
	EXISTING CONDITIONS & TOPOGRAPHY SURVEY 1787 AND 1791 PROSPECTOR AVE	DATE: 8/14/17

Exhibit D - Prospector Square Supplemental Amendment to Lot G (2010)

PROSPECTOR SQUARE SUPPLEMENTAL AMENDMENT TO LOT G
 LOCATED IN THE NORTHEAST QUARTER OF
 SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASE & MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



OWNER'S DECLARATION AND CONSENT TO RECORD
 I, the undersigned, being the owner of the above described property, do hereby certify that the information herein is true and correct to the best of my knowledge and belief, and that I have read and understand the contents of this declaration and consent to record the same.

ACKNOWLEDGMENT
 I, the undersigned, being the owner of the above described property, do hereby certify that the information herein is true and correct to the best of my knowledge and belief, and that I have read and understand the contents of this declaration and consent to record the same.

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LEGAL DESCRIPTION
 All of the above described property is located in the northeast quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Park City, Summit County, Utah.

RECORDING INFORMATION
 This document is being recorded for the purpose of recording the same in the public records of the State of Utah.

<p>PARK CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION MEETING HELD ON MAY 11, 2010.</p>	<p>CERTIFICATE OF ATTEST I CERTIFY THE RECORD OF ABOVE AND THIS IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p>	<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR COMPLIANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT DISTRICT 010 A.D.</p>	<p>ENGINEERS CERTIFICATE I HAVE REVIEWED THE RECORD OF ABOVE AND THIS IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p>	<p>APPROVAL AS TO FORM APPROVED AS TO FORM THIS RECORD.</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL MEETING HELD ON MAY 11, 2010.</p>	<p>RECORDED STATE OF UTAH COUNTY OF SUMMIT SALT LAKE THE RECORDER 484 1000</p>
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