

**Ordinance No. 14-06**

**AN ORDINANCE APPROVING THE RETREAT AT THE PARK FIRST AMENDED PLAT LOCATED AT 1450 & 1460 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 1450 & 1460 Park Avenue have petitioned the City Council for approval of The Retreat at the Park First Amended Plat; 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 February 12, 2014, to receive input on The Retreat at the Park First Amended Plat;

WHEREAS, the Planning Commission, on February 12, 2014, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council, on March 6, 2014 conducted a public hearing on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Retreat at the Park First Amended Plat.

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 Retreat at the Park 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 property is located at 1450 / 1460 Park Avenue.
2. The property is located in the HRM District.
3. The proposed plat amendment creates one (1) lot of record from the two (2) platted existing lots of record of The Retreat at the Park Subdivision re-platted and recorded in 2007.
4. Developments consisting of more than four (4) Dwelling Units require a Lot Area at least equal to 5,625 square feet plus an additional 1,000 square feet per each additional Dwelling Unit over four (4) units.

5. The proposal consists of ten (10) units which would require the minimum lot area to be 11,625 square feet.
6. The proposed Plat Amendment combines the two (2) platted lots of record into one (1) lot totaling 18,294.43 square feet.
7. The LMC requires minimum width of a Lot in the HRM to be 37.5 feet, measured fifteen feet (15') from the Front Lot Line.
8. The proposed lot width along Park Avenue is approximately 109 feet.
9. The proposed lot width along Sullivan Road is approximately 101 feet.
10. The depth of the property varies from 172.1 feet along the north property line and 176.6 feet along the south property line.
11. No remnant parcels of land are created with this plat amendment.
12. There is good cause for this plat amendment as it facilitates an affordable housing project while at the same time ensures the preservation of two historic structures
13. 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 subdivisions.
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 Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. If recordation has not occurred within one year's 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. 10 foot wide public snow storage easement shall be provided along Park Avenue and Sullivan Road.

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

PASSED AND ADOPTED this 6<sup>th</sup> day of March, 2014.

PARK CITY MUNICIPAL CORPORATION

*Jack Thomas*  
Jack Thomas, MAYOR

ATTEST:

*Marci Heil*  
Marci Heil, City Recorder

APPROVED AS TO FORM:

*M.H.G.*  
Mark Harrington, City Attorney



