

Ordinance No. 15-02

AN ORDINANCE APPROVING THE CARL WINTERS SCHOOL SUBDIVISION PLAT AVENUE PLAT AMENDMENT EXTENSION AT 1255 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1255 Park Avenue has petitioned the City Council for approval of the plat amendment; and

WHEREAS, the property was properly noticed and posted on January 14, 2015, according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners January 14, 2015; and

WHEREAS, the Planning Commission held a public hearing on December 11, 2013, to receive input on the Carl Winters School Subdivision plat amendment; and

WHEREAS, the Planning Commission, on December 11, 2013, forwarded a positive recommendation to the City Council on the Carl Winters School Subdivision plat amendment; and,

WHEREAS, on January 9, 2014, the City Council held a public hearing to receive input on the Carl Winters School Subdivision plat amendment; and,

WHEREAS, on January 9, 2014, the City Council approved the Carl Winters School Subdivision plat amendment; and,

WHEREAS, on January 29, 2015, the City Council held a public hearing to receive input on the plat amendment extension of the January 9, 2014 approval; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Carl Winters School Subdivision plat amendment extension.

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

SECTION 1. APPROVAL. The Carl Winters School 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 Carl Winters School Subdivision within the Recreation Commercial (RC) and Recreation Open Space (ROS) Districts.

2. The applicants are requesting to create one (1) legal lot of record from 73 full lots and two (2) partial lots as well as the vacated Woodside Avenue. The property contains a total of 3.816 acres.
3. The plat amendment is necessary in order for the applicant to move forward with an HDDR for the purpose of an addition to the landmark Park City Library.
4. Currently the property contains 73 full Old Town lots and two (2) partial lots.
5. The existing historic 48,801 square foot structure is listed as "Landmark" on the Historic Sites Inventory (HSI).
6. A three (3) story addition was introduced in 1992, wrapping the historic auditorium wing. The applicant is proposing to reduce the height of the 1992 addition and adding a side addition along the north elevation. Thus far, no HDDR application has been submitted; however, Planning Staff has been serving on the Design Team to guide the development of the project.
7. Per LMC 15-2.16-6, existing historic structures that do not comply with building setbacks are valid complying structures. The historic structure is a valid complying structure, though it straddles Lots 1 through 6 and Lots 29 through 44 of the Snyder's Addition.
8. As part of the 1992 Carl Winters Library Master Planned Development (MPD), two (2) setback exceptions were approved including the encroachment of the 1993 addition into the rear and side yard setbacks (Norfolk Avenue) as well as the permanent parking encroaching into the side yard setback (12th Street).
9. Any proposed additions to the existing historic structure will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process.
10. The maximum footprint in the RC district located on a Lot or combination of Lots, exceeding 18,750 square feet in Lot Area shall be 4,500 square feet, or 24% of the lot. As existing, the library structure has a footprint of 17,171 square feet or 10.3% of the lot. The proposed addition will create a total footprint of 19,519 square feet. The total footprint of the building and addition overall consumes approximately 11.7% of the lot and is significantly less than the 24% of footprint allowed on lots exceeding 18,750 square feet.
11. The proposed 7,730 square feet addition is significantly larger than additions seen on other neighboring historic buildings; however, the library structure is also much larger than surrounding historic residential and commercial sites. The addition must adhere to the Design Guidelines for Historic Sites would require that the mass and scale of any new additions is compatible with the historic structure.
12. The amendment of seventy-three (73) lots of record and two (2) partial lots would be the largest plat amendments in the neighborhood. The second largest of these plat amendments is the Park City High School Mechanical Arts Building at 1167 Woodside which contains seven (7) lots.
13. New additions to the historic structure would require adherence to current setbacks as required in the RC District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites. The Planning

Commission granted an exception to these setbacks through the MPD, approving a ten foot (10') rear yard setback along Norfolk Avenue.

14. The City Council approved a street vacation for the section of Woodside Avenue adjacent to Lots 1 through 6, Block 7 of Snyders Addition on December 12, 2013.
15. The Plat Amendment was approved by the City Council on January 29, 2014.
16. The applicant was to record the plat amendment at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) year's time, the plat amendment 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.
17. Land Management Code § 15-7.1-6(C)(5) indicates that applicants may request time extensions of City Council plat amendment approvals by submitting in writing to the Planning Department prior to the expiration of the approval.
18. On December 29, 2014, a written request was submitted to the City asking for a one year extension. The written request was filed prior to the expiration date.
19. The City Council may grant an extension to the expiration date when the applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the General Plan or the LMC in effect.
20. The plat amendment extension contains no modifications to the approved plat amendment, no physical changes to the property or surroundings, nor any relevant changes to the Land Management Code since the prior approval. Staff finds that the findings of fact, conclusions of law and conditions of approval from the approved plat amendment are still valid.

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.
5. There is good cause for this plat amendment extension as the written request was submitted to the City prior to the expiration date.
6. No change in circumstance exists that results in an unmitigated impact or in a finding of non-compliance with the General Plan or the Land Management Code.

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. The applicant will record the plat amendment at Summit County by January 9, 2016. If recordation has not occurred, 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. All new construction will require modified 13-D sprinklers.
 4. A ten foot (10') wide public snow storage easement will be required along the street frontages of the lot with Park Avenue, 12th Street, Norfolk Avenue, and 13th Street and shall be shown on the plat.
 5. Encroachments across property lines must be addressed prior to plat recordation and shall either be removed or encroachment easements shall be provided.

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

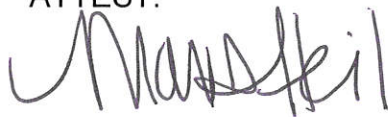
PASSED AND ADOPTED this 29th day of January, 2015.

PARK CITY MUNICIPAL CORPORATION

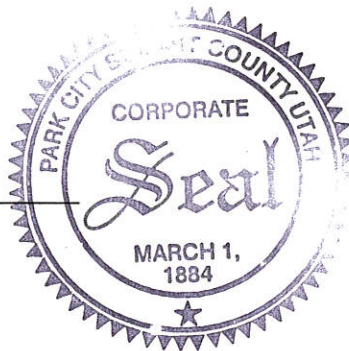


Jack Thomas, MAYOR

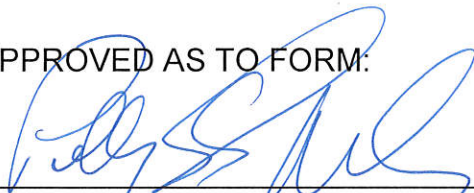
ATTEST:



Marci Heil, City Recorder



APPROVED AS TO FORM:



for _____
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

