

**AN ORDINANCE APPROVING THE MINER'S PLAZA PLAT AMENDMENT,
LOCATED AT 415 MAIN STREET, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Miner's Plaza Plat Amendment located at 415 Main Street, have petitioned the City Council for approval of the Miner's Plaza Plat Amendment; and

WHEREAS, on August 12, 2015, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on August 12, 2015, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on August 26, 2015, to receive input on the proposed subdivision;

WHEREAS, on August 26, 2015, the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on September 17, 2015 the City Council held a public hearing on the proposed Miner's Plaza Plat Amendment at 415 Main Street and

WHEREAS, it is in the best interest of Park City, Utah, to approve the proposed Miner's Plaza Plat Amendment.

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 Miner's Plaza Plat Amendment at 415 Main Street, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Miner's Plaza Plat Amendment is located at 415 Main Street within the Historic Commercial Business (HCB) District.
2. The Miner's Plaza Plat Amendment at 415 Main Street consists of Lots 3, 4, and a portion of Lot 5 of Block 10 of the Amended Plat of the Park City Survey.
3. On July 8, 2015, the applicants submitted an application for a plat amendment to combine Lots 3, 4, and a portion of Lot 5 containing a total of 4,500 square feet into one (1) lot of record.
4. The application was deemed complete on July 15, 2015.
5. The lots at 415 Main Street currently contain an existing restroom building and landscaping improvements.

6. The HCB zone requires a minimum lot size of 1,250 square feet. The proposed lot size is 4,500 square feet.
7. The maximum floor area ratio (FAR) allowed in the HCB zone is 4.0. Currently, the site has an FAR of 0.076.
8. The HCB zone does not have a minimum front, rear and side yard setbacks. The existing restrooms building has a front yard setback of 51 feet, rear yard setback of 9 feet, north (side) yard setback of 30 feet and south (side) yard of 0 feet. These comply with the LMC.
9. The current restroom building is 12.85' in height, and complies with the height requirements of the HCB zone.
10. No parking is required as this is a public plaza.
11. The parcel currently has improvements that extend beyond the interior property lines, including the existing public restrooms building, concrete pads, wood landing, retaining walls, planting beds, and other landscape features.
12. The house and deck at 416 Park Avenue encroach about six inches (6") for a length of six feet six inches (6'6") along the west property line of Lot 5.

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. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Recordation of this plat and completion and approval of a final Historic District Design Review (HDDR), applications are required prior to building permit issuance for any construction on the proposed lot.
4. The applicant shall provide a private sewer lateral easement for the benefit of 416 Park Avenue, 424 Park Avenue, and 419 Main Street.
5. The property owner must enter into an encroachment agreement with the owner(s) of 416 Park Avenue for the existing historic house and deck located on the west property line of lot 5.
6. 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.

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

PASSED AND ADOPTED this ____ day of _____, 2015

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



~~Kristin Parker, City Recorder~~
Karen Anderson

APPROVED AS TO FORM:



Mark Harrington, City Attorney



