

**Ordinance No. 15-40**

**AN ORDINANCE APPROVING THE CARDINAL PARK PLAT AMENDMENT  
LOCATED AT 545 MAIN STREET & 550, 554, 560 PARK AVENUE, PARK CITY,  
UTAH.**

WHEREAS, the owner of the property located at 545 Main Street and 550/554/560 Park Avenue has petitioned the City Council for approval of the Plat Amendment; 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 May 13, 2015, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on May 13, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 5, 2015, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Cardinal Park Subdivision Plat Amendment.

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

**SECTION 1. APPROVAL.** Cardinal Park 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 545 Main Street and 550, 554, 560 Park Avenue.
2. The property is in the Historic Commercial Business and Historic Residential-2 District, respectively.
3. The subject property consists of Lot 1 of the 545 Main Street Plat and Lot 32, 33, 34, and 35 of Block 9 of the Amended Plat of the Park City Survey.
4. The Main Street lot has a non-historic building known as the April Inn and is recognized by Summit County as Parcel 545-MAIN-1.
5. The four (4) Park Avenue lots are vacant and are recognized by Summit County as Parcels PC-137 (lot 32 & 33), PC-131 (lot 34), and PC-138 (lot 35).
6. The proposed Plat Amendment creates three (3) lots of record from the existing

five (5) lots.

7. The four (4) existing Park Avenue lots are to be reconfigured into three (3) lots with a depth of seventy-five feet (75'), except Lot 1, and a width ranging from 32.42' to 35' and the April Inn lot would be combined with the newly reconfigured lot northwest of it.
8. Lot 1 would have two (2) addresses, one (1) for Main Street, the April Inn, 545 Main Street and one (1) for Park Avenue, 550 Park Avenue.
9. Lot 2 would be addressed 554 Park Avenue.
10. Lot 3 would be addressed 560 Park Avenue.
11. Lot 1 would retain the HR-2 District zoning on the Park Avenue side and the HCB District zoning on the Main Street side with all of their associated rights and restrictions.
12. A single-family dwelling is an allowed use in the Historic Residential-2 District.
13. The minimum lot area for a single-family dwelling is 1,875 square feet.
14. The area of proposed Lot 1 is 8,425.5 square feet.
15. The minimum lot area in the HCB District is 1,250 square feet.
16. The proposed area of lot 1 within the HR-2 District is 2,625 square feet.
17. The area of proposed Lot 2 is 2,431.5 square feet.
18. The area of proposed Lot 3 is 2,437.5 square feet.
19. The areas of proposed lots meet the minimum lot area for single-family dwellings in the HR-2.
20. A duplex dwelling is a conditional use in the Historic Residential-2 District.
21. The minimum lot area for a duplex dwelling is 3,750 square feet.
22. The proposed lots, including the HR-2 portion of Lot 1, do not meet the minimum lot area for a duplex dwelling.
23. The minimum lot width allowed in the Historic Residential-2 District is twenty-five feet (25').
24. The proposed lot width of Lot 1 within the HR-2 District is 35 feet.
25. The proposed lot width of Lot 2 is 32.42 feet.
26. The proposed lot width of Lot 3 is 32.5 feet.
27. The proposed lots, including the HR-2 portion of Lot 1, meet the minimum lot width requirement.
28. Any provisions regarding lot size regarding Lot 1 shall be governed by the rights and restrictions of their corresponding zoning Districts.
29. The maximum building footprint of lot 1 shall be 1,132.5 square feet (HR-2 District).
30. The maximum building footprint of Lot 2 shall be 1,060.5 square feet.
31. The maximum building footprint of Lot 3 shall be 1,062.7 square feet.
32. The rear yard setback for Lot 1 shall be measured from the zone line.
33. The current property owner would own everything within these two (2) areas, proposed lot, until a Condominium Record of Survey is submitted by the applicant, reviewed and approved by the City and recorded at the County.
34. The Property Owner must protect Significant Vegetation during any Development activity.
35. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller

trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

36. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist.
37. The applicant must submit the required report by the certified arborist and that the loss of significant mitigation is replaced on a like per like basis.
38. 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 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. A ten feet (10') wide public snow storage easement will be required along the front of the property along Park Avenue.
4. A note shall be added to the Plat Amendment to be approved in a form by the City Attorney which shall indicate that the any provisions regarding lot size regarding Lot 1 shall be governed by the rights and restrictions of their corresponding zoning Districts and for purposes of lot area shall not be added collectively.
5. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.
6. The applicant shall submit the report by a certified arborist per LMC § 15-2.3-15 and that the loss of significant mitigation shall be replaced on a like per like basis.
7. The current property owner owns everything within these two (2) zone areas of Proposed Lot 1 until a Condominium Record of Survey is submitted by the applicant, reviewed and approved by the City and recorded at the County.
8. The rear yard setback for Lot 1 shall be measured from the zone line, as this Plat Amendment currently removes that property line which in terms of lots, separated the Park Avenue and the Main Street lots.

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

PASSED AND ADOPTED this 5<sup>th</sup> day of November, 2015.



PARK CITY MUNICIPAL CORPORATION

  
Jack Thomas, MAYOR

ATTEST:

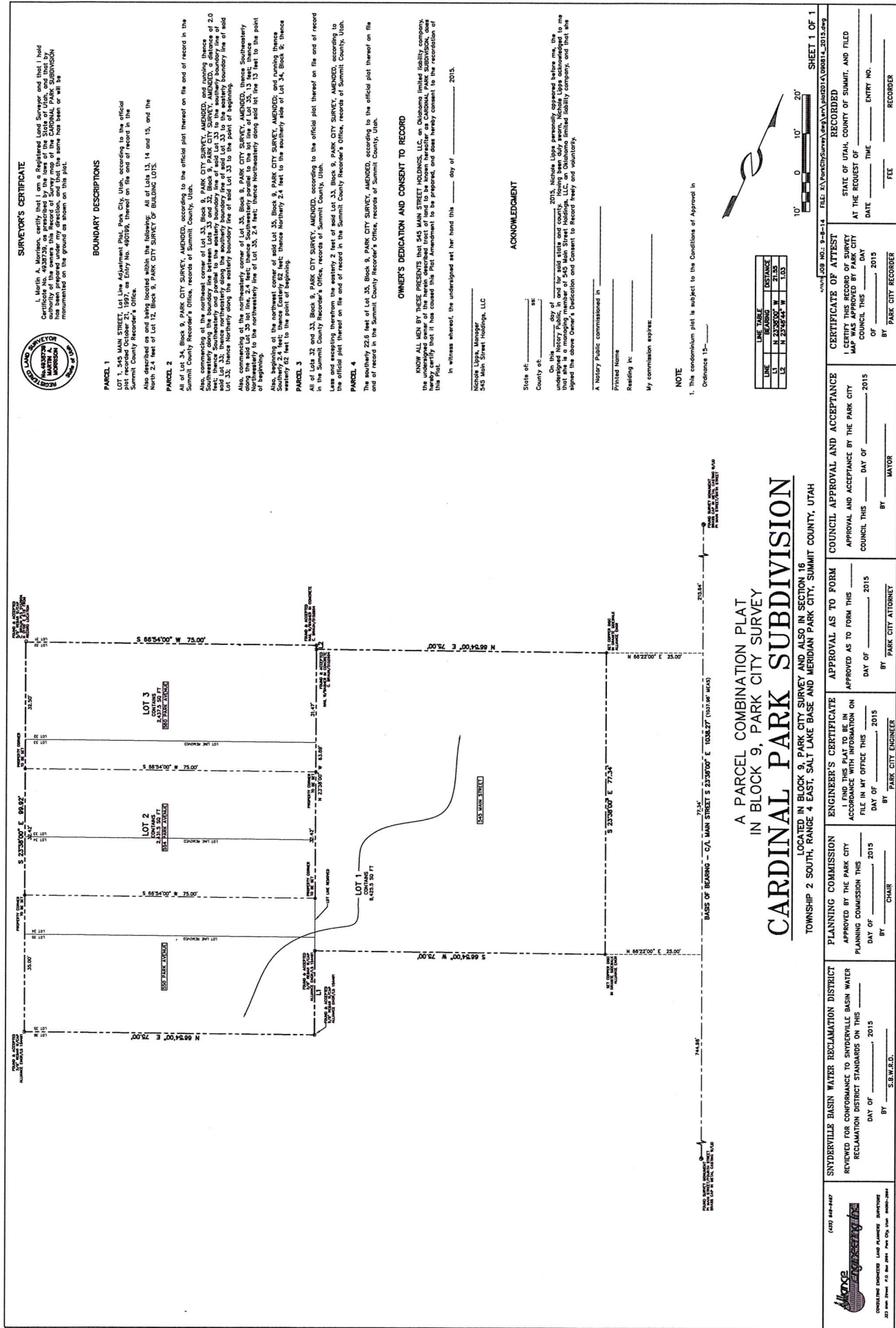
  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**

# Attachment 1 – Proposed Plat



### SURVEYOR'S CERTIFICATE

I, Mark A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 49278, as prescribed by the laws of the State of Utah, and that by this certificate I am authorized to perform the duties of a land surveyor. The plat hereon has been prepared under my direction, and that the same has been or will be monumented on the ground as shown on this plat.

### BOUNDARY DESCRIPTIONS

**PARCEL 1**  
 LOT 1, 545 MAIN STREET, Lot Line Adjustment Plat, Park City, Utah, according to the official Summit County Recorder's Office, City No. 49278, thereon on file and of record in the Summit County Recorder's Office.  
 Also described as and being located with the following: All of Lots 13, 14 and 15, and the North 2.4 feet of Lot 12, Block 9, PARK CITY SURVEY OF BUILDING LOTS.

**PARCEL 2**  
 All of Lot 34, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereon on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.  
 Also, commencing at the northeast corner of Lot 33, Block 9, PARK CITY SURVEY, AMENDED, and running thence Southwesterly along the boundary line between Lot 33 and 32, Block 9, PARK CITY SURVEY, AMENDED, a distance of 2.0 feet to the northwesterly corner of said Lot 33; thence Northwesterly along the westerly boundary line of said Lot 33; thence Northwesterly along the easterly boundary line of said Lot 33; thence Northwesterly along the easterly boundary line of said Lot 33 to the point of beginning.

Also, commencing at the northwesterly corner of Lot 35, Block 9, PARK CITY SURVEY, AMENDED, thence Southwesterly Northwesterly to the northwesterly line of Lot 35, 2.4 feet; thence Northwesterly along said lot line 13 feet to the point of beginning.

Also, beginning at the northeast corner of said Lot 35, Block 9, PARK CITY SURVEY, AMENDED; and running thence Southwesterly 2.4 feet to the point of beginning; thence Northwesterly 2.4 feet to the westerly side of Lot 34, Block 9; thence westerly 62 feet to the point of beginning.

**PARCEL 3**  
 All of Lots 32 and 33, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereon on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

**PARCEL 4**  
 The southerly 22.8 feet of Lot 35, Block 9, PARK CITY SURVEY, AMENDED, according to the official plat thereon on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

### OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that 545 MAIN STREET HOLDINGS, LLC, an Oklahoma limited liability company, the owner of the above described property, has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

Nichole Lippa, Manager  
 545 Main Street Holdings, LLC

### ACKNOWLEDGMENT

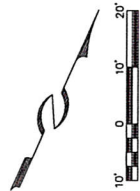
State of: \_\_\_\_\_  
 County of: \_\_\_\_\_  
 On this \_\_\_\_\_ day of \_\_\_\_\_, 2015, Nichole Lippa personally appeared before me, the undersigned, a Notary Public in and for the State of Utah, and acknowledged to me that she is a managing member of 545 Main Street Holdings, LLC, an Oklahoma limited liability company, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in \_\_\_\_\_  
 Printed Name \_\_\_\_\_  
 Residing in \_\_\_\_\_  
 My commission expires \_\_\_\_\_

### NOTE

1. This condominium plat is subject to the Conditions of Approval in Ordinance 15-\_\_\_\_\_.

| LINE | TABLE        | SECTION |
|------|--------------|---------|
| 1    | N 23°26'00\" | 21.5    |
| 2    | N 23°26'00\" | 10.5    |



SHEET 1 OF 1

## A PARCEL COMBINATION PLAT IN BLOCK 9, PARK CITY SURVEY CARDINAL PARK SUBDIVISION

LOCATED IN BLOCK 9, PARK CITY SURVEY AND ALSO IN SECTION 16  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

|  |  |   |  |   |  |  |
|--|--|---|--|---|--|--|
| <p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT<br/>         REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2015<br/>         BY _____ S.B.M.R.D.</p> | <p>PLANNING COMMISSION<br/>         APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2015<br/>         BY _____ CHAIR</p> | <p>ENGINEER'S CERTIFICATE<br/>         ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2015<br/>         BY _____ PARK CITY ENGINEER</p> | <p>APPROVAL AS TO FORM THIS _____ DAY OF _____ 2015<br/>         BY _____ PARK CITY ATTORNEY</p> | <p>COUNCIL APPROVAL AND ACCEPTANCE<br/>         APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2015<br/>         BY _____ MAYOR</p> | <p>CERTIFICATE OF ATTEST<br/>         I CERTIFY THIS RECORD OF SURVEY WAS RECORDED BY _____ CITY COUNCIL THIS _____ DAY OF _____ 2015<br/>         OF _____ TIME _____ ENTRY NO. _____<br/>         BY _____ PARK CITY RECORDER<br/>         FEE _____</p> | <p>RECORDED<br/>         STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____<br/>         DATE _____ TIME _____ ENTRY NO. _____<br/>         FEE _____ RECORDER _____</p> |
|--|--|---|--|---|--|--|

CONSULTING ENGINEER LAND SURVEYING  
 2015 UTAH STATE PLAT ACT, PLAT NO. 2015-004