

Ordinance No. 2016-21

AN ORDINANCE APPROVING THE KIMBALL ON MAIN PLAT AMENDMENT AT 638 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 638 Park Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on April 9, 2016, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 13, 2016, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 27, 2016, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 27, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 19, 2016, 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 Kimball on Main Plat Amendment at 638 Park Avenue.

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

SECTION 1. APPROVAL. The Kimball on Main Plat Amendment at 638 Park Avenue, 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 638 Park Avenue.
2. The property is in the Historic Recreation Commercial (HRC) District and Heber Avenue Subzone.
3. The subject property consists of parts of Block 7 of the Park City Survey and Block 53 Synder's Addition to Park City. The proposed plat amendment creates one (1) lot of record.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Landmark.
5. The proposed Plat Amendment combines the property into one (1) lot measuring 18,550.3 square feet.

6. The minimum front/rear yard setbacks are ten feet (10'). The historic structure has a 1 foot front yard setback along Park Avenue and a 55 feet rear yard setback along Main Street.
7. The minimum side yard setbacks are five feet (5'); the historic structure currently has a side yard setback of 6 feet along the north property line.
8. On corner lots, such as this, the side yard setback that faces a street is ten feet (10'). The historic structure has a 1 foot side yard setback along Heber Avenue.
9. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.
10. There is a non-historic concrete retaining wall along the west property line and adjacent to the rear property line of 690 Park Avenue. There are also several aspen, deciduous, and evergreen trees planted along the north property line shared with 690 Park Avenue.
11. This property is located within the Soils Ordinance Boundary and flood plain.
12. There is an existing water line in the sidewalk along Park and Heber Avenues as well as Main Street; no public utilities easement currently exists for this water line.
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 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. A ten feet (10') wide public snow storage easement is required along the Park Avenue, Heber Avenue, and Main Street frontages of the property and shall be indicated on the final plat.
4. A sidewalk easement is required along Heber Avenue and Main Street and shall be indicated on the final plat.
5. A public utilities easement is required along Park and Heber Avenues as well as Main Street and shall be indicated on the final plat.
6. This property is current in their assessment to the Main Street Parking Special Improvement District as of January 1, 1984, for parking requirements up to a Floor

Area Ratio (FAR) of 1.5. Any additions or remodels that generate an FAR of greater than 1.5 will be required to provide parking in accordance with LMC 15-3.

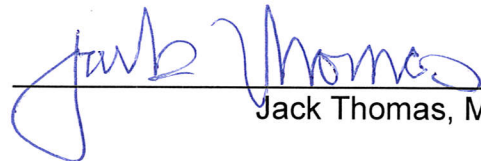
7. Storm water run-off due to the expansion will be required to be addressed on site.
8. Utility infrastructure such as transformer must be located on site.
9. Per LMC 15-2.5-3(E)(3), a Side Yard between connected Structures is not required where the Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official. The longest dimension of a Building joined at the Side Lot Line may not exceed one hundred feet (100').

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

PASSED AND ADOPTED this 19th day of May, 2016.

PARK CITY MUNICIPAL CORPORATION





Jack Thomas, MAYOR

ATTEST:



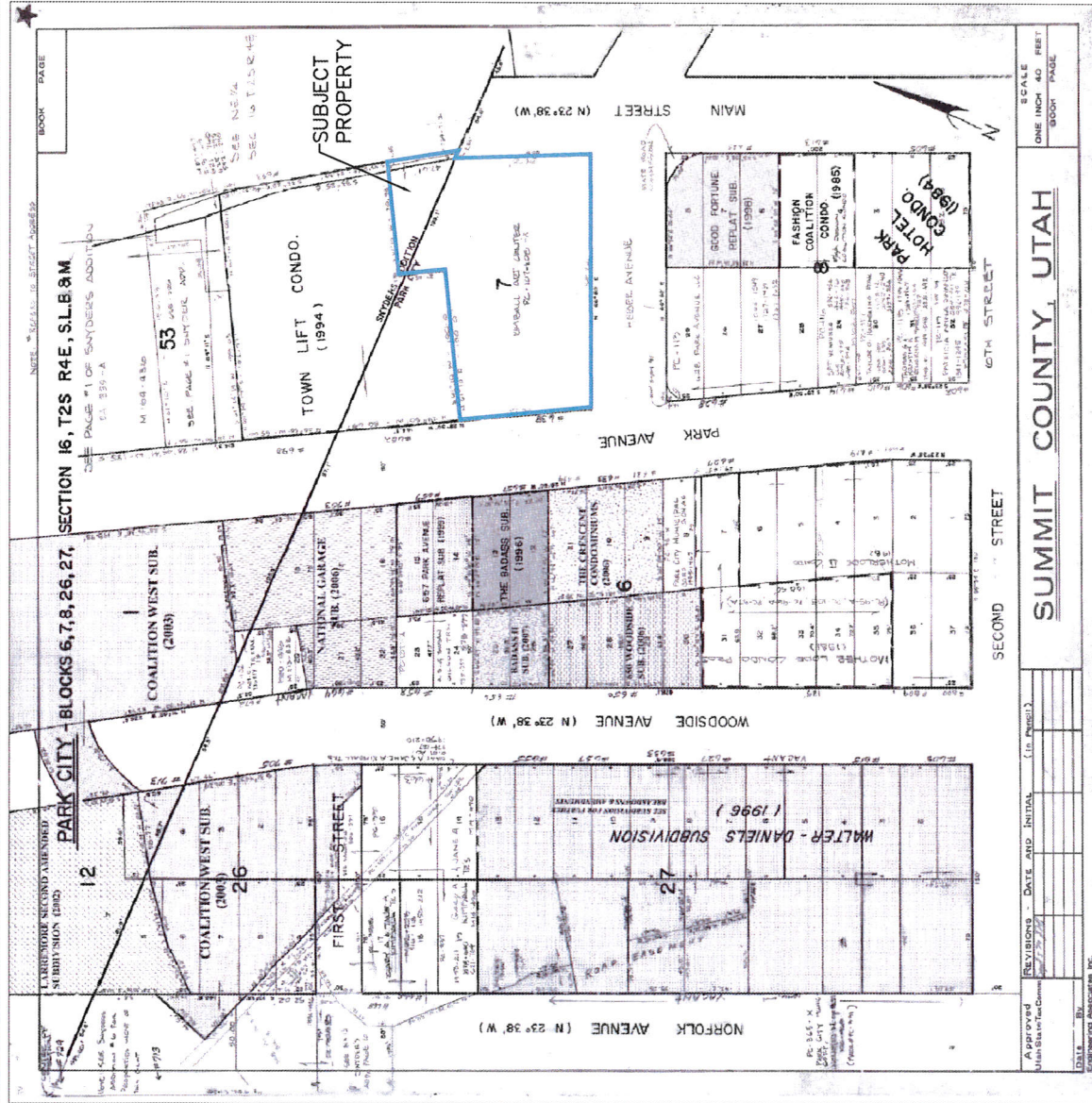
Michelle Kellogg
City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SECTION 16, T2S R4E, S.L.B. 8M

PARK CITY - BLOCKS 6, 7, 8, 26, 27

COALITION WEST SUB. (2003)

TOWN LIFT CONDO. (1994)

WALTER-DANIELS SUBDIVISION (1996)

PARK CONDO (1984)

53

6

7

7

7

6

7

7

7

6

7

7

7

6

7

7

SUBJECT PROPERTY

WOODSIDE AVENUE (N 23° 38' W)

NORFOLK AVENUE (N 23° 38' W)

PARK AVENUE

MAIN STREET (N 23° 38' W)

67TH STREET

67TH STREET

SCALE

ONE INCH = 40 FEET

BOOK PAGE

REVISIONS - DATE AND INITIAL

(In Progress)

DATE: 5/15/16

APPROVED

Michael Demkowicz

ENGINEERING ACCOUNTS INC.

DATE: 5/15/16

FOR: CPP KIMBALL LLC

FILE: A:\CityInformation\Map\Exhibits\Kimball-ownership_map.dwg

DATE: 5/15/16

JOB NO.: 9-2-16

OF 1

DATE: 5/15/16

STATE: MICHAEL DEMKOWICZ

SHHEET 1 OF 1

DATE: 5/15/16

OWNERSHIP PLAT

THE KIMBALL ON MAIN

DATE: 5/15/16

875 MAIN STREET

FOR: CPP KIMBALL LLC

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DATE: 5/15/16

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OF 1



 (405) 494-4447
 STATE: MICHAEL DEMKOWICZ
 MARSHALL KING
 OWNERSHIP PLAT
 THE KIMBALL ON MAIN
 875 MAIN STREET
 FOR: CPP KIMBALL LLC
 JOB NO.: 9-2-16
 FILE: A:\CityInformation\Map\Exhibits\Kimball-ownership_map.dwg
 DATE: 5/15/16
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