

Ordinance No. 2018-04

AN ORDINANCE APPROVING THE LILAC HILL SUBDIVISION- FIRST AMENDED AT 632 DEER VALLEY DRIVE

WHEREAS, the owner of the property (tax id LILACH-1) located at 632 Deer Valley Drive have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on June 28, September 21, November 30, and December 28, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on June 24, September 30, and December 30, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on July 12, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on July 12, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 3 and October 5, 2017, and January 11, 2018, 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 Lilac Hill Subdivision- First Amended at 632 Deer Valley Drive.

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

SECTION 1. APPROVAL. The Lilac Hill Subdivision- First Amended, 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 632 Deer Valley Loop.
2. The property consists of all of the Lilac Hill Subdivision. The applicant is proposing to subdivide the property into two (2) lots.
3. The property is located in the Residential-Medium Density (RM) District.
4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.
5. The proposed subdivision will create two (2) lots of record: Lot 1A will contain 7,616 SF and Lot 1B will contain 6,703 SF.
6. Single-family, duplex, and triplex dwellings are allowed uses in this zone.

7. Lot 1A will contain the historic house and be adjacent to Deer Valley Loop. Lot 1B is the vacant, undeveloped lot adjacent to Rossie Hill Drive.
8. Lot 1A, along with the three historic cottages 555, 560, and 577 Deer Valley contribute to Park City's history and provide a density of historic structures that largely retain their relationship with one another and the hillside.
9. The purpose statements of the RM zoning district include (B) encouraging new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area, and (C) encouraging the rehabilitation of existing Historic Structures.
10. The proposed lot width of Lot 1A is 109.46 feet along the north property line (facing Deer Valley Drive) and the proposed lot width of Lot 1B is 130.43 along the south property line (facing Rossie Hill Drive). The minimum lot width required is 37.50 feet, and both proposed lots meet the minimum lot width requirement.
11. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures. The applicant is not proposing to relocate the historic house.
12. The minimum front yard setbacks are 15 feet and rear yards are 10 feet.
13. The minimum side yard setbacks are 5 feet.
14. An addition to the historic house encroached over the proposed lot line between Lots 1A and 1B; it was approved to be demolished by the Historic Preservation Board.
15. Existing access to the Lot 1A is limited to a driveway from Deer Valley Loop.
16. The City Engineer finds that only the eastern half of the lot directly abuts the City's right-of-way along Rossie Hill Drive and there are poor sight lines along Rossie Hill Drive.
17. The utilities were disconnected from this property on May 26, 1999.
18. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance).
19. On October 20, 2017, the Park City Council approved the Lilac Hill Subdivision through Ordinance 16-32. It was recorded on January 31, 2017. The Conditions of Approval of this subdivision continue to apply.
20. On August 2, 2017, the Historic Preservation Board (HPB) approved the Disassembly/ Reassembly (Panelization) and Material Deconstruction of the historic house at 632 Deer Valley Loop. The rear addition of the historic house was approved to be removed at this time.
21. On November 1, 2017, the HPB approved the Reconstruction of the historic house; it has since been deconstructed.
22. The applicant contracted Fehrs and Peers to complete a traffic study that was presented to City Council during the October 5, 2017, meeting. The traffic engineers found that based on the analysis of the slope, street width, and winter conditions, Rossie Hill Drive will be easier to navigate than Deer Valley Loop. They also found that the sight distance was better off of Rossie Hill than deer Valley Drive. It concluded that the two (2) driveways would disperse project traffic and minimize activity and traffic on any single driveway or street.
23. The applicant has lengthened the driveway off of Rossie Hill Drive to 20 feet in length and reduce its slope to 5% in an effort to improve sight lines along Rossie Hill Drive. This allows a vehicle to pull out of the driveway perpendicular to Rossie Hill

Drive. The applicant has also proposed a parking plaza that provides sufficient space for vehicles to turn out of the garages and pull-out front first on Rossie Hill Drive.

24. The property owner has also redesigned the parking layout to allow for four (4) legal parking spaces on-site. The size and layout of the parking plaza allows for vehicles to turn and then pull-out front-first on Rossie Hill Drive.
25. The property owner has voluntarily agreed to work with the City and the BLM to construct a pedestrian staircase to the west of the subject property at their cost, linking Rossie Hill to Deer Valley Loop.
26. The applicant contracted Fehrs and Peers to conduct a traffic study of Rossie Hill Drive and Deer Valley Loop. They found that Rossie Hill Drive will be easier to navigate than Deer Valley Loop due to the slope, street width, and winter conditions. The traffic engineers also found that both proposed driveways would have sufficient intersection sight distance along Deer Valley Loop and Rossie Hill Drive.
27. The City Engineer also conducted a traffic study to identify patterns along Rossie Hill Drive and Deer Valley Loop. He found that the trip volume is well within the capacity limits of our Old Town streets (daily traffic volume capacity of 2,000 trips with a threshold of 2,500 trips).
28. Staff finds that Conditions of Approval 3, 4, 5, 6, 7, 8, 9 set forth by the Lilac Hill Subdivision that was recorded January 31, 2017, will be met by this subdivision proposal and proposed development plans for the site.
29. The only existing encroachments on site are the gravel driveway and parking area that extends beyond the property lines along Deer Valley Loop.
30. The applicant has consented to the Conditions of Approval included in this ordinance regarding parking and turnaround space.
31. 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. Any development on this lot or future subdivided lots within Lots 1A and 1B shall provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort. Any new development on this lot or future subdivided lots within this lot shall comply with Park City's Design Guidelines to ensure that the new development is compatible with the Historic Structure on this lot and the Historic Structures in the surrounding area.
4. Any new development on this lot or future subdivided lots within Lots 1A and 1B shall not block the view of the historic house from the 632 Deer Valley Loop and Deer Valley Drive rights-of-way.
5. New construction on this lot or future subdivided lots within Lots 1A and 1B shall provide a minimum of 40% of the site to be Open Space, Landscaped and/or Open Space, Natural as defined by the Park City Land Management Code.
6. Lots 1A and 1B of the Lilac Hill Subdivision First Amended shall not be further subdivided in the future.
7. A ten foot (10') wide public snow storage easement is required along the Rossie Hill frontage of the property.
8. Driveway access to any development of these lots shall be limited from Deer Valley Loop Road and Rossie Hill Drive. The new lot facing Rossie Hill Drive shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of-way. The slope of the access off of Rossie Hill Drive shall be no more than 5% for the first 20 feet of driveway off of the right-of-way to maintain sight lines.
9. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.
10. 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.
11. All conditions of the Lilac Hill Subdivision, approved as Ordinance 16-32, continue to apply and shall be noted on this plat.
12. An access easement shall be recorded for Unit 3 of Lot 1B indicated on the plat. The access easement shall include substantial turnaround area provided on-site to ensure automobiles do not back on to Rossie Hill Drive. No parking shall be allowed within the Access Easement.
13. Access to Lot 1B shall be limited to a shared driveway accessible from Rossie Hill Drive.
14. The property owner has agreed to finance the cost of a pedestrian staircase to the west of the subject property, linking Rossie Hill to Deer Valley Loop, at his cost up to \$75,000. The stairs shall be constructed at cost to the applicant prior to a Certificate of Occupancy (CO) for the proposed duplex on Lot 1B. Should the stairs not be constructed prior to CO, the applicant shall post a guarantee or bond for the construction of the stairs. If the BLM does not grant the easement for the pedestrian staircase, the applicant's guarantee or bond shall sunset within 36 months of CO on the duplex project.

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

PASSED AND ADOPTED this 11th day of January, 2018.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR

ATTEST:



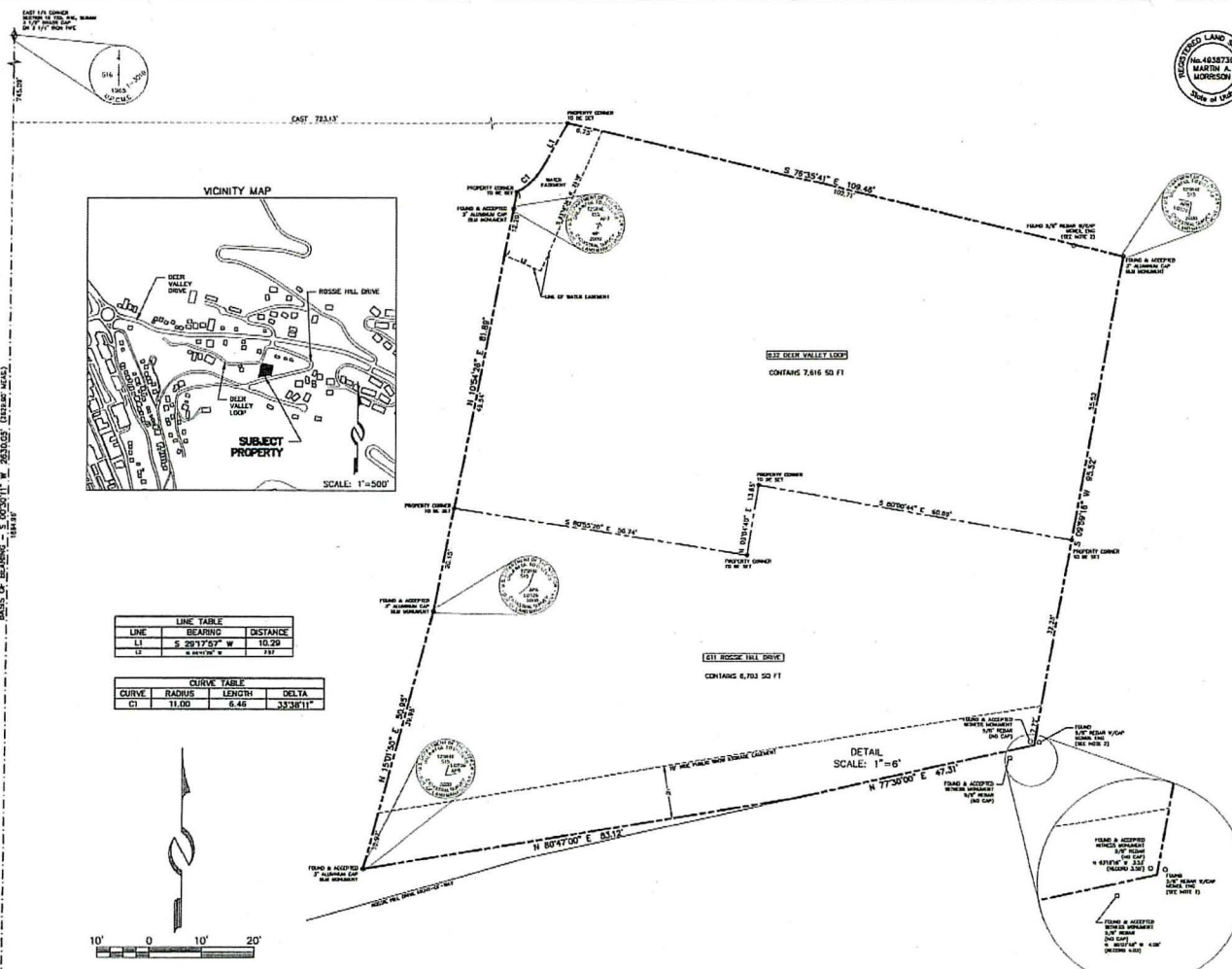

City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE
 I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4928725, as prescribed by the laws of the State of Utah, and that by authority of the owner, this plat of LILAC HILL SUBDIVISION-FIRST AMENDED has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION
 All of Lot 1, LILAC HILL SUBDIVISION, according to the official plat thereof, on the end of and record in the office of the Summit County Recorder, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS that LILAC HILL LLC, a Delaware limited liability company, the herein described owner of the herein described tract of land, to be known hereafter as LILAC HILL SUBDIVISION-FIRST AMENDED, does hereby certify that it has caused this subdivision plat to be prepared, and does hereby consent to the reconstruction of LILAC HILL SUBDIVISION-FIRST AMENDED.
 In witness whereof, the undersigned set his hand this ____ day of ____ 2017.

Todd Franklin Waterman, Manager
 LILAC HILL LLC, a Delaware limited liability company

ACKNOWLEDGMENT
 State of _____
 County of _____

On this ____ day of ____ 2017, Todd Franklin Waterman personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the manager of LILAC HILL LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its governing agreement and he acknowledged to me that he executed the LILAC HILL SUBDIVISION-FIRST AMENDED.

By: _____
 Notary Public
 Printed Name: _____
 Residing in: _____
 My commission expires: _____
 Commission No.: _____

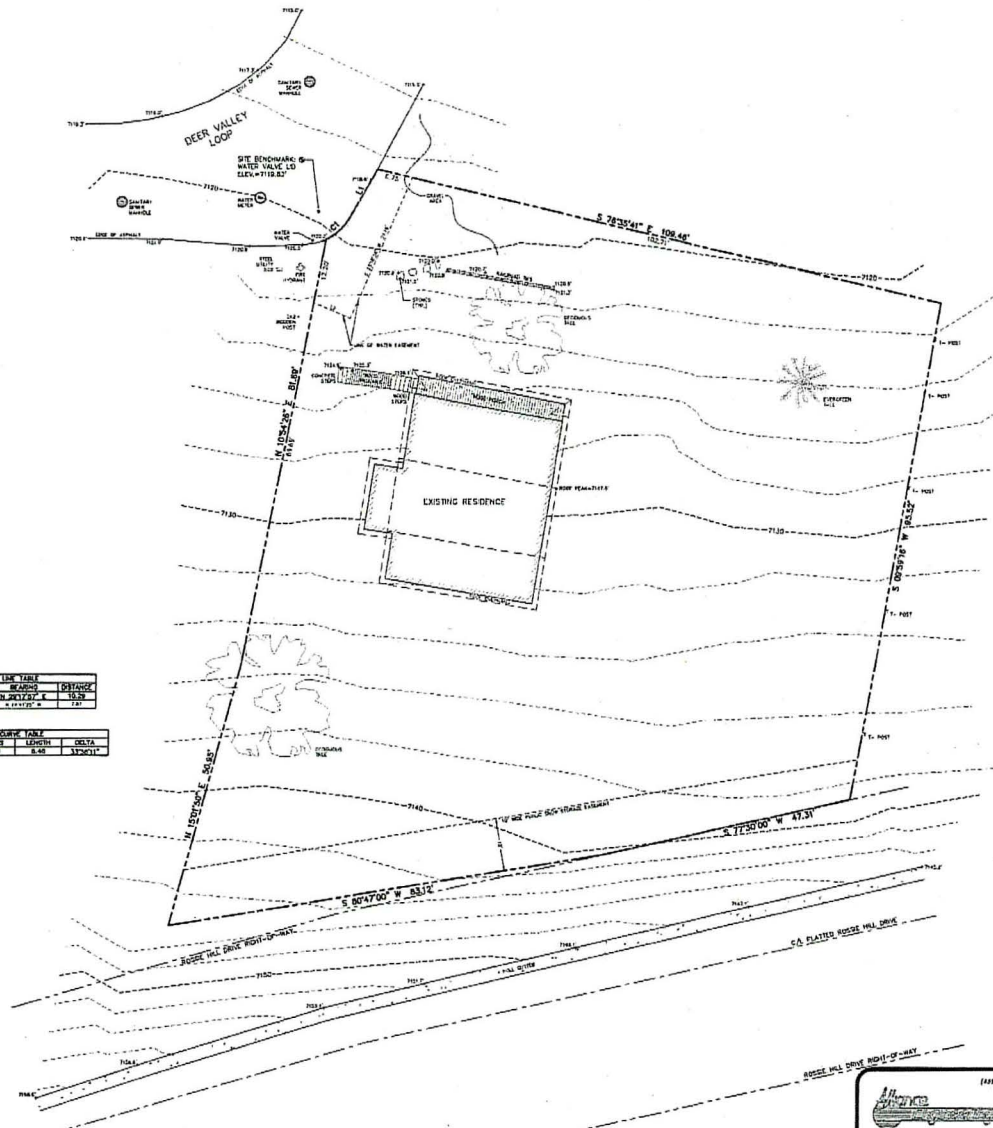
- NOTES**
- This subdivision is subject to the Conditions of Approval in Ordinance 17-_____.
 - See recorded survey of adjacent property S-6427 in the Summit County Recorder's Office.
 - See recorded survey of this property S-8855 in the Summit County Recorder's Office.
 - The record bearings and distances shown on this survey are from the original field notes of the BLM survey of Government Lot 26, completed on November 21, 2002.
 - Any development on these lots shall provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort. Any new development on these lots shall comply with Park City's Design Guidelines for Historic Districts and Historic Sites to ensure that the new development is compatible with the historic structures on Lot 1a and the historic structures in the surrounding area.
 - Any new development on these lots shall not block the view of the historic house from the 632 Deer Valley Loop and Deer Valley Drive rights-of-way.
 - So long as the zone remains RM, new construction on these lots shall provide a minimum of 40% of the site to be Open Space, Landscaped and/or Open Space, Natural as defined by the Park City Land Management Code. If it is required, some space requirements may be re-established at that time.
 - Driveway access to any development in this subdivision shall be limited from Deer Valley Loop Road. Lot 1B shall only be accessible from the eastern half of the Rosale Hill Drive frontage where the property line directly abuts the City right-of-way.
 - Any future access off of Rosale Hill Drive shall have a slope of no more than 3% for the first 20 feet of the driveway off of the right-of-way to maintain sight lines.
 - The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils, they must handle the material in accordance with state and federal law.
 - 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.

LILAC HILL SUBDIVISION-FIRST AMENDED

LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED
 MAR 13 2017
 PARK CITY
 PLANNING DEPT.
 SHEET 1 OF 1

 (435) 499-8857 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 122 Main Street P.O. Box 2864 Park City, Utah 84002-2864	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____ 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER
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LINE TABLE			
LINE	BEARING	DISTANCE	
11	S 12°17'27\"	7.82	
12	N 12°17'27\"	7.82	

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
01	11.00	8.48	37°06'17\"

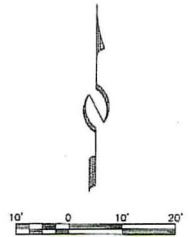


SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certificate no. 4638730 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lines shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.

NOTES

1. Site Benchmark Water vowe I.d. Elevation=7119.82'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on October 6, 2015.
4. Property corners were found or set.
5. Due to a platted boundary revision, this survey supersedes the previous survey completed by Alliance Engineering dated 11-3-15.



RECEIVED
 MAR 13 2017
 PARK CITY PLANNING DEPT.

<p>ALLIANCE ENGINEERING, INC. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street, P.O. Box 2841, Park City, Utah 84062-2841</p>	(435) 841-3447 STAFF: MARSHALL KING STEVE COYANT JESSE MORENO RYAN BETZ	EXISTING CONDITIONS & TOPOGRAPHIC MAP LILAC HILL SUBDIVISION 632 DEER VALLEY LOOP	SHEET 1 OF 1
	DATE: 3/15/17	FOR: LILAC HILL LLC JOB NO.: 2-3-17 FILE: K:\Enshl\OldTown.dwg\serv\topo2017\020317.dwg	