

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
March 14, 2018**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF February 28, 2018

PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda

STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

REGULAR AGENDA – Discussion, public hearing, and possible action as outlined below

Election of Chair and Vice-chair.

Discussion and Election

Open and Public Meeting Training – Required training for compliance with Utah Code 52-4-Open and Public Meetings Act.

89 King Road – A plat amendment proposing to combine three existing lots and a remnant parcel of a fourth lot into one lot of record at 89 King Road to be 4,915 square feet in size.

Public hearing and possible recommendation to City Council on April 5

PL-18-03773 15
*Planner
Morlan*

86 Prospect Street – A plat amendment proposing to convert two existing lots into three new lots of record including one lot 2,002 square feet in size and two lots 2,908 square feet in size.

Public hearing and possible recommendation to City Council on April 5

PL-18-03792 31
*Planner
Morlan*

Planning Commission Rules of Order Resolution.

Discussion and adoption of Resolution

50

ADJOURN

***Parking validations will be provided for Planning Commission meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 28, 2018

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Melissa Band, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Vice-Chair Band called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Campbell, who was excused.

ADOPTION OF MINUTES

February 14, 2018

Vice-Chair Band clarified that the champagne the Commissioners had given to Adam Strachan was actually Dom Perignon, not Don Perignon as stated in the Minutes.

MOTION: Commissioner Suesser moved to APPROVE the Minutes of February 14, 2018 as corrected. Commissioner Phillips seconded the motion.

VOTE: The motion passed. Commissioner Thimm abstained since he was absent on February 14th.

Assistant City Attorney McLean noted that if Commissioner Thimm abstained the Planning Commission would not have a quorum to approve the Minutes. She stated that Commissioner Thimm could rely on the Commissioner who were present at the February 14th meeting and vote accordingly.

Commissioner Thimm rescinded his abstention and vote in favor of approving the Minutes of February 14, 2018.

Vice-Chair Band stated that the Minutes were approved unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the City Council intends to announce the selection of Planning Commission members on March 8th. The new Commissioners would be available to attend the Planning Commission meeting on March 14th. He noted that since March 14th was a light agenda, Assistant City Attorney McLean was planning to do the Annual Open Public Meetings Act Training that evening.

Vice-Chair Band commented on the merits of the last State Ombudsman training they had and she thought it would be beneficial to have the State Ombudsman come back for additional training and update. Assistant City Attorney McLean stated that they try to have that training every couple of years. She would try to arrange for the Ombudsman to come back at a future meeting. Commissioner Phillips thought it would be especially beneficial for the new Commissioners. He found it to be very educational.

Commissioner Thimm stated that due to his absence from the last meeting he was unable to vote on the Resolution to Continuation Treasure Hill to a date uncertain. However, he wanted to express his support for the Mayor and the City Council on the consideration of purchasing the Treasure Hill, Creole Gulch, and Town Lift Mid-Station properties.

Commissioner Phillips asked if the Planning Commission needed to nominate a Chair. Director Erickson recommended that they wait until the new Commissioners were present. He noted that the election of Chair and Vice-Chair were scheduled on the March 14th agenda.

The Draft Park City Forestry Plan has been completed and Staff would like the Planning Commission to review before it is presented to City Council. (Informational only)

Director Erickson noted that this was an informational item for the Planning Commission. The Park City Forestry Plan would go to the City Council as part of the Arbor Tree City USA Award. It also provides information for the public rights-of-way. Director Erickson stated that the Forestry Plan would be used in the Planning Department for plant materials selection.

City Engineer, Matt Cassel had nothing to add. He just wanted to make sure the Planning Commission had the opportunity to review the Plan so he could address their questions or concerns before taking it to the City Council. Mr. Cassel remarked that the best part of the Plan is that the plant list in the back provides guidelines for plant

material. He pointed out that even though it was written for the rights-of-way or for public lands, anyone could use it as guidance.

Vice-Chair Band thought it was a well-written report. Commissioner Phillips asked if the Forestry Plan included the Quinn's Junction area. Mr. Cassel answered yes. Commissioner Phillips commented on the highlighted sections that appear to be on the depth of certain things, and asked if the Plan was still being finalized. Commissioner Suesser agreed that some numbers were missing from the report. Matt Cassel stated that he would look into it.

Commissioner Suesser referred to page 29 of the Staff report. The last paragraph of 2.1 states, "The City Municipal Code had requirements that the City have a Forestry Plan and a Forestry Manager, however, the City had not implemented a formal program". She thought that should be revised because the Municipal Code does have a Forestry Plan. Mr. Cassel replied that the reference is in the Code, but currently they do not have a Forestry Plan. Commissioner Suesser suggested revising the language because it is misleading as written and implies that the requirement is no longer in the Code".

Vice-Chair Band asked how long the requirement has been in the Code but not complied with. Mr. Cassel stated that it was before he came in at least 10 years ago. He had raised the issue in the past and suggested that the City either change Chapter 14 of the Code or write a Forestry Plan. Mr. Cassel did not believe the City Engineer should be writing the Forestry Plan, but he ended up writing it with assistance from other people.

Commissioner Suesser asked about the expectation for forming the Board. Mr. Cassel stated that one of the questions they will pose to the City Council is the possibility of a Forestry Manager. Currently, it is the City Manager or her designee. Once that person is selected they would begin to structure the Board. Mr. Cassel expected the Board to be fully functional within six months or less.

Commissioner Thimm stated that even though the Plan is more about trees, he thought the reference to the selection of the Forestry Manager would be better described or it would include a job description. Mr. Cassel stated that qualifications are specified in the Forestry Plan for someone to be considered.

Commissioner Thimm referred to page 26 of the Staff report, under recommendations and implementation of the Plan, where it talks about planting new tree species and expand the existing tree canopy within the forest. The term "new tree species" caught his eye because most of the things he gets involved with talk about working with

indigenous and not introducing new species. He asked if that was the actual intent. Mr. Cassel stated that the City is not closed to new species. He explained that this was a download of Clint Dayley and Maria Barndt, and they have never been against trying new species. Mr. Cassel understood that the goal for a lot of people is native landscape material and water-wise; but that does not mean other things could not be tried.

Commissioner Thimm stated that most of his reading and studies have been moving towards working with indigenous types. Director Erickson noted that the plants on the plant materials list are native plants, and they coordinate with the native list from the State. He clarified that the City was not trying to introduce outside species. Director Erickson provided examples of finding better plant materials to replace the ones that exist.

Commissioner Thimm noted that page 53 talks about replacement trees starting with a 1-1/2" caliper. In his experience, a 2" caliper seem to have a much better viability. Commissioner Thimm stated that page 55 talks about tree removal and it lists very appropriate items. However, he did not see anything regarding proximity and potential intrusion into utilities, or proximity and potential impact on structures and/or their foundations. He suggested that they consider those.

Commissioner Thimm referenced page 56 regarding planting, and suggested that they consider a 12-month inspection after the tree has lived a full cycle of seasons and they know it will survive before it is fully accepted.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. **8902 Empire Club Dr. –Second Amended Silver Strike Lodge Condominiums Plat – The applicant is requesting to amend the Condominium Plat to combine Units 201 and 203 with an adjacent common area hallway.**
(Application PL-18-03786)

Planner Kirsten Whetstone reviewed the request to amend a condominium plat at Empire Pass. The request is to combine Units 201 and 203 with a section of hallway that was constructed to service Unit 201. The City had purchased Unit 201, which was the affordable housing unit. Because of how the HOA dues were structured, after a time the unit was no longer affordable. The City was then approached by the adjacent owner of Unit 23 to purchase that unit. The City Council took off the deed restriction and agreed to sell the unit. Planner Whetstone stated that the applicant would like to

combine the two units and the hallway to create one unit. Planner Whetstone identified the areas to be combined.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval found in the Staff report. Planner Whetstone noted that one condition of approval requires a review prior to recordation and prior to issuance of a building permit, and that the architect provide a fire emergency access and exiting plan due to the fact that this hallway and the doorway on the north side would now be incorporated into the unit.

Commissioner Suesser understood that the proceeds from the sale of the affordable unit would be applied towards an affordable housing fund. Planner Whetstone replied that she was correct. The money would be used to provide affordable housing units in other areas of the City.

Commissioner Phillips disclosed that in the past he has worked with the project architect, Burke Larson, but that would have no impact on his decision this evening.

Vice-Chair Band opened the public hearing.

There were no comments.

Vice-Chair Band closed the public hearing.

Commissioner Phillips understood that this was part of the Village at Empire Pass Master Plan Development. He recalled strict square footages for the total MPD and he asked if converting the hallway into livable area would impact the square footage. Planner Whetstone explained that it would increase the unit equivalent of that unit, and that would go into the overall number of units, which would not change because the affordable unit was not counted initially. In addition, there is an overall total unit equivalents for the entire area and that is being tracked in the density chart. She would make that adjustment in the chart. Commissioner Phillips clarified that this request would not push the square footage and the UEs beyond what is allowed. Planner Whetstone answered no, because it is a pool of UEs for the entire area. However, she would need to get confirmation in terms of the agreement when the City purchased that unit. She believed there might be language in the agreement stating that this unit would not change the UEs at the Silver Strike Lodge.

Vice-Chair Band thought Commissioner Phillips had asked a great question because she was curious to know whether it would come out of the pool of UEs for future development. She pointed out that Silver Strike is already built so that would not

change. Planner Whetstone offered to provide that information to the City Council if it moves forward, so if additional considerations were made they can be incorporated.

Commissioner Suesser asked about HOA fees. Once the units are combined, she wanted to know if the same amount of HOA fees on the affordable housing unit would added to the owner's HOA fees. Planner Whetstone was unsure.

Elie Antar, the owner of Units 201 and 203, stated that the HOA fees are based on square footage. When he acquired the affordable housing unit at market prices, the HOA fees would be based on the exact square footage. The rate is the same but they will pay more because they have increased the square footage. Mr. Antar stated that the affordable housing unit was 874 square feet and the additional amount would be the per square foot cost. The hallway is less than 300 square feet and they would pay additional for that as well.

Planner Whetstone stated that it would likely be reflected in the amended CC&Rs, which are typically recorded with the final mylar.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the Second Amended Silver Strike Lodge Condominium Plat based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 8902 Empire Club Drive

1. The property is located at 8902 Empire Club Drive.
2. The Silver Strike Lodge is located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement, which was amended in March of 2007, sets forth maximum densities, location of densities, and developer-offered amenities.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass, aka Pod A. Silver Strike Lodge is Building 6 of the MPD.
5. On September 30, 2004, the City Council approved a Final Subdivision Plat for the

Village at Empire Pass, Phase I. The Silver Strike project is located on Lot 14.

6. On January 25, 2006, the Planning Commission approved a Conditional Use Permit for the Silver Strike Lodge. The Conditional Use Permit approved 34 units totaling approximately 71,200 square feet for approximately 35.6 Unit Equivalents. In addition, 2 ADA units, one Employee Housing Unit, and 1,106 square feet of retail commercial space were proposed within the building.

7. On August 24, 2006, the City Council approved the Silver Strike Lodge condominium record of survey for 34 residential units ranging in size from 1,647 square feet to 3,386 square feet. The previously proposed retail space was eliminated.

8. An Employee Housing Unit (EHU) of 874 square feet (Unit #201) was provided. In the submitted documents reviewed by the City Council in 2006, the EHU unit was platted as private space.

9. The recorded page 3 of 11 showed Employee Housing Unit 203 as Common, contrary to what was reviewed and approved by the City or intended by the applicant.

10. A First Amended Silver Strike Lodge condominium plat was approved by City Council on August 27, 2009, recorded at Summit County on March 17, 2010. The first amended condominium plat corrected the designation for Unit 201 from common to private area.

11. A deed restriction for the Employee Housing Unit was recorded on with condominium plat at time of recordation.

12. This Second Amended Silver Strike Lodge condominium plat combines Units 201 (874 sf) and 203 (1,364 sf) with 334 sf of adjacent hallway. The amendment also changes the designation of the hallway from common area to private area.

13. No exterior changes are proposed. The Silver Strike Lodge meets the minimum setback requirements.

14. A height exception was granted for this building for a total height of 92 feet above existing grade and no changes are proposed to the building height.

15. Parking is provided at 75% of the Code requirement consistent with the Development Agreement. No additional parking is required with this plat amendment.

16. The proposed amended plat is consistent with the approved Master Planned Development for the Village at Empire Pass.

Conclusions of Law – 8902 Empire Drive

1. There is good cause for this amended condominium plat.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed amended plat.
4. Approval of the amended plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 8902 Empire Club Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the amended 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 amended plat 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.
3. A plat note indicating that all conditions of approval of the Village at Empire Pass Master Planned Development, the Village at Empire Pass West Side subdivision plat, and the Silver Strike Conditional Use Permit shall continue to apply.
4. Prior to plat recordation and issuance of a building permit to combine the hallway with the Units 201 and 203, any common utilities within the hallway area shall be relocated as determined by the Chief Building Official, and an emergency and ADA exit plan for the building shall be approved by the Park City Fire District and Park City Building Department.

2. **Park City Heights Subdivision Phase 2 – The applicant is requesting a final Subdivision Plat for a total of 39 single family lots consistent with the Park City Heights Master Planned Development. (Application PL-17-03552)**

Planner Whetstone introduced the applicant, Brad Mackey, with Ivory Development.

Planner Whetstone noted that this was part of the Park City Heights Master Planned Development. It was annexed to the City and a lot of history is associated with it. This is the Second Phase Subdivision Plat. One standard to review it by would be the approved amended preliminary plat, as well as all of the conditions of approval, the development agreement, and the annexation.

Planner Whetstone stated that because of the amount of history and the number of findings and conditions, the Staff thought it was important to conduct a public hearing and give the Planning Commission the opportunity to look through this application and discuss the issues outlined in the Staff report. She requested that the Planning Commission continue this item to March 28th.

Planner Whetstone reviewed a preliminary plat for 39 units in the next Phase. The units are located to the south of where homes are currently being built. She stated that 239 acres were annexed into the City and placed in the Community Transition Zone (CT), which has a density of one unit per acre for residential development. The agreement was that this would include 79 affordable deed restricted units as well as the market rate units. Planner Whetstone disclosed that at one time the City had an ownership interest; however, while it still retains a security interest as the holder of some of the agreements, the City does not have any current ownership in the property.

Planner Whetstone oriented the Commissioners to the First Phase of the project. The units being built currently included the 28 Townhouse units, which are deed restricted, 35 Park Homes, and 16 of the Cottage-style units. The units further up the hill are the Homestead units.

Commissioner Suesser asked if the Cottages were part of the affordable units. Planner Whetstone stated that 16 of the Cottages would be deed restricted. She had included the last Housing Mitigation Plan in the Staff report, which talks about the units being developed on an annual basis rather than a phasing basis. For example, if the affordable units are not on schedule by December 2018, the market rate Certificates of Occupancy are held until they catch up with the COs for the affordable units.

Planner Whetstone reported that Phase 2 are 39 single-family lots. All are Homestead units and none are affordable units. She explained that the primary reason for doing this phase next was based on the requirement to construct the water tank, which requires extending Calamity Lane. Since Calamity Lane needed to be extended it made sense to put in that infrastructure and plat those lots at the same time.

The Staff requested that the Planning Commission provide input on amending the phasing plan and discuss maximum house sizes. She noted that the Design Guidelines

that were recorded as part of the MPD identified the house size for the Townhouses, the Park Homes and the Cottages. However, the Homestead lots were based on the preliminary subdivision plat that identified the maximum house size for certain lots. They were by number, but the numbering has changed. Planner Whetstone stated that she relooked at the numbers and it relates to the maximum house size in the preliminary plat.

Commissioner Thimm asked if the shifting of numbers resulted in a higher number of larger houses, or whether it was the same number and only renumbered. Planner Whetstone replied that they were just renumbered to make an association between Lots 64, 65, 66 and what it related to.

Planner Whetstone noted that in Phase 1 the lots on the east side of Ledger Way are 3500 square foot Cottage style units. In Phase 2, the downhill lots on the first cul-de-sac were identified as 4,000 square feet for Lots 201 to 205. She had spoken with the designer and the sale manager and he had requested that the square footage for Lots 201 to 205 be increased from 4,000 square feet to 4,500 square feet, because it is harder to bury a basement on a downhill lot. Planner Whetstone pointed out that the uphill lots on cul-de-sac A were already identified as 5,000 square feet. Planner Whetstone remarked that all the other sizes were consistent with the preliminary plat.

Commissioner Suesser asked if there were townhomes on the north side of the lots. Planner Whetstone replied that they were all Homestead units. She identified Richardson Flat Road on the far north side and noted that the 35 lots were all Park Homes ranging up to 3,000 square feet; and all the basements are buried. Commissioner Phillips believed Commissioner Suesser was referring to the units abutting those lots. Planner Whetstone stated that all the Homestead lots in this Phase abut Homestead lots. Across Ledger Way are the Cottage lots. Commissioner Suesser understood that the square footage of the Homestead lots are 4,000 square feet. Planner Whetstone answered yes. She noted that they were all uphill lots where it was easy to bury the basement. Behind those lots is where the designer was requesting an increase to 4,500 square feet.

Commissioner Phillips asked how the additional 500 square feet would help to bury the basement. Planner Whetstone replied that it helps in counting the basement area that they are not able to bury. In addition, it would help minimize the excavation. Commissioner Phillips understood the reasoning. Planner Whetstone stated that when the preliminary plat was approved with the MPD, it said that house sizes could be discussed at the time of the final plat.

Planner Whetstone presented the Phasing Plan as it is now with Phase 1, which has already been platted. Phase 2 was going to continue the two streets to the south with Phase 3 coming back to the north, and Phase 4. However, because of the water tank, the applicant was requesting that Phase 2 move up the hill, and plat all of the open space, which is Parcel D. Phase 3 are the two lots adjacent near Hidden Oaks. The applicant had submitted Phase 3 but they were still working on the access to those lots. Phase 4 would come back down and continue the infrastructure. Phase 5 fills in. Planner Whetstone stated that Phase 4 was where they were doing construction staging at this time.

Commissioner Phillips wanted to know what amount was deed restricted in Phase 2 of the previous version versus Phase 2 of this version. Mr. Mackey stated that the original Phase 2 was now Phase 4. The layout is identical. Eleven deed restricted units in the Cottage area that was mostly in Phase 2 would now be Phase 4. Mr. Mackey remarked that Phase 2 has zero deed restricted units, but as Planner Whetstone had mentioned, they are on a yearly requirement for building those units. Currently, six Park homes under construction are all framed. Eight Townhomes are into the City for approval of a building permit. One Cottage home is ready to submit for building permit. Mr. Mackey stated that it complies with the affordable housing schedule and they intend to meet that schedule. He explained that they were bringing Phase 2 on now as it stands, because the Second phase of development requires the construction of a water tank concurrent with the phasing of Phase 2. They have to build the road to get to the water tank, as well as all the utilities in the road. As long as that was being built they thought it made sense to plat the lots. Commissioner Phillips assumed it would not have much impact on the progress of the deed restricted units. Mr. Mackey did not believe it would.

Planner Whetstone stated that five deed restricted Cottage homes that were identified in Phase 1 have already been platted and they can begin pulling building permits.

Commissioner Thimm clarified that the phasing plan would not change the delivery schedule of affordable housing units. Planner Whetstone replied that he was correct. Commissioner Thimm asked if it would change the type of units and when they are delivered. Planner Whetstone answered no.

Planner Whetstone stated that during the MPD when the visual analysis was done, there is a power line on a minor ridge on the property that was visible. At that time the Planning Commission had concerns about the lots on the western perimeter. She noted that four lots at the end of the cul-de sacs are in this Phase. Planner Whetstone reported that a condition was put on the MPD that development on the western perimeter lots requires a conditional use permit if the structure has a height greater than

28'. She pointed out that the condition would be placed on this plat. The Staff believes that if the height exceeds 28' there should be a visual analysis, consistent with the MPD. Mr. Mackey was comfortable with adding that condition. He explained that there is an allowance in the Code to exceed 28'. If it is a gable they could go an additional five feet. These homes would be restricted to a rambler style or a modern type of architecture and he did not believe it would be an issue. Mr. Mackey stated that the ridge is approximately the western line of the power corridor. Therefore, there should not be visual issues over that ridge because they would be gaining 20+ feet up to the top of the ridge. Mr. Mackey was comfortable with a 28' restriction. If not, it would open up the additional ability to put a gable roof. If they wanted to design a home that did not comply with the condition, it would require a conditional use permit that would come back to the Planning Commission.

Planner Whetstone requested input from the Planning Commission on the discussion items presented, as well as other comments on the Findings and Conditions. The Commissioners could submit their comments to her prior to preparing the Staff report for the March 28th meeting.

Commissioner Suesser asked for the location of the water tank. Mr. Mackey reviewed the new phasing plan to identify the location. He understood that Roger McLain with the Public Works Department and the City Council walked all the possible locations before choosing the tank site. He indicated an open space parcel that is a trail access that would also serve as an access road up to the tank site.

Vice-Chair Band opened the public hearing.

There were no comments.

Vice-Chair Band closed the public hearing.

The Commissioners had no other questions or comments. Commissioner Thimm asked if they could take action this evening since the Planning Commission had no other issues. Assistant City Attorney McLean stated that they could since the agenda did not specify a continuance this evening. However, she questioned whether Planner Whetstone was comfortable with the Findings and Conditions as written since she had planned on a continuance. Planner Whetstone had no objection to a motion if the Commissioners and the applicant had reviewed the Findings and Conditions and had no changes or concerns.

Director Erickson stated that if the Planning Commission took action this evening, Finding 35 needed to be modified for clarification. It defines how house sizes are

defined, and the Staff wanted to bring it more into alignment with the definitions in the Land Management Code. He explained that currently there are three different ways to measure home size. Planner Whetstone remarked that the Staff had discussed revising the language from “the following maximum house size shall apply” to language that ties it to the LMC. The revised language would read, “maximum residential floor area shall apply, as defined by the Land Management Code”.

Commissioner Thimm read from page 173 of the Staff report under Staff Recommendations, “The Staff recommends that the Planning Commission conduct a public hearing for Park City Heights Phase 2 subdivision plat, review the application and draft ordinance, and continue this item to March 28, 2018, with direction to Staff...” He believed anyone in the public who read the Staff report would think they had the opportunity to comment at the meeting on March 28th. The Commissioners concurred.

MOTION: Commissioner Phillips moved to CONTINUE Park City Heights Subdivision Phase 2, to March 28, 2018. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 6:15 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report

Subject: 89 King Road Plat Amendment
Author: Tippe Morlan, Planner II
Date: March 14, 2018
Type of Item: Legislative – Plat Amendment

Project Number:	PL-18-03773
Applicant:	Wasatch Peak Properties, LLC
Location:	89 King Road
Zoning:	Historic Residential – Low Density (HRL)
Adjacent Land Uses:	Residential – Single-family dwellings
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The proposed 89 King Road Plat Amendment seeks to combine three existing lots and a portion of a fourth lot addressed at 89 King Road into one lot of record. The site consists of the entirety of Lot 26, Lot 27, Lot 28, and a portion of Lot 25 of Block 76 of the Park City Survey. There is an existing non-historic structure at this address which is bisected by the property lines between the four existing lots. The proposed plat amendment will create one lot 4,915 square feet in size.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 89 King Road Plat Amendment located at 89 King Road and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

1950 – The existing structure was constructed on this site according to Summit County records.

June 7, 1984 – The City Council approved a zone change from HR-1 to HRL for a portion of Sampson Avenue (currently known as King Road) including the subject property.

January 9, 2018 – The City received a Plat Amendment application for the 89 King Road Plat Amendment. The application was deemed complete on January 26, 2018.

Purpose

The purpose of the Historic Residential – Low Density (HRL) District can be found in [LMC Section 12-2.1-1](#).

Analysis

The purpose of this plat amendment is to combine three existing lots and a remnant parcel of a fourth lot addressed at 89 King Road into one lot of record. The new proposed lot will be 4,915 square feet in size with a lot width of approximately 75 feet. There is an existing non-historic structure at this address constructed in 1950. The applicant has indicated that they would like to demolish the existing structure and construct a new single-family dwelling in accordance with the Land Management Code and with the Historic District Design Guidelines for new construction. Lot size in this neighborhood ranges from 1,742 to 11,963 square feet. Proposed lot size of 4,915 square feet is consistent with lot sizes in the area and less than the average size of 5,128 sf. There is not sufficient lot area to create two HRL lots of 3,750 square feet each.

Address	Lot Size (sf)
55 King Road	11,963
57 King Road	7,305
68 King Road	3,049
74 King Road	4,792
80 King Road	3,920
81 King Road	4,643
83 King Road	6,251
85 King Road	3,950
89 King Road	4,915
90 King Road	7,405
91 King Road	2,178
95 King Road	3,485
97 King Road	3,920
99 King Road	1,742
105 Norfolk	7,405
Average Lot Size	5,128

A Historic District Design Review will be required for any proposed construction on this lot. Additionally, there is a steep grade along the rear of the property, and a Steep Slope Conditional Use Permit may be required for future development at which time a house size analysis would be appropriate. No known encroachments exist on this property.

HRL Requirements

All documentation indicates that the existing home is a single-family dwelling which is an allowed use in the HRL district. The minimum lot area in this zone is 3,750 square feet, and the minimum lot width in this zone is 35 feet. The proposed lot meets the requirements of this zone at 4,915 square feet in size and 75 feet in width. The proposed lot will also be approximately 60 feet deep. These measurements determine the minimum setback requirements which are as follows:

	Required	Existing
Front Yard	10 feet	8 feet
Rear Yard	10 feet	29 feet
Side Yard	5 feet each	North: 8 feet

	18 feet total	South: 1 foot Total: 9 feet
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The existing structure does not meet current LMC front or side yard setback requirements. At the time the residence was constructed, the property was a part of the Historic Residential (HR-1) zoning district. The zoning for King Road was changed to the HRL district in 1984. Since the applicant would like to demolish the existing non-complying structure to construct a new single-family dwelling within LMC requirements. All new construction is required to meet the LMC in effect at the time of building permit application.

The maximum building footprint for a lot this size is 1,864.4 square feet according to the building footprint formula illustrated in Table 15-2.2 of the Land Management Code (LMC). The existing footprint meets this standard at approximately 1,700 square feet.

Good Cause

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and resolve any issues created by the extraneous lot line running through the property and through the existing house. This amendment will allow the property owner to make improvements and changes to the existing house, including demolition and new construction, as allowed by the LMC and Historic District Design Guidelines. Public snow storage easements are provided along King Road.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits. A Steep Slope Conditional Use Permit will also be required for development on any slopes exceeding 30 percent in grade as required in the HRL district.

Department Review

This project has gone through an interdepartmental review. No issues were brought up at that time.

Notice

On February 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on February 24, 2018, according to requirements of the Land Management Code.

Public Input

No public input has been received at the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 89 King Road Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 89 King Road Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 89 King Road Plat Amendment.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking recommended action

The subject property would remain as three separate lots and a remnant parcel, and the existing house would continue to have three lot lines running through it. The property owner would not be able to propose construction over the existing property lines.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the 89 King Road Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
- Exhibit B – Survey
- Exhibit C – Aerial Photograph
- Exhibit D – Existing Plat
- Exhibit E – Applicant’s Project Description
- Exhibit F – Site Photographs

Exhibit A – Draft Ordinance

Ordinance No. 2018-XX

AN ORDINANCE APPROVING THE 89 KING ROAD PLAT AMENDMENT LOCATED AT 89 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 89 King Road has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 28, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 24, 2018, 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 March 14, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 14, 2018, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on April 5, 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 89 King Road Plat Amendment located at 89 King Road.

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

SECTION 1. APPROVAL. The 89 King Road Plat Amendment, 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 89 King Road.
2. The site consists of the entirety of Lot 26, Lot 27, Lot 28, and a remnant parcel of Lot 25 of Block 76 of the Park City Survey.
3. The property is in the Historic Residential – Low Density (HRL) District.
4. There is an existing non-historic structure at this address.
5. On February 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the

Utah Public Notice Website on February 24, 2018, according to requirements of the Land Management Code.

6. The City received a Plat Amendment application for the 89 King Road Plat Amendment on January 9, 2018. The application was deemed complete on January 26, 2018.
7. The proposed plat amendment will create one lot 4,915 square feet in size.
8. The existing home was constructed in 1950.
9. The property lines between the existing lots bisect the structure.
10. The applicant proposes to combine the subject lots into one lot of record.
11. No known encroachments exist on this property.
12. The existing home is a single-family dwelling which is an allowed use in the HRL district.
13. The minimum lot area in this zone is 3,750 square feet. The proposed lot has an area of 4,915 square feet.
14. Lot size in this neighborhood ranges from 1,742 to 11,963 square feet. Proposed lot size of 4,915 square feet is consistent with lot sizes in the area and less than the average size of 5,128 sf. There is not sufficient lot area to create two HRL lots of 3,750 square feet each.
15. The minimum lot width in the HRL zone is 35 feet. The proposed lot meets the requirements of this zone at 75 feet in width.
16. The proposed lot will also be approximately 60 feet deep.
17. The minimum front yard setback is 10 feet. The existing house has an 8 foot front yard setback.
18. The minimum rear yard setback is 10 feet. The existing house has a 29 foot rear yard setback.
19. The minimum side yard setback is 5 feet on each side and 18 feet total. The existing house has an 8 foot side yard setback on the north side and a 1 foot side yard setback on the south side with a total of 9 feet on both sides.
20. The existing structure does not meet current LMC front or side yard setback requirements.
21. At the time the residence was constructed, the property was a part of the Historic Residential (HR-1) zoning district.
22. The zoning for King Road was changed from HR-1 to HRL as approved by the City Council on June 7, 1984.
23. The maximum building footprint for a lot this size is 1,864.4 square feet. The existing footprint meets this standard at approximately 1,700 square feet.
24. A Historic District Design Review application is required for any new construction proposed at the existing site.
25. A Steep Slope Conditional Use Permit is required for any construction proposed on slopes greater than 30 percent according to the HRL requirements.
26. King Road is a narrow steep street that can at times receive heavy snowfall. Snow storage easements along public streets allow the City to efficiently plow and clear streets.

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 and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. Side lot line snow shedding easements may be required for new construction per requirements of the Chief Building Official.
5. A 10 foot wide public snow storage easement along the King Road frontage shall be shown on the plat.

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

PASSED AND ADOPTED this 5th day of April, 2018.

PARK CITY MUNICIPAL CORPORATION

MAYOR

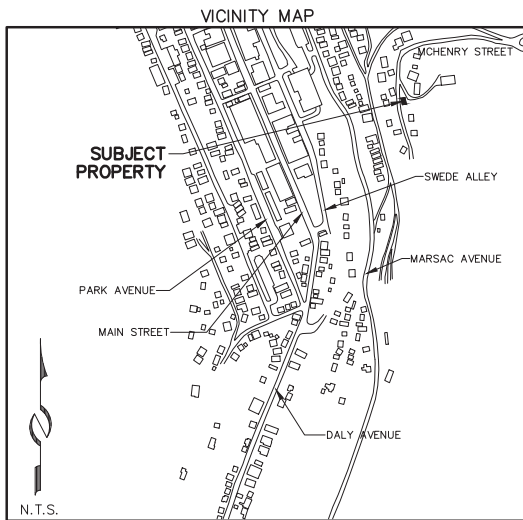
ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Registered Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owners, 89 KING ROAD PLAT AMENDMENT has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

Lots 26, 27 and 28, Block 76, Millsite Reservation Subdivision No. 1, Park City Survey, Summit County, Utah, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Also:

Beginning at a point South 68°27' East 13.62 feet from the northwest corner of Lot 25, Block 76 Millsite Reservation to Park City, and running thence South 68°27' East 16.04 feet; thence South 29°59'20" West 2.35 feet; thence North 60°00'40" West 15.87 feet to the point of beginning.

Also:

Beginning at a point that is North 68°27'00" West 34.53 feet from the northeast property corner of Lot 25, Block 76 of the Millsite Reservation Park City, Utah, to the point of beginning; thence North 68°27'00" West a distance of 6.20 feet more or less to a point at a corner on the north line of a warranty deed 415-23; thence South 29°59'20" West a distance of 1.30 feet; thence South 58°28'52" East a distance of 6.07 feet; thence North 31°31'08" East a distance of 2.37 feet to the point of beginning.

Contains 4,915 SQ. FT.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that WASATCH PEAK PROPERTIES, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 89 KING ROAD PLAT AMENDMENT, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City all the easements and required utilities shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set her hand this _____ day of _____, 2018.

WASATCH PEAK PROPERTIES, LLC, a Utah limited liability company

By: _____
Julie Ponder, Manager

ACKNOWLEDGMENT

State of: _____

ss: _____

County of: _____

On this _____ day of _____, 2018, Julie Ponder 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 she is a Manager of WASATCH PEAK PROPERTIES, LLC, a Utah limited liability company, and that said document was signed by her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members and she acknowledged to me that she executed the 89 KING ROAD PLAT AMENDMENT.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No. _____

NOTE

This plat amendment is subject to the Conditions of Approval in Ordinance 2018-_____.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 31°34'40" W	3.35
L2	N 66°10'39" W	22.40
L3	N 68°53'51" W	13.20
(L1)	S 31°31'08" W	3.29
(L2)	N 60°00'40" W	22.08
(L3)	N 68°27'00" W	13.62



BLOCK 76, MILLSITE RESERVATION NO. 1

89 KING ROAD PLAT AMENDMENT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

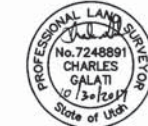
SHEET 1 OF 1

1/9/18 JOB NO.: 12-10-17 FILE: X:\PCS\dwg\sr\plat2017\121017.dwg

 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
	Packet Pg. 22						

89 KING ROAD LOT 26, 27 & 28 MILLSITE RESERVATION No. 1

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plot is a correct representation of said survey.

LEGAL DESCRIPTION

Lots 26, 27 and 28, Block 76, Millsite Reservation Subdivision No. 1, Park City Survey, Summit County, Utah, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Also:

Beginning at a point south 68°27' East 13.62 feet from the northwest corner of Lot 25, Block 76 Millsite Reservation to Park City, and running thence south 68°27' east 16.04 feet; thence south 29°59'20" west 2.35 feet; thence north 60°00'40" west 15.87 feet to the point of beginning.

Also:

Beginning at a point that is north 68°27'00" west 34.53 feet from the northeast property corner of Lot 25, Block 76 of the Millsite Reservation Park City, Utah, to the point of beginning; thence 68°27'00" west a distance of 6.20 feet more or less to a point at a corner on the north line of a warranty deed 415-23; thence south 29°59'20" west a distance of 1.30 feet; thence south 58°28'52" east a distance of 6.07 feet; thence north 31°31'08" east a distance of 2.37 feet to the point of beginning.

Contains 4,915 SQ. FT.

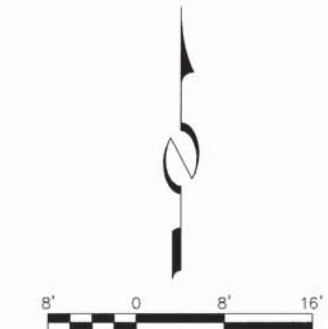
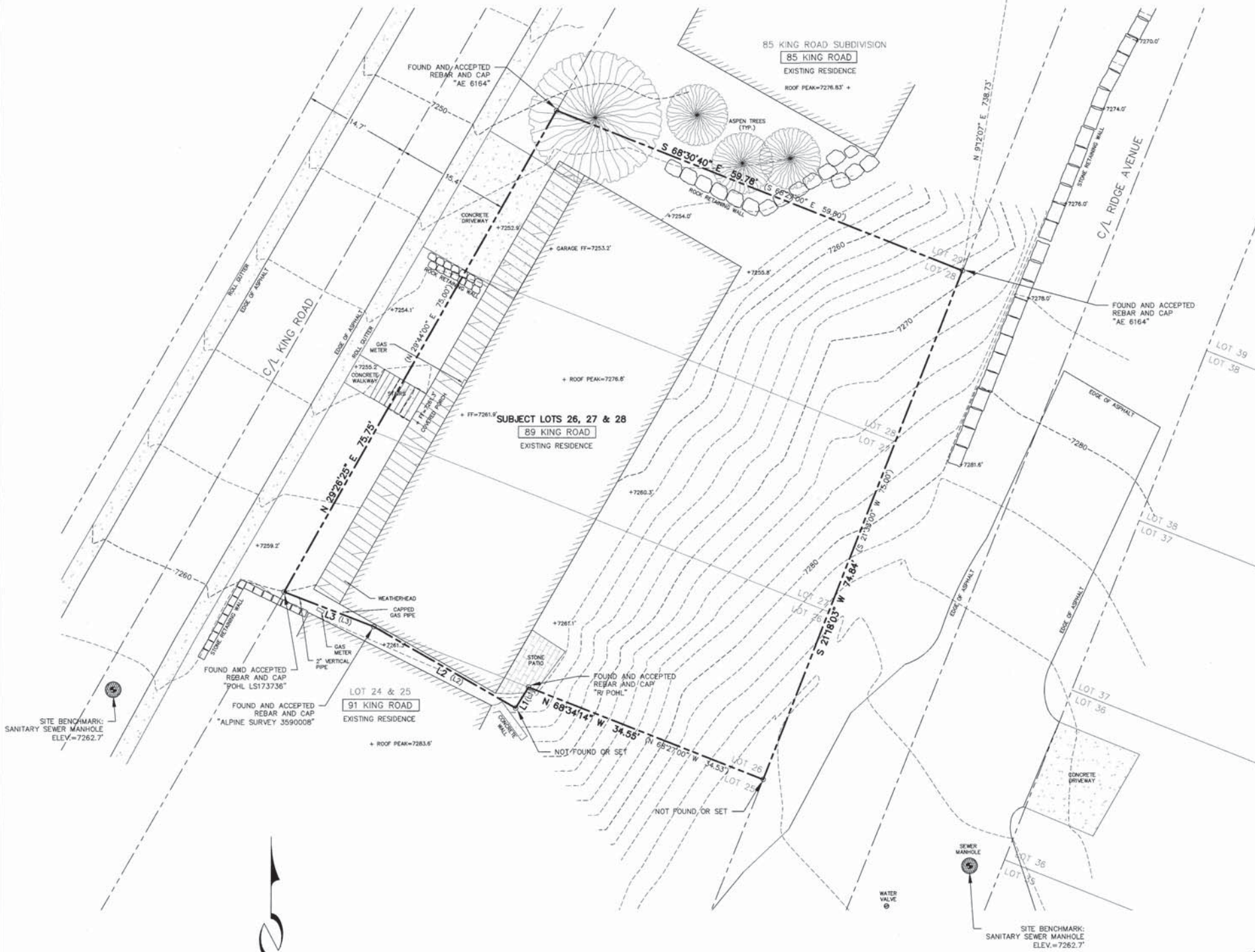
NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was completed October 30, 2017, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to locate and monument the boundary in addition to performing an Existing Conditions and Topography survey for the possibility of improvements to the property.
4. A Title Report was not provided to the surveyor and only easements and setbacks per subdivision plat were located as part of this survey. This owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. Recorded deeds, 85 King Road Subdivision Plat, Amended Park City Survey, Millsite Reservation No. 1 Park City Survey, recorded surveys S-2589, S-6384 all on file and of record in the Summit County Recorder's Office and physical evidence found in the field were all used to determine the boundary as shown on this plat.
6. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
7. Property corners were found as shown.
8. Record bearing and distances when different than measured are in parenthesis (). Record bearing and distances shown are from aforementioned documents.
9. Site Benchmark: Sanitary Sewer Manhole Lid Elevation=7262.7' as shown.

LINE	BEARING	DISTANCE
L1	S 31°34'40" W	3.35
L2	N 66°10'39" W	22.40
L3	N 68°53'51" W	13.20
(L1)	S 31°31'08" W	3.29
(L2)	N 60°00'40" W	22.08
(L3)	N 68°27'00" W	13.62

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)



<p>(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p>	<p>STAFF: CHARLES GALATI JUAN GARRASCO JASON WYNNE</p>	<p>EXISTING CONDITIONS & TOPOGRAPHIC MAP 89 KING ROAD PARK CITY, UTAH</p>	<p>SHEET 1 OF 1</p>
	<p>FOR: JULIE PONDER JOB NO.: 12-10-17 FILE: X:\ParkCitySurvey\dwg\sr\sr\2017\121017\89 King Rd ROS.dwg</p>	<p>DATE: 10/30/17</p>	<p>Packet Pg. 23</p>



(435) 649-9467
Alliance
Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
RYAN BETZ
MARSHALL KING
DATE: 1/9/18

AERIAL PHOTOGRAPH
89 KING ROAD
BLOCK 76, PARK CITY SURVEY
FOR: WASATCH PEAK PROPERTIES, LLC
JOB NO.: 12-10-17
FILE: X:\ParkCitySurvey\dwg\Exhibits\89 King Road--ortho.dwg

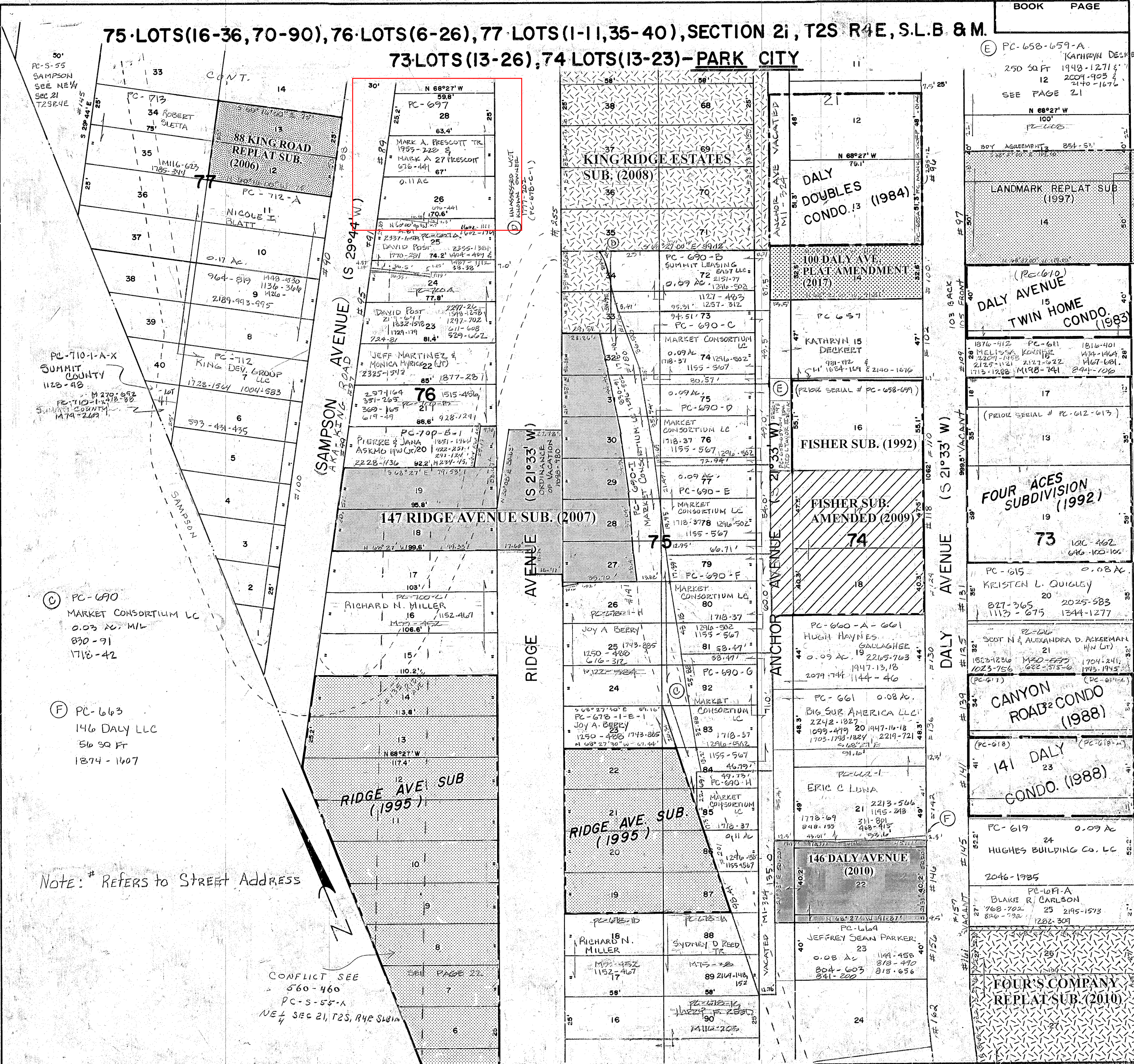
SHEET
1
OF
1

75 LOTS (16-36, 70-90), 76 LOTS (6-26), 77 LOTS (1-11, 35-40), SECTION 21, T2S R4E, S.L.B. & M.

73 LOTS (13-26), 74 LOTS (13-23) - PARK CITY

BOOK PAGE

(E) PC-658-659-A
KATHRYN DEKERT
250 SQ FT 1948-1271
12 2004-903
2140-1676
SEE PAGE 21



(C) PC-690
MARKET CONSORTIUM LC
0.03 AC, M/L
830-91
1718-42

(F) PC-663
146 DALY LLC
56 SQ FT
1874-1607

NOTE: # REFERS TO STREET ADDRESS

CONFLICT SEE
560-460
PC-S-55-A
NE 1/4 SEC 21, T2S, R4E S.1/4

Approved	REVISIONS - DATE AND INITIAL	(In Pencil)
Utah State Tax Comm	2/15/24 JTB	
Date	By	

SUMMIT COUNTY, UTAH

SCALE
ONE INCH 40 FEET
BOOK PAGE

Exhibit E - Applicant's Project Description

BLOCK 76,
MILLSITE RESERVATION NO. 1
LOTS 26, 27 & 28 and a portion of Lot 25

(89 King Road)

PROJECT INTENT

Lots 26, 27, 28 and a small portion of Lot 25, Block 76, Park City Survey, (also known as 89 King Road) are owned by Wasatch Peak Properties, LLC. The lot lines within the boundary still exist. The owner desires to unify the property into one lot of record by removing the existing lot lines, with the ultimate goal of demolishing the existing residence and constructing a new single family residence.



89 King Road - looking easterly



89 King Road - looking southerly



89 King Road - looking northwesterly



89 King Road - looking westerly

Planning Commission Staff Report

Subject: Prospect Place Plat Amendment
Author: Tippe Morlan, Planner II
Date: March 14, 2018
Type of Item: Legislative – Plat Amendment

Project Number:	PL-18-03792
Applicant:	Gregory Harry Balch and Shirley Ann Acaya
Location:	86 Prospect Avenue
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential – Single-family dwellings
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The proposed Prospect Place Plat Amendment seeks to convert two existing lots addressed at 86 Prospect Avenue into three separate lots of record. The site consists of Lot 12 of Block 18 of the Park City Survey and a metes and bounds parcel 75 feet wide by 80 feet deep located south of and adjacent to Lot 12. There is an existing non-historic structure with an accessory building approved as an art studio at this address. There is also a small shed that encroaches across the south property line. The proposed plat amendment creates three lots, one at 2,002 square feet and two at 2,908 square feet in size. The proposed lots have sufficient lot area for single family homes, but not duplexes. Each single family house will be required to provide two off-street parking spaces.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Prospect Place Plat Amendment located at 86 Prospect Avenue and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

1907 – The existing structure was constructed on this site according to Summit County records. The 1982 Historic Property Survey indicated that it had been significantly altered and was “close to being [a] new structure” although the City shows no records of permits or applications for the alterations. It was not included on the 2009 Historic Property Inventory and is not on the current Inventory.

July 11, 1994 – The Historic District Commission approved the construction of a one room studio structure to be used as an art studio.

February 8, 2018 – The City received a Plat Amendment application for the Prospect Place Plat Amendment. The application was deemed complete on February 15, 2018.

Purpose

The purpose of the HR-1 District can be found in [LMC Section 12-2.2-1](#).

Analysis

The purpose of this plat amendment is to convert two existing lots addressed at 86 Prospect Avenue into three new lots of record. One of the proposed lots will be 2,002 square feet in size with a lot width of 25 feet, and two of the proposed lots will be 2,908 square feet with lot widths of 36.33 feet each. Each of the proposed lots is of sufficient area for a single family house and not of sufficient area for a duplex.

Existing Lot 12 is 1994.20 square feet and is of sufficient area for a single family house. The metes and bounds parcel is 5,830 square feet and is sufficient area for a duplex, provided a Conditional Use Permit for a duplex is approved.

There is an existing dwelling at this address constructed in 1907 which due to alterations is not on the Historic Site Inventory, in addition to an accessory structure which was approved as an art studio in 1994. There is also a detached accessory studio on the property which encroaches over the south property line and onto neighboring property which needs to be removed, or encroachments need to be addressed. The applicant has indicated that they would like to demolish the existing structures and construct three new single-family dwellings in accordance with the Land Management Code and with the Historic District Design Guidelines for new construction.

A Historic District Design Review will be required for any proposed construction on these lots. Additionally, the property has a steep grade in many areas, and a Steep Slope Conditional Use Permit may be required for future development.

During storm events getting up Prospect Avenue is difficult and there is a current parking issue on the street. Each single family house is required to provide 2 off-street parking spaces.

HR-1 Requirements

All documentation indicates that the existing home is a single-family dwelling which is an allowed use in the HR-1 district. The minimum lot area in this zone is 1,875 square feet for a single-family dwelling, and the minimum lot width in this zone is 25 feet. Each of the proposed lots is 80 feet deep. These lot dimensions establish the following lot requirements:

	Required	Existing	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3
Lot Size	1,875 SF	7,824.4 SF	2,002 SF	2,908 SF	2,908 SF
Lot Width	25 feet	100 feet	25 feet	36.3 feet	36.3 feet

Front and Rear Yard	12 feet each 25 feet total	Front: 4 feet* Rear: 26 feet Total: 30 feet	12 feet each 25 feet total	12 feet each 25 feet total	12 feet each 25 feet total
Side Yard	3 feet each	North: 27 feet South: 23 feet Total: 56 feet	3 feet each	3 feet each	3 feet each
Maximum Building Footprint	844 SF	Main: 1,490 SF Studio: 315 SF Total: 1,805 SF	894.49 SF	1,234.8 SF	1,234.8 SF
Parking	2 spaces	1 space	2 spaces	2 spaces	2 spaces

***Existing non-complying**

The existing structures will need to be removed before the plat is recorded. The main structure does not meet front yard setback requirements, and the proposed lot lines show one running through the location of the existing house. A new property line cannot be recorded through an existing structure creating a non-complying setback situation.

Good Cause

Staff finds good cause for this plat amendment in that it will resolve the existing encroachment of the shed over the south property line and the existing non-complying front yard setback. Public snow storage easements are provided along Prospect Avenue. Each house is required to provide 2 off-street parking spaces.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits. A Steep Slope Conditional Use Permit will also be required for development on any slopes exceeding 30 percent in grade as required in the HR-1 district.

Department Review

This project has gone through an interdepartmental review. No issues were brought up at that time.

Notice

On February 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on February 24, 2018, according to requirements of the Land Management Code.

Public Input

No public input has been received at the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Prospect Place Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Prospect Place Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Prospect Place Plat Amendment.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking recommended action

The subject property would remain as one individual lot and one metes and bounds parcel, and the existing house would continue to have a non-complying front yard setback and a shed which encroaches over the south property line.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the Prospect Place Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
- Exhibit B – Survey
- Exhibit C – Aerial Photograph
- Exhibit D – Existing Plat
- Exhibit E – Applicant’s Project Description
- Exhibit F – Site Photographs

Ordinance No. 2018-XX

AN ORDINANCE APPROVING THE PROSPECT PLACE PLAT AMENDMENT LOCATED AT 86 PROSPECT AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 86 Prospect Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 28, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 24, 2018, 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 March 14, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 14, 2018, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on April 5, 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 89 King Road Plat Amendment located at 86 Prospect Place.

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

SECTION 1. APPROVAL. The Prospect Place Plat Amendment, 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 86 Prospect Avenue.
2. The site consists of Lot 12 of Block 18 of the Park City Survey and a metes and bounds parcel 75 feet wide by 80 feet deep located south of and adjacent to Lot 12.
3. The property is in the Historic Residential (HR-1) District.
4. There is an existing non-historic structure with an accessory building approved as an art studio at this address.
5. On February 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the

Utah Public Notice Website on February 24, 2018, according to requirements of the Land Management Code.

6. The City received a Plat Amendment application for the Prospector Place Plat Amendment on February 8, 2018. The application was deemed complete on February 15, 2018.
7. The proposed plat amendment will create three lots, one at 2,002 square feet and two at 2,908 square feet in size.
8. Each of the proposed lots is of sufficient area for a single family house and not of sufficient area for a duplex.
9. Existing Lot 12 is 1994.20 square feet and has sufficient lot area for a single family house.
10. The metes and bounds parcel is 5,830 square feet and has sufficient area for a duplex. Duplexes require a Conditional Use Permit in the HR1 District.
11. The existing home was constructed in 1907 and has been altered in a manner that it is not on the Historic Sites Inventory.
12. The existing home is a single-family dwelling which is an allowed use in the HR-1 district.
13. There is an accessory structure on the property which was approved as an art studio in 1994.
14. There is a shed on the property which encroaches over the south property line and onto neighboring property.
15. The minimum lot area in this zone is 1,875 square feet. One of the proposed lots is 2,002 square feet in size and two are 2,908 square feet in size.
16. The minimum lot width in the HR-1 zone is 25 feet. The proposed lots meet this requirement with one lot 25 feet wide and two lots 36.3 feet wide.
17. The proposed lots will each be approximately 80 feet deep.
18. The minimum front yard setback is 12 feet. The existing house has a 4 foot front yard setback.
19. The minimum rear yard setback is 12 feet. The existing house has a 26 foot rear yard setback.
20. All three new lots will have a front and rear yard setback of 12 feet each and 25 feet total.
21. The minimum side yard setback is 10 feet on each side and 24 feet total. The existing house has a 27 foot side yard setback on the north side and a 23 foot side yard setback on the south side with a total of 56 feet on both sides.
22. The existing structure does not meet front yard setback requirements.
23. The maximum building footprint for a lot this size is 2,520.4 square feet. The existing footprint meets this standard at approximately 1,805 square feet.
24. The maximum building footprint is 894.49 square feet for the proposed Lot 1 and 1,234.8 square feet for the proposed Lots 2 and 3.
25. The existing structures will need to be removed before the plat is recorded.
26. A Historic District Design Review application is required for any new construction proposed at the existing site.
27. A Steep Slope Conditional Use Permit is required for any construction proposed on slopes greater than 30 percent according to the HR-1 requirements. Construction

mitigation, including parking of construction vehicles, will need to be addressed with each building permit.

28. Prospect Avenue is a narrow steep street that can at times receive heavy snowfall. Snow storage easements along public streets allow the City to efficiently plow and clear streets.

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 and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. A 10 foot wide public snow storage easement along the frontage of Prospect Avenue is required and shall be provided on the plat.
5. Removal of existing structures that will create new non-complying setback situations with the new lot lines is a condition precedent to recordation of this plat amendment.
6. The encroaching shed shall be removed or relocated to resolve the encroachment prior to plat recordation.

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

PASSED AND ADOPTED this 5th day of April, 2018.

PARK CITY MUNICIPAL CORPORATION

MAYOR

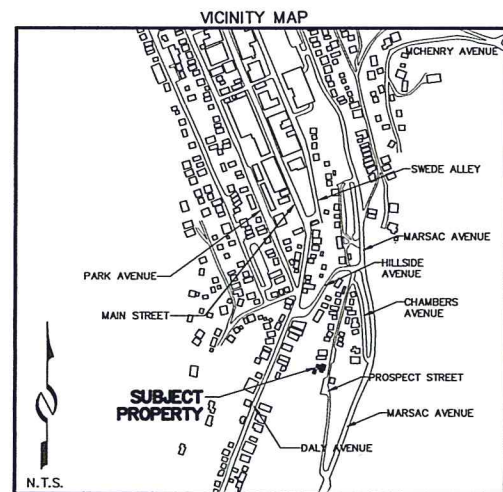
ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owners, PROSPECT PLACE PLAT AMENDMENT has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

Lot 12, Block 18, Park City Survey, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

Also, a tract of land beginning at a point West 355.35 feet and South 13'59" West 303.90 feet from the Northeast Corner of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being the Southeast corner of Lot 12, Block 18 Park City Survey, and running thence West 80.11 feet, South 13'59" West 75 feet; East 80.11 feet; North 13'59" East 75 feet to beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, Gregory Harry Balch and Shirley Ann Acaya, trustees of the Gregory Harry Balch & Shirley Ann Acaya Living Trust, dated September 1998, and any amendments thereto, hereby certify that they have caused a plat to be made and this Plat to be prepared and hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this ____ day of _____, 2018.
 By: _____
 Gregory Harry Balch, Trustee

In witness whereof, the undersigned set her hand this ____ day of _____, 2018.
 By: _____
 Shirley Ann Acaya, Trustee

ACKNOWLEDGMENT

State of _____:
 ss:
 County of _____:

On this ____ day of _____, 2018, Gregory Harry Balch, trustee, personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Gregory Harry Balch acknowledged to me that he is the person whose name is subscribed to this instrument, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public _____
 Printed Name _____
 Residing in: _____
 My commission expires: _____

ACKNOWLEDGMENT

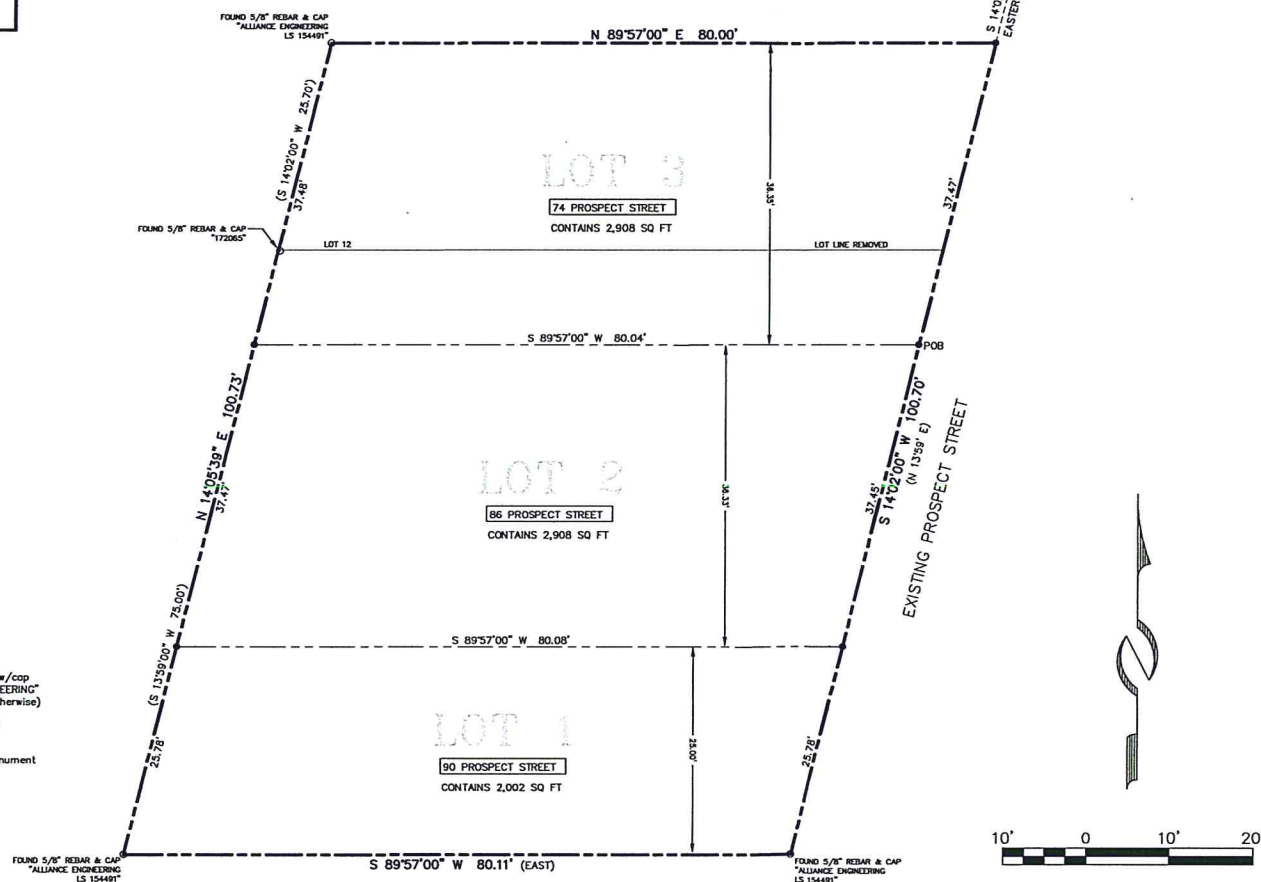
State of _____:
 ss:
 County of _____:

On this ____ day of _____, 2018, Shirley Ann Acaya, trustee, personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Shirley Ann Acaya acknowledged to me that she is the person whose name is subscribed to this instrument, and that she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public _____
 Printed Name _____
 Residing in: _____
 My commission expires: _____

NOTES

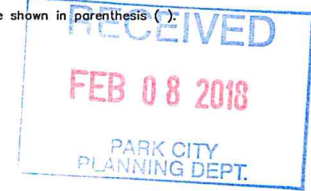
1. This plat amendment is subject to the Conditions of Approval in Ordinance 2018-_____.
2. Record bearings and distances, when different from measured, are shown in parenthesis ().
3. See Record of Survey S-7901.



- LEGEND**
- Set 5/8" rebar w/cap "ALLIANCE ENGINEERING" (Unless noted otherwise)
 - Found Monument (As-Noted)
 - ⊙ Found Street Monument (As-Noted)

**A LOT & PARCEL COMBINATION PLAT
 BLOCK 18, PARK CITY SURVEY
 PROSPECT PLACE PLAT AMENDMENT**

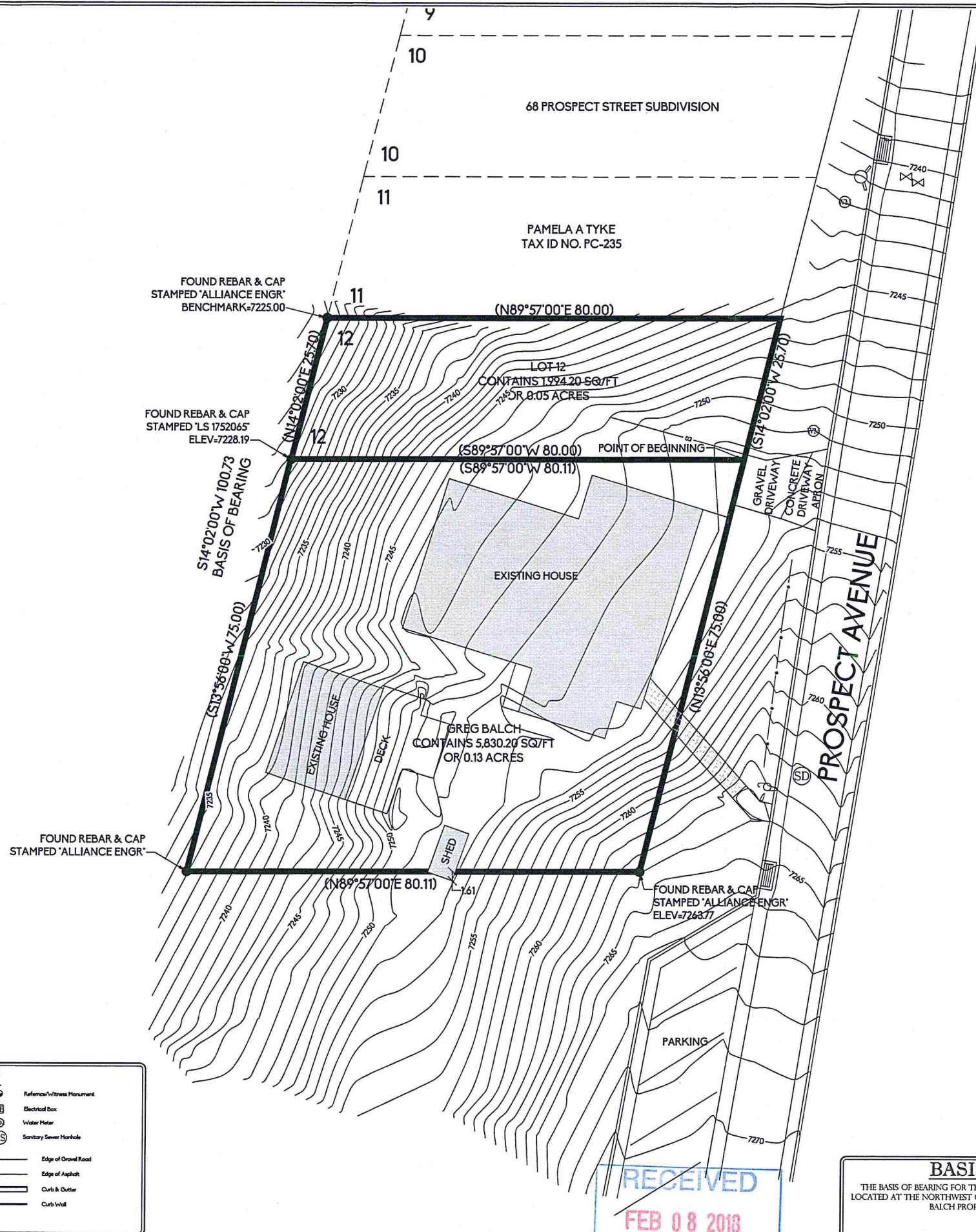
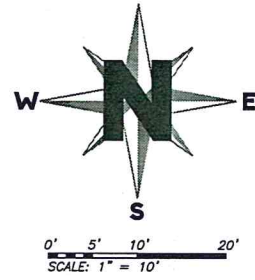
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



SHEET 1 OF 1

2/7/18 JOB NO.: 16-1-18 FILE: X:\PCS\dwg\sr\plat2018\160118.dwg

 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
--	--	--	---	---	---	---	---



SURVEYOR'S CERTIFICATE

I, MICHAEL L. WANGEMANN, SYRACUSE, UTAH, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR AND THAT I HOLD LICENSE NO. 6431156 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH AND THAT I HAVE MADE A SURVEY OF THE BOUNDARIES OF THE FOLLOWING DESCRIBED PROPERTY:

(SEE BELOW)

I FURTHER CERTIFY THAT THIS PLAT CORRECTLY SHOWS THE TRUE DIMENSIONS OF THE BOUNDARIES SURVEYED AND OF THE VISIBLE IMPROVEMENTS EFFECTING THE BOUNDARIES AND THEIR POSITION IN RELATIONSHIP TO SAID BOUNDARIES; THAT NONE OF THE VISIBLE IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY ENCRUCH UPON ADJOINING PROPERTIES; AND THAT NO VISIBLE IMPROVEMENTS, FENCES OR EAVES OF ADJOINING PROPERTIES ENCRUCH UPON THE SUBJECT PROPERTY EXCEPT AS SHOWN.

I ALSO FURTHER CERTIFY THAT THIS PLAT DOES NOT PURPORT TO DISCLOSE OVERLAPS, GAPS, OR BOUNDARY LINE DISPUTES OF THE PROPERTY SURVEYED WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OF THE ADJOINING PROPERTIES, NOR DOES IT PURPORT TO DISCLOSE OWNERSHIP OF OR CLAIMS OF EASEMENTS OR ENCUMBRANCES UPON THE PROPERTY SURVEYED.

Michael L. Wangemann



Michael L. Wangemann, PLS

Date of Plat or Map: December 17, 2015

PLS# 6431156-2201

LEGAL DESCRIPTION

LEGAL DESCRIPTION AS CONTAINED IN THAT CERTAIN WARRANTY DEED ENTRY NO. 969111 LOT 12, BLOCK 18, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

ALSO THAT CERTAIN ONE STORY FRAME DWELLING HOUSE SITUATED ON ONTARIO RIDGE IN PARK CITY, COUNTY OF SUMMIT, STATE OF UTAH, AND BEING DESIGNATED AND DESCRIBED AS NO. 86 ONTARIO RIDGE (ALSO KNOWN AS NO. 86 PROSPECT STREET), BEING THE HOUSE JUST SOUTH OF THAT RESIDENCE FORMERLY OWNED BY THOMAS WHITE AND HOUSE NORTH OF PREMISES FORMERLY OWNED BY MRS. DUNCAN CRAWFORD. THE SAID PREMISES HAVING BEEN CONVEYED TO WAYNE EPRAATT AND GWEN D. PRATT, HIS WIFE, ON THE 18TH DAY OF OCTOBER, 1960, MURRI HAIR AND PHYLLIS Y. HAIR, HIS WIFE, TO WHOM THE PROPERTY HAD BEEN CONVEYED BY DELLES JENSEN AND JENNIE JENSEN, HIS WIFE, ON THE 16TH DAY OF AUGUST, A.D. 1946.

ALSO DESCRIBED AS BEGINNING WEST 35535 FEET AND SOUTH 13°59' WEST 303.90 FEET FROM THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SAID PART ALSO BEING THE SOUTHEAST CORNER OF LOT 12, BLOCK 18 PARK CITY SURVEY, RUNNING WHENCE WEST 8011 FEET, SOUTH 13°59' WEST 75 FEET, EAST 8011 FEET, NORTH 13°59' EAST 75 FEET TO BEGINNING.

ALSO ACCESS FROM THE EASTERLY PROPERTY LINE TO PROSPECT AVENUE.

UTILITY NOTE:
THE UTILITY INFORMATION SHOWN ON THIS PLAT IS BASED ON ABOVE GROUND EXISTING STRUCTURES AS OBSERVED AND LOCATED BY THE SURVEYOR IN THE FIELD AS WELL AS INFORMATION PROVIDED TO THE SURVEYOR. NO FURTHER INVESTIGATION OF EXISTING UTILITIES WAS PERFORMED FOR THIS SURVEY. THEREFORE THE SURVEYOR IS NOT RESPONSIBLE FOR THE REPRESENTATION OR OMISSION OR SUCH INFORMATION ON THIS PLAT. CONTACT BLUE STAKES BEFORE ANY DIGGING, EXCAVATION OR CONSTRUCTION IS TO TAKE PLACE.



GENERAL NOTES

1. ALL COURSES SHOWN IN PARENTHESIS ARE RECORD INFORMATION TAKEN FROM DEED DESCRIPTION OR OFFICIAL MAPS OR PLATS OF RECORD. ALL OTHER COURSES ARE THE RESULT OF ACTUAL FIELD MEASUREMENTS.
2. ALL PROPERTY CORNERS ARE SET WITH 5/8" REBAR AND PLASTIC CAP STAMPED 'UTAH LAND SURVEYING' OR OTHER PERMANENT MARKERS OR AS OTHERWISE STATED.

**SHEET TITLE
BOUNDARY SURVEY**

PREPARED FOR: GREG BALCH
86 PROSPECT AVE
PARK CITY, UT

LOCATION: SLB&M

REV	DATE	DESCRIPTION	DATE	SCALE
1			12/17/2015	1" = 10'
2				
3				
4				
5				

DRAWN: MLW
CHECKED: MLW

LEGEND

RECEIVED
FEB 08 2018
PARK CITY PLANNING DEPT.

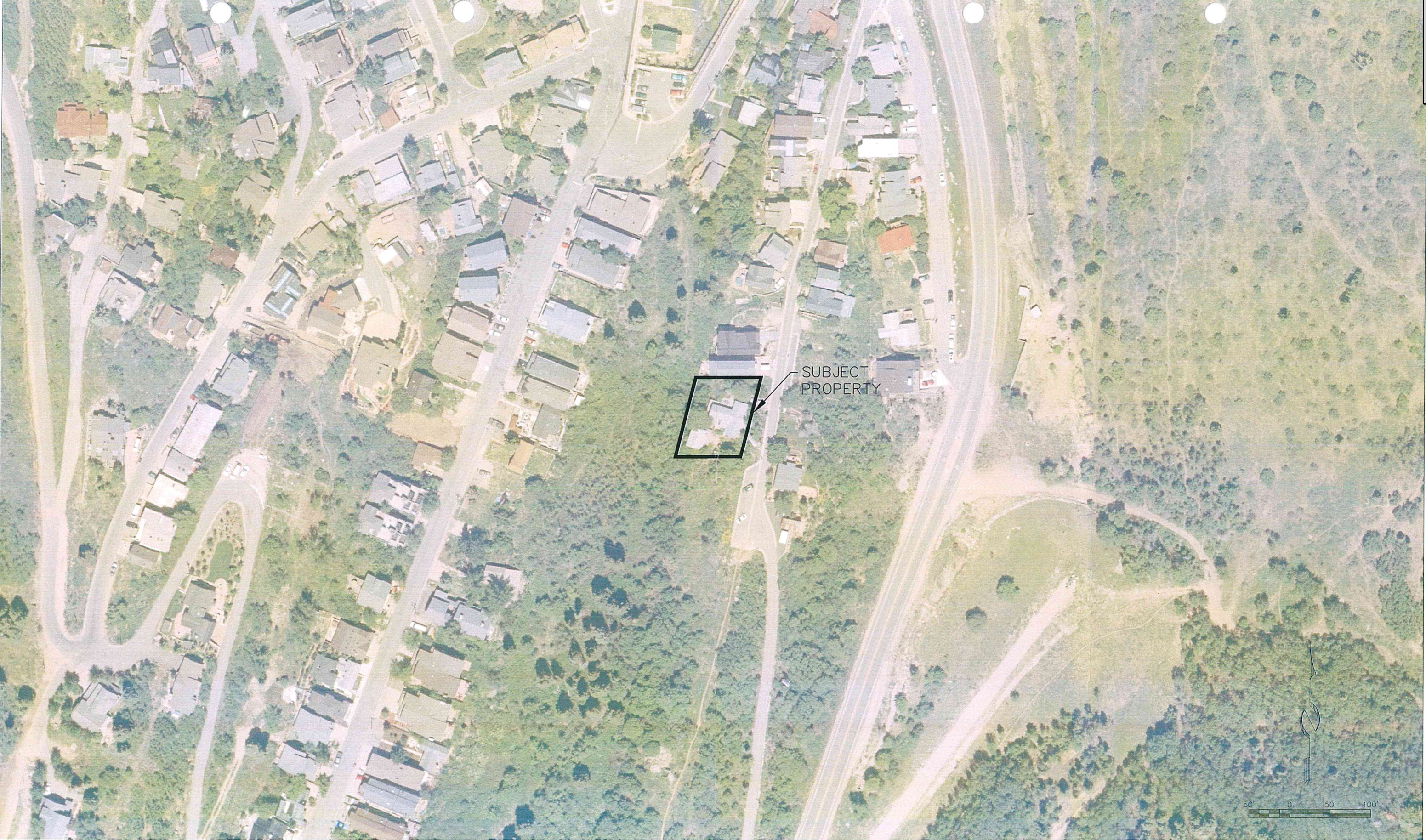
BASIS OF BEARINGS
THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND REBAR & CAP LOCATED AT THE NORTHWEST CORNER OF LOT 12 AND THE SOUTHWEST CORNER OF GREG BALCH PROPERTY AS SHOWN ON THIS SURVEY PLAT.

UTAH LAND SURVEYING, LLC
A PROFESSIONAL LICENSED LAND SURVEYING COMPANY

1359 FAIRWAY CIR
FARMINGTON, UT 84025
PHONE 801.725.8395
FAX 801.820.7775
www.utahlandsurveying.com

JOB NUMBER
1003-15

SHEET
1 OF 1



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FEB 08 2018
 PARK CITY
 PLANNING DEPT.

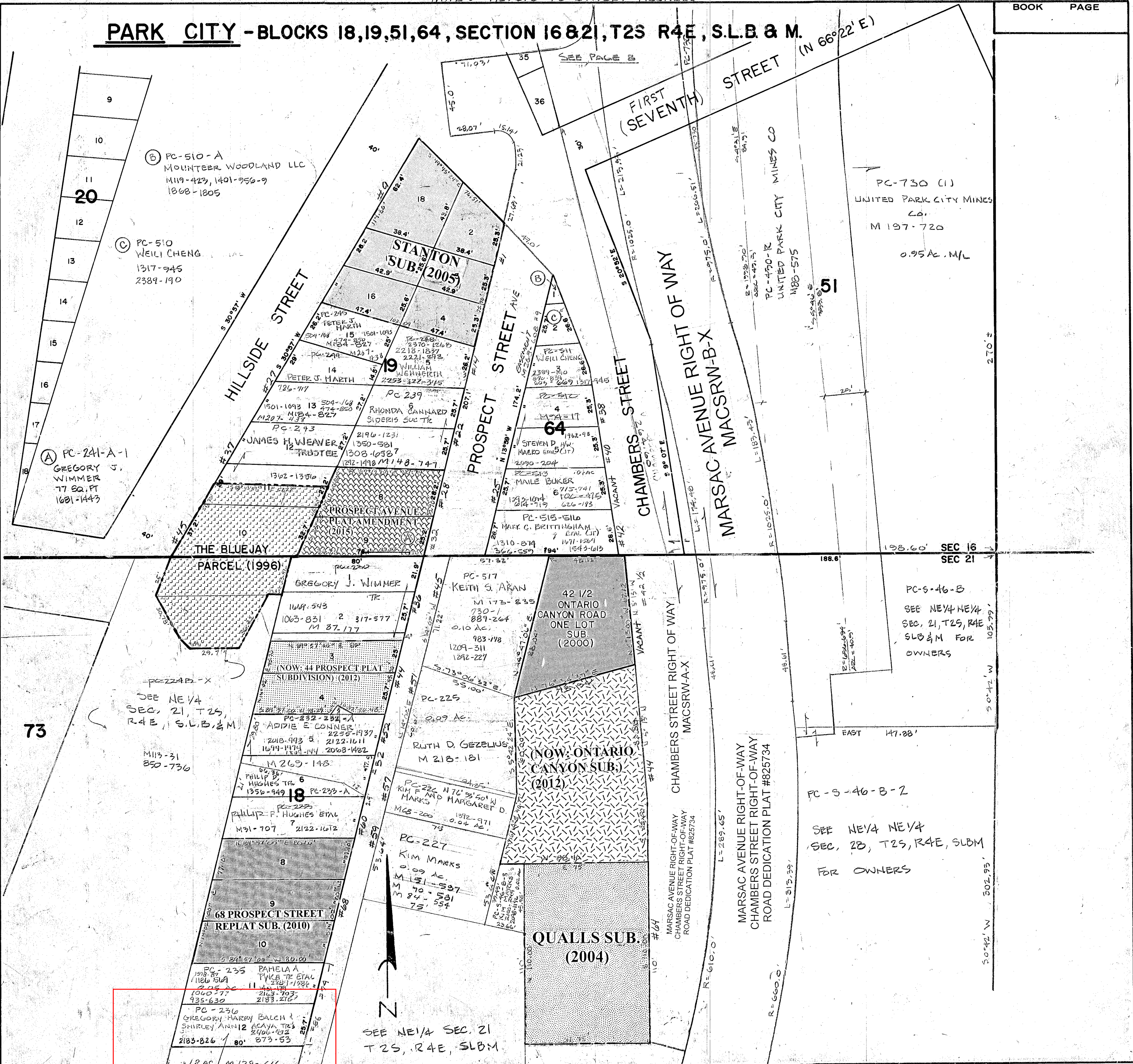
Alliance Engineering Inc.
 (435) 649-9467
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
 RYAN BETZ
 MARSHALL KING
 DATE: 2/6/18

AERIAL PHOTOGRAPH
 86 PROSPECT STREET
 BLOCK 18, PARK CITY SURVEY
 FOR: GREG BALCH
 JOB NO.: 16-1-18
 FILE: X:\ParkCitySurvey\dwg\Exhibits\89 Prospect-ortho.dwg

SHEET
 1
 OF
 1

PARK CITY - BLOCKS 18,19,51,64, SECTION 16 & 21, T2S R4E, S.L.B. & M.



ⓑ PC-510-A
MOUNTEER WOODLAND LLC
M119-423, 1401-956-9
1868-1805

ⓒ PC-510
WEILI CHENG
1317-945
2389-190

Ⓐ PC-241-A-1
GREGORY J.
WIMMER
77 SQ. FT
1681-1443

PC-730 (1)
UNITED PARK CITY MINES
CO.
M 197-720
0.95 AC. M/L

PC-224B-X
SEE NE 1/4
SEC. 21, T2S,
R4E, S.L.B. & M.
M113-31
850-736

PC-S-46-B
SEE NE 1/4 NE 1/4
SEC. 21, T2S, R4E
SLB & M FOR
OWNERS

PC-S-46-B-2
SEE NE 1/4 NE 1/4
SEC. 28, T2S, R4E, SLBM
FOR OWNERS

SEE NE 1/4 SEC. 21
T2S, R4E, SLBM

Approved	REVISIONS - DATE AND INITIAL	(In Pencil)
Utah State Tax Comm	PC 79 8/15	
	2/22/20 202	
Date	By	

SUMMIT COUNTY, UTAH

SCALE
ONE INCH 40 FEET
BOOK PAGE

PARK CITY SURVEY, BLOCK 18,
LOT 12 PLUS ADDITIONAL LAND
(86 Prospect Street)
February 7, 2018

PROJECT INTENT

The property at 86 Prospect Street is currently an owner-occupied single family residence with a detached guest house. The property consists of Lot 12, Block 18 and an adjacent metes and bounds parcel. This application proposes to remove the existing southerly line of Lot 12 and join the metes and bounds parcel with Lot 12 and divide the property into three lots of record. The owner also proposes to demolish existing structures on the property and to construct a single family residence of approximately 1,600 square feet on the southerly lot and a single family residence of approximately 3,000 square feet on each of the two northerly lots.

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FEB 08 2018
PARK CITY
PLANNING DEPT.



86 Prospect Street - Looking southwesterly

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FEB 08 2018
PARK CITY
PLANNING DEPT.



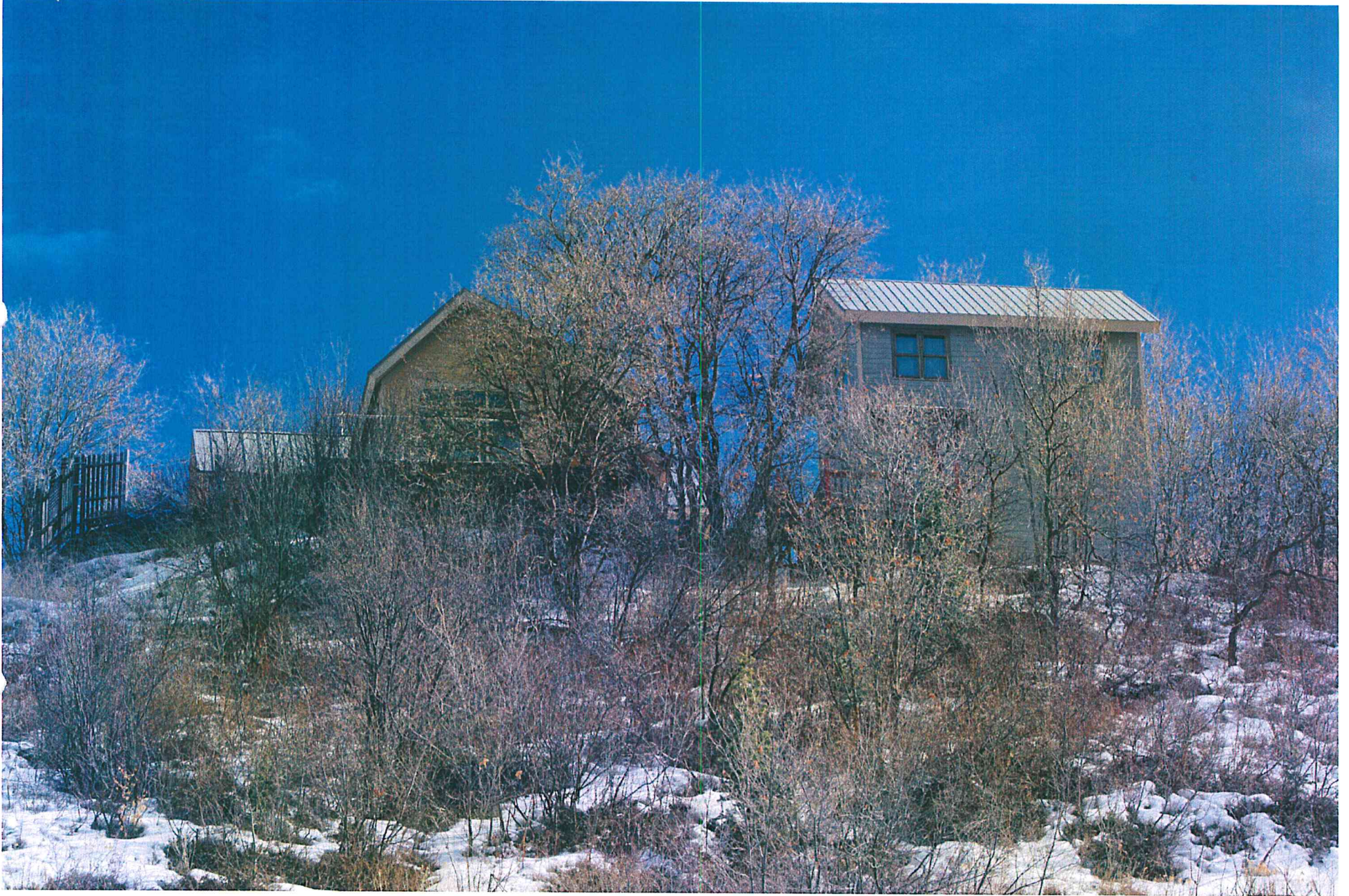
86 Prospect Street - Looking northerly

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FEB 08 2018
PARK CITY
PLANNING DEPT.



86 Prospect Street - Looking northwesterly

RECEIVED
FEB 08 2018
PARK CITY
PLANNING DEPT.



86 Prospect Street - Looking easterly

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FEB 08 2018
PARK CITY
PLANNING DEPT.

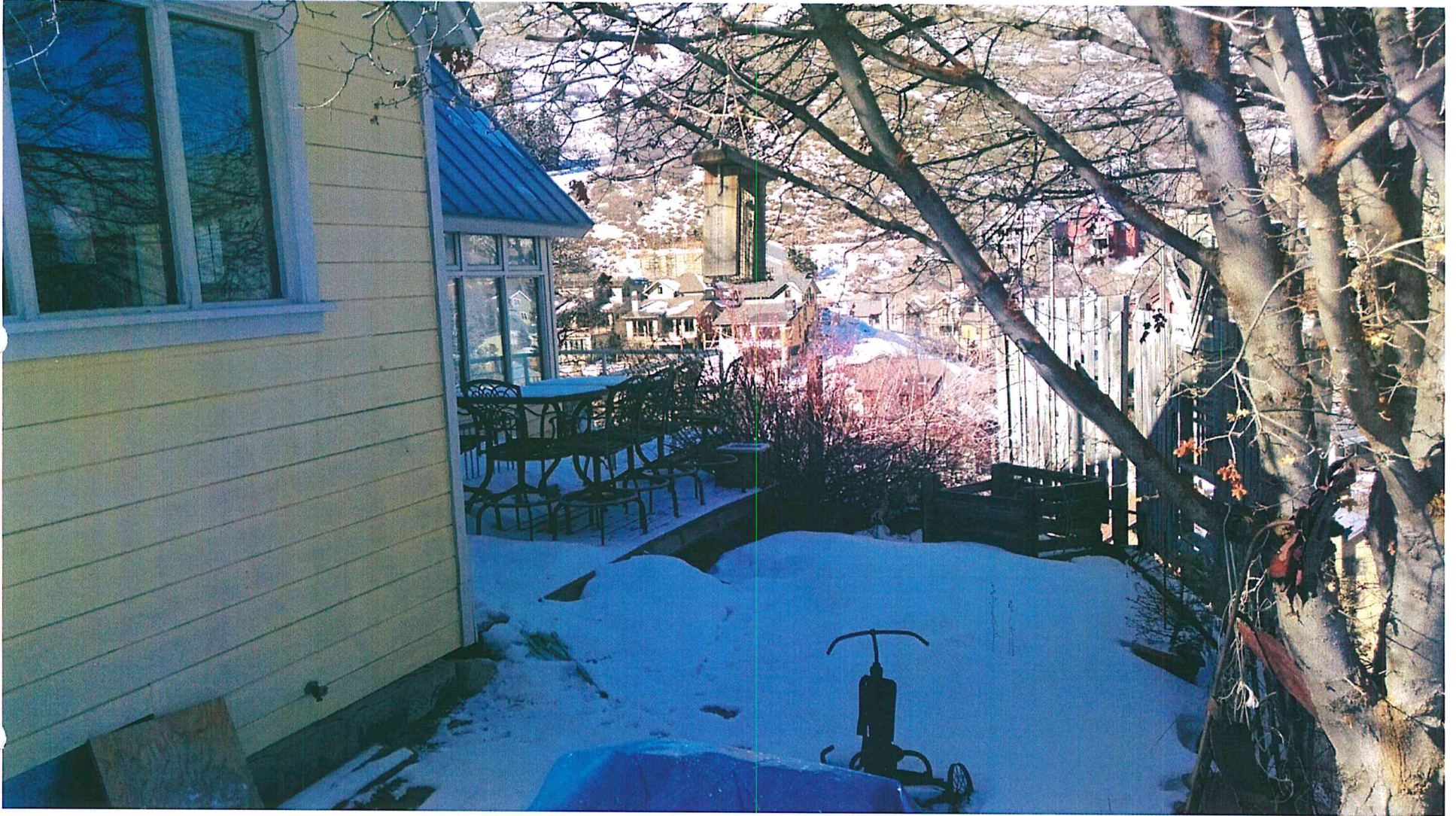


86 Prospect Street - Looking northeasterly

RECEIVED

FEB 08 2013

PARK CITY
PLANNING DEPT.



86 Prospect Street - Looking westerly

RECEIVED
FEB 08 2013
PARK CITY
PLANNING DEPT.

Planning Commission Staff Report

Subject: Planning Commission Rules of Order
Project #: GI-18-00371
Author: Graham Bunt, Planning Analyst
Date: 14 March 2018
Types of Item: Administrative – Planning Commission Resolution

Recommendation

Staff recommends that the Planning Commission review the drafted Resolution (Exhibit A) defining rules of order for the Planning Commission meetings; requiring meeting to be open to the public unless lawfully closed; provide an appropriate balance between the Commission's obligation to conduct City business in an efficient and professional manner; and to allow for public input at meetings. Utah Code Section 10-9a-301 requires the Planning Commission to define the rules of order and procedure for public meetings. Utah Code Title 52, Chapter 4, Open and Public Meetings Act require procedures to conduct business in public. The 2014 version of this resolution was reviewed by Planning Commission May 28, 2014. Minutes of this meeting are attached as Exhibit B to this report. Staff recommends a motion to approve Planning Commission resolution 02-2018 as presented in the packet.

Exhibits

Exhibit A – Draft Planning Commission Resolution 02-2018
Exhibit B – May 28, 2014 Planning Commission Minutes (page 1 & 18)



Planning Commission Resolution No. 02-2018

**RESOLUTION ADOPTING PLANNING COMMISSION RULES OF ORDER
AND PROCEDURE, PARK CITY, UTAH**

WHEREAS, Utah Code § 10-9a-301 requires the Planning Commission to define the rules of order and procedure for public meetings; and

WHEREAS, the Park City Planning Commission is mandated by law to hold scheduled meetings; and

WHEREAS, said meetings are to be open to the public unless lawfully closed; and

WHEREAS, it is the Commission's intent to provide an appropriate balance between the Commission's obligation to conduct City business in an efficient and professional manner, and to allow public input at meetings;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Park City, Utah that:

SECTION 1. APPROVAL. Pursuant to Utah Code § 10-9a-301, the Planning Commission adopts the Planning Commission Rules of Order and Procedure to govern the meetings of the Planning Commission as attached as Exhibit A. The Commission shall comply with all required procedures contained in Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective immediately.

PASSED AND ADOPTED this fourteenth day of March, 2018.

PARK CITY PLANNING COMMISSION

Melissa Band, Vice Chair

PARK CITY PLANNING COMMISSION RULES OF ORDER AND PROCEDURE

Pursuant to Utah Code §10-9a-301 the Planning Commission adopts the following rules of order and procedure to govern the meetings of the Planning Commission.

RULE NO. 1. UTAH AND MUNICIPAL CODE REQUIREMENTS

The Planning Commission must comply with all required procedures contained in “Planning Commission,” as contained in Title 15, Chapter 12 of the Municipal Code of Park City and the Utah Code, including the following sections, as amended:

Utah Code Sections 10-9a-301, 10-9a-302, and 10-9a-404.

The Municipal Code and Utah Code are available for public view at www.parkcity.org and <http://le.utah.gov/UtahCode/chapter.jsp?code=10>. In the event of a conflict, the Utah Code shall control.

RULE NO. 2. AGENDA

The agenda for the meeting will be the guide to the meeting. While matters not on the agenda may at times come up for discussion, no final action can be taken on any matter not on the agenda.

RULE NO. 3. PARLIAMENTARY ORDER AND PROCEDURE

Matters considered in a Planning Commission meeting are shown on an agenda, published in advance. Meeting agendas may be reviewed on the City’s website, <http://www.parkcity.org>, and the Utah Public Notice website, <http://www.utah.gov/pmn/index.html>. Agenda items ordinarily are considered in the order listed, but may be considered in a different order. Planning Commission meetings are chaired by the elected chairperson. In conducting its business, the Planning Commission follows a simplified Roberts Rules of Order. Members may speak after being recognized by the Chair and may make motions that propose Commission action. For example, a Member may move to review or recommend an amendment of the City General Plan or Subdivision approval, consider a substitute motion, close a public hearing, ask for more information, continue discussion to a later time, or adjourn a meeting. A motion may be discussed and voted upon only if it is seconded by another Member. The Chair may or may not, at his or her discretion, allow members of the public or staff to participate in the

discussion. When the Chair has confirmed there is no further discussion, the Chair can call for the vote on the matter. Unless otherwise specified by applicable law or ordinance, a motion passes if a majority of the Members present vote in favor.

RULE NO. 4. ETHICAL REQUIREMENTS

Planning Commission members must comply with the Municipal Officer's and Employees' Ethics Act (Utah Code § 10-3-1301 to 10-3-1312) and Title 3 of the Park City Municipal Code. These laws establish ethical standards of conduct for City officers, employees, and volunteers. They are available for public view at http://le.utah.gov/code/TITLE10/htm/10_030100.htm.

RULE NO. 5 RULES OF DECORUM

- (1) Public comments should be directed to the agenda item under consideration. The Chair will rule on the germaneness of the citizen comments.
- (2) All remarks must be addressed to the Commission as a whole and not to any single member, unless in response to a question from a member.
- (3) In order to afford all persons an opportunity to speak regarding an agenda item, the Chair may impose a reasonable limit upon comments made by members of the public, and/or may limit the number of times a member of the public may speak regarding an agenda item.
- (4) Persons addressing the Commission must not make personal, impertinent, unduly repetitive, slanderous or profane remarks to the Commission, any member of the Commission, staff or general public; nor utter loud, threatening, personal or abusive language; nor engage in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Commission meeting.
- (5) Persons addressing the Commission shall not interrupt the Chair or Commission Members while they are asking questions or otherwise addressing the speaker.
- (6) Members of the public shall be courteous to their fellow citizens and the proceedings while the Commission is in session by avoiding conversations within the Commission Chambers and the entrance hallway to the Chambers.
- (7) No person in the audience at a Commission meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts,

- which disturb, disrupt or otherwise impeded the orderly conduct of any Commission meeting.
- (8) Signs, placards, banners, or similar items will not be permitted at any time in the Commission Chambers. Exhibits, displays, and visual aids used in connection with presentations for matters on the agenda are permitted.
 - (9) Unless addressing the Commission or entering or leaving the Commission Chamber, all persons in the audience should remain sitting in the seats provided, or when necessary, standing in the rear in a manner which does not block exits.
 - (10) A time may be established for public comments for citizens to address the Commission on any item which is not on the agenda for that meeting. A time limit may be imposed and citizens are subject to the same rules of conduct as described above. If a prepared statement is available, a copy should be given to the City recorder.
 - (11) Generally, members of the Commissions will not comment upon the comments made by a member of the public. If they are administrative issues, the Commission will typically refer them to the Planning Director for a response.
 - (12) At the discretion of the Chair, or upon a majority vote of the Commission, the Chair may order removed from the Chamber any person who fails to observe these rules of decorum, including committing any of the acts defined herein as disruptive conduct in respect to a regular, adjourned regular or special meeting of the Planning Commission.
 - (13) Disobedience of any lawful order of the Chair, which shall include an order to be seated or to refrain from addressing the Commission and any other unlawful interference with the due and orderly course of that meeting, is grounds for removal.
 - (14) Any person removed at the direction of the Chair will be excluded from further attendance at the meeting from which he or she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Commission, and such exclusion shall be executed by any peace officer and/or police upon being so directed by the Chair.
 - (15) Any person removed on the basis of disruptive conduct described above may not be allowed to address the Commission for up to a maximum of ten (10) meeting days of the Commission during which the Commission has convened in regular session. The period of prohibition from addressing the Commission will be determined by the Chair, and the Commission upon a vote, based on the number and severity of prior incidents of disruptive conduct.

(16) If a speaker is removed from the meeting for disorderly conduct, the Commission may elect to postpone voting on the issue being discussed at the time of removal in order to avoid the appearance of retaliatory action.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
May 28, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Anya Grahn, Planner;
Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:55 p.m. and noted that all Commissioners were present except Commissioners Campbell and Gross who were excused.

ADOPTION OF MINUTES

May 14, 2014

Chair Worel referred to page 7 of the Staff report, Page 5 of the Minutes, last paragraph and corrected Commissioner Preston to read **Commission Campbell**.

MOTION: Commissioner Strachan moved to APPROVE the minutes of May 14, 2014 as amended. Commissioner Stuard seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Commissioners Worel and Strachan stated that they would be absent for the June 11, 2014 meeting. There was some question as to whether Commissioner Campbell would be absent, also. However, Commissioner Gross was expected to return for that meeting and the Planning Commission would have a quorum.

MOTION: Commissioner Strachan moved to CONTINUE the Land Management Code amendments to Section 15-2.19-2, regarding animal service uses in the Light Industrial Zone to the June 25, 2014 Work Session. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the amendments to the Land Management Code, Section 15-12-10.5 regarding the Rules of Order and Procedure, as amended by renumbering the Section to 10.5. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Strachan moved to ADOPT the Resolution regarding the Planning Commission Rules of Order and Procedure attached as Exhibit B to the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

Park City Planning Commission meeting adjourned at 7:10 p.m.

Approved by Planning Commission: _____