

Ordinance No. 10-17

**AN ORDINANCE APPROVING THE 354 MAIN STREET & FIRST AMENDED
352 MAIN STREET PLAT AMENDMENT
LOCATED AT 352/354 MAIN STREET, PARK CITY, UTAH**

WHEREAS, the owner of the property located at 352 and 354 Main Street have petitioned the City Council for approval of the 354 Main Street & First Amended 352 Main Street plat amendment; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 28, 2010, to receive input on the 354 Main Street & First Amended 352 Main Street plat amendment;

WHEREAS, the Planning Commission, on April 28, 2010, forwarded a positive recommendation to the City Council; and

WHEREAS, on May 20, 2010 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 354 Main Street & First Amended 352 Main Street plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 354 Main Street & First Amended 352 Main Street 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 352/354 Main Street in the Historic Commercial Business (HCB) zone.
2. The HCB District is characterized by a mix of historic commercial structures and larger contemporary commercial structures.
3. The proposed plat amendment will combine Lot 14 and a portion of Lot 13, Block 22, Park City Survey and all of the 352 Main Street plat into two lots of record.
4. Proposed Lot 1 will be 6,085 square feet. Proposed Lot 2 will be 1,520 square feet.
5. An existing 8' wide access/utility easement exists from 354 Main through the 352 Main Street subdivision of the Park City Survey.
6. There is an existing 8' wide access easement with a 6' wide utility easement overlay from 333 Main through 352 Main to Swede Alley.
7. There is an existing 5' wide public sidewalk easement on the eastern side of the property running parallel to Swede Alley.

8. A new easement is being created to the rear of 354 Main Street and to connect to the existing 8' wide access easement as identified in Finding of Fact 5 above.
9. The building meets all required setbacks for the HCB zone.
10. The plat amendment will not create any remnant lots.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

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

PASSED AND ADOPTED this 20th day of May, 2010.

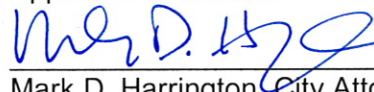
PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Mark D. Harrington, City Attorney



