

An Ordinance Approving a Plat Amendment to Combine the Southerly 12' of Lot 32, Block 76 Millsite Reservation, with Lot 3 of Anchor Development Second Amended Plat, and Approving a Right-of-Way Vacation of Approximately 211 square feet of Platted, Unbuilt Ridge Avenue and Combining said 211 square feet with above Described Lots, located at 83 King Road in Park City, Utah.

PC-701 ANCH-#'S

WHEREAS, the owner of property located at 83 King Road have petitioned the City Council for approval of a plat amendment and have petitioned for a limited vacation of approximately 211 sq. ft. of platted, unbuilt Ridge Avenue right-of-way; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 28, 2003, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on July 9, 2003, further discussed the plat amendment and limited right-of-way vacation and forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 17, 2003, the City Council held a public hearing and approved the proposed plat amendment and limited right-of-way vacation; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment; and

WHEREAS, the vacation request is consistent with the City's vacation of right-of-way policy and Resolution No. 8-98.

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

SECTION 1. APPROVAL. The plat amendment and limited right-of-way vacation, as shown in Exhibit A, are approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property at 83 King Road is located in the HRL, Historic Residential Low Density zoning district.
2. The site is currently undeveloped.
3. The proposed amendment to the Anchor Development plat will add approximately 1,000 sf to Lot 3, which is currently 6,251 sf. in area. Lot 1 is 7,305 sf, Lot 2 is 11,963 sf, and Lot 4 is 4,643 sf in area.

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 ALAN SPRIGGS, SUMMIT CO RECORDER
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 REQUEST: PARK CITY MUNICIPAL CORP
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4. The application for plat amendment also includes a request to vacate and combine with Lot 3, a 211 sq. ft. portion of platted, un-built Ridge Avenue.
5. The proposed plat amendment and vacation neither increases or decreases the potential density along King Road as the existing plat restrictions are not proposed to change with this plat amendment. As restricted on the Anchor Development Second Amended plat, one single family house may be constructed on Lot 3 with an above ground floor area of 2,165 square feet, not including the garage, with further setback and height restrictions as stated on the plat. All previous notes and restrictions will continue to apply.
6. Because of previous plat restrictions and conditions on Lot 3, a Steep Slope CUP will not be required for development on Lot 3, per LMC section 15-2.1-6 (C) Exception.
7. The Park City Council has approved a budget including approximately \$9 million for relocation of utilities in Old Town to underground locations. The design work for this project has not been completed. At this time Park City does not know which rights-of-way will be needed for underground utilities in the future.
8. The right-of-way vacation criteria are as follows:
 - (a) There is no increase in density as a result of the vacation of the Ridge Avenue right-of-way;
 - (b) The volumetric constraints regarding floor area and height restrictions on Lot 3 and the requirement for design review against the Historic District design guidelines will ensure compatibility of the future home on lot 3 with the surrounding neighborhood;
 - (c) Compensation for the loss of right-of-way shall be addressed by the City Council at a public hearing.
 - (d) The area of vacated right-of-way is not currently used for public utilities nor planned for such use in the future.
9. Dedication of a ten (10) foot non-exclusive public utility and snow storage easement along King Road is necessary to ensure neighborhood compatibility for future development on Lot 3 and potential future utility location.
10. The corresponding 12' (east ½) of platted Ridge Avenue abutting the proposed vacation parcel has already been vacated and is part of Lot 3, per the second amended Anchor Development plat approval.
11. The applicant stipulates to the conditions of approval.
12. On May 28, 2003 the Planning Commission held a public hearing and discussed the proposed plat amendment and right-of-way vacation request.
13. On July 9, 2003, the Planning Commission forwarded a positive recommendation to the City Council regarding this application.
14. On July 17, 2003, the City Council held a public hearing on the plat amendment and limited vacation of ROW request.

Conclusions of Law

1. There is good cause for the amendment as there is no increase in density and setbacks, height and volumetric restrictions remain on the lot as previously platted.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

3. The proposal is consistent with both the Park City Land Management Code and applicable State law regarding plat amendments.
4. The limited right-of-way vacation is consistent with the City's vacation of right-of-way policies and Resolution No. 8-98.

Conditions of Approval

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive public utilities and snow storage easement along King Road shall be dedicated to the City on the plat.
3. One single family home is permitted on Lot 3 with an above ground floor area of 2,165 square feet, excluding the garage.
4. Construction of the single family residence on Lot 3 shall comply with all height, setback, and volumetric restrictions as stated on the Anchor Development Second Amended Plat and the conditions of approval of the Anchor Development Second Amended Plat shall continue in full force and effect.
5. Design of the proposed single family residence requires review and approval by the Planning Department, for compliance with the Historic Design Guidelines, prior to issuance of a building permit.
6. The plat shall be recorded within one year of the date of City Council approval and shall be recorded prior to issuance of a building permit for construction that involves the amended portion of Lot 3.
7. All standard project conditions shall apply.
8. City Council approval of the ROW vacation request described above is a condition precedent to approval of this plat amendment application as proposed.
9. Payment of the compensation value, determined by the City Council at \$400, of the vacated parcel of Ridge Avenue, shall be made to the City by the applicant prior to recordation of the amended plat. The City shall retain a non-exclusive public utility easement over the entirety of the vacated parcel.
10. Construction staging for Lot 3 shall not occur on the private driveway easement for Lots 1 and 2, unless specifically allowed in writing by the adjacent property owners.
11. A construction mitigation plan, submitted to and approved by the Planning, Building, and Engineering Departments, is a condition precedent to any construction activity on Lot 3.
12. All previous notes and restrictions will continue to apply and shall be placed on the Anchor Development Third Amended plat prior to recordation.

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

PASSED AND ADOPTED this 17th day of July, 2003.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

BK1569 PG0129

Attest:

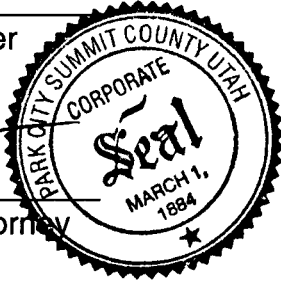
Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

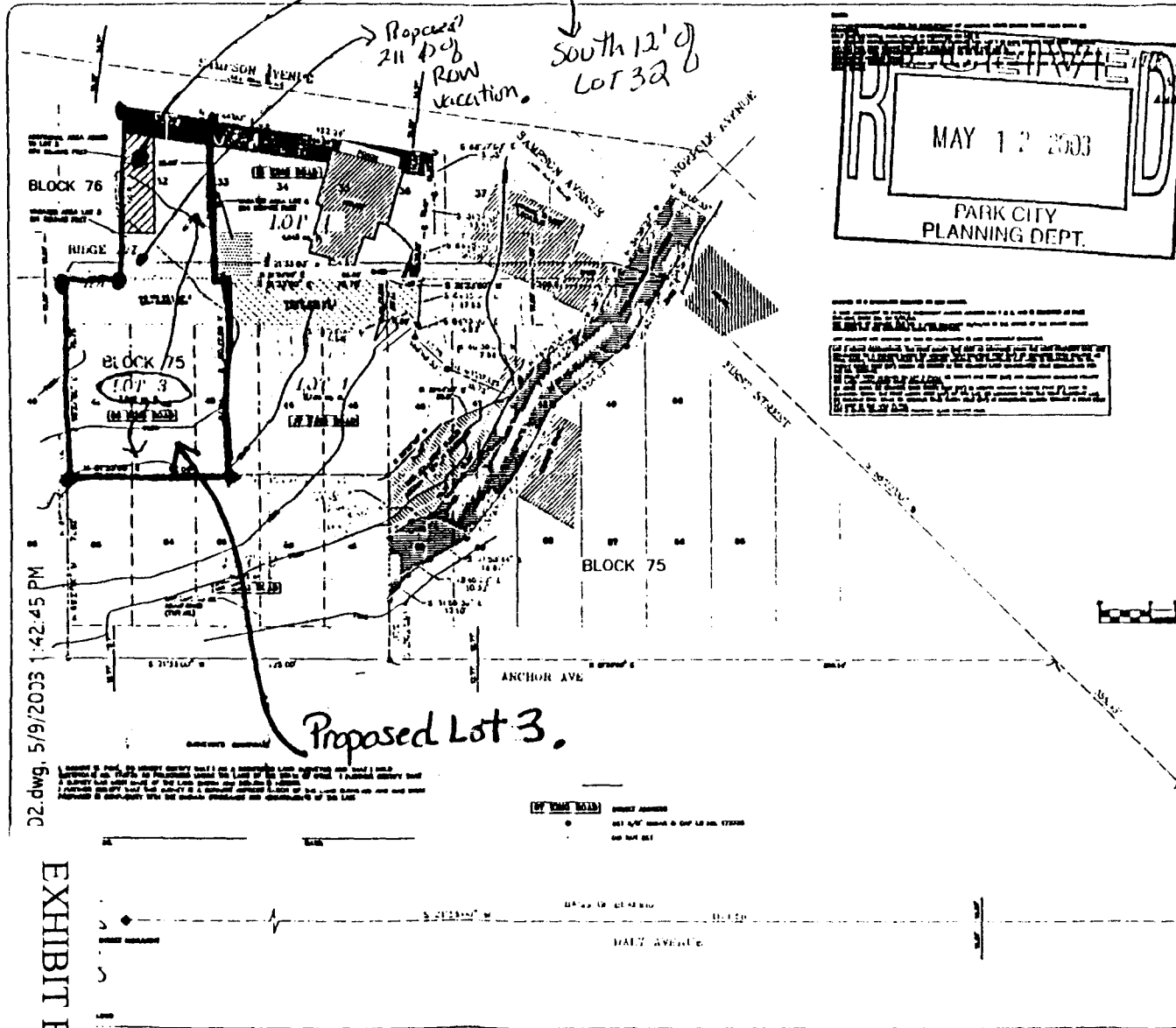
Mark D. Harrington

Mark D. Harrington, City Attorney



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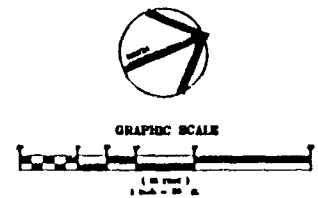
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ANCHOR DEVELOPMENT THIRD AMENDED PLAT
 PLATSITE RESERVATION SUBDIVISION NO. 1
 INCLUDING LOTS 41 THROUGH 47 & LOTS 80 THROUGH 86, BLOCK 76
 & LOTS 28 THROUGH 30, BLOCK 75
 LYING WITHIN THE NORTHEAST QUARTER OF
 SECTION 21, TOWNSHIP 3 SOUTH, RANGE 4 EAST
 SALT LAKE BASIN & MERIDIAN, SUMMIT COUNTY, UTAH

RECORDED
 MAY 12 2003
 PARK CITY
 PLANNING DEPT.

RECORDING INFORMATION
 [Illegible recording details]



RECORDING INFORMATION

BY _____
 COUNTY CLERK

BY _____
 COUNTY CLERK


BY _____
 COUNTY CLERK

BY _____
 COUNTY CLERK

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EXHIBIT B

ALTOSONVZ

JNCL APPROVAL TO THE BOARD OF PARK CITY AS OF _____ DAY OF _____ AT WHICH TIME THIS DOCUMENT WAS APPROVED. MAYOR _____ CITY RECORDS	CITY ENGINEER APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPART- MENT ON THIS _____ DAY OF _____ A.D. 20__ CITY ENGINEER _____	CITY PLANNING COMMISSION APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS DAY OF _____ A.D. 20__ CHAIRMAN _____	SEWER DISTRICT APPROVAL REVIEWED FOR COMPLIANCE TO SHYDENVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS 1185 _____ DAY OF _____ A.D. _____ S.S.S.D. _____	APPROVAL AS TO FORM APPROVED AS TO FORM ON THIS DAY OF _____ A.D. 20__ CITY ATTORNEY _____	RECORDED NO. _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF _____ COUNTY RECORDER _____	 PARK CITY SURVEYING P.O. BOX 2004 PARK CITY, UTAH 84300 (435) 649-2914
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