Ordinance No. 2020-33

AN ORDINANCE APPROVING THE ALPINE RETREAT @ PARK CITY UNIT 1, AMENDED CONDOMINIUM PLAT, LOCATED AT 1274 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 1274 Park Avenue petitioned the City Council for approval of the Alpine Retreat @ Park City Unit 1, Amended Condominium Plat; and

WHEREAS, on May 27, 2020, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on May 27, 2020, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 27, 2020, courtesy notice was mailed to property owners within 300 feet of the Alpine Retreat @ Park City Condominiums; and

WHEREAS, on June 10, 2020, the Planning Commission reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, on June 10, 2020, the Planning Commission forwarded a positive recommendation for City Council's consideration on July 9, 2020; and

WHEREAS, on July 9, 2020, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the condominium plat is consistent with the Park City Land Management Code, including § 15-4-12, § 15-7.1-3(C), § 15-12-15(B)(9), and Chapters 15-2.4 and 15-3.

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

<u>SECTION 1. APPROVAL.</u> The Alpine Retreat @ Park City Unit 1, Amended Condominium Plat is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

- On April 26, 2001, the City Council passed Ordinance No. 01-12, approving the Alpine Retreat @ Park City, a condominium plat with six units, including two Significant Historic Structures, 1266 and 1274 Park Avenue (Summit County Recorder Entry 591068).
- 2. 1274 Park Avenue, a 1,791-square-foot Significant Historic Structure, is Unit 1 of the Alpine Retreat @ Park City Condominium Project.

- 3. On August 22, 2017, the Alpine Retreat Homeowners Association approved expansion of 1274 Park Avenue (Unit 1) to include 636 square feet of common area for a future garage, driveway, and private hot tub area.
- 4. The Applicant submitted a complete Condominium Plat Amendment application to the Planning Department on December 4, 2019.
- 5. The plat amendment was originally scheduled for the Commission's review on January 16, 2020. However, the matter was continued to a date uncertain to address Homeowner Association concerns.
- 6. On March 6, 2020, the Alpine Retreat Homeowners Association approved a modification to the expansion of 1274 Park Avenue, Unit 1, including a ground floor 336-square-foot garage and 150-square-foot entry foyer/mudroom/laundry area, and 521 square feet of upper level space that includes a wet bar, sitting area, bathroom, closet, and sleeping area.
- 7. The Alpine Retreat @ Park City Condominium Plat memorializes private, common, and limited common area for six Units.
- 8. 1274 Park Avenue is located in the Historic Residential Medium Density Zoning District.
- The purpose of the HRM District is outlined in Land Management Code § 15-2.4-
- 10. The proposed plat amendment complies with HRM Setback requirements.
- 11. The Front Setback in the HRM District is 15 feet. The Front Setback for the existing Significant Historic Structure is approximately 18 feet and includes a deck that encroaches into the Setback. While a deck is allowed as an exception in the Front Setback if it projects no more than 3 feet into the Setback, it must not be more than 10 feet wide. The existing historic deck is approximately 31 feet wide, spanning the width of the front Façade. However, Historic Structures that do not comply with Setbacks are valid Non-Complying Structures. All additions to the Historic Structure must meet Setback requirements. There are no additions proposed in the Front Setback.
- 12. The Rear Setback in the HRM District is 10 feet. The proposed addition exceeds this requirement with a Rear Setback of 44 feet.
- 13. The Side Setback in the HRM District is 5 feet. The proposed addition meets Side Setback requirements and is 5 feet at the narrowest and 8 feet at the widest.
- 14. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.
- 15. The proposed plat amendment complies with Building Height Restrictions.
- 16. Maximum Building Height in the HRM District is 27 feet from Existing Grade. The proposed addition is 25 feet 6 inches from Existing Grade.
- 17. Single-Family Dwellings require two Off-Street parking spaces. There are six Single Family Dwellings in the condominium, requiring a total of 12 Parking Spaces. Two of the Single Family Dwellings are Historic Structures. A Historic Structure that does not comply with Off-Street parking is a valid Non-Complying Structure, unless an addition to the Historic Structure creates a Lockout Unit or Accessory Apartment. As a result, only 8 total Parking Spaces are required for the condominium.

- 18. The condominium currently provides a total of 9 Parking Spaces, with 2 tandem Parking Spaces—which are allowed in the HRM—for a total of 11.
- 19. The current Parking Space for 1274 Park Avenue is along the existing driveway for Units 5 and 6. The proposal relocates the Parking Space to the garage and creates a new Tandem Parking Space on the 1274 Park Avenue driveway.
- 20. Approval of this project will bring the condominium into compliance with Off-Street Parking requirements with a total of 12 on-site Parking Spaces without any exceptions for the two Historic Structures.
- 21. Condition of Approval 4 prohibits the addition to 1274 from creating a Lockout Unit or Accessory Apartment because such Lockout Unit or Accessory Apartment would require an additional Parking Space.
- 22. The proposed plat amendment complies with Off-Street Parking requirements so long as the studio unit constructed above the garage is not used as a Lockout Unit or Accessory Apartment.
- 23. Common driveways are allowed to provide Access to Parking in the rear of the Main Building if both Properties are deed restricted to allow for the perpetual Use of the shared drive. The proposed shared driveway for Unit 1 and Units 5 and 6 is currently platted as common area. The plat amendment will retain the common area driveway.
- 24. Driveways for shared Single Family Dwellings must have a minimum width of 10 feet. The proposed driveway is 12 feet in width.
- 25. Driveway curb-cut for shared Single Family Dwellings must not exceed 27 feet in width. The 2001 plat approval exceeded this width and was approved at 30 feet. The City Engineer has discretion for curb-cut widths and approved retention of the 30-foot curb cut.
- 26. Single car garages must have a minimum interior dimension of 11 feet in width and 20 feet in depth for a Single-Family Dwelling. The proposed garage is 11 feet wide and 28 feet deep.
- 27. The driveway for Units 1, 5, and 6 is accessed via Sullivan Road. Altering access from Sullivan Road triggers LMC § 15-2.4-9 and a Conditional Use Permit is required to ensure compliance with the LMC prior to applying for a Building Permit.
- 28.1274 Park Avenue is a Significant Historic Structure in the Historic District.
- 29. The Applicant is required to complete a Historic District Design Review prior to applying for a Building Permit.
- 30. Additions to the Significant Historic Structure shall comply with the Design Guidelines for Historic Districts and Historic Sites, Historic Preservation LMC Chapter 15-11, and Architectural Review LMC Chapter 15-5.
- 31. On June 24, 1999, the owners of 1274 Park Avenue entered into the *Grant of Preservation Easement: 1274 Park Avenue* with Park City Municipal. The easement was recorded on August 16, 1999 (Summit County Recorder Entry 546937).
- 32. The easement outlines requirements to maintain the front and side Façades of 1274 Park Avenue and any future construction to 1274 Park Avenue must preserve and restore the front and side Façades of 1274 Park Avenue as outlined in the easement.

Conclusions of Law

- 1. There is good cause for the Alpine Retreat @ Park City Condominium Plat Amendment because the plat amendment will increase on-site parking by one Parking Space, bringing the total Parking Spaces for the property to the 12 required by code without exceptions for the two Historic Structures. Also, altering access via Sullivan Road will require a Conditional Use Permit to ensure there are no unmitigated impacts to neighboring properties or to City property.
- 2. The proposed plat amendment complies with the LMC, including § 15-4-12, § 15-7.1-3(C), § 15-12-15(B)(9), and Chapters 15-2.4 and 15-3, and applicable State law regarding Condominium Plats.
- 3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
- 4. Approval of the Condominium 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

- 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 shall record the Plat with the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval of the plat is void, unless a request for an extension is made in writing prior to the expiration date and the City Council grants an extension.
- 3. Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.
- 4. A Plat Note shall state that the addition to 1274 Park Avenue shall not be used as a Lockout Unit or Accessory Apartment.
- 5. The Sullivan Road curb cut shall be no wider than 30 feet.
- 6. LMC § 15-2.4-9 requires a Conditional Use Permit to alter access on Sullivan Road and must be obtained prior to applying for a Building Permit.
- 7. 1274 Park Avenue is a Significant Historic Structure in the Historic District and is subject to a Historic District Design Review and Architectural Review prior to applying for a Building Permit.
- 8. Any future development shall comply with the *Grant of Preservation Easement:* 1274 Park Avenue, recorded on August 16, 1999 (Summit County Recorder Entry 546937).

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

PASSED AND ADOPTED this 9th Day of July, 2020.

PARK CITY MUNICIPAL CORPORATION

Docusigned by:

3340104CDC42481...Andy Beerman, MAYOR

ATTEST:

DocuSigned by:

Wickelle Kelling

APPROVED AS TO FORM:

Mark Harrington
City Attorney's Office

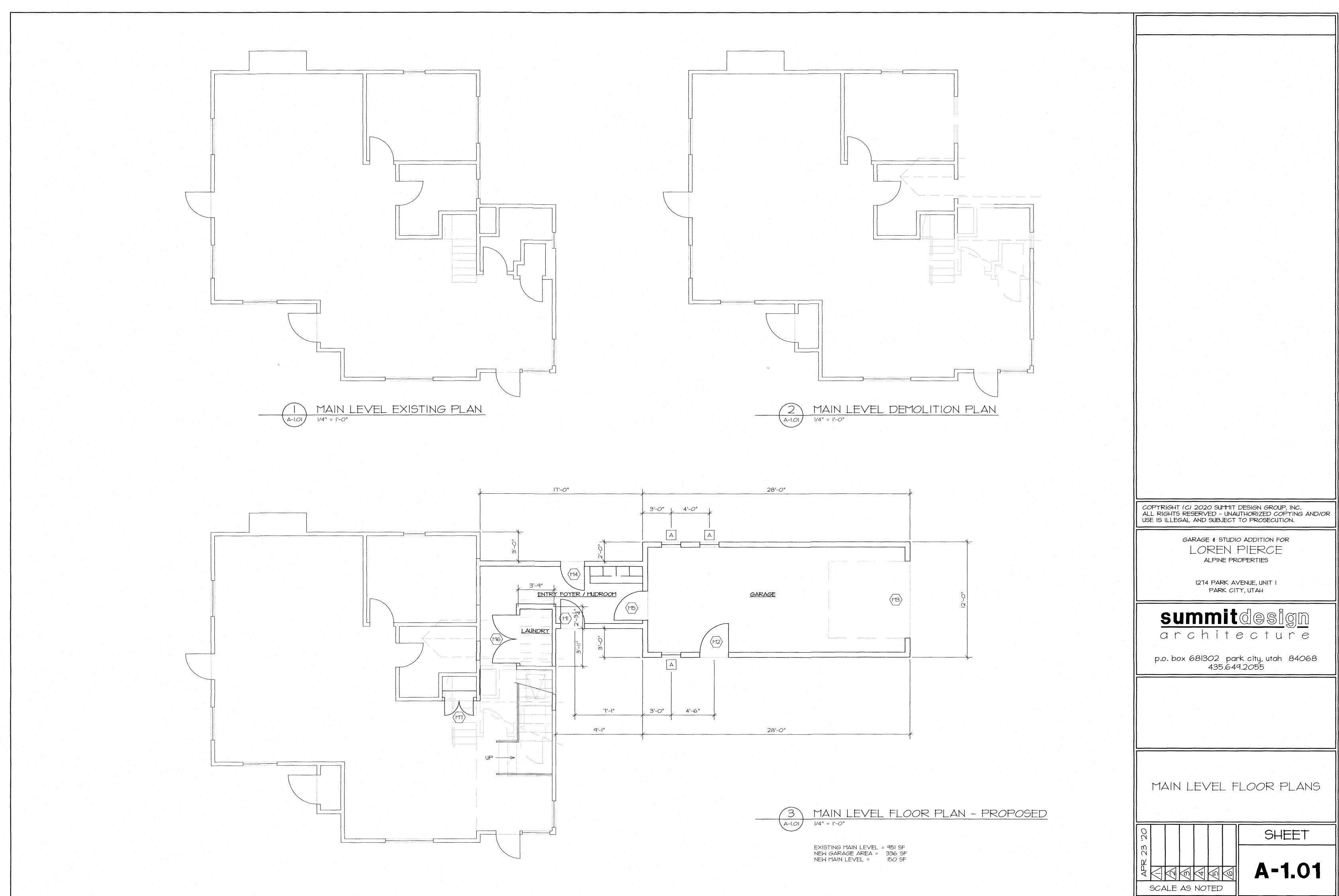
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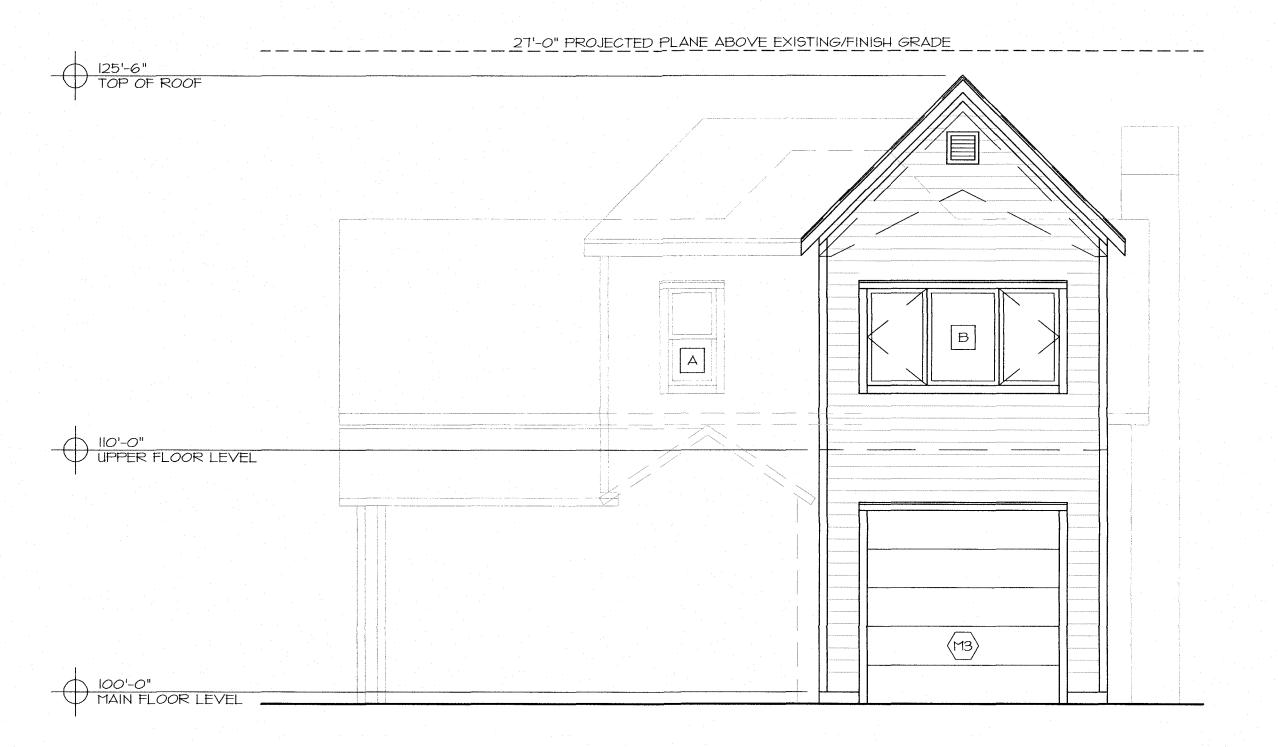
CITY PARK / SKATEBOARD PARK (6) EXISTING PARKING STALLS EXISTING CONCRETE SIDEWALK SULLIVAN DRIVE (EXISTING ASPHALT ROADWAY) STORM DRAIN GRATE-EXISTING HIGH BACK CURB & GUTTER NO PARKING SIGN PHONE PED.
FOUND REBAR & CAP
(UNDER TREE ROOT) ----CONCRETE DRIVEWAY ----CLUSTER OF COTTONWOOD TREES FOUND REBAR & CAP (UNDER TREE ROOT UN17 4 CITY LIBRARY PARKING LOT UN/1 6 ASPEN (3" DIA.) SINGLE FAMILY RESIDENTIAL (ADJACENT) COPYRIGHT (C) 2020 SUMMIT DESIGN GROUP, INC. ALL RIGHTS RESERVED - UNAUTHORIZED COPYING AND/OR USE IS ILLEGAL AND SUBJECT TO PROSECUTION. GARAGE & STUDIO ADDITION FOR LOREN PIERCE ALPINE PROPERTIES 1274 PARK AVENUE, UNIT I PARK CITY, UTAH UNIT 2 summitdesign architecture CONCRETE PATIO p.o. box 681302 park city, utah 84068 435.649.2055 EXISTING HIGH BACK CURB & GUTTER PARK AVE SITE PLAN SINGLE FAMILY RESIDENTIAL (ACROSS STREET)

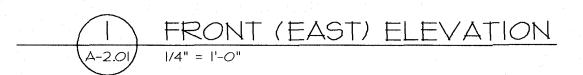
SHEET

SD-1.01

SCALE AS NOTED









2 RIGHT (NORTH) ELEVATION

A-2.01 1/4" = 1'-0"

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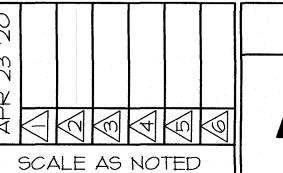
GARAGE & STUDIO ADDITION FOR LOREN PIERCE ALPINE PROPERTIES

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summitdesign architecture

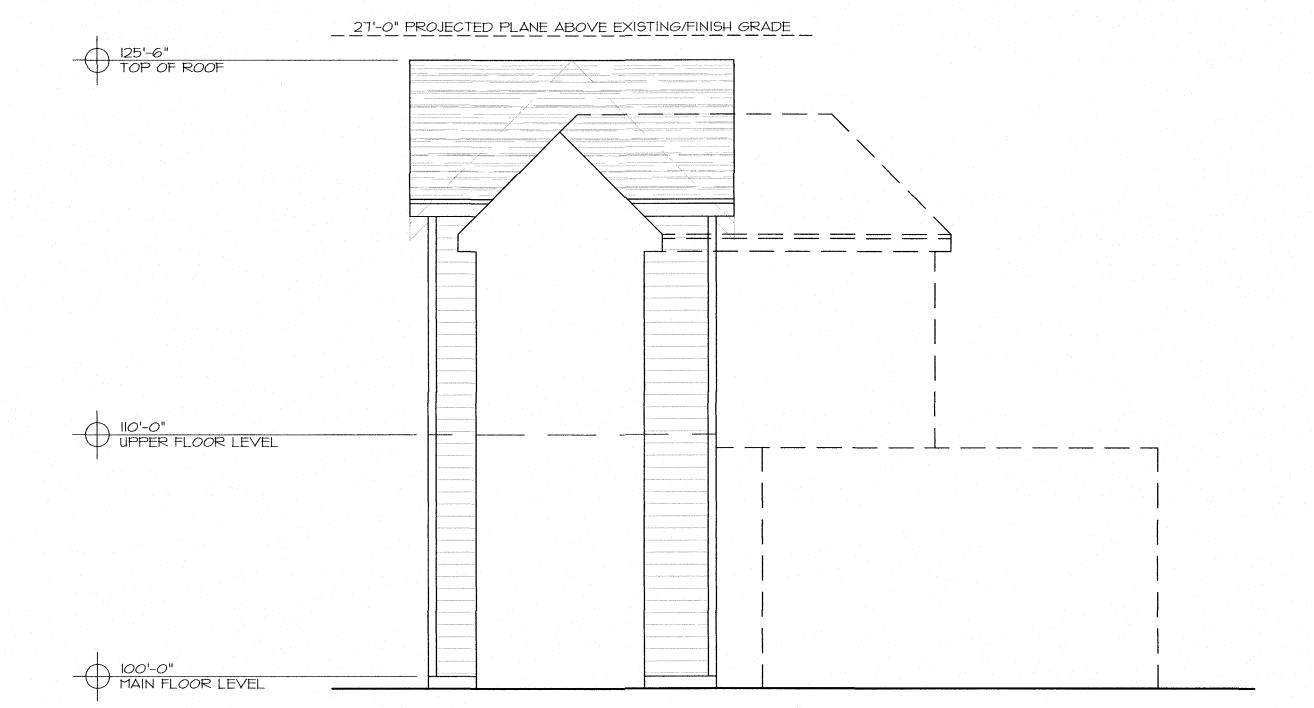
p.o. box 681302 park city, utah 84068 435.649.2055

EXTERIOR ELEVATIONS



SHEET

A-2.01



3 REAR (WEST) ELEVATION

A-2.02 1/4" = 1'-0"





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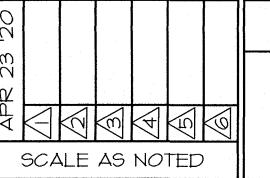
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EXTERIOR ELEVATIONS



SHEET

A-2.02