

Draft Ordinance No. 2021-37

AN ORDINANCE APPROVING THE GIGAPLAT REPLAT, FIRST AMENDED AND RESTATED, LOCATED AT 1913-1915 PROSPECTOR AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Lots 25a, 25b, Parking Lot F, and Common Area of Prospector Square Supplemental Amended Plat, located 1913-1915 Prospector Avenue, petitioned the City Council for approval of the Gigaplat Replat, First Amended and Restated Plat Amendment; and

WHEREAS, on August 10, 2021, the property was properly posted, and legal notice was sent to all affected property owners; and

WHEREAS, on August 10, 2021, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission, on August 25, 2021, held a public hearing and forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council on September 23, 2021, held a public hearing and took final action on the Plat Amendment; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Gigaplat Replat, First Amended and Restated 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. Gigaplat Replat, First Amended and Restated Plat Amendment, as shown in Exhibit A, 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 1913-1915 Prospector Avenue in the General Commercial (GC) Zoning District.
2. [Ordinance 14-28](#), approved by the City Council on June 5, 2014, approved the Gigaplat Replat, relocating the two development pads and common parking layout for 1913-15 Prospector Avenue and Parking Lot F.
3. The proposed easement amends this plat.
4. The plat amendment formalizes an access easement on the existing walkway that connects Prospector Avenue to the Rail Trail located south of the property.
5. The easement will maintain public access in perpetuity and defines the maintenance agreements between the City and property owners.
6. No additional density is created nor is any additional parking required.
7. The findings in the analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this Plat Amendment as the access easement will ensure public access from Prospector Avenue to the Rail Trail and will define maintenance agreements.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions, including LMC § 15-7.
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.

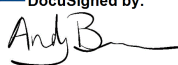
Conditions of Approval:

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, unless a request for an extension is submitted in writing and approved by the City Council.
3. A Plat Note shall indicate that any Conditions of Approval of the Gigaplat Replat shall continue to apply.
4. A Plat Note shall indicate that the Plat is subject to Ordinance 2021-37.

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

PASSED AND ADOPTED this 23rd day of September, 2021.


PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

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Andy Beerman, MAYOR

ATTEST:



DocuSigned by:

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Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

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City Attorney's Office

Exhibits

Exhibit A – Gigaplat Replat, First Amended and Restated Plat Amendment

