

City Council Staff Report

Subject: Woodside Park Subdivision - Phase I Condominiums
Author: Hannah M. Tyler, AICP, Senior Planner
Project Number: PL-19-04106
Date: April 18, 2019
Type of Item: Legislative – Condominium Plat

Summary Recommendations

Staff recommends the City Council hold a public hearing for the Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue and consider approving the proposed plat amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Executive Summary/Proposal

The proposed Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit may be retained by the City. This project is being developed by the City in response to the City Council Affordable Housing Critical Priority. This condominium plat amendment memorializes private, common, and limited common area which allows the units to be sold individually.

On March 27, 2019, the Planning Commission reviewed the proposed Condominium Plat Amendment and forwarded a unanimous positive recommendation to City Council.

Description

Applicant: Park City Municipal Corporation (Represented by Marshall King, Alliance Engineering)
Location: 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue
Zoning: Historic Residential-Medium Density District (HRM)
Adjacent Land Uses: Single-Family, Multi-Family, Municipal Uses
Reason for Review: Condominium Plat Amendments require Planning Commission review and City Council review and action

Disclosure: Park City Municipal Corporation owns the property.

Background

The Planning Commission reviewed the proposed Condominium Plat Amendment on March 27, 2019 ([Staff Report](#) and [Exhibits](#)) and forwarded a unanimous positive recommendation. On January 30, 2019, the proposed Woodside Park – Phase I Condominium Plat Amendment application was complete.

In 2016 and 2017, the City received applications for the Woodside Park Affordable Housing Project – Phase I. The proposed site location consists of 1333 Park Avenue (“Significant” Single-Family Dwelling), 1343 Park Avenue (new Single-Family Dwelling), 1353 Park Avenue (“Significant” Single-Family Dwelling), 1330 Woodside Avenue (new Single-Family Dwelling), and 1350 Woodside Avenue (new Multi-Unit Dwelling). The project consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit may be retained by the City. Below is a detailed scope of the project of Woodside Park - Phase I as approved in 2017:

Phase I of the Woodside Park Affordable Housing Project will consist of 10.68 Unit Equivalents located between Woodside Avenue and Park Avenue.

- *Demolition of the former Park Avenue Fire Station*
- *Four (4) Single-Family Dwellings*
- *An eight-unit (8-unit) Multi-Unit Dwelling*
- *A Thirteen-car (13-car) Parking Lot*
- *An Access Easement running east-west.*

The project is phase one (1) of a two (2) phase project that will provide Affordable Housing units developed by the City. In addition to residential units, the two (2) projects will create a pedestrian link between Park Avenue and Empire Avenue through Public Access Easements. The recorded Woodside Park Subdivision - Phase I has a Public Access Easement running east-west and Phase II will soon follow (see Woodside Park Phase II Work Session staff report in this meeting packet for details). Phase I of the Woodside Park Affordable Housing Project is currently under construction with a goal of a summer 2019 completion.

The following matrix identifies all of the applications that were submitted and approved for Phase I. *NOTE: the property was readdressed prior to construction. Addresses below may differ from the current applications:*

Project #:	Application Type:	Address:	Description:	Meeting Packet Links:
PL-17-03454	Master Planned Development	1333 - 1353 Park Avenue and 1364 Woodside Avenue	Woodside Park Phase I MPD for 12 units, parking area, and Public Access Easement.	Woodside Park Phase I Master Planned Development Approval (p. 332) Woodside Park Phase I Development Agreement (p. 119)
PL-17-03439	Plat Amendment	1333 -1353 Park Avenue and 1364 Woodside Avenue	Woodside Park Phase I Subdivision creating a 3-Lot subdivision.	Planning Commission: Woodside Park Phase I Plat Amendment (p. 355) City Council: Woodside Park Phase I Plat Amendment (p. 87)

PL-17-03452	Conditional Use Permit (Parking Lot)	1364 Woodside Avenue	13-car Parking Lot.	1350 Woodside Avenue Parking Area Conditional Use Permit (p. 391)
PL-17-03453	Conditional Use Permit (Multi-Unit Dwelling)	1353 Park Avenue (to be located at 1350 Woodside Avenue)	8-unit Multi-Unit Dwelling.	1350 Woodside Avenue Multi-Unit Dwelling Conditional Use Permit (p. 391)
PL-16-03376	HDDR	1353 Park Avenue (1323 Woodside Avenue)	Reconstruction/relocation of a Historic Single-Family Dwelling to a vacant lot.	1353 Park Avenue Material Deconstruction and Relocation (p. 53)
PL-16-03377	HDDR	1334 Woodside Avenue	Construction of a Non-historic Single-Family Dwelling.	N/A
PL-16-03378	HDDR	1333 Park Avenue	Rehabilitation of Historic Single-Family Dwelling.	1333 Park Avenue Material Deconstruction (p. 157)
PL-17-03451	HDDR	1353 Park Avenue, 1354 - 1364 Woodside Avenue	Non-historic Single-Family Dwelling, non-historic 8-unit Multi-Unit Dwelling, and Carport on vacant lots.	N/A

Purpose

The purpose of the Historic Residential Medium Density (HRM) District is found in [Land Management Code § 15-2.4-1](#).

Analysis

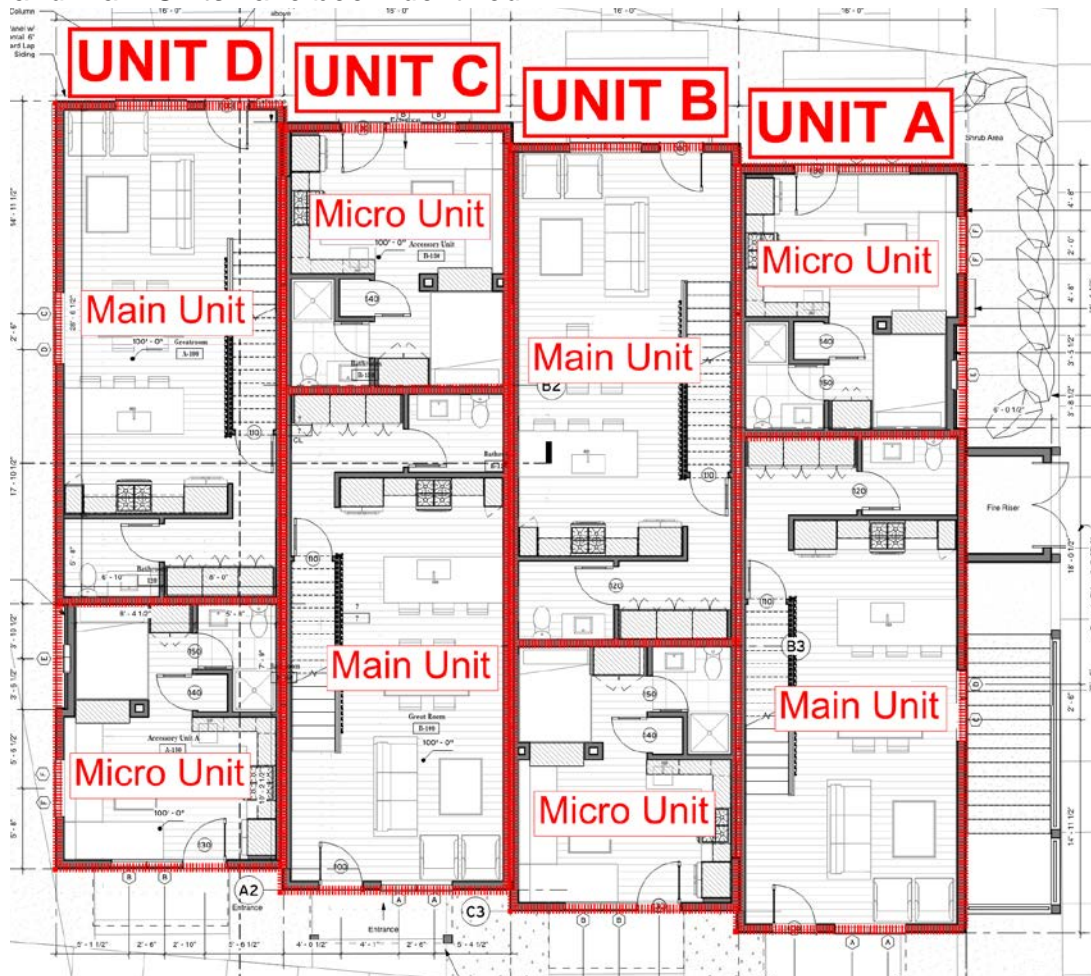
The proposed Woodside Park Subdivision - Phase I Condominium Plat Amendment memorializes private, common, and limited common area which allows the units to be sold individually. The proposed Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit may be retained by the City. There is a Multi-Unit Dwelling consisting of eight (8) dwelling units and four (4) Single-Family Dwellings.

The Multi-Unit Dwelling has storage for all eleven (11) deed restricted units in the basement. The basement is accessed via an exterior staircase on the north façade adjacent to the parking area. The basement is a combination of common area and limited common appurtenant with each private unit for the storage.

The multi-unit dwelling contains eight (8) dwelling units; however, the Condominium Plat will create four (4) condominium units each consisting of two (2) dwelling units. The two (2) dwelling units will consist of a larger main unit and an attached micro unit (both of which have a private/separate exterior entrance). The goal of this concept is that the larger unit can be purchased with an attached income producing micro unit. The rental rate of the micro unit will be established by the deed restrictions. The interior wall between the main unit and the micro unit is designated as common area which will prevent the combination of the micro unit and main unit into one (1) dwelling unit.

Staff has included a floor plan of the main level of the multi-unit dwelling for context. The main units are two (2) stories, but the micro units only occupy the area shown on the floor plan. The second story floor plans are not shown.

1350 Woodside Multi-Family Dwelling Main Level Floor Plan (Units A-D). Micro Units and Main Units have been identified.



The unit boundaries of each private unit are set forth on the recorded plat. The following table identifies the private area of each unit:

Building / Address	Unit #	Private Square Footage
Multi-Unit Dwelling 1350 Woodside Avenue (combination of Main and Micro Units)	A	1,460
	B	1,465
	C	1,465
	D	1,460
Single-Family Dwelling 1333 Park Avenue	1	2,085
Single-Family Dwelling 1353 Park Avenue	2	585
Single-Family Dwelling 1343 Park Avenue	3	1,361
Single-Family Dwelling 1330 Woodside Avenue	4	2,330

Common areas include a 13-car parking lot, exterior walls and internal bearing walls/columns, internal circulation, exterior gathering areas and pathways, footing and foundation, roof, etc.

Limited common areas include porches for each unit, decks, and storage areas in the basement. The proposed Condominium Plat is consistent with the approved Development Agreement and associated Affordable Housing Plan as it provides the eleven (11) deed restricted units. Recordation of this Condominium Plat would allow the applicant to sell each deed-restricted unit individually. The proposed Condominium Plat reflects compliance with the approved Master Plan (Development Agreement), Conditional Use, Subdivision Plat, Affordable Housing Mitigation Plan, and issued Building Permit.

Good Cause

Staff finds good cause for this Condominium Plat Amendment as the proposal memorializes private, common, and limited common area that allows the units to be sold individually. The proposed condominium project consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit may be retained by the City. This project is being developed in response to the City Council Affordable Housing Critical Priority.

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.

Department Review

This project has been reviewed by Planning, Engineering, Legal, and Executive.

Notice

On March 13, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on March 9, 2019 according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The City Council may approve the Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue as conditioned or amended; or
- The City Council may deny the Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue to a future date.

Significant Impacts

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

Consequences of not taking recommended action

Consequences of not taking the Planning Department's recommendation are that the residential units would not be able to be sold individually. The entire site would remain under one (1) ownership.

Summary Recommendation

Staff recommends the City Council hold a public hearing for the Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue and consider approving the proposed plat amendment 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 – Existing Conditions Survey

Exhibit C – Woodside Park – Phase I Subdivision

Exhibit D – Aerial Photographs with 500' Radius

Exhibit E – Site Photographs

Exhibit F – Master Planned Development Action Letter

Exhibit G – Development Agreement

Exhibit H – March 27, 2019 Planning Commission [Staff Report](#) and [Exhibits](#)

Exhibit A – Draft Ordinance

Ordinance No. 2019-22

AN ORDINANCE APPROVING THE WOODSIDE PARK SUBDIVISION - PHASE I CONDOMINIUMS LOCATED AT 1333 PARK AVENUE, 1343 PARK AVENUE, 1353 PARK AVENUE, 1330 WOODSIDE AVENUE, AND 1350 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, On March 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on March 9, 2019, proper legal notice was sent to all affected property owners and published in the Park Record and on the Utah Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on March 27, 2019 , to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 27, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 18, 2019, 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 Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue.

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

SECTION 1. APPROVAL. The Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue, 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 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue in the Historic Residential-Medium Density (HR-M) District.
2. The subject property currently consists of lots the Woodside Park – Phase I

Subdivision.

3. The proposed site location addresses are 1333 Park Avenue (“Significant” Single-Family Dwelling), 1343 Park Avenue (new Single-Family Dwelling), 1353 Park Avenue (“Significant” Single-Family Dwelling), 1330 Woodside Avenue (new Single-Family Dwelling), and 1350 Woodside Avenue (new Multi-Unit Dwelling).
4. On July 26, 2017 the Planning Commission approved the Woodside Park – Phase I Master Planned Development application and Conditional Use Applications for the Multi-Unit Dwelling and Parking Area.
5. On July 26, 2017 the Planning Commission forwarded a positive recommendation to City Council for the Woodside Park – Phase I Subdivision.
6. On August 31, 2017, the City Council approved the Woodside Park – Phase I Subdivision.
7. The Woodside Park – Phase I Condominium Plat Amendment application was deemed complete on January 31, 2019.
8. The proposed Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit may be retained by the City.
9. The property consists of an eight (8) unit Multi-Unit Dwelling, four (4) Single-Family Dwellings (SFD), a Public Access Easement, common gathering areas, and a 13-car parking lot.
10. The project is phase one (1) of a two (2) phase project that will provide Affordable Housing units developed by the City. In addition to residential units, the two (2) projects will create a pedestrian link between Park Avenue and Empire Avenue through Public Access Easements.
11. The proposed Woodside Park Subdivision - Phase I Condominium Plat Amendment memorializes private, common, and limited common area which allows the units to be sold individually.
12. The Multi-Unit Dwelling has storage for all eleven (11) deed restricted units in the basement. The basement is accessed via an exterior staircase on the north façade adjacent to the parking area. The basement is a combination of common area and limited common appurtenant with each private unit for the storage.
13. The multi-unit dwelling contains eight (8) dwelling units; however, the Condominium Plat will create four (4) units each consisting of two (2) dwelling units. The two (2) dwelling units will consist of a larger main unit and an attached micro unit.
14. The rental rate of the micro unit will be established by the deed restrictions.
15. The interior wall between the main unit and the micro unit is designated as common area which will prevent the combination of the micro unit and main unit into one (1) dwelling unit.
16. Common areas include a 13-car parking lot, exterior walls and internal bearing walls/columns, internal circulation, exterior gathering areas and pathways, footing and foundation, roof, etc.
17. Limited common areas include porches for each unit, decks, and storage areas in the basement.
18. The proposed Condominium Plat is consistent with the approved Development Agreement and associated Affordable Housing Plan as it provides the eleven (11) deed restricted units.

19. Recordation of this Condominium Plat would allow the applicant to sell each deed restricted unit individually.
20. The proposed Condominium Plat reflects compliance with the approved Master Plan (Development Agreement), Conditional Use, Subdivision Plat, Affordable Housing Mitigation Plan, and issued Building Permit.
21. Staff finds good cause for this Condominium Plat Amendment as the proposal memorializes private, common, and limited common area that would that allows the units to be sold individually. The proposed condominium project consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit will be retained by the City. This project is being developed in response to the City Council Affordable Housing Critical Priority.
22. The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards. The site is within the Soils Ordinance Boundary and the site will have to meet requirements of the Soils Ordinance.
23. On March 13, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on March 9, 2019 according to requirements of the Land Management Code.
24. The Planning Commission reviewed the proposed Condominium Plat Amendment on March 27, 2019 ([Staff Report](#) and [Exhibits](#)) and forwarded a unanimous positive recommendation.
25. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Condominium Plat.
2. The Condominium 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 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:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat, individual unit deed restrictions, and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
3. The individual unit deed restrictions for the Affordable units, acceptable to the City, shall be recorded with or prior to condominium plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the Affordable units are subject to a deed restriction.

4. The CCRs shall limit the HOA dues related to the deed restricted Affordable housing units in order to ensure the Affordable units remain affordable.
5. The applicant shall record the Plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval or the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
6. All conditions of approval of the Master Planned Development, Conditional Use Permits, Woodside Park – Phase I Subdivision Plat Ordinance No. 2017-48, and approved Housing Mitigation Plan shall continue to apply.

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

PASSED AND ADOPTED this 18th day of April, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat