

Planning Commission Staff Report



Subject: 917 Empire Avenue
Application: PL-21-04816
Author: Spencer Cawley, Planner I
Date: June 9, 2021
Type of Item: Administrative – Plat Amendment

Recommendation

Staff recommends the Planning Commission review the 917 Empire Avenue Plat Amendment, hold a public hearing, and consider forwarding a positive recommendation for City Council's consideration on July 1, 2021, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval (Exhibit A).

Description

Applicant: 4R Ranch, LLC, a Utah Limited Liability Company
Location: 917 Empire Avenue
Zoning District: Historic Residential
Adjacent Land Uses: Single-Family Dwellings; Multi-Unit Dwellings
Reason for Review: Plat amendments require Planning Commission recommendation and City Council action¹

Acronyms

HR-1 Historic Residential – 1
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

On April 15, 2021, the Applicant submitted a complete Plat Amendment application to the Planning Department. The Applicant proposes removing an internal Lot line to create a single Lot containing 2,522 square feet. The Applicant has no current plans for construction or remodeling, but they would like to keep the option for construction at a future date undetermined.

Background

The subject property located at 917 Empire Avenue, Lots 4 and 5 of Block 29, Snyder's Addition to Park City Survey, is in the Historic Residential – 1 (HR-1) Zoning District. The site is occupied by a Single-Family Dwelling. Although located within the Historic District, this Structure is categorized as historically Non-Contributory (see Exhibit B).

¹ LMC [§ 15-7.1-2\(B\)](#).



Figure 1: 917 Empire Avenue - Looking Westerly

Analysis

Plat Amendments require Planning Commission review and City Council Final Action.² The removal of a Lot line shall be approved in accordance with the procedures outlined in LMC [§ 15-7.1-2](#) and a Final Plat shall be approved in accordance with these regulations.³

(I) The proposed Plat amendment complies with the Historic Residential (HR-1) Zoning District Requirements.

The purpose of the HR-1 Zoning District is to preserve present land Uses and character of the Historic residential Areas of Park City, encourage the preservation of Historic Buildings and/or Structures, and define Development parameters that are consistent with the General Plan polices for the Historic core.⁴

² LMC [§ 15-12-15\(B\)\(9\)](#).

³ LMC [§ 15.7.1-3\(D\)](#).

⁴ LMC [§15-2.2-1](#).

The table below outlines the HR-1 Zoning District Lot Requirements:⁵

HR-1 Requirements	Analysis of Proposal
Minimum Lot Area: 1,875 square feet	Lot contains 2,522 square feet
Minimum Lot Width: 25 feet	Lot Width of 37' 5"
Lot Depth: 75'	Lot Depth of 75'
Maximum Building Footprint = $(\text{Lot Area}/2) \times 0.9^{\text{Lot Area}/1875}$	The maximum Building Footprint for this Lot is 1,094 square feet
Front Setback: 10'	4': Historic Structures are exempt from setback requirements LMC § 15-2.2-4
Rear Setback: 10'	17' from rear Lot line
Side Setback: 3'	Northern side complies. This amendment will bring the southern side into compliance.
Building Height	27' from existing grade

Below is a visual approximation of the Lot Setbacks if the Lot line removal is forwarded by the Planning Commission with a positive recommendation to the City Council.

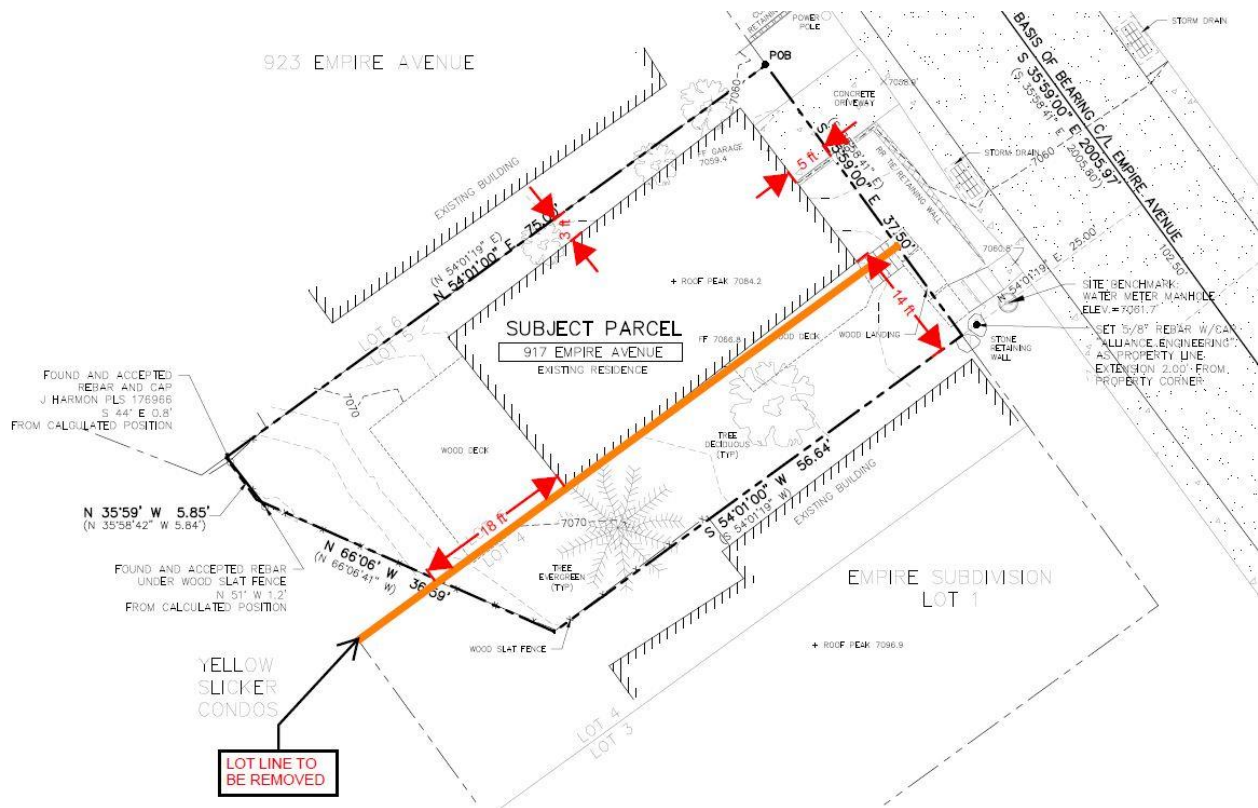


Figure 2: Representation of Setbacks and Lot Line to be Removed.

⁵ LMC [§ 15-2.2-3](#)

Architectural Review LMC [§ 15-2.4-8](#)

Prior to issuance of a Building Permit for any Conditional or allowed Use, the Planning Department shall review the proposed plans for compliance. Any proposed changes to the existing structure or future development will require a the Applicant submit a Historic District Design Review Application to the Planning Department for review with compliance with LMC [Chapter 15-13](#) Design Guidelines for Historic Districts and Historic Sites.

(II) Staff finds Good Cause for removing the Lot line because (A) present land Uses and Character of the Historic residential Areas of the HR-1 Zoning District are retained, (B) no Public Street or Right-of-Way is vacated or amended, and (C) no easement has been vacated or amended.

Plat amendments shall be reviewed according to LMC [§ 15-7.1-6](#) *Final Subdivision Plat* and approval shall require a finding of Good Cause and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

Land Management Code [§ 15-15-1](#) defines Good Cause as “[providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and further the health, safety, and welfare of the Park City Community.”

A. The Historic Residential (HR-1) Zoning District Uses and Character of the residential Area is retained.

The purpose of the HR-1 Zoning District in part is to preserve land Uses and character of the Historic residential Areas of Park City and defines Development parameters that are consistent with the General Plan policies for the Historic Core.⁶

B. No Public Street or Right-of Way is vacated or amended.

The Lot is accessed by Empire Avenue and the plat amendment does not vacate or amend any portion of Empire Avenue.

C. No easement is vacated or amended.

(III) The Development Review Committee met on May 18, 2021, reviewed the proposal, and did not identify and issues.

Department Review

The Development Review Committee and Planning, Engineering, and Legal

⁶ LMC [§ 15-2.2-1](#)

Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 24, 2021. Staff mailed courtesy notice to property owners within 300 feet on May 25, 2021. The *Park Record* published notice on May 26, 2021. LMC [§ 15-1-21](#).

Public Input

Staff did not receive any public input at the time this report was published.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 917 Empire Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 917 Empire Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 917 Empire Avenue Plate Amendment to a date certain.

Exhibits

Exhibit A: Draft Ordinance and Proposed Plat
Exhibit B: Park City Survey Worksheet for Post-1930 Structures
Exhibit C: Aerial Photo
Exhibit D: Ownership Map
Exhibit E: Existing Conditions
Exhibit F: Site Photos
Exhibit G: Applicant Project Intent