

Planning Commission Staff Report



Subject: 909 Woodside Plat Amendment
Application: PL-21-04815
Author: Aiden Lillie
Date: June 9, 2021
Type of Item: Administrative – Plat Amendment

Recommendation

Staff recommends the Planning Commission review the 909 Woodside 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 in the Draft Ordinance (Exhibit A).

Description

Applicant: Jon Hangartner represented by Jon DeGray
Location: 909 Woodside Avenue
Zoning District: Historic Residential
Historic Designation: Significant
Reason for Review: Plat amendments require Planning Commission recommendation and City Council action¹

Acronyms

HR – 1 Historic Residential – 1
HSI Historic Sites Inventory
LMC Land Management Code

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

Summary

The Applicant proposes the removal of an internal Lot line between Lots 3 & 4 of Block 10, Snyder's Addition to Park City Survey. The proposal creates a single Lot containing a Significant Historic Structure at 909 Woodside Avenue.

Background

The subject property located at 909 Woodside Avenue is a Significant Site on the Park City Historic Sites Inventory (HSI) (see [Historic Site Form](#)), and was constructed in Circa 1900. The property is in the Historic Residential (HR-1) Zoning District. It occupies Lots 3 & 4 of Block 10 of Snyder's Addition to Park City Survey.

¹ LMC [§ 15-7.1-2\(B\)](#).

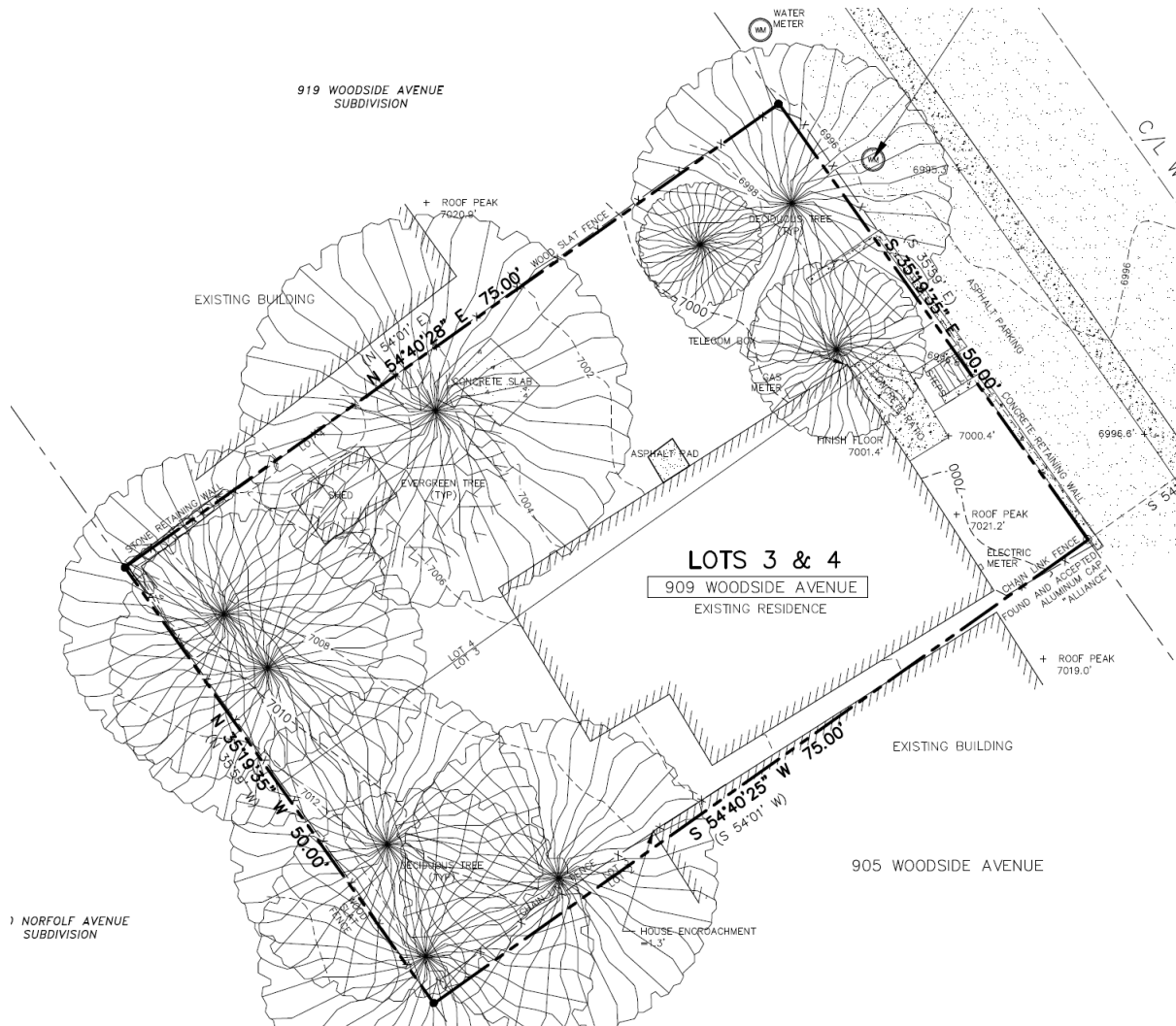


Figure 1. Survey of 909 Woodside depicting the internal lot line that divides Lot 3 and Lot 4.

Analysis

Plat Amendments require Planning Commission review and City Council Final Action.²

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

The purpose of the HR – 1 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; encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods; encourage single family Development on combinations of 25' x 75' Historic Lots; define Development parameters that are consistent with the General Plan policies for the Historic core; and establish Development review criteria for new

² LMC [§ 15-12-15\(B\)\(9\)](#).

Development on Steep Slopes which mitigate impacts to mass and scale and the environment.³

The table below outlines the HR-1 Zoning District Lot Requirements:⁴

Zoning Requirement	Analysis of Proposal
Minimum Lot Area – 1,875 square feet	Lot contains 3,750 square feet.
Minimum Lot Width – 25 feet	Lot Width of 50 feet.
Minimum Front Setback – 10 feet	Historic Structure – 10 feet
Minimum Rear Setback – 10 feet	Historic Structure- Minimum Rear Setback of 26 feet. Additions to the Historic Structure must comply with the required Setbacks and Building Height.
Minimum Side Setback – 5 feet	Historic Structure- Minimum Side Setback of 21 feet to the north side, and 2 feet to the south side. Additions to the Historic Structure must comply with the required Setbacks and Building Height.
Maximum Building Height – 27 feet	Historic Structure- Minimum of 21 feet. Additions to the Historic Structure must comply with the required Setbacks and Building Height.

Architectural Review LMC [§ 15-5](#)

Prior to issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance. Any changes to the existing Historic Structure and new construction must maintain all requirements of the HR-1 Zoning District, as well as the *Design Guidelines for Historic Districts and Historic Sites* found in LMC [Chapter 15-13](#) (Condition of Approval 5).

(II) Staff finds Good Cause for removal of the internal lot line because (A) removal of the Lot line resolves existing issues, (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.

³ LMC [§ 15-2.2-1](#).

⁴ LMC [§ 15-2.2-3](#).

Land Management Code [§ 15-15-1](#) defines Good Cause as “[p]roviding 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 furthering the health, safety, and welfare of the Park City community.”

A. Removal of the Lot line resolves existing issues.

The purpose of the HR-1 Zoning District in part is to preserve present land Uses and character of the Historic residential Areas of Park City and to encourage the rehabilitation of existing Historic Structures.⁵

- B. The proposed plat amendment removes a Lot line below a Significant Historic Structure and creates a single Lot, addressing non-conforming Setbacks and encroachments across Lot lines. No Public Street or Right-of-Way is vacated or amended.**

The plat amendment does not vacate or amend any portion of Woodside Avenue.

C. No easement is vacated or amended.

The property owners of 909 Woodside Avenue and 919 Woodside Avenue entered into a Snow Shed Easement Agreement on August 14, 2003, recorded with the Summit County Recorder’s Office on August 15, 2014 (Summit County Recorder Entry No. 1000905; Exhibit D). Condition of Approval 7 requires the snow shed easement to be shown on the final plat.

The City Engineer requires a ten-foot public snow storage easement on Woodside Avenue to be noted on the plat prior to recordation (Condition of Approval 8).

(III) The Development Review Committee requires a Condition of Approval.

On June 1, 2021, the Development Review Committee Reviewed the Plat Amendment.

A concrete retaining wall encroaches into the Woodside Right-of-Way. Condition of Approval 9 requires the Applicant to enter into an encroachment agreement with the City Engineer prior to recordation of the plat amendment.

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

⁵ LMC [§ 15-2.2-1](#).

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 26, 2021. Staff mailed courtesy notice to property owners within 300 feet on May 26, 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 909 Woodside Avenue Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 909 Woodside Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 909 Woodside Avenue Plat Amendment to a date certain.

Exhibits

Exhibit A: Draft Ordinance and Proposed Plat

Exhibit B: Existing Plat

Exhibit C: Site Photos

Exhibit D: Snow Shed Easement Agreement