

Ordinance No. 2018-18

AN ORDINANCE APPROVING THE STAG LODGE PHASE II UNIT 49 FOURTH AMENDED PLAT LOCATED AT 8200 ROYAL STREET #49, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 8200 Royal Street #49 has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on March 28, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on March 26, 2018, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on April 25, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 25, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 3, 2018, 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 Stag Lodge Phase II Unit 49 Fourth Amended Plat located at 8200 Royal Street #49.

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

SECTION 1. APPROVAL. The Stag Lodge Phase II Unit 49 Fourth Amended Plat, 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 at 8200 Royal Street #49.
2. The site consists of Unit 49 of the Stag Lodge Phase II Condominium development.
3. The property is in the Residential Development (RD) District.
4. The property is within the 12th Amended Deer Valley Master Planned Development.
5. On March 28, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on March 26, 2018, according to requirements of the Land Management Code.

6. The City received a Plat Amendment application for the Stag Lodge Phase II, Third Amended plat on February 20, 2018. The application was deemed complete on February 26, 2018.
7. The proposal is to convert 578 square feet of unexcavated Common Ownership area to Private Ownership Area B belonging to Unit 49. The proposed amendment increases the size of Unit 49 from 3,934.89 square feet to 4,513 square feet. With the addition, the Unit will be compatible in size to surrounding units at Stag Lodge that range in area from 2,213 square feet to 6,806.8 square feet.
8. No other units will be affected by this proposal.
9. The original Stag Lodge Phase II condominium plat was recorded as a 12-unit condominium project in the Silver Lake area of Deer Valley on January 17, 1989 after City Council approval on January 11, 1989.
10. The existing structure was constructed on this site in 1989 according to Summit County records.
11. The Stag Lodge Phase II, First Amended plat was recorded on January 17, 2003 after receiving City Council approval on June 6, 2002 and created two types of ownership for the Units.
12. The Stag Lodge Phase II, Second Amended plat was recorded on May 25, 2005 after receiving City Council approval on July 1, 2004 and created additional private area for the Units.
13. The Stag Lodge Phase II, Third Amended plat was recorded on January 12, 2015 and converted unexcavated common area to private ownership for Unit 35 expanding the garage level to encompass the entire building footprint.
14. All changes proposed are internal and will not alter the exterior appearance of Unit 49.
15. The footprint of the building will not change.
16. The parking requirement for this unit is 2 spaces. Unit 49 has an existing attached two car garage. No additional parking is required.
17. Stag Lodge is limited to a maximum of 52 units with no Unit Equivalent or unit size restrictions.
18. There are currently 52 Stag Lodge units, and the proposed amendment does not change the number of units.
19. The subject property is within the Sensitive Lands Overlay.
20. There is no change to the open space because the footprint of the affected unit will not be changing.
21. The height and setbacks of the existing structure will not change.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The 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 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 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 will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. All other conditions of approval of the Stag Lodge Condominium plats as amended and the Deer Valley MPD shall continue to apply.

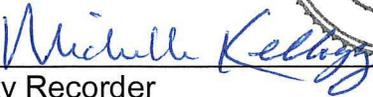
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of May, 2018.

PARK CITY MUNICIPAL CORPORATION

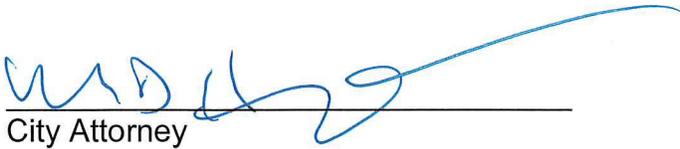

MAYOR ANDY BEERMAN

ATTEST:

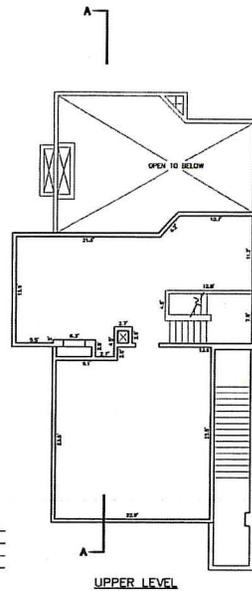
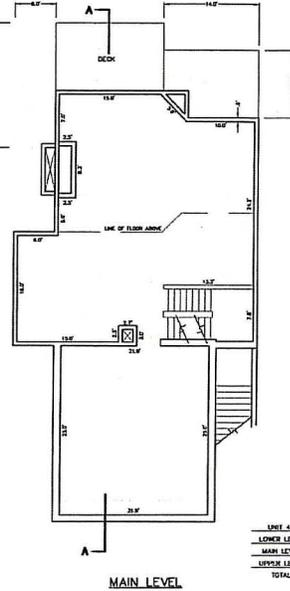
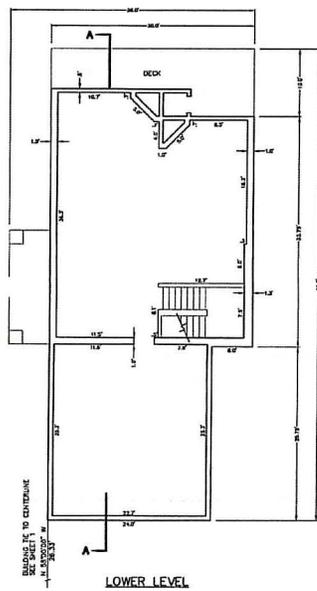

City Recorder



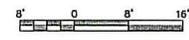
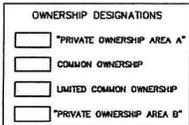
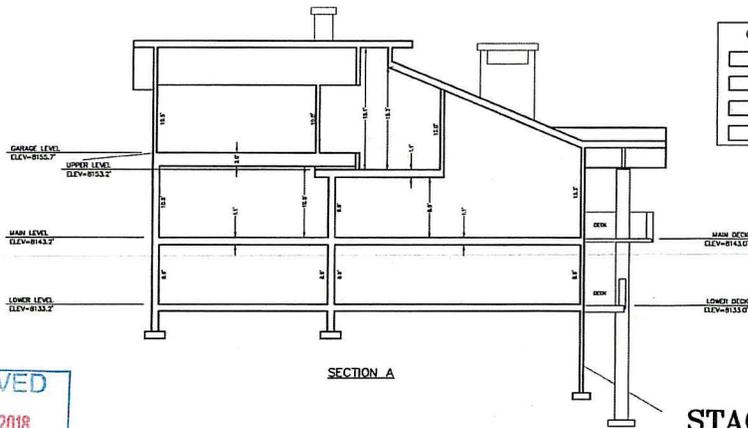
APPROVED AS TO FORM:


City Attorney

Attachment 1 – Proposed Plat



LEVEL	SQUARE FOOTAGE
LOWER LEVEL	3,542
MAIN LEVEL	1,776
UPPER LEVEL	1,195
TOTAL	6,513



RECEIVED
FEB 20 2018
PARK CITY
PLANNING DEPT.



SURVEYOR'S CERTIFICATE
I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 724899 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owners, this **FOURTH AMENDED STAG LODGE PHASE II, UNIT 49**, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown here is correct.

LEGAL DESCRIPTION
(Parcel 1)
Unit 49, Stag Lodge Condominiums, a Utah separable condominium project, together with an undivided apartment conveyable interest in and to the common areas and facilities of the project as the same are identified and established in the Record of Survey Map recorded March 4, 1981, as Entry No. 231329 and the Declaration of Condominium for Stag Lodge recorded March 4, 1981, as Entry No. 231329 in Book 312 at Page 255, the Amendment to Declaration of Condominium for Stag Lodge recorded June 1, 1988, as Entry No. 302929 in Book 472 at Page 216, the Record of Survey Map for Stag Lodge Phase II recorded January 17, 1985, as Entry No. 303348 and the Second Amendment to Declaration of Condominium for Stag Lodge recorded January 17, 1985, as Entry No. 303348 in Book 318 at Page 288 of the official records, and the Record of Survey Map for Stag Lodge Phase II recorded March 1, 1990, as Entry No. 327278 and the Third Amendment to Declaration of Condominium for Stag Lodge recorded March 1, 1990, as Entry No. 327278 in Book 306 at Page 338 and the Amended Record of Survey Map for Stag Lodge Phase II recorded December 3, 1990, as Entry No. 333642 in Book 303 at Page 193 and the Second Amendment to Declaration of Condominium for Stag Lodge recorded January 6, 1992, as Entry No. 332478 and the First Amendment to Declaration of Condominium for Stag Lodge recorded January 3, 1992, as Entry No. 332471 in Book 410 at Page 283 and the Record of Survey Map for Stag Lodge Phase II recorded July 20, 1992, as Entry No. 303358 and the Sixth Amendment and Supplemental Declaration of Condominium for Stag Lodge recorded July 30, 1992, as Entry No. 303359 in Book 675 at Page 214 and the First Amended Sheet 2 of 6 Record of Survey Map recorded January 17, 2003, as Entry No. 641406 and the Amendment to Declaration of Condominium for Stag Lodge recorded January 17, 2003, as Entry No. 641406 in Book 104 at Page 184, and the Second Amended Page 2, 3, and 5 Record of Survey Map recorded May 25, 2005, as Entry No. 732278, and the Stag Lodge Common Area Record of Survey Map recorded March 21, 2006, as Entry No. 824263, of the official records in the Office of the Summit County Recorder.

(Parcel 2)
Together with a 25 foot wide private roadway and non-exclusive public utility easement as set forth on said Record of Survey Map for Stag Lodge Phase II recorded January 17, 1985, as Entry No. 303348 and the Record of Survey Map for Stag Lodge Phase II recorded March 1, 1990, as Entry No. 327278.

OWNER'S CONSENT TO RECORD
Know all men by these presents that the owners of Unit 49, of the **FOURTH AMENDED STAG LODGE PHASE II, UNIT 49**, hereby certify that they have caused the Condominium Plat Amendment to be prepared, and we, MARIA TERESA POLI and JAMES CRAIG WEALEY, wife and husband as joint tenants, do hereby consent to the recording of this Condominium Plat Amendment.

In witness whereof the undersigned has executed this certificate and declaration
this ____ day of _____, 2018.

Maria Theresa Poli

James Craig Wealey

ACKNOWLEDGMENT
State of _____
County of _____
On this ____ day of _____, 2018, Maria Theresa Poli personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that she has signed the above and foregoing Owner's Consent to Record freely and voluntarily.
Signature _____ Residing in: _____
A Notary Public Commissioned in _____ My Commission Expires: _____
Printed Name _____

ACKNOWLEDGMENT
State of _____
County of _____
On this ____ day of _____, 2018, James Craig Wealey personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that she has signed the above and foregoing Owner's Consent to Record freely and voluntarily.
Signature _____ Residing in: _____
A Notary Public Commissioned in _____ My Commission Expires: _____
Printed Name _____

ASSOCIATION CONSENT TO RECORD
KNOW ALL MEN BY THESE PRESENTS, that the undersigned, on behalf of Stag Lodge Homeowners Association, Inc., having complied with the requirements of such Statute and the Reciprocal Declaration hereby consents to the recording of this amended record of survey map.
Walt Gale, President
Stag Lodge Homeowners Association, Inc.

ACKNOWLEDGMENT
State of _____
County of _____
On this ____ day of _____, 2018, personally appeared before me, the undersigned Notary Public, in and for said County and State, Walt Gale, being duly sworn, acknowledged to me that she is the president of the Stag Lodge Homeowners Association, Inc., and that she signs the above Owner's Declaration and Consent to Record for, on, and in behalf of all of the unit owners of the Stag Lodge Condominium Project acting as a group (under the name of the Stag Lodge Homeowners Association, Inc.) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 67-1-1 et seq. (1963) as amended and supplemental, and the Declarations of Comments, Conditions, and Restrictions for Stag Lodge Condominiums.

NOTES:
1. This plat is subject to the Conditions of Approval in Ordinance 2018-_____
2. Interior dimensions shown are to finish surfaces.
3. All structural elements are designated as common areas.
4. All physical features and improvements not shown are designated as common areas.
5. Refer to Declaration of Condominium for complete description of ownership.
6. Benchmark: See Sheet 1 of the Stag Lodge Phase II Condominium, recorded January 17, 1985, as Entry No. 303348 in the Summit County Recorder's Office for location and elevation.
7. All conditions of approval of Stag Lodge Phase II, recorded January 17, 1985, as Entry No. 303348 and Stag Lodge Phase II Amendment, recorded January 17, 1985, as Entry No. 641406 and conditions of approval of Stag Lodge Phase II Amendment, recorded January 17, 2003, as Entry No. 641406 shall apply to this plat in all respects.
8. The portions of this plat in the common areas of Stag Lodge Phase II, recorded January 17, 1985, as Entry No. 303348 and Stag Lodge Phase II Amendment, recorded January 17, 2003, as Entry No. 641406 shall remain common ownership to the unit owners.

FOURTH AMENDED RECORD OF SURVEY MAP
STAG LODGE PHASE II, UNIT 49
A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street, P.O. Box 2664, Park City, Utah 84302-2664 4352 849-8487	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION FILED IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2018 BY _____ PARK CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, and FILED AT THE REQUEST OF _____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____
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