

Ordinance No. 2018-47

AN ORDINANCE APPROVING THE FIRST AMENDED LIFT LODGE AT TOWN LIFT CONDOMINIUM PLAT LOCATED AT 875 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 875 Main Street have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on July 25, 2018, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on July 21, 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 August 8, 2018, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on August 8, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 30, 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 First Amended Lift Lodge at Town Lift Condominium plat located at 875 Main Street.

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

SECTION 1. APPROVAL. The First Amended Lift Lodge at Town Lift Condominium 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. In 1991, the Planning Commission and City Council approved a concept plan for the Town Lift Project which included the Lift Lodge Condominium project currently under review.
2. On June 11, 1997, the Planning Commission approved a CUP to allow a mixed use structure at this location. This CUP was subsequently modified on May 26, 1999. The existing building was constructed in 1998.
3. The Parking Management Plan for this location was approved by the Planning Commission on July 8, 1998.
4. The subject property falls under the 1982 Huntsman-Christensen Agreement which specified HCB zoning for the site and established an artificial natural grade for height measurements.
5. The 1982 Agreement was amended on April 16, 1992 to redefine artificial natural grade.

6. The Lift Lodge at Town Lift condominium conversion plat was approved by City Council on March 4, 1998 and recorded on August 3, 1999.
7. On November 29, 2017, the City received a complete application for the subject plat amendment.
8. On January 30, 2018, the City received a complete application for a modification of the approved CUP.
9. The proposed change to the rooftop area adds 2,431.8 square feet to the structure as a new type of common area called "Residential Common Areas and Facilities." This area is common only to the residential owners.
10. Since this is unenclosed deck area and does not increase the occupancy of the structure as common space, it does not add to the parking requirements.
11. The proposed changes to the common hallway areas range in size from 2 square feet to 118 square feet.
12. The Lift Lodge was constructed with 16 residential units averaging less than 1,000 square feet and ranging in floor area from 681 square feet to 1,455 square feet.
13. The Lift Lodge was constructed with approximately 2,515 square feet of commercial uses (reduced from 5,100 square feet) and located at the south end of the building. The CUP included a condition that does not allow restaurant use in the commercial area.
14. The proposed changes amount to units which still average less than 1,000 square feet.
15. The units now range in size from 799 square feet to 1,457 square feet.
16. The size of the commercial space has increased to 2,551 square feet.
17. The proposed changes do not increase the parking requirements.
18. The proposed rooftop deck is a significant change to the common area approved with the original CUP and needs Planning Commission approval through a CUP Modification.
19. The proposed modifications to the existing CUP do not change the number of residential or commercial units within the development.
20. The subject property falls within the HRC zone, but uses the HCB regulations according to the 1982 Agreement amended in 1992.
21. All parking associated with the building is accommodated within the common parking structure the Lift Lodge shares with the Town Lift development.
22. The parking structure beneath the Lift Lodge provides a total of 28 code compliant spaces, which is sufficient for the proposed change in use. A total of 24 spaces are required for the 16 residential units and retail space.
23. The proposed changes to the rooftop do not add to floor area of any livable space within the development and do not increase parking requirements.
24. Access to the underground parking structure is off Ninth Street. Secondary access is provided from the adjacent parking structure which has access to Park Avenue.
25. The capacity of the deck requires two separate fire access points which are met with a primary elevator and stairway access and a secondary stairway access.
26. All new structures proposed fall within the 45 feet maximum building height with a 5 foot exception for pitched roof structures and an 8 foot exception for elevator access.

27. A concurrent Historic District Design Review application is currently under review for these modifications.
28. A concurrent Conditional Use Permit application is also currently under review for these modifications.
29. No signs or lighting are proposed with this application.
30. The applicant has not violated any terms of the original CUP approval.
31. On July 25, 2018, the property was posted and notice was mailed to affected property owners within 300 feet.
32. Legal notice was published in the Park Record on July 21, 2018.
33. As of this date, no public input has been received by Staff.
34. The Findings in the Analysis Section are incorporated herein.

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 plat amendments.
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. All Conditions of Approval of the original Lift Lodge at Town Lift condominium plat and any subsequent modifications continue to apply.
2. 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.
3. 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 date and an extension is granted by the City Council.
4. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
5. Approval of this plat amendment is subject to the concurrent approval of the modification to the Conditional Use Permit to allow the unenclosed rooftop common area.
6. CC&Rs for the Lift Lodge Condominiums as amended shall refer to the Conditions of Approval associated with the modification to the Conditional Use Permit approved by the Planning Commission on August 8, 2018. These conditions include limitations to the occupancy, hours, and the use of the deck.

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

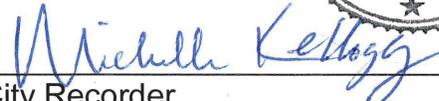
PASSED AND ADOPTED this 30th day of August, 2018.

PARK CITY MUNICIPAL CORPORATION

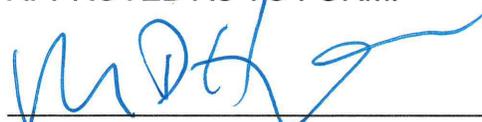



MAYOR ANDY BEERMAN

ATTEST:

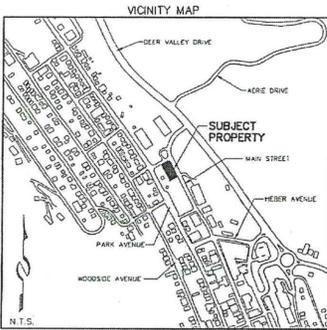

City Recorder

APPROVED AS TO FORM:

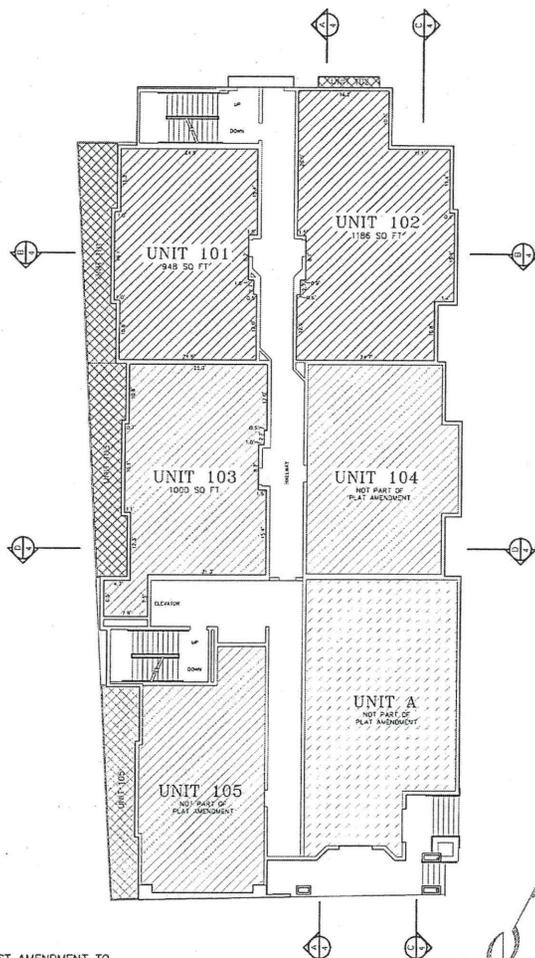

City Attorney

Attachment 1 – Proposed Plat

Exhibit A - Proposed Plat



FIRST FLOOR



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate 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 First Amendment to THE LIFT LODGE AT TOWN LIFT, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

LEGAL DESCRIPTION

Units 101, 102, 103, 104, 105, 201, 202, 203, 204, 205, 301, 302, 303, 304, 305, 306, A, B and C, THE LIFT LODGE AT TOWN LIFT, a Utah Condominium Project, together with each unit's appurtenant undivided interest in the Common Areas and Facilities, according to the Record of Survey Map recorded August 3, 1999 as Entry No. 545622 and in the Declaration of Condominium for The Lift Lodge at Town Lift recorded August 3, 1999 as Entry No. 545623 in Book 1279 of Page 260 and in the First Amendment to Condominium Declaration recorded July 28, 2011 as Entry No. 527222 in Book 2098 of Page 1822, records of Summit County, Utah.

ASSOCIATION CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, on behalf of the Lift Lodge at Town Lift Owners Association, having complied with the requirements of both Statutes and the Recorded Declaration as amended hereby consents to the recording of this amended record of survey map.

Dean Peters, Secretary/Treasurer
The Lift Lodge at Town Lift Owners Association

ACKNOWLEDGMENT

State of Utah: _____
County of Summit: _____

On this _____ day of _____, 2018, personally appeared before me, the undersigned Notary Public, in and for said County and State, Dean Peters, being duly sworn, acknowledged to me that he is the Secretary/Treasurer of the Lift Lodge at Town Lift Homeowners Association and that he signed the above Owner's Declaration and Consent to Record for, on, and in behalf of all of the unit owners at the Lift Lodge at Town Lift acting as a group (under the name of the Lift Lodge at Town Lift Homeowners Association) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 to et seq. (1983) as amended and supplements, and the Declarations of Covenants, Conditions, and Restrictions for The Lift Lodge at Town Lift.

A Notary Public Commissioned in Utah
Printed Name: _____
Residing in: _____
My commission expires: _____

NOTES

- This sheet amends Units 101, 102 and 103 of The Lift Lodge at Town Lift recorded August 3, 1999, as Entry No. 545622 in the Summit County Recorder's Office.
- All Conditions of Approval of The Lift Lodge at Town Lift recorded August 3, 1999, as Entry No. 545622 shall continue to remain in full force and effect.
- This Plat Amendment removes a secondary entry into certain units, and adds a sheet showing the roof level as part of the residential common areas and facilities.

LEGEND

- COMMON AREAS AND FACILITIES
- PRIVATE RESIDENTIAL OWNERSHIP
- LIMITED COMMON AREAS AND FACILITIES
- PRIVATE COMMERCIAL OWNERSHIP
- RESIDENTIAL COMMON AREAS AND FACILITIES

THIS SHEET IS A SUPPLEMENT TO PAGE 2 OF 4 OF "THE LIFT LODGE AT TOWN LIFT" RECORDED AUGUST 3, 1999 AS ENTRY NO. 545622

FIRST AMENDMENT TO
THE LIFT LODGE AT TOWN LIFT

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



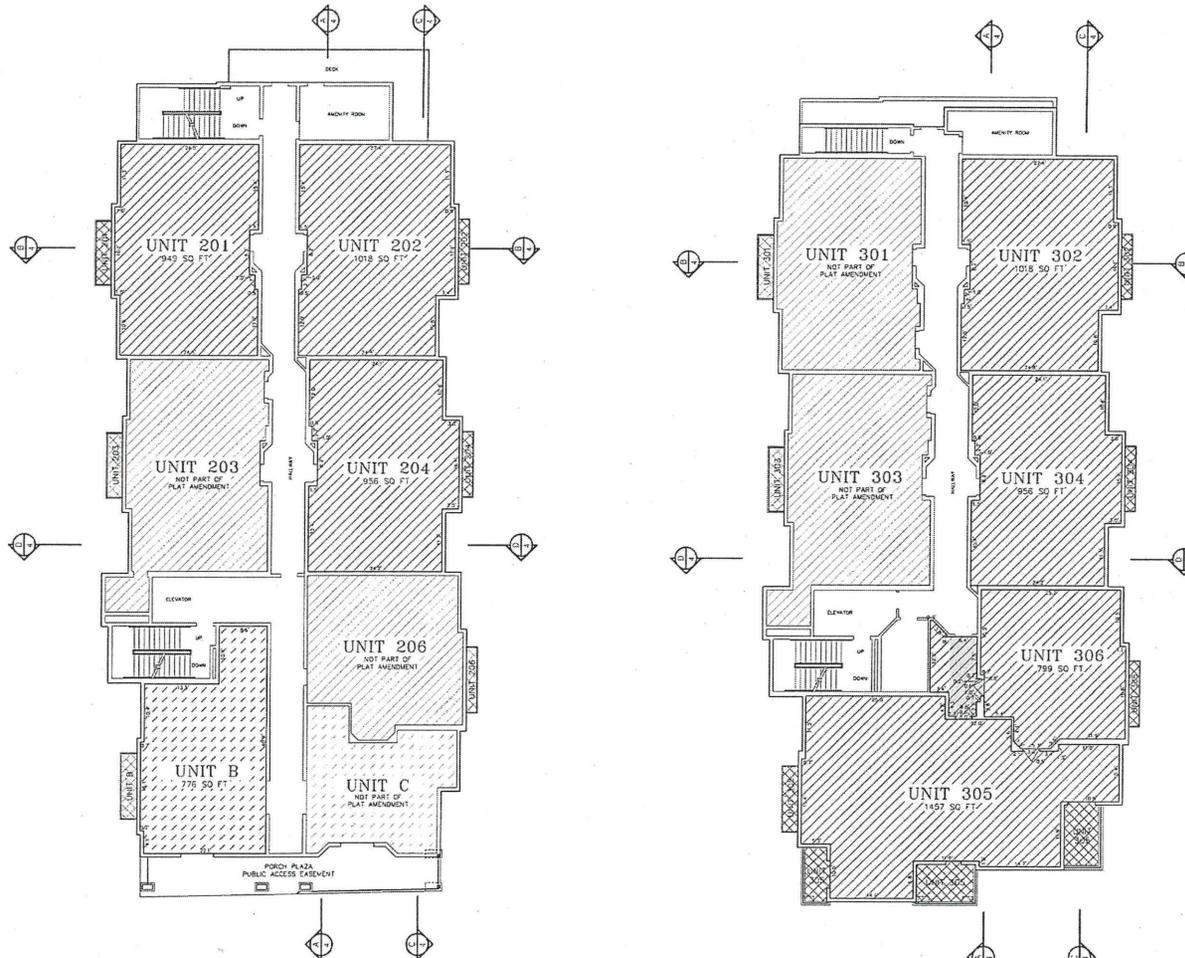
SHEET 1 OF 6

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<p>CONSULTING ENGINEERS AND PLANNERS SURVEYORS 227 Main Street, P.O. Box 2564, Park City, Utah 84060-2564</p>	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 ON FILE 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 WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 2018 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ RECORDER _____ FEE _____ TIME _____ DATE _____ ENTRY NO. _____
	JOB NO.: 18-6-17 FILE: x:\SnydersAddition\dwg\urn\plot2017\190617.dwg						

SECOND FLOOR

THIRD FLOOR



- NOTES**
1. This sheet amends Units 201, 202, 204, Unit B, Units 202, 204, 305 and 306 of the Lift Lodge at Town Lift recorded August 3, 1999, as Entry No. 545622 in the Summit County Recorder's Office.
 2. Unless and until substituted by another unit in the Lift Lodge at Town Lift project, Unit 306 is restricted in perpetuity to comply with the requirements of the federal Americans with Disabilities Act in effect on the date of recordation of this record of survey map.
 3. Access to Unit 305 is by separate easement, as granted by final certain Declaration of Highway Access Easement, as may be amended from time to time by the owners of Unit 305 and Unit 306.
 4. Access to Unit 305 is by separate easement, as granted by final certain Declaration of Highway Access Easement, as may be amended from time to time by the owners of Unit 305 and Unit 306.
 5. The amenity rooms on the second and third floors are residential common areas and facilities for the exclusive use of residential unit owners only.
 6. All Conditions of Approval of the Lift Lodge at Town Lift recorded August 3, 1999, as Entry No. 545622 shall continue to remain in full force and effect.

- LEGEND**
- [Hatched Box] COMMON AREAS AND FACILITIES
 - [Diagonal Hatched Box] PRIVATE RESIDENTIAL OWNERSHIP
 - [Cross-hatched Box] LIMITED COMMON AREAS AND FACILITIES
 - [Dotted Box] PRIVATE COMMERCIAL OWNERSHIP
 - [Horizontal Hatched Box] RESIDENTIAL COMMON AREAS AND FACILITIES
 - [White Box] ACCESS EASEMENT (SEE NOTE 4)

THIS SHEET IS A SUPPLEMENT TO PAGE 3 OF 4 OF "THE LIFT LODGE AT TOWN LIFT" RECORDED AUGUST 3, 1999 AS ENTRY NO. 545622



FIRST AMENDMENT TO
THE LIFT LODGE AT TOWN LIFT

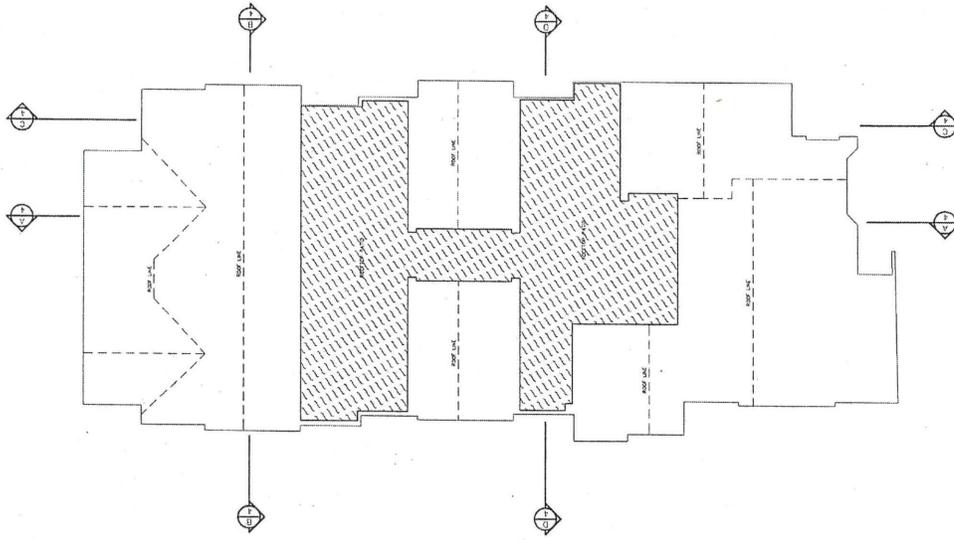
A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 2 OF 6
JOB NO. 19-6-17 FILE: X:\SnydersAddition.dwg, srr, plot(2017), 190617.dwg



RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____

ROOF LEVEL

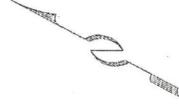


NOTES

1. All Conditions of Approval of The Lift Lodge at Town Lift received August 3, 1999, as Entry No. 244322 shall continue to remain in full force and effect.
2. This map is prepared in accordance with the provisions of the Utah Condominium Act, Chapter 10, Title 66, Utah Code, and is hereby for the exclusive use of residential unit owners.

LEGEND

- COMMON AREAS AND FACILITIES
- PRIVATE RESIDENTIAL OWNERSHIP
- LIMITED COMMON AREAS AND FACILITIES
- PRIVATE COMMERCIAL OWNERSHIP
- RESIDENTIAL COMMON AREAS AND FACILITIES



UTAH 664-1447 SHEET 3 OF 6

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RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF

FEE

RECORPER

TIME

DATE

ENTRY NO.

FIRST AMENDMENT TO
THE LIFT LODGE AT TOWN LIFT

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

664-1447



CONSULTING ENGINEERS AND ARCHITECTS
 222 East 100th Street, Suite 100
 Park City, Utah 84302