

Ordinance No. 2019-36

AN ORDINANCE APPROVING THE WOODSIDE PARK SUBDIVISION - PHASE I CONDOMINIUMS MODIFICATION 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 May 29, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 27, 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 June 12, 2019 , to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 12, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 27, 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 Modification 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 Modification 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 in 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. Planning Commission forwarded a unanimous positive recommendation for the Woodside Park Subdivision - Phase I Condominiums on March 27, 2019 ([Staff Report](#) and [Minutes](#), page 18).
8. City Council approved the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019 ([Staff Report](#) and [Minutes](#), page 8 - Ordinance 2019-22).
9. City Council added Condition of Approval #7 to the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019. Condition of Approval #7 was not proposed by the applicant and was not reviewed by the Planning Commission during their March 27, 2019 meeting.
10. After the April 18, 2019 approval from City Council for the Woodside Park Subdivision - Phase I Condominiums, the Affordable Housing team reached out to the City’s Transportation Planning Department regarding the e-bike station and realized that the e-bike station was not feasible within the project boundary. After this, the Affordable Housing team applied for another Condominium Plat to modify the previously approved Woodside Park Subdivision - Phase I Condominiums. The Affordable Housing team is also proposing to modify the Master Planned Development application as the same Condition of Approval (#7) is listed within the Master Planned Development approval (in this meeting packet).
11. The proposed Condominium Plat Modification application was deemed complete on May 10, 2019.
12. The applicant is requesting to remove Condition of Approval #7 from the previously approved Condominium Plat which states:
 - a. 7. An e-bike location should be located somewhere on this site.
13. The reason for the request to remove this Condition of Approval is that there will be a Summit Bike Share station installed at City Park and there is limited space within the existing Public Access Easement for Woodside Park Phase I. The Transportation Planning Department has provided comments and they find that the proximity of the new Summit Bike Share station in City Park is sufficient to satisfy the need within this area for a public electric bike (e-bike) station.
14. The Planning Commission, on June 12, 2019, forwarded a positive recommendation to the City Council.
15. The approved Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit will be retained by the City.

16. 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.
17. 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.
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 allows for the reasonable use of the Access Easement as the removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired transportation modes (other bikes, pedestrians, etc.).
22. On May 29, 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 May 27, 2019 according to requirements of the Land Management Code.
23. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.
24. All findings within Ordinance 2019-22 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

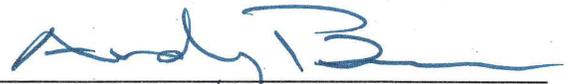
restrictions shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the Affordable units are subject to a deed restriction.

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 of 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 27th day of June, 2019.

PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR



ATTEST:



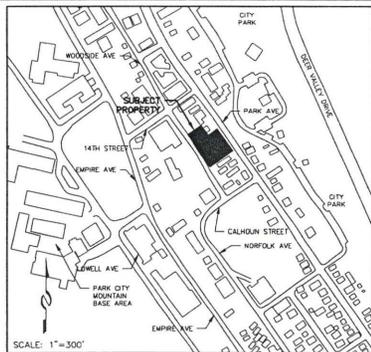
Michelle Kellogg
City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



VICINITY MAP



SURVEYOR'S CERTIFICATE
 I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold license No. 724889, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land together with easements, hereafter to be known as Woodside Park Subdivision-Phase I Condominiums and that the same has been monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

Parcel 1:
 All of Lot 1, WOODSIDE PARK SUBDIVISION-PHASE I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah.
 Less and excepting the following described parcel:
 Beginning at a point that is South 35°59'00" East 170.99 feet and South 54°01'00" West 82.70 feet from a brass cap monument at the intersection of 14th Street and Park Avenue, said point being the northernmost corner of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah; and running thence coincident with the boundary of said Lot 1 South 35°59'00" East 66.56 feet; thence South 53°28'00" West 75.00 feet; thence North 35°59'00" West 87.28 feet to a point on the northerly boundary of said Lot 1; thence coincident with Lot 1 North 54°01'00" East 75.00 feet to the point of beginning.
 ALSO
 All of Lots 2 & 3, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah.
 Parcel 2:
 Beginning at a point that is South 35°59'00" East 170.99 feet and South 54°01'00" West 82.70 feet from a brass cap monument at the intersection of 14th Street and Park Avenue, said point being the northernmost corner of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah; and running thence coincident with the boundary of said Lot 1 South 35°59'00" East 66.56 feet; thence South 53°28'00" West 75.00 feet; thence North 35°59'00" West 87.28 feet to a point on the northerly boundary of said Lot 1; thence coincident with Lot 1 North 54°01'00" East 75.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Park City Municipal Corporation, a Utah municipal corporation, as to Parcel 1, to be known hereafter as WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS, does hereby certify that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this plat.
 ALSO, the owner or its representative, hereby irrevocably offers for dedication to the City of Park City the streets, land for local government uses, easements, and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____, 2019.
 PARK CITY MUNICIPAL CORPORATION
 By: _____
 Andy Beerman, Mayor

ACKNOWLEDGMENT

STATE OF UTAH)
) ss:
 COUNTY OF SUMMIT)

On this _____ day of _____, 2019, Andy Beerman personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the authorized representative of Park City Municipal Corporation, a Utah corporation, and that said document was signed by him on behalf of said corporation by authority of its Bylaws, or Resolution of its Board of Directors, and he acknowledged to me that he executed the Condominium Plat.

By: _____
 Notary Public
 Printed Name _____
 Residing in: _____
 My Commission Expires: _____
 Commission No.: _____

NOTES:
 1. This condominium plat is subject to the Conditions of Approval in Ordinance 2019-_____
 2. All Conditions of Approval of Woodside Park Subdivision-Phase I continue to apply and remain in full force and effect.

CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Redevelopment Agency of Park City, as to Parcel 2, to be known hereafter as WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS, does hereby certify that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2019.
 REDEVELOPMENT AGENCY OF PARK CITY

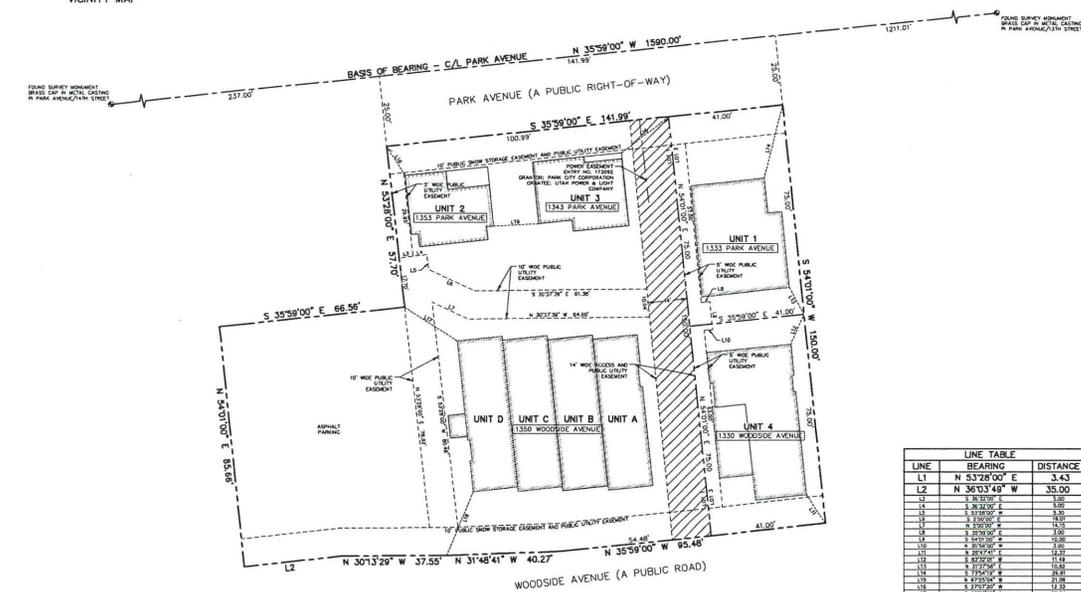
By: _____
 Andy Beerman, Chair

ACKNOWLEDGMENT

STATE OF UTAH)
) ss:
 COUNTY OF SUMMIT)

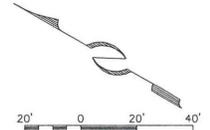
On this _____ day of _____, 2019, Andy Beerman personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the authorized representative of Redevelopment Agency of Park City, a Utah corporation, and that said document was signed by him on behalf of said corporation by authority of its Bylaws, or Resolution of its Board of Directors, and he acknowledged to me that he executed the Condominium Plat.

By: _____
 Notary Public
 Printed Name _____
 Residing in: _____
 My Commission Expires: _____
 Commission No.: _____

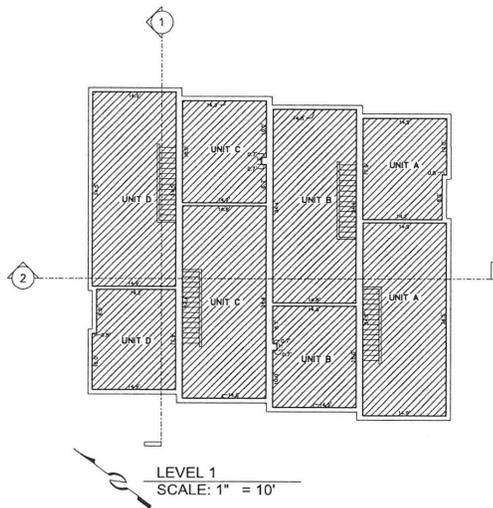
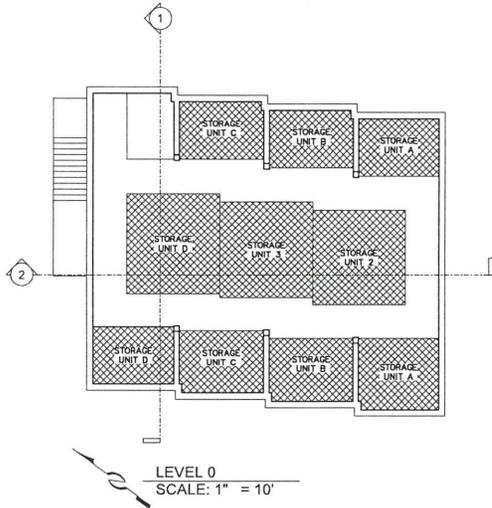


WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS

BLOCK 24, SNYDERS ADDITION TO PARK CITY
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH

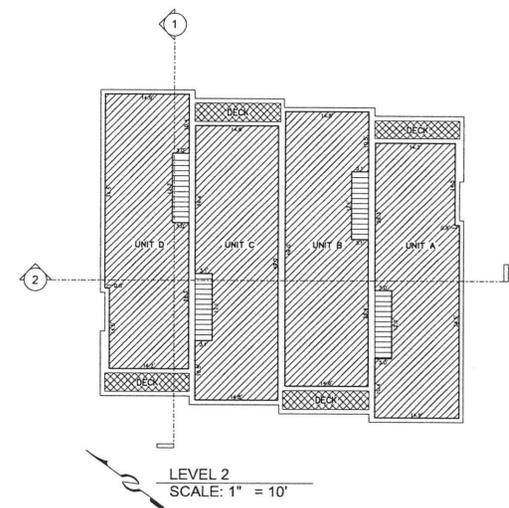


 (435) 648-8427 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 223 West Street P.O. Box 2854 Park City, Utah 84060-2854	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS SUBDIVISION PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____
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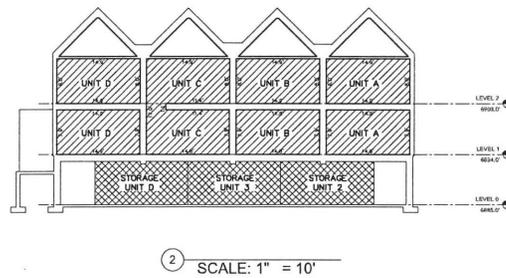
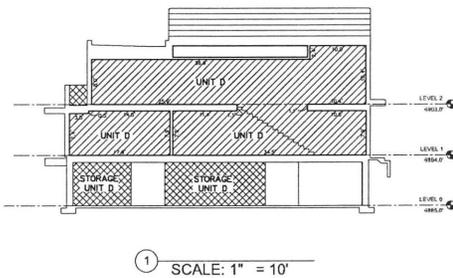
LEVEL 1 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
A	776
B	776
C	776
D	776



LEVEL 2 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
A	684
B	689
C	689
D	684



- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

TOTAL SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
A	1,460
B	1,465
C	1,465
D	1,460

WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SHEET 2 OF 4

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RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

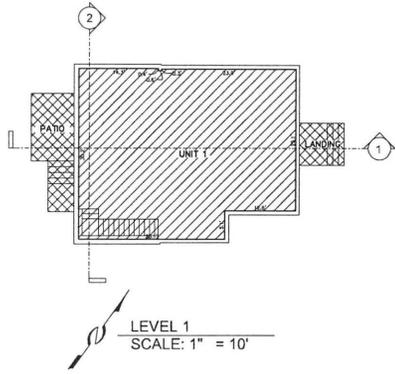
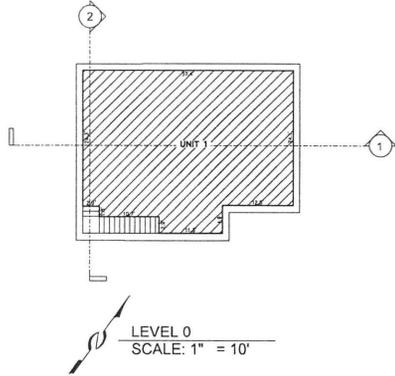
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TIME _____ DATE _____ ENTRY NO. _____



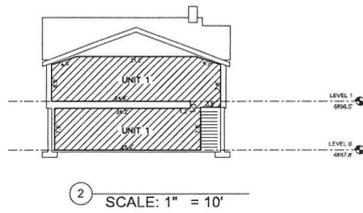
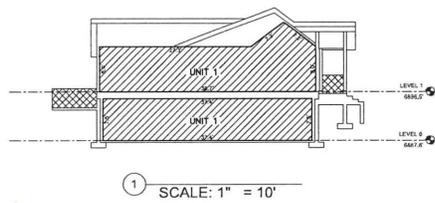
(435) 640-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
322 Main Street, P.O. Box 2054 Park City, Utah 84060-2054

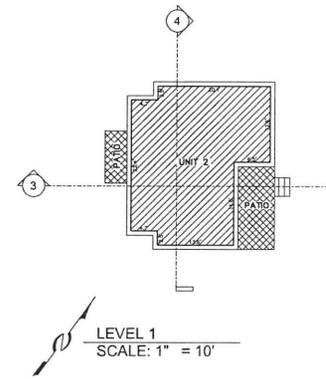


UNIT 1 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
LEVEL 0	980
LEVEL 1	1,105
TOTAL	2,085

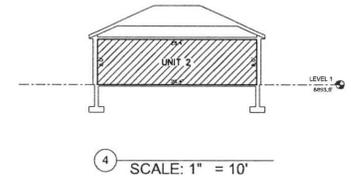
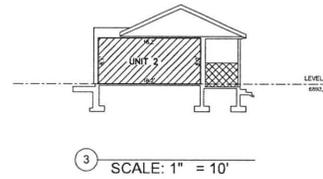


- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



UNIT 2 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
LEVEL 1	585



WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



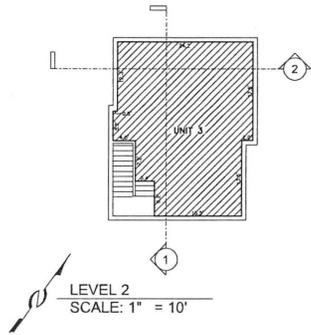
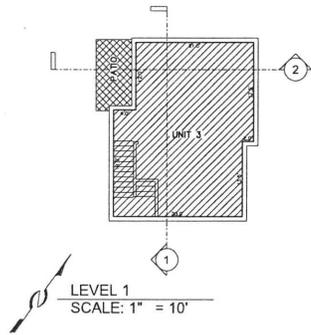
(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street, P.O. Box 2054 Park City, Utah 84060-2054

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SHEET 3 OF 4

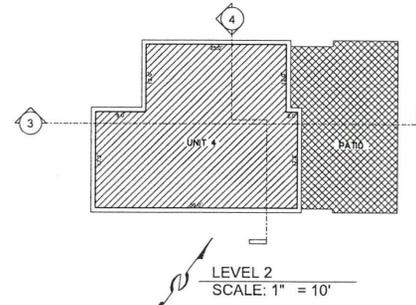
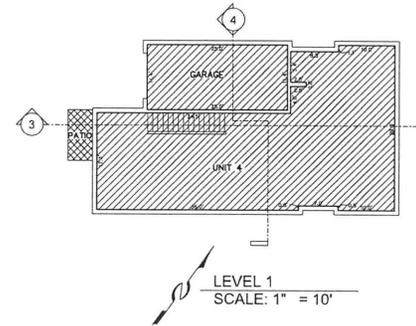
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____

FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____



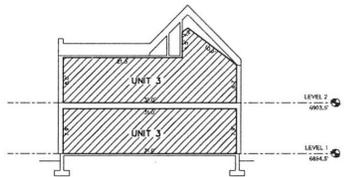
UNIT 3 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
LEVEL 1	699
LEVEL 2	662
TOTAL	1,361

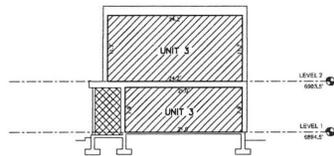


UNIT 4 SQUARE FOOTAGE TABLE

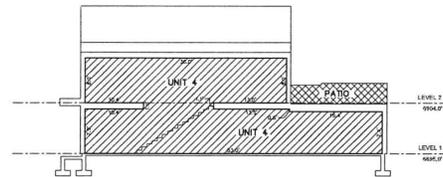
UNIT	SQUARE FOOTAGE
LEVEL 1	1,122
LEVEL 2	922
GARAGE	286
TOTAL	2,330



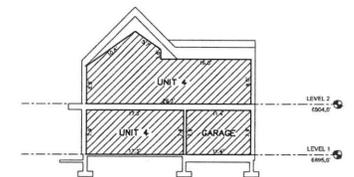
1 SCALE: 1" = 10'



2 SCALE: 1" = 10'



3 SCALE: 1" = 10'



4 SCALE: 1" = 10'

WOODSIDE PARK SUBDIVISION—PHASE I CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SHEET 4 OF 4

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RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____

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TIME _____ DATE _____ ENTRY NO. _____

