

Ordinance No. 2019-56

**AN ORDINANCE APPROVING THE KING'S CROWN CONDOMINIUMS PLAT,
LOCATED AT 1271 LOWELL AVENUE, PARK CITY, UTAH.**

WHEREAS, the property owners of the property located at 1271 Lowell Avenue have petitioned the City Council for approval of the Condominium Plat; and

WHEREAS, on October 26, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on October 30, 2019, the site was properly noticed and posted according to the 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 November 13, 2019, to receive input on the Condominium Plat; and

WHEREAS, the Planning Commission on November 13, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 21, 2019, the City Council held a public hearing to receive input on the Condominium Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the King's Crown Condominiums Plat, located at 1271 Lowell Avenue.

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

SECTION 1. APPROVAL. The King's Crown Condominiums 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 site is located at 1271 Lowell Avenue, Lot 2 of the King's Crown Re-Subdivision.
2. The site is located within the Recreation Commercial District.
3. On January 10, 2018 the Park City Planning Commission approved the King's Crown Master Planned Development and a Conditional Use Permit for Multi-Unit Dwellings throughout the development for market rate and affordable housing units.
4. On February 1, 2018 the Park City Council approved the King's Crown Re-Subdivision Plat per Ordinance No. 2018-05.
5. On June 13, 2018 the Park City Planning Commission ratified the Development Agreement required by the approved Master Planned Development.

6. On June 14, 2018 Summit County recorded the Development Agreement -entry no. 01093392.
7. On May 16, 2018 Summit County recorded the King's Crown Re-Subdivision Plat – entry no. 1091847.
8. On August 30, 2018 the Park City Housing Authority approved the King's Crown Affordable Housing Mitigation Plan.
9. On March 19, 2019 the Park City Planning Department received a complete Condominium Plat.
10. On May 22, 2019 the Planning Commission amended the MPD and CUP.
11. On August 14, 2019, the Planning Department received a complete application for this Condominium Plat.
12. On September 22, 2019, the Planning Commission reviewed the King's Crown Resubdivision First Amended Plat and forwarded a unanimous positive recommendation to Council.
13. On October 10, 2019, the City Council reviewed and approved the King's Crown Resubdivision First Amended Plat, but removed the additional internal Lot Line splitting Lot 2 into Lot 2A and Lot 2B.
14. The proposed Condominium Plat memorializes common, limited common, and private areas that would that allows the units to be sold individually.
15. The proposed Condominium Plat consists of twenty-six (26) market rate units, and one (1) Affordable unit within the King's Crown Building B, C, and D, to be platted as King's Crown Condominiums.
16. The unit boundaries of each private unit would be set forth on the recorded plat.
17. The size of the private units within the multi-unit dwelling ranges from 756 – 3,121 square feet.
18. Common areas include mechanical spaces, internal circulation, parking garage and circulation, swimming pool, spa, gym area, entertainment area, exterior walls and internal bearing walls/columns, footing and foundation, roof, etc.
19. Limited common areas include several exterior decks throughout the three (3) buildings.
20. The recordation of this Condominium Plat would allow the applicant to sell each unit.
21. There is Good Cause for this Condominium Plat as it reflects compliance with the amended Master Plan Development and Conditional Use Permit, approved Re-Subdivision Plat, and amended Affordable Housing Mitigation Plan.
22. The analysis section of the staff report is incorporated herein.

Conclusions of Law:

1. There is good cause for this Condominium Plat.
2. The Condominium Plat is consistent with the Park City Land Management Code including sections 15-4-12, 15-7.1-3(C) and 15-12-15(B)(9), and applicable State law regarding Condominium Plats.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat.
4. Approval of the Condominium Plat, 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 and CCRs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall 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.
3. A plat note shall state that all conditions of approval of the amended Master Planned Development, Conditional Use Permit, King's Crown Re-Subdivision Plat (Ordinance No. 2018-05 and Ordinance No. 2019-51), and amended Housing Mitigation Plan shall continue to apply.

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

PASSED AND ADOPTED this 21st day of November, 2019.

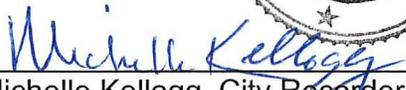
PARK CITY MUNICIPAL CORPORATION





Andy Beerman, MAYOR

ATTEST:



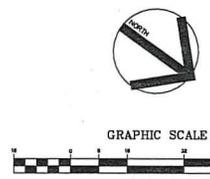
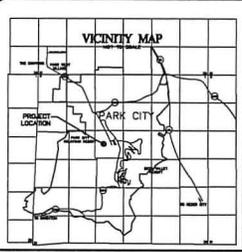
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

CONDOMINIUM PLAT KING'S CROWN CONDOMINIUMS - A UTAH CONDOMINIUM PROJECT - A CONDOMINIUM PROJECT LOCATED WITHIN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



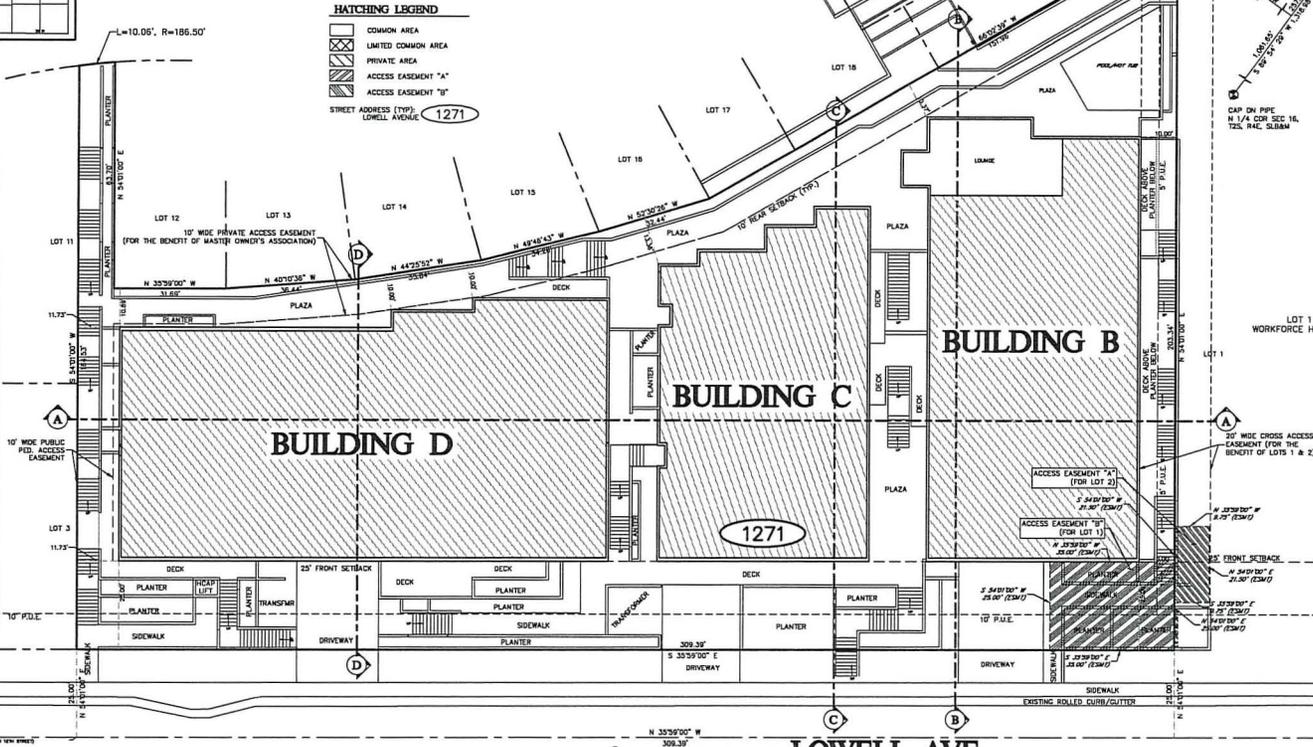
LEGAL DESCRIPTION
LOT 2, KING'S CROWN RE-SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
CONTAINS: 41,773.16 SQUARE FEET (0.9590 ACRES) MORE OR LESS.

- NOTES**
1. BASIS OF BEARING: NORTH 35°59'00" WEST BETWEEN FOUND AND ACCEPTED EMPIRE AVENUE SURVEY MONUMENTS, AS SHOWN HEREON.
 2. PROJECT BENCHMARK ELEVATION = 6987.32', SANITARY SEWER MANHOLE RIM IN LOWELL AVENUE, AS SHOWN HEREON.
 3. THIS PLAT REPRESENTS A CONDOMINIUM CONVERSION OF LOT 2, KING'S CROWN RE-SUBDIVISION, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, ENTRY NUMBER 1091847.
 4. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, AND ANY ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS CONDOMINIUM CONVERSION ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
 5. THE UNITS OF THIS CONDOMINIUM PLAT ARE SERVED BY PRIVATE LATERAL WASTEWATER LINES THAT CROSS THE COMMON AREA. "THE KING'S CROWN CONDOMINIUM OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF THE PRIVATE LATERAL WASTEWATER LINES WITHIN THE COMMON AREA.
 6. COMMON AREAS WITHIN THE PLAT ARE DEDICATED FOR PRIVATE UTILITIES, INCLUDING PRIVATE LATERAL WASTEWATER LINES.
 7. BUILDING DEPARTMENT APPROVAL OF A FIRE SPRINKLER PLAN IS REQUIRED.
 8. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2018-34.
 9. ALL CONDITIONS OF APPROVAL OF THE ANNOUED MASTER PLAN HIS DEVELOPMENT, CONDITIONAL USE PERMIT, KING'S CROWN RE-SUBDIVISION PLAT ORDINANCE NO. 2018-04, AND AMENDED HOUSING MITIGATION PLAN SHALL CONTINUE TO APPLY.
 10. UNIT MEASUREMENTS SHOWN HEREON ARE FINISHED SURFACE OF INSIDE WALL TO FINISHED SURFACE OF INSIDE WALL SHEETS 2-1-1.

AREA TABULATIONS

COMMON AREA	59,977 SF TOTAL
UNIT B101	368 SF
UNIT B102	313 SF
UNIT B103	177 SF
UNIT B201	209 SF
UNIT B202	237 SF
UNIT B301	410 SF
UNIT B401	342 SF
UNIT C101	322 SF
UNIT C201	342 SF
UNIT C301	584 SF
UNIT C302	314 SF
UNIT C303	314 SF
UNIT D101	1023 SF
UNIT D102	480 SF
UNIT D103	70 SF
UNIT D104	410 SF
UNIT D201	340 SF
UNIT D202	296 SF
UNIT D203	441 SF
UNIT D301	460 SF
UNIT D302	798 SF
UNIT D401	897 SF
UNIT D402	884 SF

PRIVATE AREA (UNITS)	52,878 SF TOTAL
UNIT B101	756 SF
UNIT B102	1147 SF
UNIT B103	1918 SF
UNIT B201	1918 SF
UNIT B202	1918 SF
UNIT B301	1769 SF
UNIT B401	3121 SF
UNIT C101	1830 SF
UNIT C102	1745 SF
UNIT C201	1660 SF
UNIT C301	1837 SF
UNIT C302	1782 SF
UNIT C401	1460 SF
UNIT D101	2280 SF
UNIT D102	1260 SF
UNIT D103	1291 SF
UNIT D104	2500 SF
UNIT D201	2112 SF
UNIT D202	2209 SF
UNIT D203	2497 SF
UNIT D301	1988 SF
UNIT D302	2298 SF
UNIT D303	1906 SF
UNIT D401	2000 SF
UNIT D402	2218 SF



OWNERS DEDICATION AND CONSENT TO RECORD

I, BOB MURPHY, MANAGER
CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY
 STATE OF UTAH)
 COUNTY OF SUMMIT)
 PERSONALLY APPEARED BEFORE ME THIS _____ DAY OF _____, 2019, THE FOLLOWING BOB MURPHY, WHO AFTER BEING DULY ORIGIN, ACKNOWLEDGED TO ME THAT HE IS MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____
 RESIDING IN _____

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF SUMMIT)
 I, _____, DO HEREBY CERTIFY THAT I AM THE MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, AND THAT I HAVE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____
 RESIDING IN _____

LIEN HOLDER CONSENT

STATE OF UTAH)
 COUNTY OF SUMMIT)
 I, _____, DO HEREBY CERTIFY THAT I AM THE MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, AND THAT I HAVE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____
 RESIDING IN _____

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF SUMMIT)
 I, _____, DO HEREBY CERTIFY THAT I AM THE MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, AND THAT I HAVE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____
 RESIDING IN _____

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF SUMMIT)
 I, _____, DO HEREBY CERTIFY THAT I AM THE MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, AND THAT I HAVE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____
 RESIDING IN _____

SURVEYOR'S CERTIFICATE

GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 107783, AS PROVIDED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREIN DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMANCE WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 37-1-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 37, REAL ESTATE.



GREGORY R. WOLBACH _____ DATE _____

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
 P.O. Box 2861 • Park City • Utah • 84302
 Phone: 801.551.5462
 E-mail: evergreen@evergreen-eng.com

CITY ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____, A.D. 2019.

CITY ENGINEER _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REMOVED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, A.D. 2019.

BY: _____
 SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, A.D. 2019.

CHAIR _____

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____, A.D. 2019.

CITY ATTORNEY _____

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2019.

MAYOR _____

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2019.

CITY RECORDER _____

RECORDED

NO. _____
 STATE OF _____
 COUNTY OF _____
 RECORDED AND FILED AT THE REQUEST OF: _____
 COUNTY RECORDER _____