

Ordinance No. 2022-45

AN ORDINANCE APPROVING THE ROYAL PLAZA CONDOMINIUMS FOURTH AMENDED PLAT COMBINING UNITS 301 & 309, LOCATED AT 7620 ROYAL STREET E, PARK CITY, UTAH.

WHEREAS, the owners of the property at 7620 Royal Street E, Units 301 & 309 petitioned the City Council for approval of the Royal Plaza Condominiums Fourth Amended Plat Combining Units 301 & 309;

WHEREAS, on September 28, 2022, the Park Record published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on September 27, 2022, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on October 12, 2022, the Planning Commission reviewed the proposed plat, held a public hearing; and forwarded a Positive recommendation to the City Council; and,

WHEREAS, on November 17, 2022, the City Council held a public hearing on the Royal Plaza Condominiums Fourth Amended Plat Combining Units 301 & 309; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Royal Plaza Condominiums Fourth Amended Plat Combining Units 301 & 309 to reflect as-built conditions and correct existing non-compliance; and

WHEREAS, Staff finds that the plat will not cause undue harm to adjacent property owners.

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

SECTION 1. APPROVAL. The Royal Plaza Condominiums Fourth Amended Plat Combining Units 301 & 309 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 7620 Royal Street E, Units 301 & 309.
2. Royal Plaza Condominiums was approved in 1991.
3. The property is listed with Summit County as Parcel numbers ROYL-301-2AM & ROYL-309-2AM.
4. The Property is located in the Residential Development (RD) Zoning District.
5. When the Property was created in 1991, Limited Common Space was designated by the Plat but was constructed as Private Space.

6. This Plat Amendment correctly records the existing Private Space.
7. In 2010 a Plat Amendment was approved that made a change of ownership to the entrance alcove for Unit #301, enlarging it and leaving no room for legal access for Unit #309.
8. This Plat Amendment corrects the entrance access non-compliance.
9. The total Area of the proposed Unit 309 is 2,304 square feet.
10. The proposal complies with Land Management Code Chapter 15-2.13, *Residential Development (RD) District*.
11. The current LMC requires two (2) parking spaces per Dwelling Units with a Floor Area greater than 2,000 square feet in a Multi-Unit Dwelling a requirement which the proposed unit meets.

Conclusions of Law:

1. There is good cause for this amendment to the plat because it memorializes existing conditions and corrects existing non-compliance.
2. The Plat Amendment is consistent with Land Management Code Section 15-7.1-3(B), Section 15-7.1-6, and Chapters 15-2.13 and 15-7.
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 of approval, will 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 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 year, 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. The Applicant shall record a plat note that any plans to remove or alter a partition wall shall be stamped and signed by a certified structural engineer.
4. There will be no external changes or expansion of the existing building footprint.
5. The condo uses/retires the existing density and does not create any new unit density for future use.

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

PASSED AND ADOPTED this 17th day of November, 2022.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775BCB46414F6...
Nann Worel, Mayor

ATTEST:



DocuSigned by:

Michelle Kellogg

E5F905BB533F431...

City Recorder

APPROVED AS TO FORM:

DocuSigned by:

Mark Harrington

E7478B7734C7490...

City Attorney's Office

Attachments

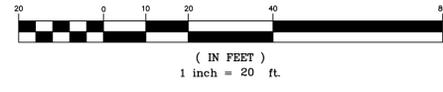
Attachment 1: Royal Plaza Condominiums Fourth Amended Plat Combining Units 301 & 309

ROYAL PLAZA, FOURTH AMENDED COMBINING UNITS 301 & 309

- A UTAH CONDOMINIUM PROJECT -
LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 8 & SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

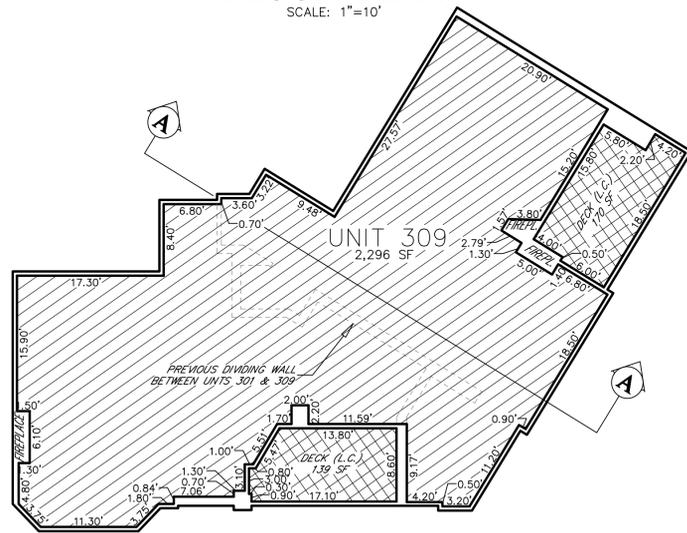


GRAPHIC SCALE

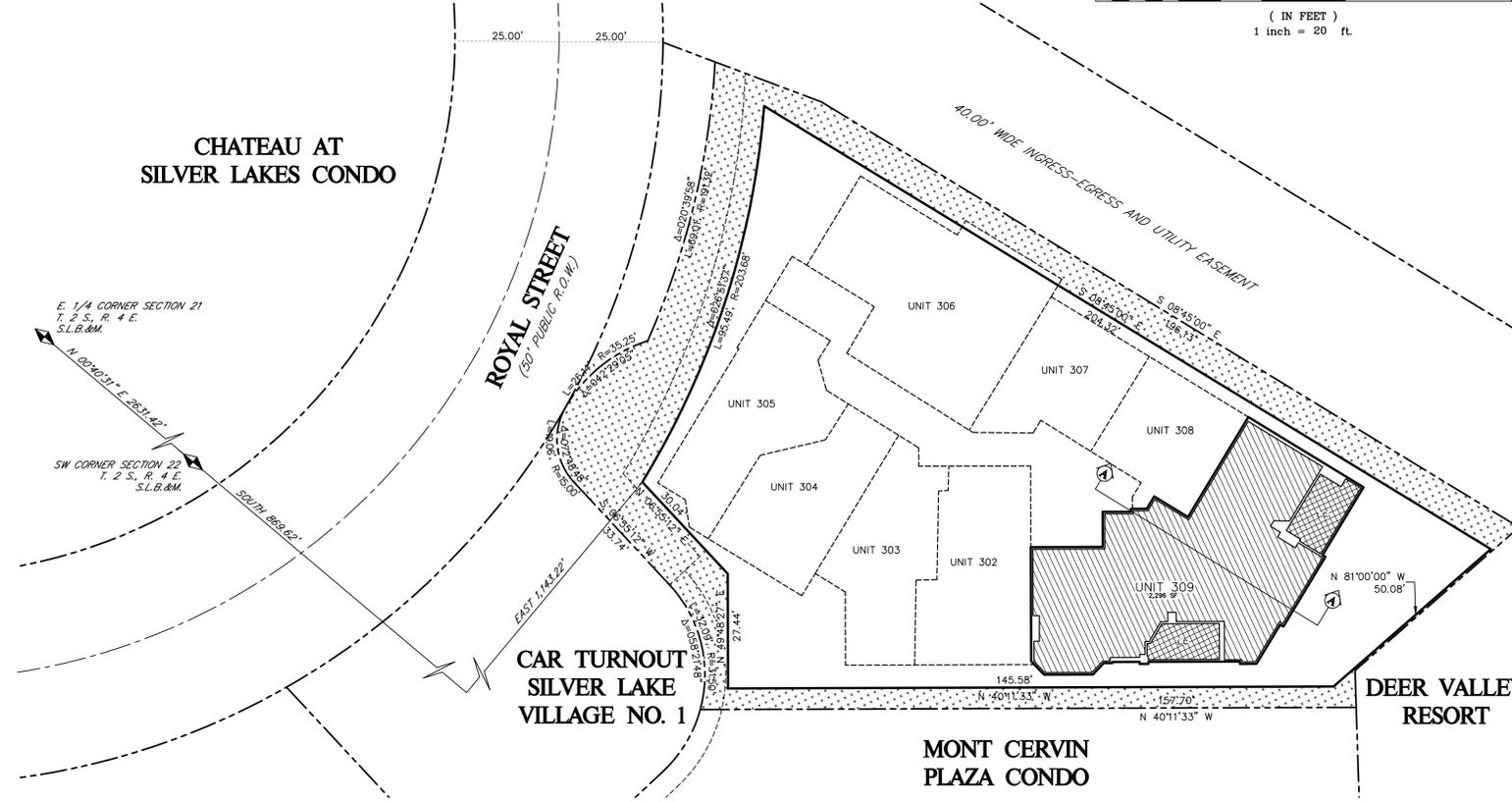


FLOOR PLAN

SCALE: 1"=10'

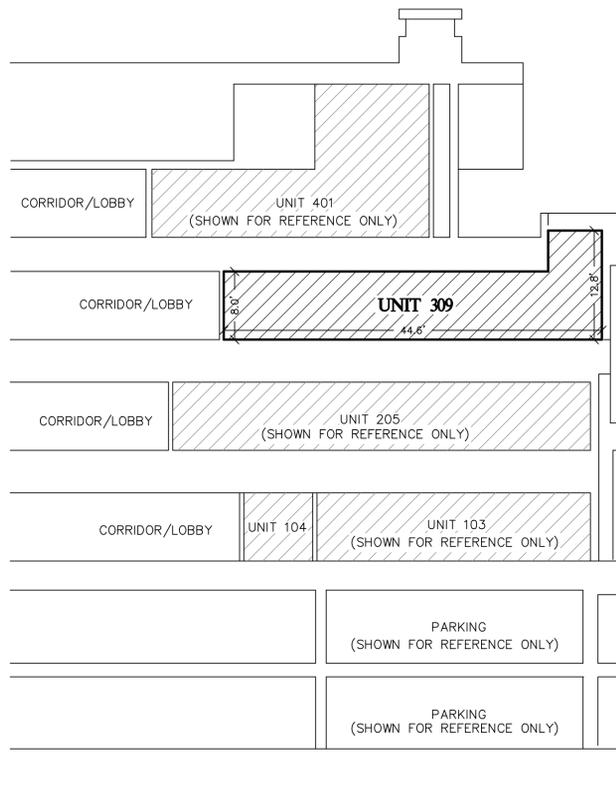


CHATEAU AT SILVER LAKE CONDO



SECTION A-A

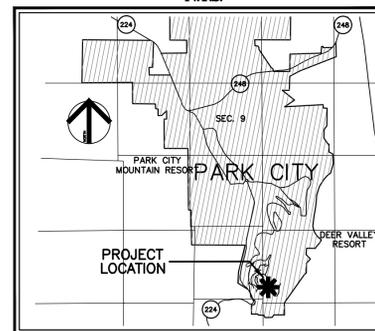
SCALE: 1"=10'



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA
- PEDESTRIAN AND SKIER CIRCULATION EASEMENT

VICINITY MAP N.T.S.



NOTES FROM ORIGINAL PLAT

1. THIS RECORD OF SURVEY MAP WAS COMPILED FROM DRAWINGS PREPARED BY GARY FRANCIS, ARCHITECTS AND BY ALLEN AND PHILIP ARCHITECTS, INFORMATION SUPPLIED BY THE OWNER, AND FROM FIELD SURVEY AND MEASUREMENTS.
2. THE MONUMENT LOCATING THE SOUTHWEST CORNER OF SECTION 22 WAS DESTROYED BY CONSTRUCTION ACTIVITIES; THE LEGAL TIE TO SAID CORNER IS BASED ON RECORD INFORMATION, THE ACTUAL MONUMENTS USED IN THIS SURVEY ARE THE STREET MONUMENTS INDICATED ON THIS MAP. USE COORDINATE INFORMATION SHOWN TO LOCATE THE IMPROVEMENTS.
3. INTERIOR DIMENSIONS SHOWN ARE TO STUD WALLS.
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
5. THE STREET ADDRESS OF ROYAL PLAZA CONDOMINIUMS IS: 7620 ROYAL STREET EAST, UNIT NO. (201 AS EXAMPLE).

ADDITIONAL NOTES

1. LOCATED WITHIN: ROYAL PLAZA
2. THIS PLAT REPRESENTS A COMBINATION OF UNITS 301 AND 309 OF "SECOND AMENDED RECORD OF SURVEY MAP ROYAL PLAZA" ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NUMBER 891235.
3. THIS PLAT CONVERTS LIMITED COMMON AREA TO PRIVATE AREA IN UNIT 301 AS SHOWN HEREON.
4. ALL BEARINGS AND DISTANCES SHOWN ARE THE EQUIVALENT OF RECORD, UNLESS NOTED OTHERWISE.
5. ALL OTHER CONDITIONS OF APPROVAL OF ROYAL PLAZA, RECORDED APRIL 4, 1991, AS ENTRY NO. 338594 IN THE SUMMIT COUNTY RECORDER'S OFFICE, SHALL CONTINUE TO APPLY.
6. THE DIMENSIONS OF THE PRIVATE SPACES AND SQUARE FOOTAGE CALCULATIONS ARE BASED ON THE RECORD OF SURVEY MAP OF ROYAL PLAZA CONDOMINIUMS AND FROM MEASUREMENTS TAKEN BY EVERGREEN ENGINEERING. MINOR DISCREPANCIES MAY EXIST DUE TO EXISTING FURNITURE AND FIXTURES EXISTING IN THE UNITS AT THE TIME MEASUREMENTS WERE TAKEN.
7. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE ROYAL PLAZA CONDOMINIUM ASSOCIATION SHALL BE RESPONSIBLE FOR THE OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE WASTEWATER LINES.
8. ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY MFD AND SILVER LAKE VILLAGE NO. 1 SUBDIVISION, PARCEL A PLAT, CONTINUE TO APPLY.
9. THIS PLAT IS SUBJECT TO ORDINANCE 13-30, AS WELL AS ORDINANCE X-X.

OWNERS DEDICATION AND CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENTS THAT THE ROYAL PLAZA CONDOMINIUM ASSOCIATION, A UTAH NON-PROFIT CORPORATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS OF ROYAL PLAZA, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS LOT LINE ADJUSTMENT PLAT PREPARED. THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THIS LOT LINE ADJUSTMENT PLAT, HEREAFTER TO BE KNOWN AS "ROYAL PLAZA, FOURTH AMENDED, COMBINING UNITS 301 & 309".

ROYAL PLAZA CONDOMINIUM ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: BRIAN VANDENBROEK, PRESIDENT

ACKNOWLEDGMENT

STATE OF _____) BRIAN VANDENBROEK, PRESIDENT
COUNTY OF _____) ROYAL PLAZA CONDOMINIUM ASSOCIATION
A UTAH NON-PROFIT CORPORATION

ON THE _____ DAY OF _____, 20____, 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 PRESIDENT OF ROYAL PLAZA CONDOMINIUM ASSOCIATION, 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 SAID _____ ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, _____ STATE

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, NIGEL G. BAIN AND NICOLA P. BAIN, AS JOINT TENANTS, ARE THE OWNERS OF THE HEREON DESCRIBED LOT, AND HEREBY CAUSE THE SAME TO BE ADJUSTED AS SET FORTH AND SHOWN HEREON, HEREAFTER TO BE KNOWN AS "ROYAL PLAZA, FOURTH AMENDED, UNIT 301".

BY: NIGEL G. BAIN _____ DATE _____
NICOLA P. BAIN _____ DATE _____

ACKNOWLEDGMENT

STATE OF _____) NIGEL G. BAIN
COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____, NIGEL G. BAIN, 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, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE "ROYAL PLAZA FOURTH AMENDED" PLAT.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, _____ STATE

ACKNOWLEDGMENT

STATE OF _____) NICOLA P. BAIN
COUNTY OF _____)

ON THIS _____ DAY OF _____, 20____, NICOLA P. BAIN, 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, THAT HE/SHE ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE "ROYAL PLAZA FOURTH AMENDED" PLAT.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, _____ STATE

LEGAL DESCRIPTION

UNIT 301 & UNIT 309, ROYAL PLAZA, A UTAH CONDOMINIUM PROJECT; ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED FEBRUARY 1, 2010 AS ENTRY NO. 891235, OF THE OFFICIAL RECORDS IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

TOGETHER WITH A RIGHT AND EASEMENT OF USE AND ENJOYMENT IN AND TO THE COMMON AREAS AS DESCRIBED AND PROVIDED FOR IN SAID CONDOMINIUM PLAT AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND RESERVATION OF EASEMENTS.

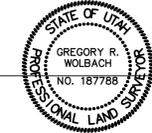
SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH.

I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE PERFORMED A SURVEY OF "UNIT 301 & UNIT 309" AND "COMMON AREA", AS SHOWN AND DESCRIBED HEREON, AND HAVE MADE A CONDOMINIUM PLAT, HEREAFTER TO BE KNOWN AS "ROYAL PLAZA, FOURTH AMENDED", AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND.

I FURTHER CERTIFY THAT THIS LOT LINE ADJUSTMENT PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.

GREGORY R. WOLBACH



DATE: _____

SHEET 1 OF 1
PLOT DATE: JULY 11, 2022
DRAWING: R6301-309-PLAT.dwg
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Evergreen Engineering, Inc.

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P.O. Box 2861 * Park City * Utah * 84060
Phone: 801.557.5482
E-mail: office@evergreen-eng.com



PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY
OF _____ A.D. 20 ____ .

SUMMIT COUNTY GIS COORDINATOR

CITY ENGINEER

I FIND THIS PLAT TO BE IN CONFORMANCE
WITH INFORMATION ON FILE IN THE OFFICE
THIS ____ DAY OF _____ A.D. 20 ____ .

CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN WATER RECLAMATION DISTRICT STANDARDS
ON THIS _____ DAY OF _____
AD 20 ____ .
BY: _____
SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT

PLANNING COMMISSION

RECOMMENDED BY THE PARK CITY PLANNING
COMMISSION ON THIS _____ 23rd
DAY OF _____ MARCH _____ A.D. 20 ____ .

CHAIR

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____
DAY OF _____ A.D. 2022.

CITY ATTORNEY

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK
CITY COUNCIL THIS _____ 28th _____ DAY OF
_____ APRIL _____ A.D. 20 ____ .

MAYOR

CERTIFICATE OF ATTEST

I CERTIFY THIS WAS APPROVED BY PARK
CITY COUNCIL THIS _____ DAY OF
_____ A.D. 2022.

CITY RECORDER

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
FEE _____ RECORDER _____
TIME: _____ DATE: _____ ENTRY: _____