

Ordinance 12-06

**AN ORDINANCE TO ALLOW FOR AN EXTENSION OF THE APPROVAL OF THE
FIRST AMENDMENT TO THE RESORT TOWNHOMES CONDOMINIUM
RECORD OF SURVEY PLAT LOCATED AT
1109-1139 WOODSIDE AVENUE IN PARK CITY, UTAH**

WHEREAS, the owners of the property known as the Resort Townhomes Condominiums, located at 1109 – 1139 Woodside Avenue, within the HR-1 zoning district, have petitioned the City Council for an extension of the approval of the First Amendment to the Resort Townhomes Condominiums record of survey plat that 1) converted to private area the limited common area within the open garages in order to enclose the garages and existing storage areas and 2) converted to private area those limited common areas located internal to the site between buildings, for the purpose of locating hot tubs on limited common areas; and

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

WHEREAS, proper legal notice was sent to all property owners as required by the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on February 9, 2011, to receive input on the proposed amendments to the record of survey plat; and

WHEREAS, on February 9, 2011, the Planning Commission forwarded a positive recommendation to the City Council on the proposed amendments; and

WHEREAS, on March 3, 2011, the City Council held a public hearing and approved the amendments to the Resort Townhomes Condominium record of survey plat in Ordinance 11-8; and

WHEREAS, a condition of approval of Ordinance 11-8 states that the applicant will record the plat amendment at the County by March 3, 2012, unless an application for an extension is filed with the Planning Department and approved by the City Council.

WHEREAS, on February 29, 2012, the applicant submitted an application for an extension of the approval to allow additional time to make revisions to the CCRs, address ownership issues of certain units and to procure signatures on the final mylar from each owner; and

WHEREAS, it is in the best interest of Park City, Utah to approve the extension request for the First Amended Resort Townhomes record of survey plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. An extension of approval of the First Amended Resort Townhomes Condominium record of survey plat, as shown in Exhibit A, 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 1109-1139 Woodside Avenue.
2. The property is located in the HR-1 zoning district.
3. The Resort Townhomes condominiums record of survey plat was approved by the City Council on May 17, 1984 and recorded at Summit County on May 18, 1984.
4. The Resort Townhomes condominiums record of survey plat recorded 12 residential condominium units of 587 sf each. The actual private area is 573.64 sf for each unit, as recently surveyed for the plat amendment. The unit dimensions exist as originally platted; however the 573.64 sf is the accurate figure for the existing unit floor area. The private area excludes the common garage and storage areas on the ground floor. The project consists of six duplex buildings.
5. The current Land Management Code requires 1 parking space for condominiums that are less than 650 sf and 2 parking spaces for duplex units with private garages.
6. There are two parking spaces for each duplex unit located in the unenclosed garage areas beneath the units. The existing garages have 2 side walls and a rear wall, but are open in the front. The parking spaces are 31.16' deep and 17.79' wide. The current Land Management Code requires two car garages to be 20' by 20'. The existing parking spaces are non-conforming in width. The applicant/owners desire to enclose the garages with garage doors and convert the current limited common garage and storage space to private area.
7. The buildings were constructed in 1984 and are not listed on the Park City Historic Sites Inventory. The buildings are located within the Park City Historic District and are subject to the Design Guidelines for Historic Districts and Sites.
8. On November 19, 2010, the Resort Townhomes owner association unanimously voted to approve the condominium record of survey plat amendments as described herein (83% of the owners were represented).
9. On December 3, 2010, the City received a complete application for a condominium record of survey plat amendment as described herein.
10. All units are currently 573.64 sf in floor area. The existing limited common areas range in area from 606.11 sf to 639.69 sf. The proposed plat amendment will result in units ranging from 1,179.75 sf to 1,213.33 sf of private area. The increase in private area is the result of converting the limited common area of the existing garages and storage spaces on the ground level. There are no additions to the floor area on the second floor and no new building footprint is proposed.
11. The existing building footprint for each duplex building complies with the HR-1 zoning district requirements, with the exception of Buildings E and F (Units 9/10 and 11/12). Buildings E and F are existing legal non-conforming structures in terms of building footprint as they exceed the footprint by 14 sf.
12. There are no floor area limitations in the HR-1 zone or on the plat.
13. The buildings do not exceed the allowable 27' building height and there are no non-conforming setback issues.

14. On February 9, 2011, the Planning Commission conducted a public hearing and voted to forward a positive recommendation to the City Council. There was no public input.
15. On March 3, 2011, the City Council conducted a public hearing and approved Ordinance 11-8, the First Amended Resort Townhomes Condominium record of survey plat, with a condition that the plat be recorded at Summit County within a year of the approval date unless an application for an extension is filed prior to the expiration date with the Planning Department and approved by the City Council.
16. On February 29, 2012, the applicant submitted a complete application for an extension request to allow additional time to procure owner signatures on the final mylar.
17. On April 19, 2012, the City Council conducted a public hearing on the extension request application.
18. There have been no changes in circumstance, including changes to surrounding property, that result in an unmitigated impact or in a finding of non-compliance with the Park City General Plan or LMC. No changes are proposed to the approved plat.

Conclusions of Law

1. There is good cause for this record of survey.
2. The record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed record of survey amendments.
4. Approval of the plat amendments, subject to the conditions of approval, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the record of survey for compliance with State law, the Land Management Code, and these conditions of approval.
2. The applicant will record the plat amendment at the County by March 3, 2013, unless an application for an extension is filed with the Planning Department and approved by the City Council or the approval will be void.
3. All construction requires a Building Permit and approvals from the Building and Planning Departments. Any exterior changes to the buildings or site require a pre-HDDR application and subsequent Historic District Design Review.
4. The recorded Snyderville Basin Water Reclamation District (SBWRD) easements on the property shall be shown on the plat with the recording information noted.
5. A note shall be added to the plat stating that "At the time of any resurfacing of the common driveways, the Resort Townhomes Condominium Association shall be responsible to adjust wastewater manholes to grade according to the SBWRD standards. Prior notification of the adjustments and inspection by the SBWRD is required."
6. The property is located within the Park City Soils Ordinance and compliance with the requirements of this Ordinance is required for all construction and/or disturbances of the soil or landscaping on the site.

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

PASSED AND ADOPTED this 19th day of April, 2012.
PARK CITY MUNICIPAL CORPORATION

Cynthia Matsumoto

Cindy Matsumoto, Mayor Pro Tem

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington

Mark D. Harrington, City Attorney



**CONDOMINIUM PLAT
RESORT TOWNHOMES
AMENDED**

- A 12 UNIT CONDOMINIUM PROJECT -
LOCATED IN SALT LAKE COUNTY, UTAH
NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE BASIN AND WASHBURN PARK CITY SMART GROWTH UTAH

OWNER, DEVELOPER AND CONSENT TO RECORD:
I, the undersigned owner of the lots, common and limited common areas described herein, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

APPROVED:
I, the undersigned, approved on behalf of the recorded interest in the property described herein, and do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

STATE OF _____
COUNTY OF _____
I, _____, of the County of _____, State of _____, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

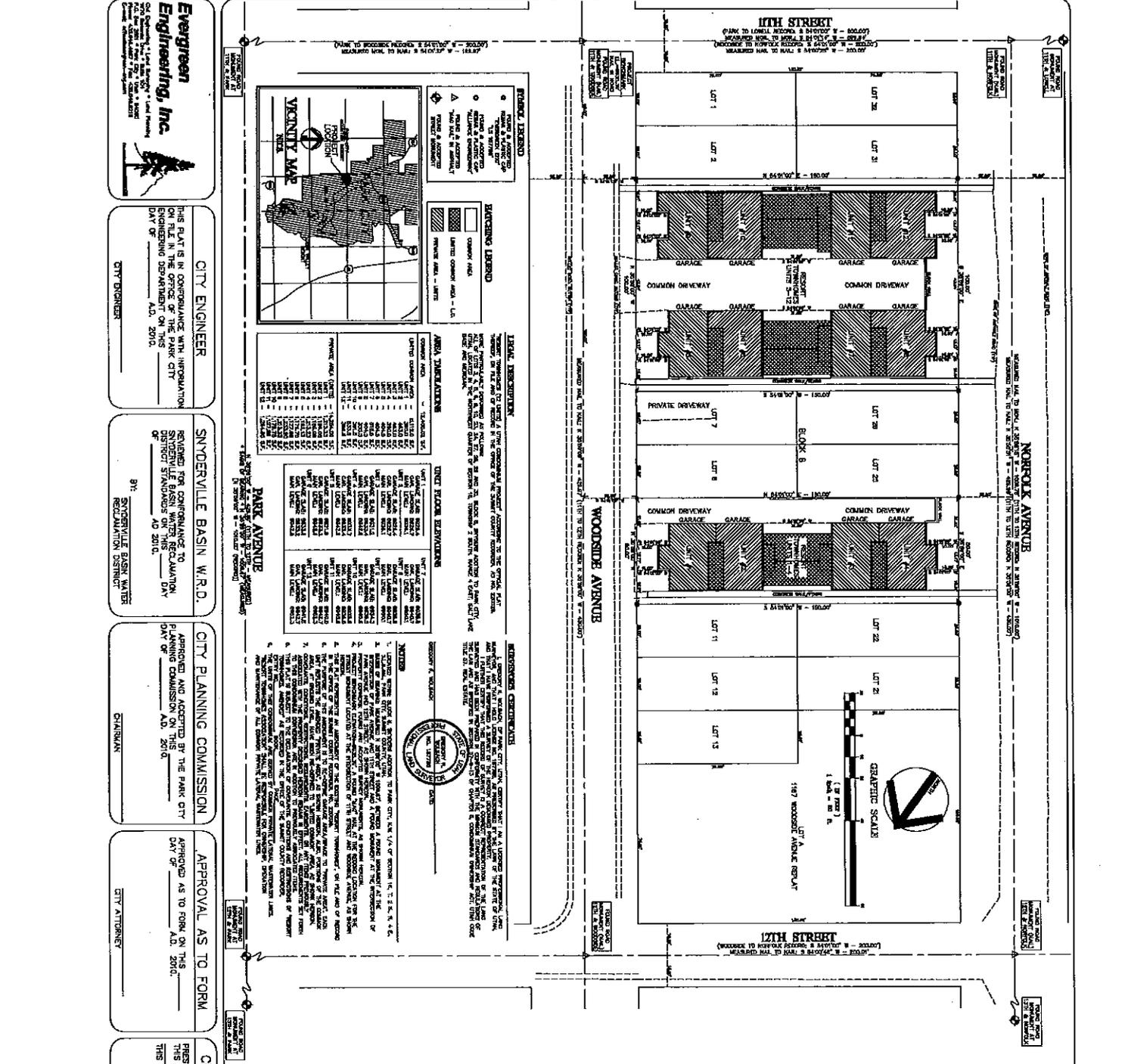
STATE OF _____
COUNTY OF _____
I, _____, of the County of _____, State of _____, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

STATE OF _____
COUNTY OF _____
I, _____, of the County of _____, State of _____, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

STATE OF _____
COUNTY OF _____
I, _____, of the County of _____, State of _____, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

STATE OF _____
COUNTY OF _____
I, _____, of the County of _____, State of _____, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.

STATE OF _____
COUNTY OF _____
I, _____, of the County of _____, State of _____, do hereby certify that the plat is a true and correct copy of the original as recorded in the office of the county clerk of Salt Lake County, Utah, and that the same is in accordance with the recorded plat and that I have no objection to the recording of this amended plat.



PLAT LEGEND
 1. UNITS
 2. COMMON AREAS
 3. GARAGES
 4. DRIVEWAYS
 5. PARKING AREAS

AREA DIMENSIONS
 UNIT 1: 10.00' x 10.00'
 UNIT 2: 10.00' x 10.00'
 UNIT 3: 10.00' x 10.00'
 UNIT 4: 10.00' x 10.00'
 UNIT 5: 10.00' x 10.00'
 UNIT 6: 10.00' x 10.00'
 UNIT 7: 10.00' x 10.00'
 UNIT 8: 10.00' x 10.00'
 UNIT 9: 10.00' x 10.00'
 UNIT 10: 10.00' x 10.00'
 UNIT 11: 10.00' x 10.00'
 UNIT 12: 10.00' x 10.00'

NOTES
 1. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE COUNTY CLERK OF SALT LAKE COUNTY, UTAH.
 2. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE CITY ENGINEER OF SALT LAKE CITY, UTAH.
 3. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE CITY PLANNING COMMISSION OF SALT LAKE CITY, UTAH.
 4. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE IN THE OFFICE OF THE CITY ATTORNEY OF SALT LAKE CITY, UTAH.



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. 2010.

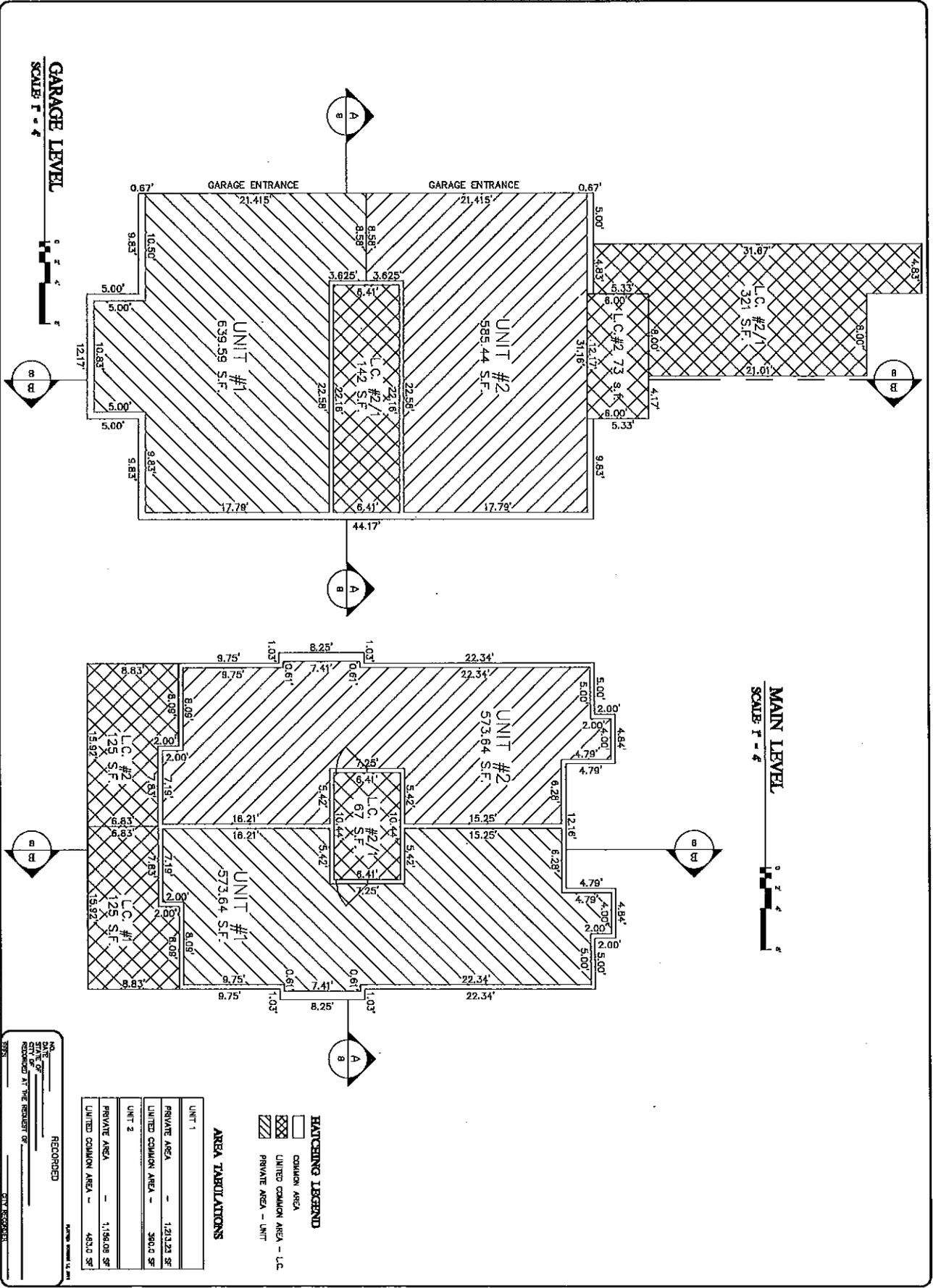
SANDVILLE BASIN W.R.D.
 REVIEWED FOR CONFORMANCE WITH SANDVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____ A.D. 2010.

CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF _____ A.D. 2010.

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS DAY OF _____ A.D. 2010.

CITY COUNCIL APPROVAL
 PRESENTED TO THE PARK CITY COUNCIL THIS _____ A.D. 2010 AT WHICH TIME THIS RECORD OF SALES WAS APPROVED.

RECORDED
 IN STATE OF _____ COUNTY OF _____ THIS _____ A.D. 2010.



GARAGE LEVEL
SCALE: 1/8" = 1'-0"

MAIN LEVEL
SCALE: 1/8" = 1'-0"

HATCHING LEGEND

- Common Area
- UNITED COMMON AREA - L.C.
- UNITED COMMON AREA - UNIT
- PRIVATE AREA - UNIT

AREA TABULATIONS

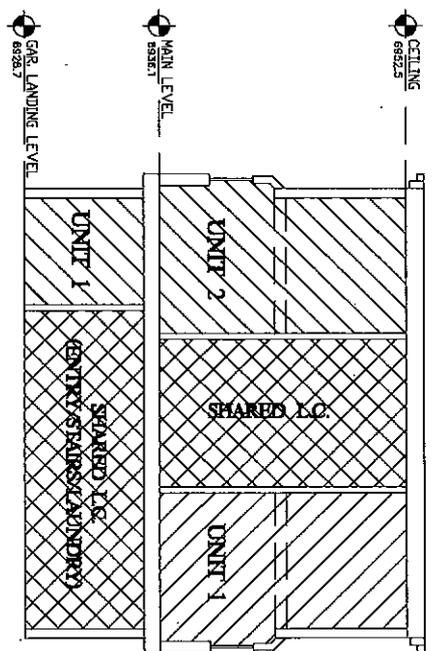
UNIT 1	PRIVATE AREA	1213.23 SF
UNIT 1	UNITED COMMON AREA -	380.0 SF
UNIT 2	PRIVATE AREA	1156.08 SF
UNIT 2	UNITED COMMON AREA -	463.0 SF

RECORDED
STATE OF
COUNTY OF THE COUNTY OF
RESORT TOWNHOMES AMENDED
SPACE/AREA USAGE
UNITS 1 AND 2 - FLOOR PLANS
DATE: 1/17/10

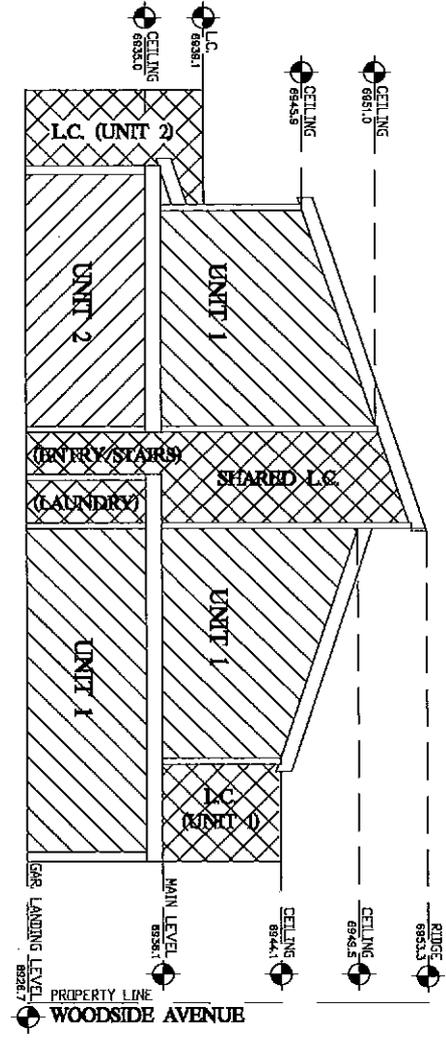
<p>RESORT TOWNHOMES AMENDED SPACE/AREA USAGE UNITS 1 AND 2 - FLOOR PLANS</p>	<p>DATE: 1/17/10</p>	<p>RECORDED</p>	<p>APPROVED BY: DATE: 1/17/10</p>						
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Evergreen Engineering, Inc.

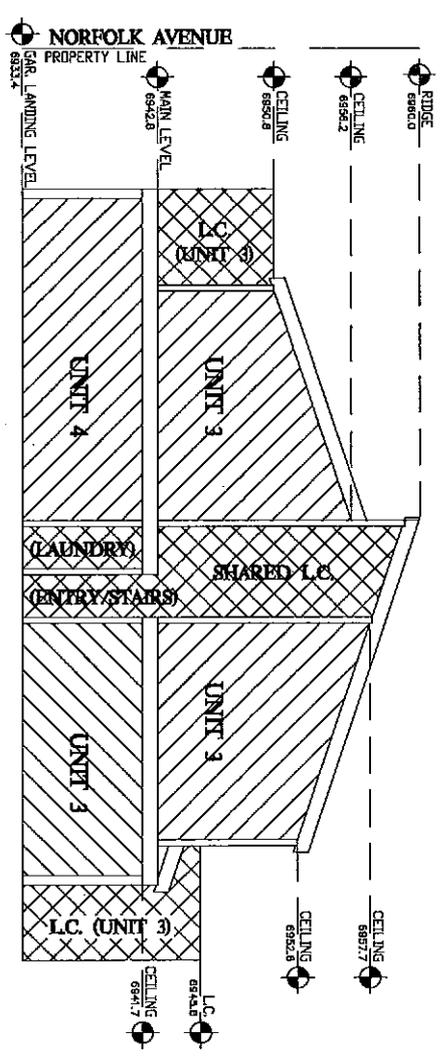
Old Engineering • Land Grading • Land Planning
16700 Highway 104 • Suite 101
P.O. Box 5962 • Fort Worth, TX 76160
Phone: 817.441.1117 • Fax: 817.441.1118
E-mail: info@evergreeneng.com



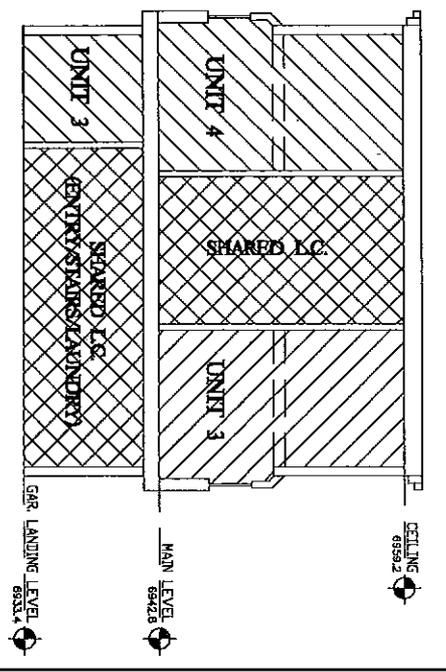
BUILDING SECTION A
SCALE: 1" = 4'



BUILDING SECTION B
SCALE: 1" = 4'



BUILDING SECTION D
SCALE: 1" = 4'



BUILDING SECTION C
SCALE: 1" = 4'

NO. _____
DATE _____
BY _____
CHECKED AT THE RESORT BY _____
CITY/RESORT _____
RECORDED
PLANS REVIEWED BY _____

RESORT TOWNHOMES AMENDED
BUILDING SECTIONS A, B, C, & D
UNITS 1, 2, 3 & 4

RESORT TOWNHOMES HOA RECORDING NO. 2008-008-R-10 PLAN NO. 0703

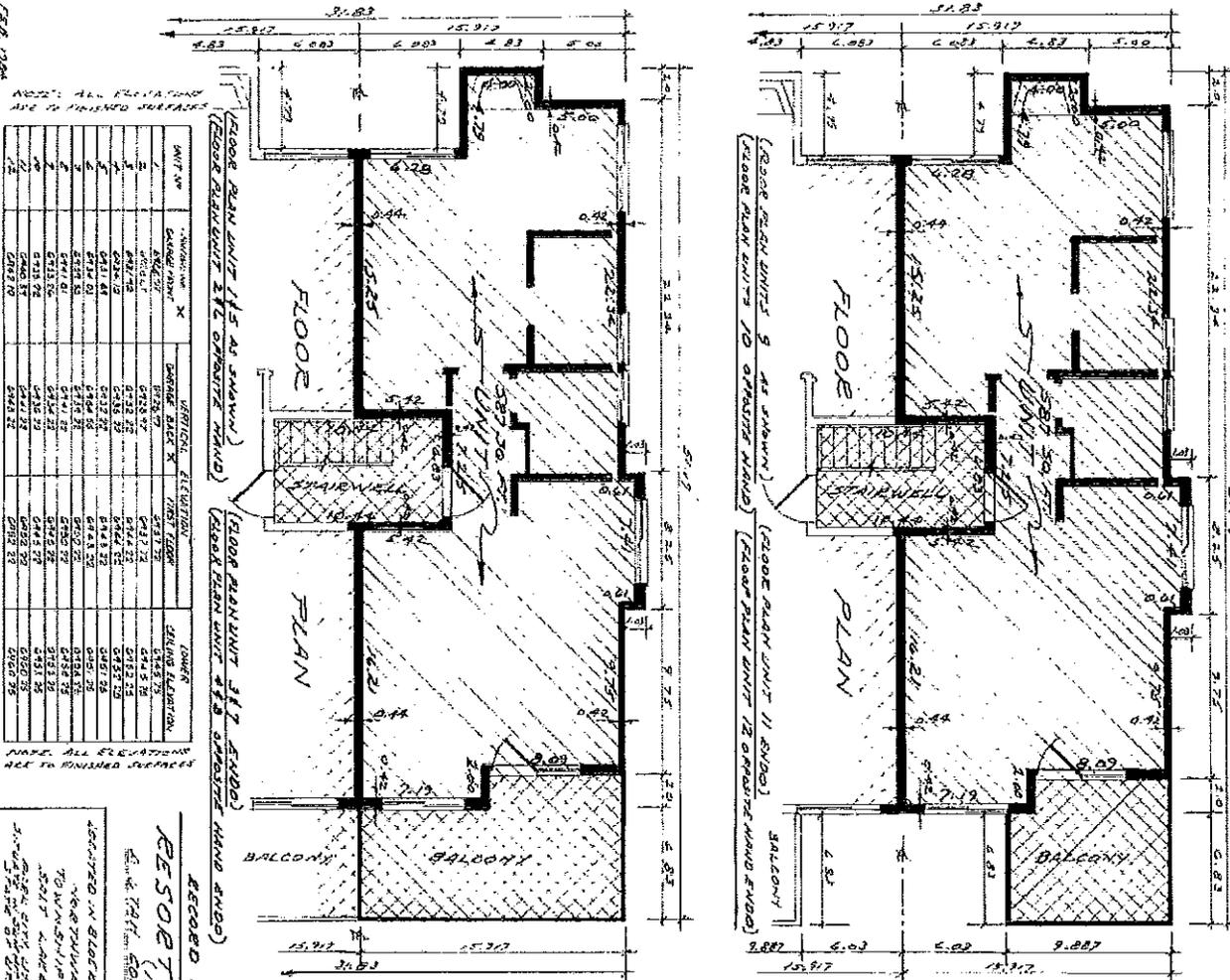
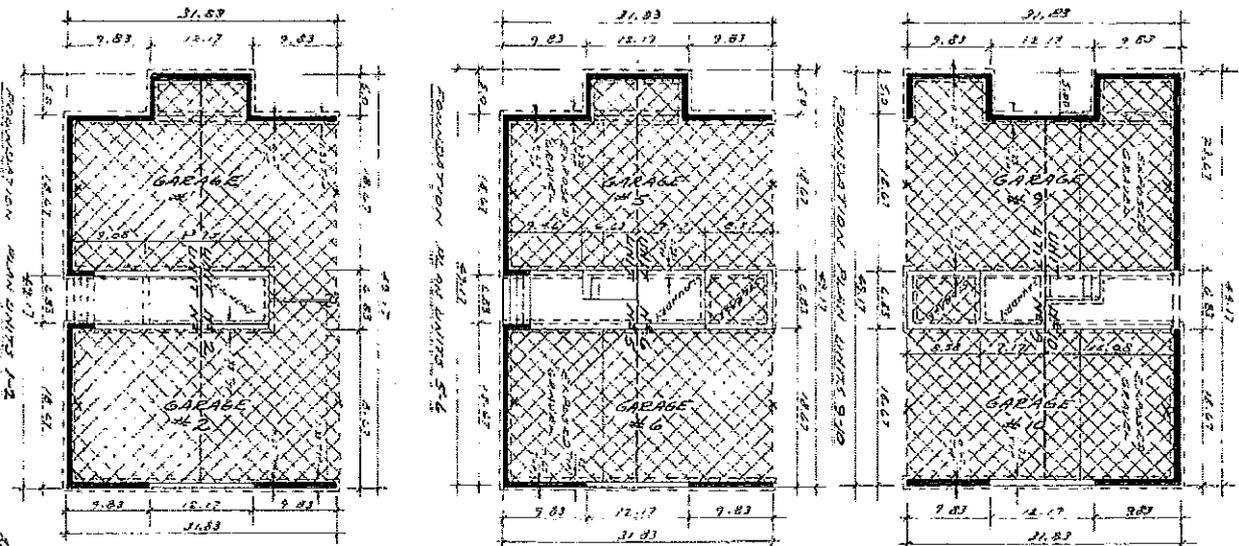
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____



DATE	BY	REVISIONS/COMMENTS

Evergreen Engineering, Inc.

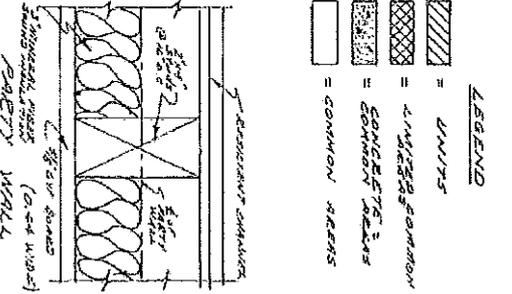
200 Evergreen Engineering, Inc.
1570 Blountville Blvd. • Suite 104
P.O. Box 2981 • P.O. Box 1004 • A1000
Phone: 434.646.4887 • Fax: 434.646.8218
E-mail: et@evergreeneng.com



NOTE: ALL ELEVATIONS ARE TO FINISHED SURFACES

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UNIT NO.	OWNER'S NAME	ADDRESS	DATE
1
2
3
4
5
6
7
8
9
10
11
12



NOTES

1. REFER TO SHEET 1 FOR GENERAL NOTES AND SPECIFICATIONS.

2. ALL DIMENSIONS ARE TO FINISHED SURFACES UNLESS OTHERWISE NOTED.

3. CONCRETE SHALL BE 3000 PSI STRENGTH.

4. MASONRY SHALL BE PER THE 2015 IBC.

5. FINISHES SHALL BE PER THE 2015 IBC.

6. REFER TO SHEET 2 FOR UNIT 12 DETAILS.

7. REFER TO SHEET 3 FOR UNIT 9 AND 10 DETAILS.

8. REFER TO SHEET 4 FOR UNIT 11 DETAILS.

9. REFER TO SHEET 5 FOR UNIT 12 DETAILS.

10. REFER TO SHEET 6 FOR UNIT 9 AND 10 DETAILS.

11. REFER TO SHEET 7 FOR UNIT 11 DETAILS.

12. REFER TO SHEET 8 FOR UNIT 12 DETAILS.

RECORDED BY

RESORT TOWNHOMES

12 UNITS

4000 1/2 RD. S. BEND, WISCONSIN

PROJECT

DESIGNED BY

DATE

SCALE

SHEET 2 OF 4 SHEETS

REVISIONS

NO. 1

DATE

DESCRIPTION

NO. 2

DATE

DESCRIPTION

NO. 3

DATE

DESCRIPTION

NO. 4

DATE

DESCRIPTION

NO. 5

DATE

DESCRIPTION

NO. 6

DATE

DESCRIPTION

NO. 7

DATE

DESCRIPTION

NO. 8

DATE

DESCRIPTION

NO. 9

DATE

DESCRIPTION

NO. 10

DATE

DESCRIPTION

NO. 11

DATE

DESCRIPTION

NO. 12

DATE

DESCRIPTION

NO. 13

DATE

DESCRIPTION

NO. 14

DATE

DESCRIPTION

NO. 15

DATE

DESCRIPTION

NO. 16

DATE

DESCRIPTION

NO. 17

DATE

DESCRIPTION

NO. 18

DATE

DESCRIPTION

NO. 19

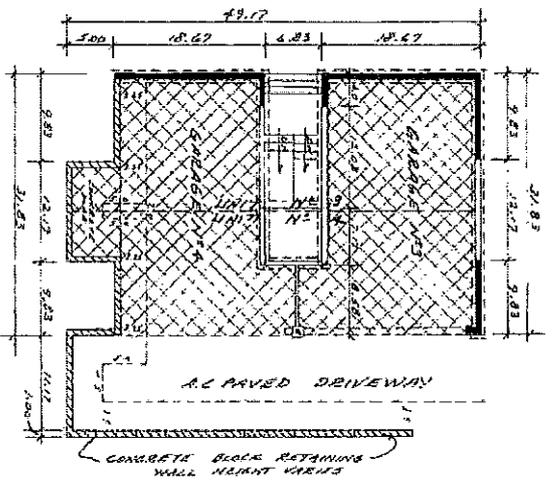
DATE

DESCRIPTION

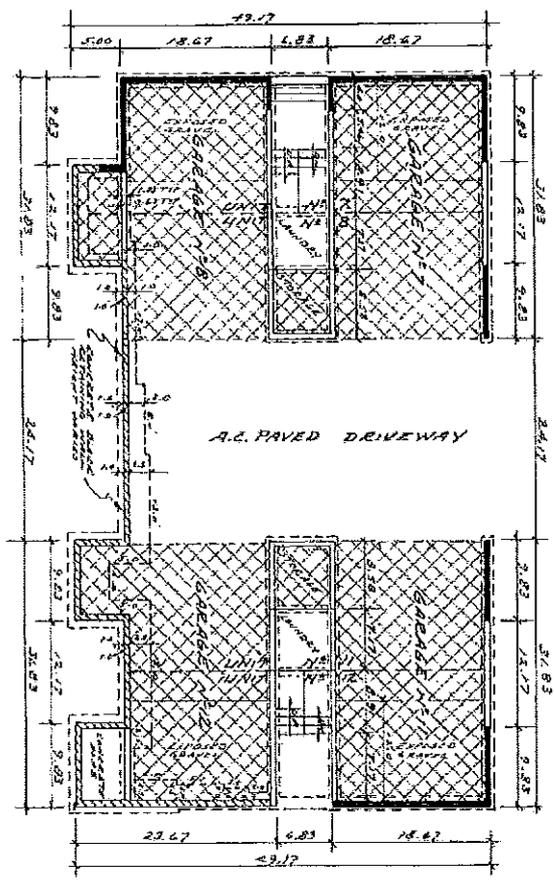
NO. 20

DATE

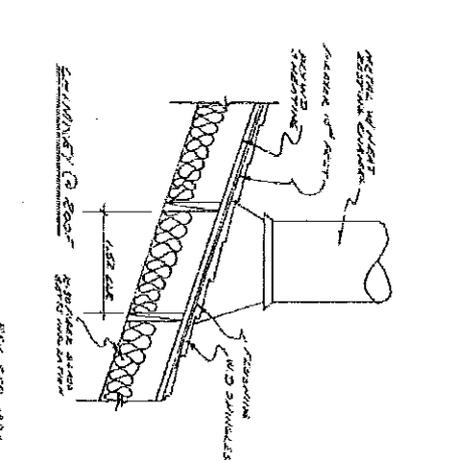
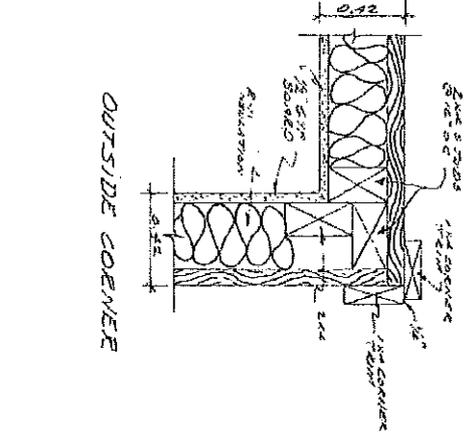
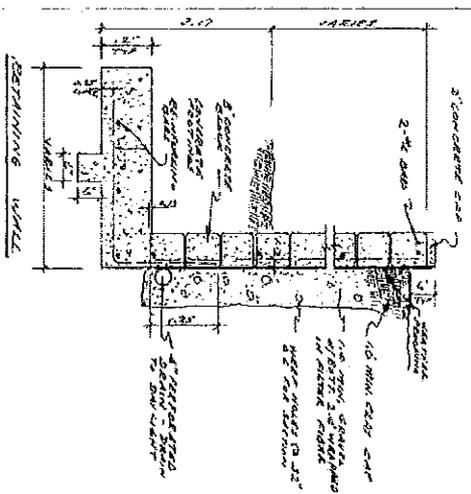
DESCRIPTION



FOUNDATION PLAN
UNITS 3 & 4



FOUNDATION PLAN
UNITS 7-8-11-12

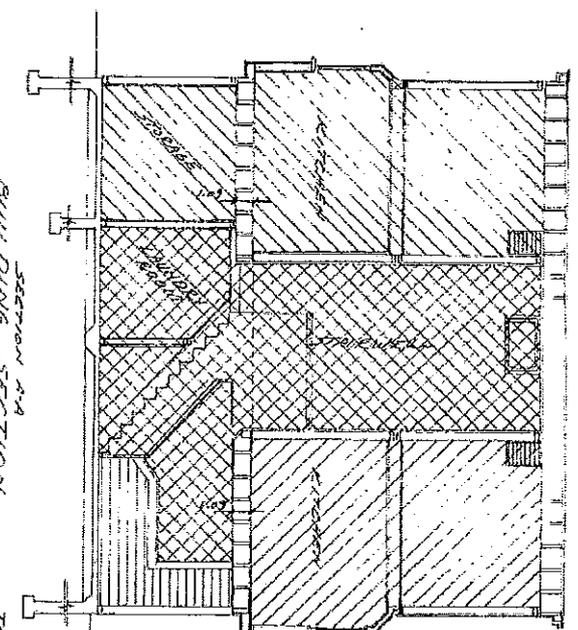


BOARD OF SURVEY MAP
RESORT TOWNHOMES
A LUTAH CONDOMINIUM PROJECT

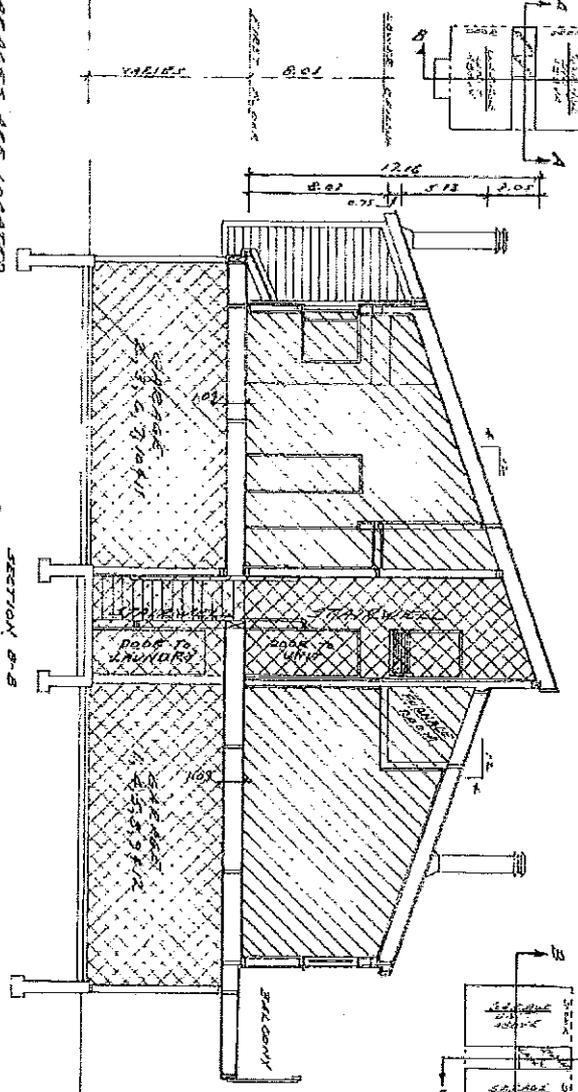
ADDED IN BLOCK 8, SHOWS ADDITIONAL PARKING
NORTHWEST 1/4 OF SECTION 16
TOWNSHIP 2 SOUTH RANGE 4 EAST
SALT LAKE BASIN AND MERIDIAN

RECORDED IN SHEET 3 OF 4 SHEETS

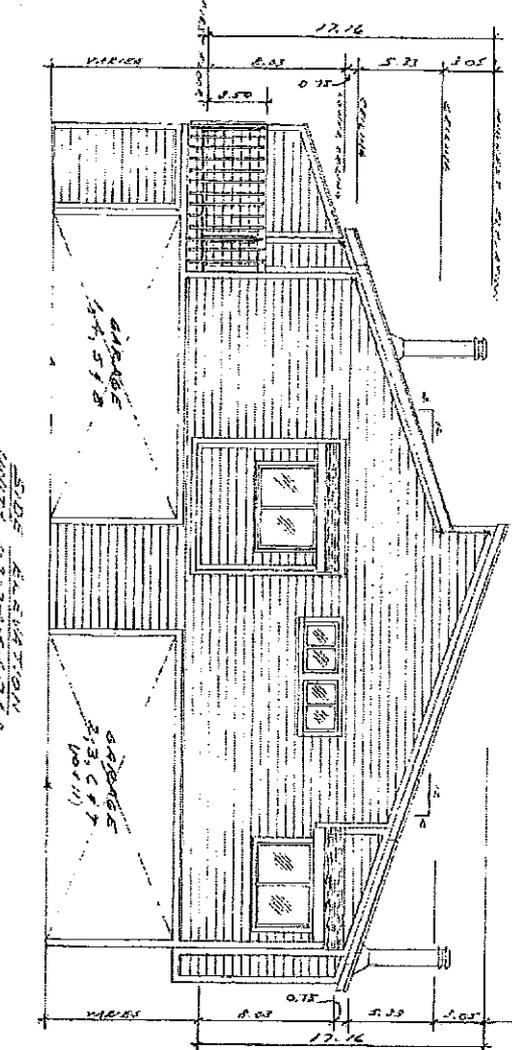
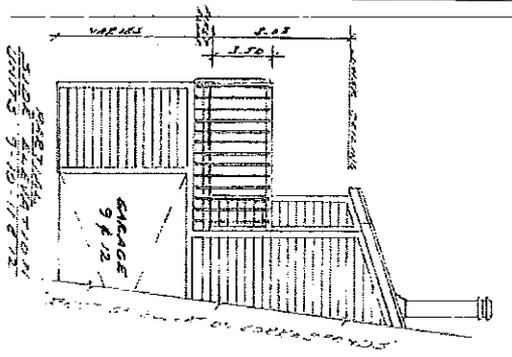
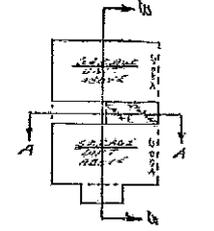
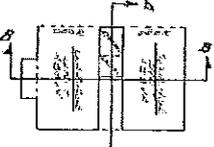
<p>PROJECT NO. 100-1000000000 DATE: JAN 1984</p>	<p>DESIGNED BY: [Name] CHECKED BY: [Name]</p>	<p>APPROVED BY: [Name]</p>	<p>RECORDED BY: [Name]</p>	<p>DATE: [Date]</p>
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SECTION A-A
BUILDING SECTION
THE GARAGES ARE LOCATED
IN THE LEVEL UNDER THE CHIMNEY
IN THE MANNER BELOW



SECTION B-B
BUILDING SECTION



GARAGES ARE LISTED COMMON
AREA ATTACHED TO THE BUILDING
WITH THE CORRESPONDING NUMBER.

RECORD OF SURVEY MAP
RESORT TOWNHOMES
AURON ENVIRONMENTAL PROJECT
LOCATED IN BLOCK B, SW 8000'S ADDITION TO PARK CITY,
UTAH. THIS PROJECT IS A SECTION OF
TOWNHOMES 2, SOUTHWEST CORNER OF
SOUTH 8000'S AND WEST 1000'S
SPRINGVILLE ADDITION, SHEET 4 OF 4 SHEETS
RECORDED NO. 11717
DATE OF SURVEY: 12-28-88
BY: [Name]

OWNER: [Name]
ARCHITECT: [Name]
DATE: 1988

OWNER'S ESTIMATE I CERTIFY THAT
BUILDING SHOWN ON THIS MAP IS NOT UNDER
CONSTRUCTION AT THIS TIME. THE ONLY
CHANGES TO THIS MAP ARE THE CHANGES
NOTED IN THE NOTES ON THIS MAP.

RECORDED BY
LARRY AND MARGARET
ENGINEERS
320 SOUTH 200 WEST, SUITE 200
PARK CITY, UT 84302
PHONE: 798-1111

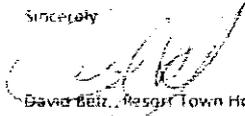
DATE OF SURVEY: 12-28-88
BY: [Name]

DATE OF SURVEY: 12-28-88
BY: [Name]

Application for Extension of plat modification of Resort Town Homes

The attached application is for an extension for the replat of the Resort town homes Condominiums approved by City Council last year. This extension is needed because of the difficulty we have run into getting homeowners from all over the country to sign and notarize the original mylar as needed for recordation. We hope to get this done this season. But, in the event we continue to run into difficulties, we would respectfully request the maximum allowed extension for this effort.

Sincerely,



David Bütz, Resort Town Homes HCA vice president

FEB 29 2012