

Ordinance No. 13-03

AN ORDINANCE APPROVING THE CITY PARK TENNIS SUBDIVISION LOCATED AT 1580 SULLIVAN ROAD, PARK CITY, UTAH

WHEREAS, the representative for the owner of the property known as the 1580 Sullivan Road, have petitioned the City Council for approval of the Subdivision; 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 affected property owners; and

WHEREAS, the Planning Commission held a public hearing on December 12, 2012, to receive input on the proposed amendments to the record of survey plat;

WHEREAS, the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 10, 2013, the City Council held a public hearing on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed City Park Tennis Subdivision.

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. The City Park Tennis Subdivision 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 1580 Sullivan Road, City Park.
2. The Site is within the General Commercial District.
3. The City requests to reconstruct the existing two (2) tennis courts and add a third court at the north end of City Park.
4. The site contains two (2) existing tennis courts, a concrete sidewalk leading into the courts from the parking lot, two (2) park benches at the court entry area, landscaped area around the courts and four (4) court lights, one on each corner.
5. The City requests to add another tennis court west of the existing courts over the entry area, concrete sidewalk, bark mulch path, and portion of the landscape area.
6. The City also requests to reconstruct the existing two (2) tennis courts.
7. Construction of the proposed third court and reconstruction of one of the courts would be located over an existing lot line, which is why the subdivision is necessary.
8. The City requests approval of the subdivision application to remove this lot line in order to be able to construct the proposed improvements at City Park.

Conclusions of Law:

1. There is good cause for this Subdivision.
2. The Subdivision is consistent with the Park City Land Management Code and applicable State law regarding Subdivisions.

3. Neither the public nor any person will be materially injured by the proposed Subdivision.
4. Approval of the Subdivision, 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 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 conditions of approval.
2. The applicant will 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) year's 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. Approval of a CUP and issuance of all necessary permits (building, etc.) is required prior to the commencement of any construction activity.

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

PASSED AND ADOPTED this 10th day of January, 2013.

PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

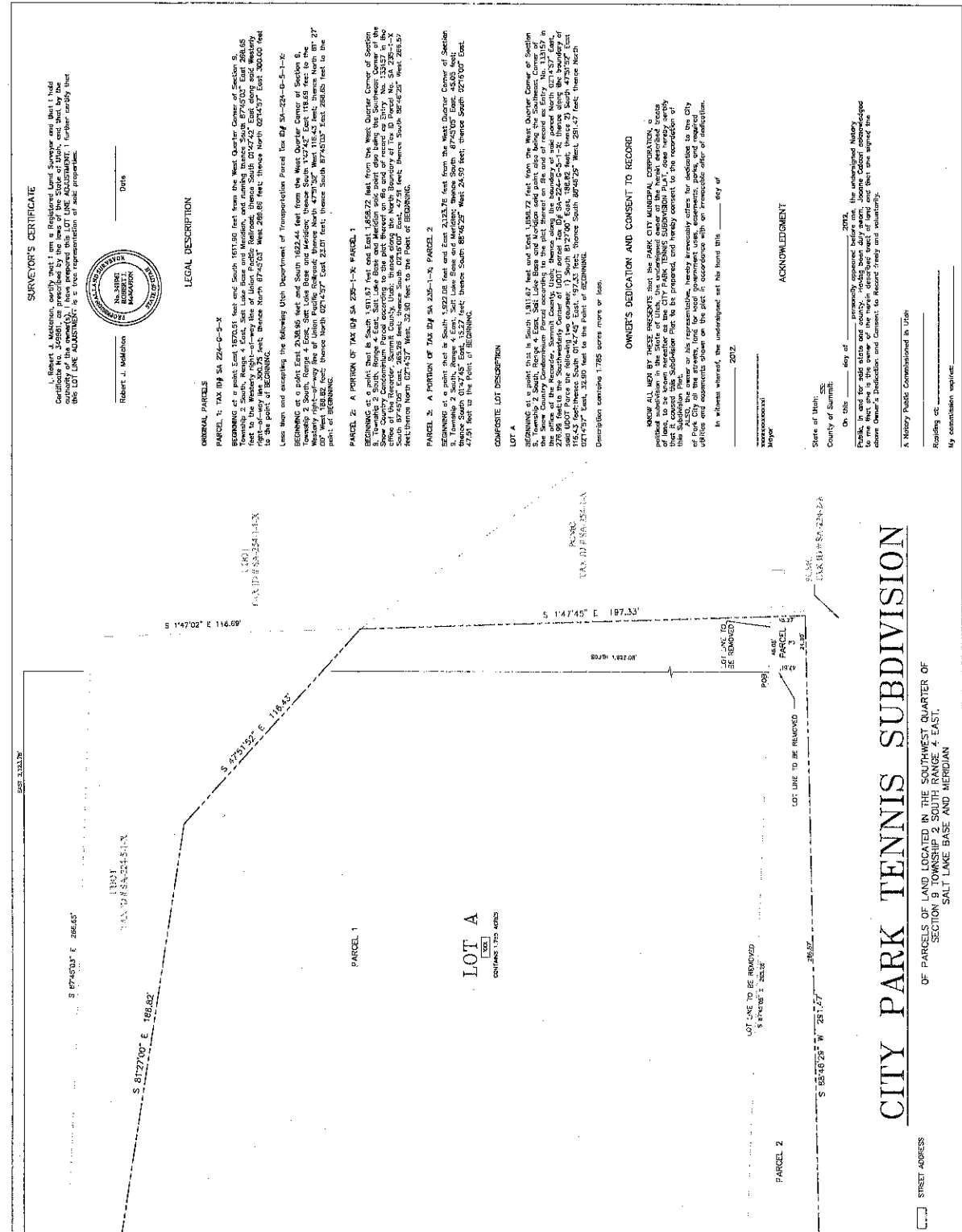
Approved as to form:


Mark D. Harrington, City Attorney





Attachment 1 - Proposed Plat



SURVEYOR'S CERTIFICATE

I, Robert J. Malachuk, County Surveyor for the State of Utah, and that I hold Certificate No. 25959, as prescribed by the laws of the State of Utah, and that by the authority of the aforesaid laws, I have prepared this LOT LINE ADJUSTMENT, 1 further certify that this LOT LINE ADJUSTMENT is a true representation of said property.



Robert J. Malachuk
Date: _____

LEGAL DESCRIPTION

ORIGINAL PARCELS

PARCEL 1: TAX ID# SA 224-0-5-2
 BEGINNING at a point East 1971.51 feet and South 1811.80 feet from the West Quarter Corner of Section 9, Township 2 North, Range 4 East, Salt Lake and Meridian, thence South 11°47'45" East 197.53' feet to the West quarter corner of said section, thence South 79°40'25" West 298.68 feet to the point of BEGINNING.

PARCEL 2: TAX ID# SA 224-0-5-3
 BEGINNING at a point East 1971.51 feet and South 1811.80 feet from the West Quarter Corner of Section 9, Township 2 North, Range 4 East, Salt Lake and Meridian, thence South 11°47'45" East 197.53' feet to the West quarter corner of said section, thence South 79°40'25" West 298.68 feet to the point of BEGINNING.

PARCEL 2: A PORTION OF TAX ID# SA 226-1-N- PARCEL 1
 BEGINNING at a point that is South 931.97 feet and East 1,859.72 feet from the West Quarter Corner of Section 9, Township 2 North, Range 4 East, Salt Lake and Meridian, thence South 11°47'45" East 197.53' feet to the West quarter corner of said section, thence South 79°40'25" West 298.68 feet to the point of BEGINNING.

PARCEL 3: A PORTION OF TAX ID# SA 226-1-N- PARCEL 2
 BEGINNING at a point that is South 1,922.08 feet and East 2133.78 feet from the West Quarter Corner of Section 9, Township 2 North, Range 4 East, Salt Lake and Meridian, thence South 79°40'25" West 298.68 feet to the point of BEGINNING.

COMPOSITE LOT DESCRIPTION

LOT A
 BEGINNING at a point that is South 1,911.87 feet and East 1,859.72 feet from the West Quarter Corner of Section 9, Township 2 North, Range 4 East, Salt Lake and Meridian, thence South 11°47'45" East 197.53' feet to the West quarter corner of said section, thence South 79°40'25" West 298.68 feet to the point of BEGINNING.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the PARK CITY MUNICIPAL CORPORATION, a public corporation, has authorized its Surveyor, Robert J. Malachuk, County Surveyor for the State of Utah, to prepare and submit to the City Council this Subdivision Plat to be prepared, and hereby consent to the recording of this Subdivision Plat.

ACKNOWLEDGMENT

In witness whereof, the undersigned at the hour this _____ day of _____ 2012,
 Mayor
 County of Summit, Utah
 State of Utah, SS
 County of Summit,
 On this _____ day of _____ 2012,
 Public, in and for said state and county, I, Robert J. Malachuk, County Surveyor for the State of Utah, do hereby certify that I am the duly qualified Surveyor for said county, and that I have duly measured and laid out the plat hereon and have a true and correct copy of the same made as a permanent record and that the plat signed by me hereon is a true and correct copy of the same.

COUNCIL APPROVAL AND ACCEPTANCE

By _____ Mayor
 By _____ Recorder

CERTIFICATE OF ATTEST

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS PREPARED AND LAYED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT, CHAPTER 2, TITLE 19, UTAH CODE ANNOTATED, AND I HAVE SIGNED THIS CERTIFICATE OF ATTEST THEREON IN THE PRESENCE OF THE CITY CLERK AND THE CITY ENGINEER.
 DATE: _____ 2012 A.D.
 BY: _____ CITY CLERK

CITY PARK TENNIS SUBDIVISION

OF PARCELS OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9 TOWNSHIP 2 SOUTH RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SNOOVERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNOOVERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DATE OF _____ 2012 A.D. BY: _____ S.E. W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DATE OF _____ 2012 A.D. BY: _____ CHAIRMAN	ENGINEER'S CERTIFICATE I HAVE FOUND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT, CHAPTER 2, TITLE 19, UTAH CODE ANNOTATED, AND I HAVE SIGNED THIS CERTIFICATE OF ATTEST THEREON IN THE PRESENCE OF THE CITY CLERK AND THE CITY ENGINEER. DATE: _____ 2012 A.D. BY: _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS DATE OF _____ 2012 A.D. BY: _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS PREPARED AND LAYED OUT IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT, CHAPTER 2, TITLE 19, UTAH CODE ANNOTATED, AND I HAVE SIGNED THIS CERTIFICATE OF ATTEST THEREON IN THE PRESENCE OF THE CITY CLERK AND THE CITY ENGINEER. DATE: _____ 2012 A.D. BY: _____ PARK CITY CLERK	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS DATE OF _____ 2012 A.D. BY: _____ MAYOR BY: _____ RECORDER
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LEGEND
 (1) SET REBAR & CAP "ALTA ENGINEERS/LS 34881"
 (2) SET MAIL & WASHER
 (3) FORD REBAR AND CAP (UNLESS OTHERWISE NOTED)
 (4) FOUND SURVEY MONUMENT
 (5) FOUND BRASS CAP MONUMENT

ALTA ENGINEERS INC.
 100 SOUTH MAIN STREET, SUITE 200, SALT LAKE CITY, UTAH 84111
 801.487.5600