

**Ordinance No. 14-16**

**AN ORDINANCE APPROVING THE PARK CITY FILM STUDIOS SUBDIVISION  
LOCATED AT 4001 KEARNS BLVD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as Quinn's Junction Properties, aka, Park City Film Studios, located at 4001 Kearns Blvd, north of Richardson Flat Road, east of State Road 248 and west of US 40, have petitioned the City Council for approval of the Park City Film Studios 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 according to the Land Management Code of Park City; and

WHEREAS, the Planning Commission held a public hearing on March 26, 2014, to receive input on the subdivision; and

WHEREAS, the Planning Commission, on March 26, 2014, forwarded a positive recommendation to the City Council; and

WHEREAS, on April 17, 2014, the City Council held a public hearing on the Park City Film Studios subdivision; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Park City Film Studios subdivision to memorialize the existing metes and bounds parcel as a legal lot of record in compliance with requirements of the annexation agreement, development agreement, and phasing plan approval.

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 Park City Film Studios subdivision, 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 4001 Kearns Boulevard in Park City, Utah.
2. The property is located north of Richardson Flat Road, east of SR 248 and west of US Highway 40.
3. The property contains 29.55 acres.
4. The property was annexed into Park City with the Quinn's Junction Partnership (QJP) Annexation on May 12, 2012, and is subject to Ordinance 12-12. The property was zoned Community Transition (CT) with Regional Commercial Overlay (RCO).
5. On May 24, 2012 a Development Agreement was executed and recorded at Summit

County.

6. The Development Agreement includes concept plans for a film studio campus, a 100 key hotel, and commercial and support uses, as further defined in the Development Agreement, consistent with the prior January 17, 2012 Annexation Agreement, a pre-annexation agreement between the City and the property owner.
7. The Annexation Agreement and Ordinance 12-12 include a condition of approval that an Administrative Conditional Use Permit is required for the Park City Film Studio project prior to issuance of any building permits.
8. On December 5, 2013, the City Council approved an amended phasing plan for Phase 1 allowing it to be broken into three sub-phases (1-A, 1-B, 1-C).
9. On December 11, 2013, the applicant submitted an Administrative Conditional Use Permit (CUP) application for Phase 1-A of the Park City Film Studios project.
10. On March 11, 2014, the Planning Director conducted an administrative public hearing to receive public comment on the Administrative Conditional Use permit. No public comment was provided.
11. No portion of this plat is within the Park City Soils Ordinance boundary.
12. The proposed subdivision plat creates a lot of record for the Park City Film Studios project that is planned to be maintained under the common ownership of Quinn's Junction Properties, LC, the current owner.
13. No non-conforming conditions are created by the subdivision plat.
14. The property is accessed from Kearns Blvd, aka SR 248, a State Highway. The MPD access point is at an existing signalized intersection with Round Valley Way as contemplated by the February 1, 2007 Cooperative Corridor Preservation Agreement between UDOT and Park City. A traffic signal for the entrance/exit to the Film Studio site will be installed as part of the Studio project. The cost associated with the traffic signal shall be worked out between the applicant and UDOT.
15. All roads will be designated as private drives and streets. Easements are provided as needed for public utilities. A shared access easement with the City's parcel to the south is provided for possible future shared access point with SR 248.
16. There are no public streets within the subdivision. Each phase is designed to accommodate fire and emergency vehicle circulation through the phase.
17. The subdivision plat application complies with the Land Management Code regarding final subdivision plats.
18. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
19. The Annexation Ordinance applies to this plat. The Ordinance requires LEED construction at the certified level without commissioning per the Annexation Agreement and at a minimum, the Hotel shall include a "Green" operational policy within industry standards and a door key activated light shut-off (or similar system) in all of the rooms.
20. Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
21. There are wetlands adjacent to the site to the north and east, as identified on the National Wetlands Inventory. The Inventory does not identify wetlands on the

- property.
22. There are remnants of an irrigation ditch running through the property. No water has been diverted through the ditch since 1995. If the applicant intends to use the ditch for irrigation of landscaping for Phase Two, there would first need to be resolution of water right and water source issues.
  23. A Riparian Analysis prepared by Psomas and submitted with the CUP application, concludes that no riparian conditions exist within the property boundaries.
  24. Water service is provided by Summit Water for this property.
  25. There is good cause for this subdivision plat in that it creates a legal lot of record from metes and bounds described parcel for a future film studios project.
  26. Trails and sidewalks are provided consistent with the MPD Development Agreement. The applicant has provided the City with the required \$75,000 for trails to be constructed to the site by the City.
  27. The findings in the Analysis section are incorporated herein.

#### Conclusions of Law:

1. The subdivision plat complies with LMC 15-7.3 as conditioned.
2. The subdivision plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision plat is consistent with the May 12, 2012, Quinn's Junction Partnership Annexation and May 24, 2012 MPD Development Agreement, as amended with the December 5, 2013 Council approved phasing plan for Phase 1-A.
4. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
5. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Conditions of approval of the May 12, 2012, Quinn's Junction Partnership Annexation, as stated in the Annexation Agreement and Ordinance 12-12, continue to apply, and shall be noted on the plat.
4. Conditions of approval of the May 24, 2012, MPD Development Agreement, as amended by the City Council on December 5, 2013, continue to apply, and shall be noted on the plat.
5. A final utility plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.
6. A final grading plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.

7. "The potential adjacent wetlands shown on the National Wetlands Inventory map will be delineated prior to occupancy of the first building in phase 1a. If such wetlands exist and could be impacted, PCFS shall provide sufficient irrigation water, based on the Corp of Engineer's findings, to maintain it prior to occupancy of the first building in phase 1a. The original irrigation ditch that supplied water to the wetland will either remain in place until a determination from the Corp of Engineers is received or can be modified to bypass the proposed construction but must still provide irrigation/storm/runoff waters to the potential adjacent offsite wetlands."
8. UDOT approval is required for any off-site storm-water detention facilities and/or landscaping and fencing proposed within the UDOT right-of-way areas, prior to approval of final utility plans by the City Engineer for each phase.
9. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to issuance of a building permit. A construction recycling area and excavation materials storage area within the development shall be utilized and identified on the CMP.
10. A financial guarantee, in a form and amount acceptable to the City and in conformance MPD conditions of approvals, for the value of all public improvements, including landscaping, shall be provided to the City prior to building permit issuance for new construction within each phase. All public improvements shall be completed according to City standards and accepted by the City Council prior to release of this guarantee.
11. Water sufficient for adequate redundancy and fire flows per the Park City Fire District is required prior to issuance of building permits for vertical construction for each phase.
12. A certificate of occupancy for Buildings 7, 7A, and 7B (as identified on the approved revised phasing plan) shall be issued by the Park City Building Department prior to requesting a certificate of occupancy for Buildings 6 and 8 as identified on the approved revised phasing plan per the MPD Agreement.
13. Topsoil shall be stockpiled on site for use on the property and export of excess material from the site shall be minimized.
14. A note shall be added to the plat indicating that a shared access easement will be granted by the Property owner and the City for possible future shared access to SR 248 at the southwest corner of the property. The City Engineer shall identify the easement requirements prior to recordation of the easements at such time that the easements are needed.
15. Due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.

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

PASSED AND ADOPTED this 17th day of April, 2014.

PARK CITY MUNICIPAL CORPORATION

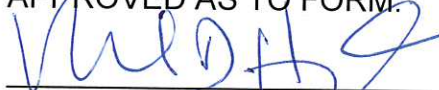
  
\_\_\_\_\_  
Jack Thomas, MAYOR

ATTEST:



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Marci Heil, City Recorder

APPROVED AS TO FORM:

  
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Mark Harrington, City Attorney





