

Ordinance No. 14-38

**AN ORDINANCE APPROVING THE FIRST AMENDED SILVER QUEEN
CONDOMINIUMS RECORD OF SURVEY PLAT, LOCATED AT 632 MAIN STREET,
PARK CITY, UTAH.**

WHEREAS, owners of the property known as 632 Main Street (aka the Silver Queen Condominiums), have petitioned the City Council for approval of an amended condominium plat for one commercial condominium unit and seven residential condominium units, and associated common area (Exhibit A).

WHEREAS, the property was properly noticed and posted on July 9, 2014, according to requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners on July 9, 2014; and

WHEREAS, the Planning Commission held a public hearing on July 23, 2014, to receive input on the amended condominium plat; and

WHEREAS, the Planning Commission, on July 23, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on August 21, 2014, the City Council held a public hearing on the amended condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Silver Queen Condominiums 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. The condominium 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 632 Main Street at the intersection of Main Street and Heber Avenue. There is an existing four story mixed use building on the property.
2. The existing building, known as the known as the Silver Queen Condominiums, was constructed in 1982.
3. On May 12, 1994, the City Council approved the Silver Queen Condominiums record of survey plat for twelve residential units and one commercial unit. On May 5, 1995, the condominium plat was recorded at Summit County.
4. Seven residential units are platted with this record of survey plat for a total of 11,074 sf of floor area. Units range in size from 1,006 sf to 2,178 sf. Average unit size is 1,582 sf. Unit 4A is a two story unit with a roof top penthouse. Residential

units are located on the second, third, and fourth floors. See Exhibit A, proposed plat for all unit numbers and square footages.

5. One 2,973 sf commercial unit is platted on the main floor.
6. Common area for halls, stairs, elevators, outdoor patios and decks are being platted with this record of survey.
7. The building currently is currently being remodeled with an active building permit.
8. The condominium plat is required in order for the units to be sold individually.
9. The building is located in the Historic Commercial Business District (HCB) with access to Main Street and Heber Avenue.
10. Residential and commercial uses are allowed uses within the HCB zoning district.
11. With the exception of one residential unit, existing unit #9, the building is currently owned by one entity.
12. On April 21, 2014, the City received an application for an amended condominium plat. The application was deemed complete on July 2, 2014 when proof of a vote of the HOA was provided indicating that 92.83% of the Silver Queen Condominium HOA ownership approved of the amended plat. The application includes signatures from all owners.
13. The condominium plat is consistent with the Historic District Design Review plans approved by the Planning Staff on September 29, 2011.
14. The property was assessed and paid into the Main Street Parking Improvement District for the twelve units and ground level commercial. Parking requirements for the existing configuration (original plat) are 16.5 (17) for the twelve residential units 6 units less than 650 sf (6 spaces), 3 units at 1,035 sf (6 spaces), and 3 units at 876 sf (4.5 (5) spaces) and 18 for the commercial space for a total of 35 spaces. The proposed unit configuration requires 12 spaces for the seven residential (3 units greater than 2,000 sf (6 spaces), 4 units greater than 1,000 sf (6 spaces) and 18 spaces for the commercial for a total of 30 spaces. Therefore the proposed plat requires fewer spaces than were assessed and paid and no additional parking is required. No parking is provided on site.
15. Commercial space is located at the street along the Main Street frontage and residential units are located on the upper floors. All of the storefront properties are subject to the vertical zoning ordinance.
16. The amended plat reflects an FAR of 3.24, which is less than the maximum allowable FAR of 4.0 in the HCB zoning district.

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 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 Attorney and City Engineer will review and approve the final form and content of the condominium plat for compliance with State law, the Land

Management Code, the recorded subdivision plat, and any conditions of approval, prior to recordation of the plat.

2. The applicant will record the condominium plat at the 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 will be void, unless an extension request is made in writing prior to the expiration date and the extension is granted by the City Council.
3. All conditions of approval of the 632 Main Street Historic District Design Review shall continue to apply.
4. A note shall be added to the plat prior to recordation stating that the units of the Silver Queen Condominiums are served by Common Private Lateral Wastewater lines. The Silver Queen Condominium Association shall be responsible for the ownership, operation and maintenance of all Common Private Lateral Wastewater lines.
5. All required ADA access, required restaurant grease traps, and other specific Building and Fire Code requirements for the units shall be addressed with tenant improvement building permits as the spaces are finished.

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

PASSED AND ADOPTED this 21st day of August, 2014.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Marci Heil, City Recorder



APPROVED AS TO FORM:



Mark Harrington, City Attorney

EXHIBIT A

SURVEYOR'S CERTIFICATE

I, John Zumbales, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154496, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey from the BLOCK 25, PARK CITY CONDOMINIUMS FIRST AMENDED and that the same has been or will be monumented on the ground as shown on this plan.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of Unit 1, hereby certifies that he has caused this survey to be made and the monumenting of survey lines to be preserved and hereby consents to the recording of this amended Record of Survey Map.

Signature: Mark John Roberts, LLC, a Utah limited liability company

ACKNOWLEDGMENT

State of UTAH

County of _____

On this _____ day of _____, 2014, I, _____, personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ represented to me that he is the owner of said Block 25, Park City Condominiums, a Utah limited liability company, the owner of Unit 1, and that he has signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Signature: _____

A Notary Public commissioned in _____

Printed Name: _____

Residing in: _____

My commission expires: _____

BOUNDARY DESCRIPTION

All Units 1 through 18 and Common Area Spaces, contained within the SILVER QUEEN CONDOMINIUMS, a Condominium Project, as the same is identified in the Record of Survey Map recorded on May 5, 1982, in Summit County as Entry No. 428424 in Book 85 at Page 17 (for said Record of Survey Map from which dedications have been accepted or supplemented) and in the Condominium Declaration recorded in Summit County as Entry No. 425523 in Book 85 at Page 674 (as said Declaration may have heretofore been amended or supplemented). Together with the department instituted interest in said Project's Common Area as contained in said Declaration and showing for parties thereto both in the enjoyment of said undivided interest and in the enjoyment of the Common Area and facilities to which said interest relates.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of Units 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and Common Area Spaces, hereby certifies that he has caused this survey to be made and the monumenting of survey lines to be preserved and hereby consents to the recording of this amended Record of Survey Map.

Signature: George, Silver Queen (Invest) Corp., LLC, a Utah limited liability company

ACKNOWLEDGMENT

State of UTAH

County of _____

On this _____ day of _____, 2014, I, _____, personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ represented to me that he is the manager of Silver Queen (Invest) Corp., LLC, a Utah limited liability company, the owner of Units 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and Common Area Spaces, and that he has signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Signature: _____

A Notary Public commissioned in _____

Printed Name: _____

Residing in: _____

My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the owners of Unit 0, hereby certify that they have caused this condominium plan to be prepared, and we, Richard Joseph Borwick and Nathan David Borwick, husband and wife as joint tenants, do hereby consent to the recording of this Condominium Plan.

In witness whereof I have signed this certificate and dedication this _____ day of _____, 2014.

Richard Joseph Borwick

Nathan David Borwick

ACKNOWLEDGMENT

State of UTAH

County of _____

On this _____ day of _____, 2014, Richard Joseph Borwick and Nathan David Borwick, husband and wife as joint tenants, do hereby consent to the above and foregoing Owner's Dedication and Consent to Record freely and voluntarily.

Signature: _____

A Notary Public Commissioned in _____

Printed Name: _____

Residing in: _____

My Commission Expires: _____

RECORD OF SURVEY OF

SILVER QUEEN CONDOMINIUMS

FIRST AMENDED

LOCATED IN BLOCK 25, PARK CITY SURVEY, WHICH IS IN SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

NOTES

- The portions of the interior spaces were later built developments as shown by the contract.
- The units of Silver Queen Condominiums, as shown by Common Private Lateral Waterflow Lines, the Silver Queen Condominiums Association shall be responsible for research, creation and maintenance of an Common Private Lateral Waterflow Lines.

6010 846-3447

CONDOMINIUM DISTRICT (LAW ENFORCEMENT SERVICES) BY AND UNDER THE AUTHORITY OF THE STATE OF UTAH, 846-3447

SNYDENVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDENVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS

DAY OF _____, 2014 A.D.

BY _____ S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2014 A.D.

BY _____ CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAN TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____, 2014 A.D.

BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS DAY OF _____, 2014 A.D.

BY _____ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS DAY OF _____, 2014 A.D.

BY _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS DAY OF _____, 2014 A.D.

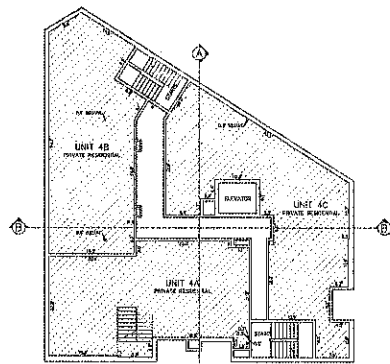
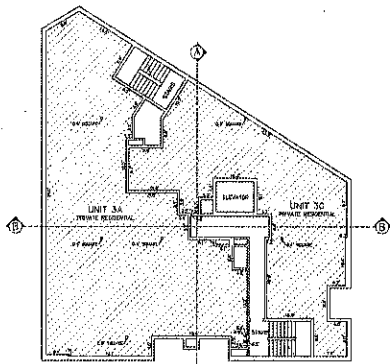
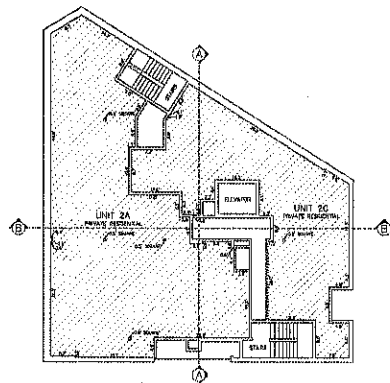
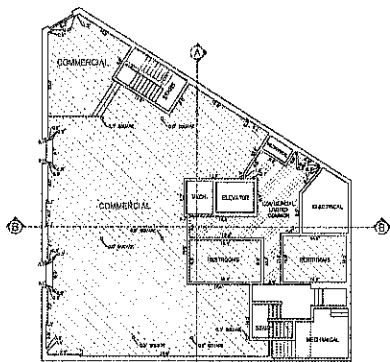
BY _____ MAYOR

RECORDED

STATE OF UTAH, COUNTY OF BURNING, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____

ENTERED BY _____ RECORDER

SHEET 1 OF 3

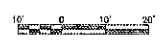


UNIT AREA TABLE

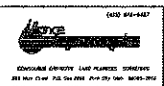
UNIT	PRIVATE OWNERSHIP AREA
COMMERCIAL	1,273.52 SF
UNIT 2A	1,118.50 SF
UNIT 2C	1,127.50 SF
UNIT 3A	1,118.50 SF
UNIT 3C	1,127.50 SF
UNIT 4A	1,118.50 SF
UNIT 4C	1,127.50 SF
LEVEL 1 LEVEL 2	1,273.52 SF

OWNERSHIP DESIGNATIONS

[Blank Box]	COMMON AREA
[Diagonal Lines Box]	PRIVATE RESIDENTIAL
[Dotted Box]	LIMITED COMMON RESIDENTIAL
[Cross-hatched Box]	PRIVATE COMMERCIAL
[Stippled Box]	LIMITED COMMON COMMERCIAL



SILVER QUEEN CONDOMINIUMS
FIRST AMENDED



ISS. NO. 1 8-2-14 FILED IN [] COUNTY OF [] STATE OF []

SHEET 2 OF 3

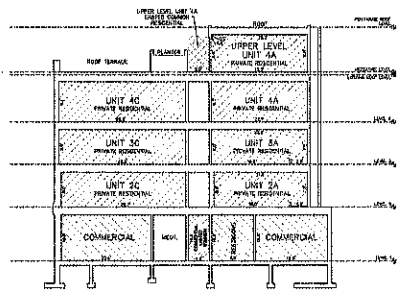
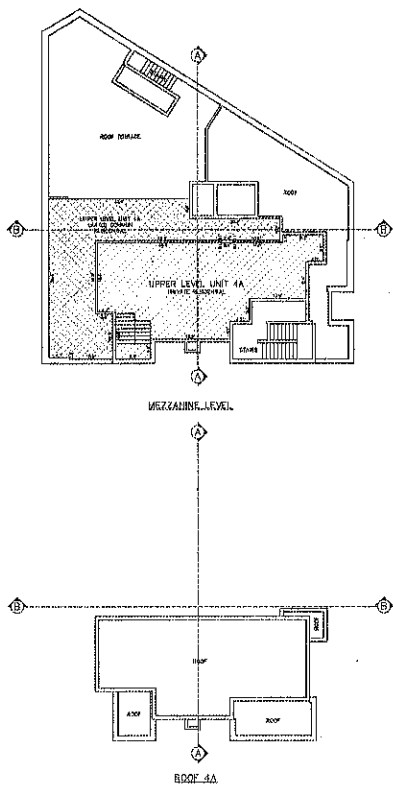
RECORDED

STATE OF UTAH, COUNTY OF [], AND FILED

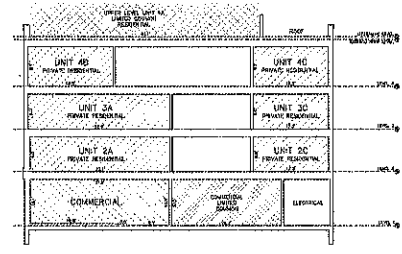
AT THE REQUEST OF []

DATE [] TIME []

ENTRY NO. [] FEE [] RECORDER []



SECTION A-A



SECTION B-B

UNIT AREA TABLE

UNIT	PRIVATE OWNERSHIP AREA
COMMERCIAL	2,172 SQ FT
UNIT 2A	2,122 SQ FT
UNIT 2C	2,214 SQ FT
UNIT 3A	2,152 SQ FT
UNIT 3C	2,252 SQ FT
UNIT 4A	2,152 SQ FT
UNIT 4D	2,152 SQ FT
UPPER LEVEL UNIT 1A	1,842 SQ FT

OWNERSHIP DESIGNATIONS

[Blank Box]	COMMON AREA
[Dotted Box]	PRIVATE RESIDENTIAL
[Cross-hatched Box]	LIMITED COMMON RESIDENTIAL
[Diagonal-hatched Box]	PRIVATE COMMERCIAL
[Horizontal-hatched Box]	LIMITED COMMON COMMERCIAL



SILVER QUEEN CONDOMINIUMS FIRST AMENDED

SHEET 3 OF 3

USE NO. 2-1-11 FILE IN ACCORDANCE WITH RULES AND REGULATIONS OF THE STATE OF ILLINOIS

STATE OF ILLINOIS, COUNTY OF JEFFERSON, AND FILED AT THE REQUEST OF _____ (RECORDED)

DATE _____ TIME _____

ENTRY NO. _____ FEE _____ RECORDS

