

**Ordinance No. 15-22**

**AN ORDINANCE APPROVING 205 MAIN STREET PLAT CONDOMINIUM RECORD OF SURVEY LOCATED AT 205 MAIN STREET, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 205 Main Street has petitioned the City Council for approval of the condominium record of survey plat; 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 April 8, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 8, 2015, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 7, 2015, May 27, 2015, and June 25, 2015, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 205 Main Street Plat Condominium Record of Survey.

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

**SECTION 1. APPROVAL.** 205 Main Street Plat Condominium Record of Survey 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 property is located at 205 Main Street.
2. The property is in the Historic Commercial Business District.
3. The property consists of Lot 1 of Park Place on Main Street Plat.
4. The proposed condominium Record of Survey plat memorializes each dwelling unit within the multi-unit dwelling as a separate unit that can be leased or owned separately.
5. A condominium is not a type of use but a form of ownership.
6. A multi-unit dwelling is an allowed use in the Historic Commercial Business District.
7. The current lot is 9,148 square feet and complies with the minimum lot area of 1250 square feet in the Historic Commercial Business District.
8. The current lot width is 119.8 feet and complies with the minimum lot width of 25

- feet in the Historic Commercial Business District.
9. There are no minimum front, rear, or side yard dimensions in the Historic Commercial Business District.
  10. The proposed Floor Area Ratio is 2.02 (18,148.49 divided by 8,985) and complies with the maximum Floor Area Ratio of 4.0 in the Historic Commercial Business District.
  11. The proposal complies with the Maximum Building Volume and Height as described in Land Management Code § 15-2.6-5, as applicable.
  12. Applicant proposes to build fifteen (15) parking spaces, all within the parking garage. The minimum number of parking spaces required by the Land Management Code based on the six (6) dwelling units is twelve (12).
  13. The requested form of ownership is not detrimental to the overall character of the neighborhood.
  14. This application allows the following units to be platted as private ownership:
    - a. Unit A – 2,961.81 sf
    - b. Unit B – 2,753.05 sf
    - c. Unit C – 3,308.74 sf
    - d. Unit D – 2,962.07 sf
    - e. Unit E – 3,256.11 sf
    - f. Unit F – 2,906.71 sf
    - g. Total – 18,144.09 sf
  15. Common spaces include most of the parking garage, entry vestibule and stairs, elevator, roof, foundation, exterior walls, etc.
  16. Limited common spaces include the mechanical areas, storage, balconies, patios, etc.
  17. During the City Council review of the Condominium Plat on May 28, 2015 the Planning Department explained the intent of the project and how it met Historic District Design Guidelines review.
  18. During the May 28, 2015 City Council meeting, there was a lengthy discussion regarding the approved use as well as the egress door shown on the plat on northwest side and a square planter box feature shown on the southwest corner of the proposed condominium plat.
  19. During the May 28, 2015 City Council meeting, a motion was made to continue the item with clarification on the egress door swinging onto the adjacent property to a date uncertain. This motion was approved unanimously (5-0).
  20. On June 3, 2015, the applicant representative submitted a revised Condominium Plat that does not show the egress door shown on the plat on northwest side and a square planter box feature shown on the southwest corner of the proposed condominium plat.
  21. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. The Condominium Plat is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
2. Neither the public nor any person will be materially injured by the proposed

Condominium Plat.

3. 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 plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the 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 a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A tie breaker mechanism shall be included in the CC&Rs.
4. Required public improvements and landscaping, as applicable, shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance.

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

PASSED AND ADOPTED this 25<sup>th</sup> day of June, 2015.

PARK CITY MUNICIPAL CORPORATION

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

ATTEST:

  
\_\_\_\_\_  
Marci Heil, City Recorder

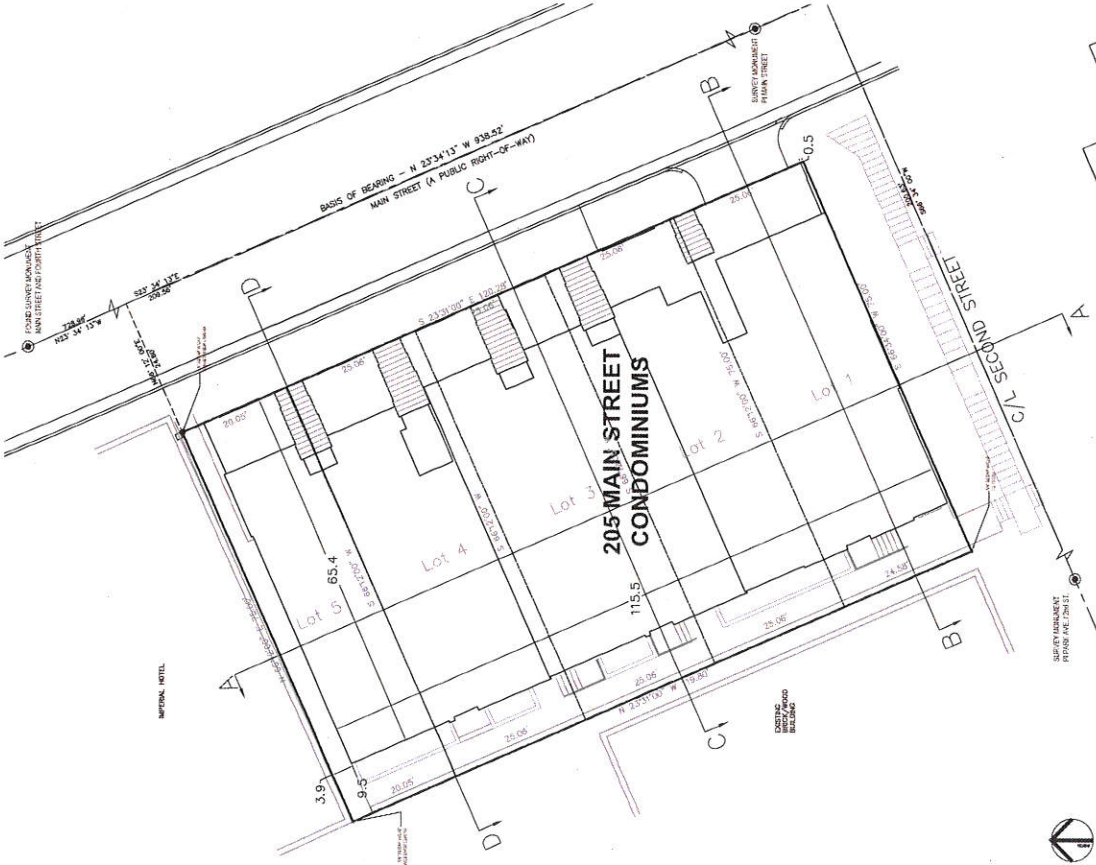
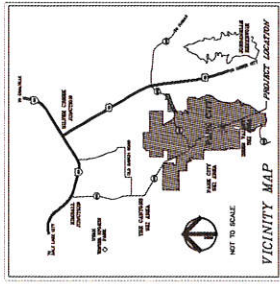


APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**

# Attachment 1 – Proposed Condo Plat - Updated



**BOUNDARY DESCRIPTION**  
 THE BOUNDARY OF THIS PLAT IS AS SHOWN ON THE SURVEY MAP AND IS SUBJECT TO THE SURVEY RECORDS TO BE FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDS.

**SURVEYOR'S CERTIFICATE**  
 I, the undersigned, being duly qualified and sworn, and being duly licensed by the State of Utah, do hereby certify that the above described plat was prepared by me or under my direct supervision and that I am a duly licensed and sworn Surveyor of the State of Utah. I further certify that the boundaries and areas shown on this plat were determined by me or under my direct supervision and that the same are true and correct to the best of my knowledge and belief.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

CHERRY COUNTRY, INC. REQUESTED  
 THIS PLAT BE FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDS FOR THE PURPOSES OF RECORDING.

DATE: \_\_\_\_\_

**PROPERTY INFORMATION**  
 THE PROPERTY DESCRIBED IN THIS PLAT IS LOCATED IN THE SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH.

SECTION: 16  
 TOWNSHIP: 2 SOUTH  
 RANGE: 4 EAST

**LEGAL DESCRIPTION**  
 THIS PLAT IS A SUBDIVISION OF THE LAND DESCRIBED IN THE DEED TO CHERRY COUNTRY, INC., DATED AND FILED IN THE OFFICE OF THE SUMMIT COUNTY RECORDS, SUMMIT COUNTY, UTAH, ON \_\_\_\_\_, 2015 A.D.

**APPROVAL AND ACCEPTANCE**  
 I, \_\_\_\_\_, Mayor of the City of Park City, Utah, do hereby approve and accept this plat for recording in the office of the Summit County Records, Summit County, Utah, on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 A.D.

**ENGINEERS CERTIFICATE**  
 I, \_\_\_\_\_, Engineer, do hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed and sworn Engineer of the State of Utah. I further certify that the boundaries and areas shown on this plat were determined by me or under my direct supervision and that the same are true and correct to the best of my knowledge and belief.

**PLANNING COMMISSION**  
 I, \_\_\_\_\_, Chair of the Park City Planning Commission, do hereby approve and accept this plat for recording in the office of the Summit County Records, Summit County, Utah, on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 A.D.

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**  
 I, \_\_\_\_\_, S.B.W.R.D., do hereby approve and accept this plat for recording in the office of the Summit County Records, Summit County, Utah, on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 A.D.

**APPROVAL AS TO FORM**  
 I, \_\_\_\_\_, Park City Attorney, do hereby approve and accept this plat for recording in the office of the Summit County Records, Summit County, Utah, on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 A.D.

**CERTIFICATE OF ATTEST**  
 I, \_\_\_\_\_, Park City Recorder, do hereby certify that this plat was recorded in the office of the Summit County Records, Summit County, Utah, on this \_\_\_\_\_ day of \_\_\_\_\_, 2015 A.D.

**RECORDED**  
 ENTRY NO. \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF: \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 COUNTY RECORDER \_\_\_\_\_

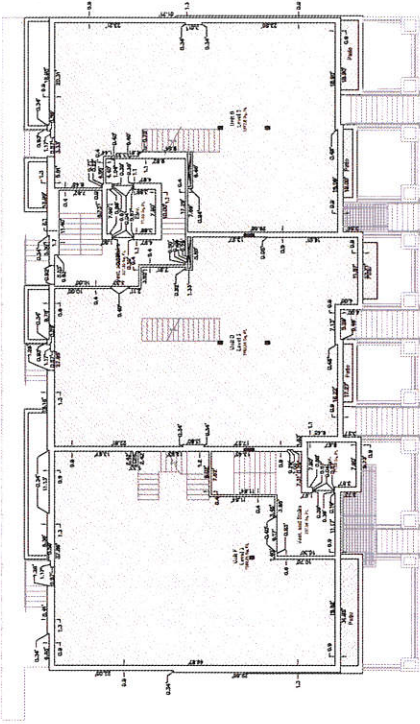
## 205 MAIN STREET PLAT A CONDOMINIUM PROJECT

LOCATED IN  
 SECTION 16, TOWNSHIP 2 SOUTH,  
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY,  
 SUMMIT COUNTY, UTAH  
 SHEET 1 OF 4

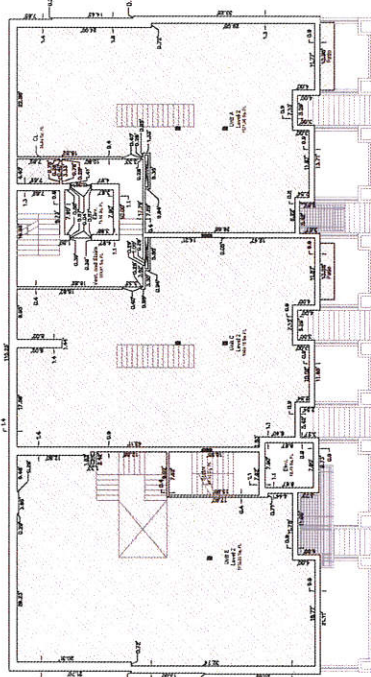


<p><b>COUNCIL APPROVAL AND ACCEPTANCE</b>          I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS DAY OF _____, 2015 A.D.          BY: _____          MAYOR</p>	<p><b>ENGINEERS CERTIFICATE</b>          I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE. THIS DAY OF _____, 2015 A.D.          BY: _____          PARK CITY ENGINEER</p>	<p><b>PLANNING COMMISSION</b>          REVIEWED BY THE PARK CITY PLANNING COMMISSION THIS 9th DAY OF APRIL, 2015 A.D.          BY: _____          CHAIR</p>	<p><b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b>          REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2015 A.D.          BY: _____          S.B.W.R.D.</p>	<p><b>APPROVAL AS TO FORM</b>          APPROVED AS TO FORM THIS _____ DAY OF _____, 2015          BY: _____          PARK CITY ATTORNEY</p>	<p><b>CERTIFICATE OF ATTEST</b>          I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2015 A.D.          PARK CITY RECORDER _____</p>	<p><b>RECORDED</b>          ENTRY NO. _____ BOOK _____ PAGE _____          STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF: _____          DATE _____ TIME _____          COUNTY RECORDER _____</p>
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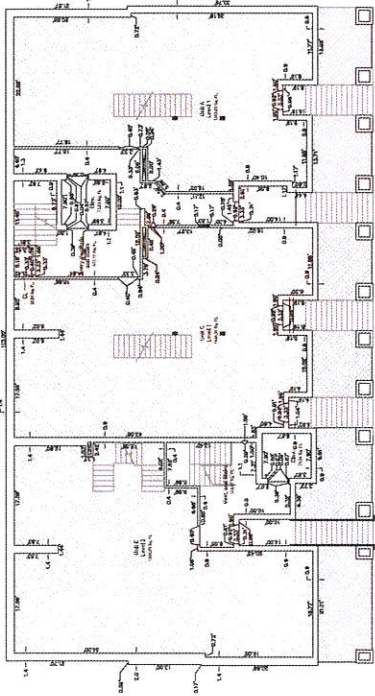
LEGEND  
 PRIVATE OWNERSHIP  
 LIMITED COMMON AREA  
 COMMON AREA



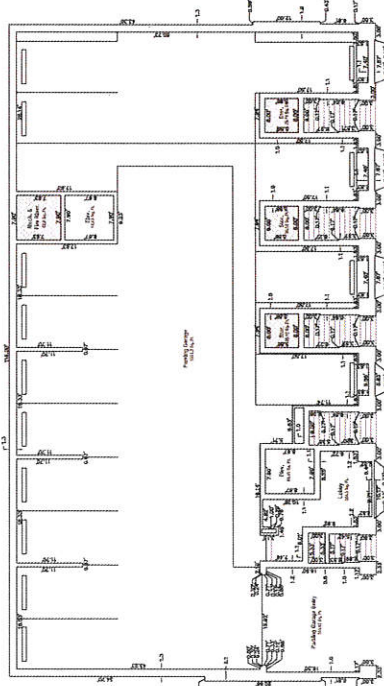
**LEVEL 3**



**LEVEL 2**



**LEVEL 1**



**PARKING**

**205 MAIN STREET PLAT  
 A CONDOMINIUM PROJECT**

LOCATED IN  
 SECTION 16, TOWNSHIP 2 SOUTH,  
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY,  
 SUMMIT COUNTY, UTAH  
 SHEET 2 OF 4

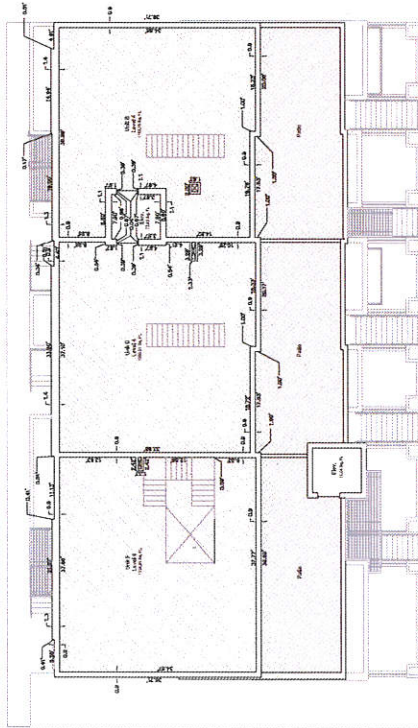


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 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
 AT THE REQUEST OF: \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 COUNTY RECORDER \_\_\_\_\_



LEGEND

- PRIVATE OWNERSHIP
- UNITED COMMON AREA
- COMMON AREA



# LEVEL 4

## 205 MAIN STREET PLAT A CONDOMINIUM PROJECT

LOCATED IN  
SECTION 16, TOWNSHIP 2 SOUTH  
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY,  
SUMMIT COUNTY, UTAH  
SHEET 3 OF 4

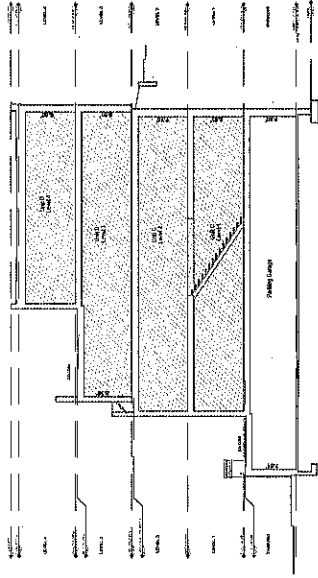


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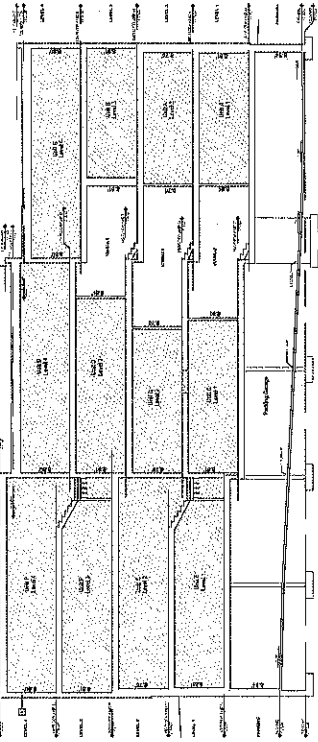
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STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF: \_\_\_\_\_  
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COUNTY RECORDER \_\_\_\_\_

LEGEND

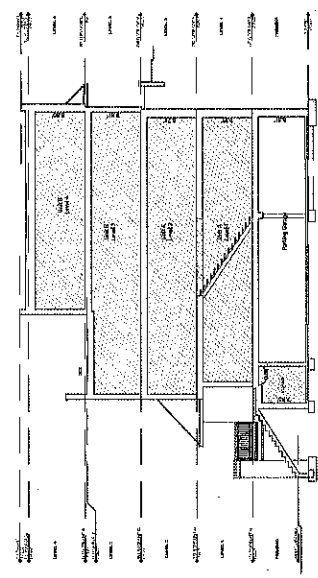
- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA



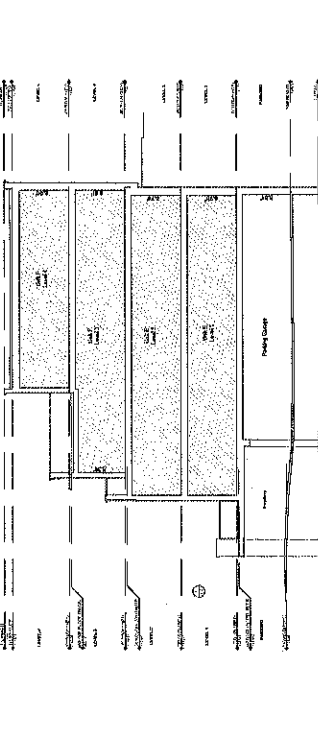
SECTION C-C



SECTION A-A



SECTION D-D



SECTION B-B

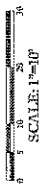
**205 MAIN STREET PLAT**  
**A CONDOMINIUM PROJECT**

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 SECTION 16, TOWNSHIP 2 SOUTH,  
 RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY,  
 SUMMIT COUNTY, UTAH  
 SHEET 4 OF 4



**Jack Johnson Consulting**  
 INCORPORATED  
 100 PRODUCTION BLVD. SUITE 200  
 PARK CITY, UTAH 84303

RECORDED  
 ENTRY NO. \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DATE \_\_\_\_\_  
 COUNTY OF SUMMIT, AND FILED  
 AT THE REQUEST OF \_\_\_\_\_ TIME \_\_\_\_\_  
 COUNTY RECORDER \_\_\_\_\_



SCALE: 1"=10'