

AN ORDINANCE APPROVING THE AGIO 260 SECOND AMENDED CONDOMINIUM PLAT LOCATED AT 260 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the AGIO 260 Condominiums, located at 260 Main Street, have petitioned the City Council for approval of the AGIO 260 Second Amended condominium plat; a Utah Condominium project; 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; and

WHEREAS, the Planning Commission held a public hearing on September 9, 2015, to receive input on the proposed amended condominium plat;

WHEREAS, on September 9, 2015, the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on October 8, 2015, the City Council held a public hearing on the proposed amended condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed AGIO 260 Second Amended condominium plat; a Utah Condominium project.

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 AGIO 260 Second Amended 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 260 Main Street within the Historic Commercial Business (HCB) District.
2. The AGIO 260 First Amended condominium plat was approved by City Council on July 10, 2008 (Ordinance # 08-28) and was recorded at Summit County on November 21, 2008. The AGIO 260 condominium plat was approved by City Council on October 4, 2007 (Ordinance # 07-66) and was recorded at Summit County on May 30, 2008. The original 260 Main Street Subdivision was approved by City Council on May 31, 2007 (Ordinance # 07-29) and was recorded at Summit County on July 31, 2007.
3. On July 17, 2015, the applicants submitted an application for a condominium plat amendment. The application was deemed complete on July 17, 2015.

4. The total square footage of the exterior roof deck that was converted to interior space is 327 square feet as approved under the HDDR application on April 17, 2014.
5. The condominium plat amendment does not increase the parking requirements for these units, parking is sufficient to meet the size of each of the two residential units. A total of four spaces are provided in the basement of the building for residential use. The property paid into the 1984 Special Improvement District (SID) which waives the parking requirement of 1.5 FAR for the commercial use.
6. As conditioned, this condominium plat amendment is consistent with the conditions of approval of the AGIO 260 First Amended condominium plat, the AGIO 260 condominium plat, and the original 260 Main Street Subdivision.
7. The findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this condominium plat amendment.
2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended condominium plat is consistent with the AGIO 260 First Amended condominium plat as approved by City Council on July 10, 2008, the AGIO 260 condominium plat as approved by City Council on October 4, 2007, and the original 260 Main Street Subdivision as approved by City Council on May 31, 2007.
4. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
5. Approval of the condominium plat amendment, 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 amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the condominium plat.
2. The applicant will record the amended 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 condominium plat 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. All conditions of approval of the AGIO 260 and AGIO 260 First Amended condominium plat continue to apply.

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

PASSED AND ADOPTED this 9th day of October, 2015.

PARK CITY MUNICIPAL CORPORATION


Jack Thomas, MAYOR

ATTEST:



Kristin Parker, Deputy City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney



