

**AN ORDINANCE APPROVING THE FIRST AMENDED, FOURTH SUPPLEMENTAL RECORD OF SURVEY MAP, REMOVING PLAT NOTES REGARDING OUTDOOR USES, SUMMIT WATCH AT PARK CITY, AN EXPANDABLE UTAH CONDOMINIUM PROJECT LOCATED AT 710-900 MAIN STREET, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Summit Watch at Park City, located at 710-900 Main Street, have petitioned the City Council for approval of the First Amendment to the Summit Watch at Park City Record of Survey; 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 23, 2015, to receive input on the proposed amended condominium plat;

WHEREAS, on September 23, 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 the First Amendment to the Summit Watch at Park City Record of Survey

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 First Amended, Fourth Supplemental Record of Survey Map, Removing Plat Notes Regarding Outdoor Uses for the Summit Watch At Park City, An Expandable Utah Condominium Project, 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 710-900 Main Street within the Historic Recreation Commercial (HRC) District.
2. The Summit Watch at Park City Record of Survey plat was approved by City Council on October 7, 1993 and the plat was recorded with Summit County on February 7,

- 1994.
3. The Summit Watch at Park City Record of Survey plat was required as of part of the Town Lift Phase I – Small scale MPD agreement that was approved by the Planning Commission on April 22, 1992
  4. The Third Supplemental Record of Survey for Summit Watch at Park City was approved by City Council on May 16, 1996 and the plat was recorded with Summit County on September 30, 1996
  5. The Third Supplemental Record of Survey for Summit Watch at Park City plat was required as of part of the Summit Watch Revised Concept Plan- Large Scale MPD that was approved by the Planning Commission on November 23, 1994.
  6. The Fourth Supplemental Record of Survey for Summit Watch at Park City was approved by City Council on September 25, 1997 and the plat was recorded with Summit County on April 10, 1998
  7. The Fourth Supplemental Record of Survey plat was required as of part of the Summit Watch Revised Concept Plan- Large Scale MPD that was approved by the Planning Commission on November 23, 1994.
  8. The November 23, 1994 Summit Watch Revised Concept Plan- Large Scale MPD approval contains a Condition of Approval stating that all uses in the project shall be governed by the HCB zone.
  9. On July 6, 2015, the applicants submitted an application for a record of survey plat amendment. The application was deemed complete on July 9, 2015. On September 7, 2015, the application was revised to consolidate three separate applications into this one application.
  10. The Record of Survey plat amendment would make the subject property consistent with the underlying zoning requirements for the Historic Recreation Commercial (HRC) zoning district
  11. The Record of Survey plat amendment would allow the applicant to apply for administrative permits, without prior Planning Commission approval, for outdoor uses.
  12. Staff could not find any information in prior meeting minutes and reports regarding the specific need for additional regulation beyond the zoning requirements for the Historic Recreation Commercial (HRC) zoning district
  13. There are no unique characteristics in this project that require additional regulation beyond the underlying zoning requirements for the Historic Recreation Commercial (HRC) zoning district. Adjacent properties in the HRC zone are currently allowed to apply for Outdoor Uses and special events through administrative processes.
  14. Special events and Outdoor Uses that currently take place in the HRC zone include the Sundance Film Festival, Park City Silly Sunday Market, and U.S. Ski/Snowboard events.
  15. 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. Neither the public nor any person will be materially injured by the proposed

- condominium plat amendment.
4. Approval of the amended 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:

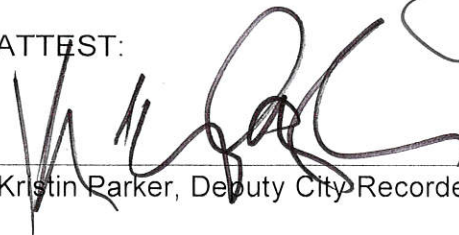
1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the condominium plat.
2. The applicant will record the amended condominium 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 original Summit Watch at Park City Record of Survey plat continue to apply.

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

PASSED AND ADOPTED this 8<sup>th</sup> Day of October, 2015.

PARK CITY MUNICIPAL CORPORATION

ATTEST:

  
\_\_\_\_\_  
Kristin Parker, Deputy City Recorder

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

APPROVED AS TO FORM:

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



Exhibit A



SUPERVISOR'S CERTIFICATE

I, Mark A. Barrett, hereby certify that the following is a true and correct copy of the original record of the Survey Map...

SURVEYOR'S NARRATIVE

Reference to the fourth supplemental record of survey map, containing the original record of survey map, is hereby made...

LEGAL DESCRIPTIONS

Parcel 1: The corner here and thence in Summit, Utah, is from City Commission as more particularly shown on the original record of survey map...

PARCEL 2

Subsequent to the date of the original record of survey map, the Survey Map was amended by the City Commission...

NOTE

This plan is subject to the conditions of approval in Ordinance No. 2015-001.

FAST ANNEALED PLAT NOTES REGARDING OUTDOOR USES REMOVING WATCH AT PARK CITY

AS APPLICABLE TO THE CITY OF PARK CITY, UTAH, AND UTAH COUNTY, UTAH

CONSENT TO RECORD

I, Mark A. Barrett, hereby certify that the following is a true and correct copy of the original record of the Survey Map...

ACKNOWLEDGMENT

On this day of 2015, at the City of Park City, Utah, before me, the undersigned authority, personally appeared...

DWIGER'S DECLARATION AND CONSENT TO RECORD

I, Mark A. Barrett, hereby certify that the following is a true and correct copy of the original record of the Survey Map...

ACKNOWLEDGMENT

On this day of 2015, at the City of Park City, Utah, before me, the undersigned authority, personally appeared...

THIS PLAT REMOVES THE FOLLOWING NOTES

- Notes 1 through 5: The original map on page 2 of the Record of Survey Map, Summit Watch at Park City, Utah, is hereby removed...

Approval and Acceptance section with fields for City of Park City, Council Meeting, and various signatures.

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RECORDING OFFICE AND COUNTY CLERK

