

**Ordinance No. 16-14**

**AN ORDINANCE APPROVING THE APRIL INN CONDOMINIUMS RECORD OF SURVEY PLAT LOCATED AT 545 MAIN STREET & 550 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 545 Main Street/550 Park Avenue have petitioned the City Council for approval of the Condominium 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; and

WHEREAS, the Planning Commission held a public hearing on February 24, 2016, to receive input on plat amendment; and

WHEREAS, the Planning Commission, February 24, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 24, 2016, 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 April Inn Condominiums Record of Survey Plat.

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

**SECTION 1. APPROVAL.** April Inn Condominiums Record of Survey plat 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 545 Main Street in the HCB District and at 550 Park Avenue in the HR-2 District.
2. The subject property consists of Lot 1 of the Cardinal Park Plat Amendment approved by the City Council in November 2015, and not yet recorded at Summit County.
3. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.
4. In October 2015, the Park City Planning Commission approved a request for a Steep Slope Conditional Use Permit (CUP) for a new single-family dwelling over a parking structure on a vacant site and a CUP for a *Residential Parking*

*Structure with five (5) or more spaces, associated with a residential Building on the same Lot,*

5. The property owner proposes to record a Condominium Record of Survey that creates a total of seven (7) units.
6. A condominium is not a type of use but a form of ownership.
7. A Multi-Unit Dwelling is an allowed use in the HCB District.
8. The proposal complies with the allowed uses in the HCB District.
9. Lot 1 of the Cardinal Park Plat Amendment is 8,425.5 square feet in total with 5,800.5 square feet of it within the HCB District and the remainder is located in the HR-2 District.
10. The minimum lot area within the HCB District is 1,250 square feet.
11. The HCB zoned portion of Lot 1 is 5,800.5 square feet and complies with the required minimum lot area.
12. The minimum lot width within the HCB District is twenty five feet (25').
13. The lot width of the HCB zoned portion of Lot 1 is 77.34 feet and complies with the minimum lot width.
14. There are no minimum front, rear, and side yard setback dimensions in the HCB District.
15. The maximum Floor Area Ratio (FAR) within the HCB District is 4.0 or 23,202 square feet (5,800.5 square feet x 4.0).
16. The existing gross area of the HCB zoned portion of Lot 1 is 15,539 square feet.
17. The existing FAR is 2.68 (15,539 ÷ 5,800.5) and meets the maximum FAR.
18. The maximum Building volume for the HCB Zoned lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane.
19. The maximum Building volume is met.
20. A single-family dwelling is an allowed use in the HR-2 District.
21. The minimum lot area for a single-family dwelling is 1,875 square feet.
22. The area of Lot 1 is 8,425.5 square feet in total with 2,625 square feet of it within the HR-2 District and the remainder is located in the HCB District.
23. The HR-2 zoned portion of Lot 1 is 2,625 square feet and complies with the required minimum lot area.
24. The minimum lot width allowed in the HR-2 District is twenty-five feet (25').
25. The lot width of the HR-2 zoned portion of Lot 1 is thirty five feet (35') and complies with the minimum lot width.
26. The proposed single-family dwelling / parking garage structure shall be subject to the parameters outlined in the HR-2 District.
27. The proposed Condominium Record of Survey Plat as the requested form of ownership is not detrimental to the overall character of the neighborhood.
28. This application allows the following units to be platted as private ownership:
  - a. Commercial Unit A – 1,392 square feet.
  - b. Commercial Unit B – 1,541 square feet.
  - c. Commercial Unit C – 1,556 square feet.
  - d. Residential Unit D – 2,994 square feet, plus a 213 square foot garage,

- totaling 3,207 square feet.
- e. Residential Unit E – 2,855 square feet, plus 220 square foot garage, totaling 3,075 square feet.
  - f. Residential Unit F – 2,808 square feet, plus a 220 square foot garage, totaling 3,028 square feet.
  - g. Residential Unit G – 1,826 square feet, plus a 232 square foot garage, totaling 2,058 square feet.
- 29. The total private ownership of this project is 15,857 square feet.
  - 30. Units A, B, and C are found on the street level directly off to the Main Street sidewalk and are of a commercial designation.
  - 31. Units D, E, and F are found above commercial units on the second and third level of the existing building.
  - 32. Units A – F are addressed as 545 Main Street.
  - 33. Residential unit G is a single-family dwelling and parking garage structure to be building and will have the 550 Park Avenue address.
  - 34. The proposed Record of Survey consists of common area, private residential, limited common residential, and private commercial.
  - 35. The exterior and boundary walls, floor joists, foundations, roofs, mechanical areas, utility chase, etc. are to be platted as common space.
  - 36. The four (4) residential units, D, E, F, & G, are to be platted as private residential including the four (4) garages to be access off the alley via Main Street.
  - 37. The three (3) commercial units, A, B, & C, are to be platted as private commercial.
  - 38. The storage areas accessed through the three (3) garages, external parking space adjacent to Unit G, exterior decks, internal circulation, etc., are platted limited common residential.
  - 39. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.
  - 40. 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.

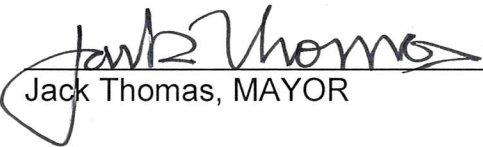
3. The Cardinal Park Plat Amendment shall be recorded prior to the recordation of this Condominium Record of Survey.
4. Required public improvements and landscaping, as applicable, shall be completed at the time of conversion or security provided to ensure completion as provided by ordinance.
5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Prior to building permit issuance, a soils management plan must be submitted and final construction must comply with the Soils Ordinance.

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

PASSED AND ADOPTED this 24<sup>th</sup> day of March, 2016.



PARK CITY MUNICIPAL CORPORATION

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

ATTEST:

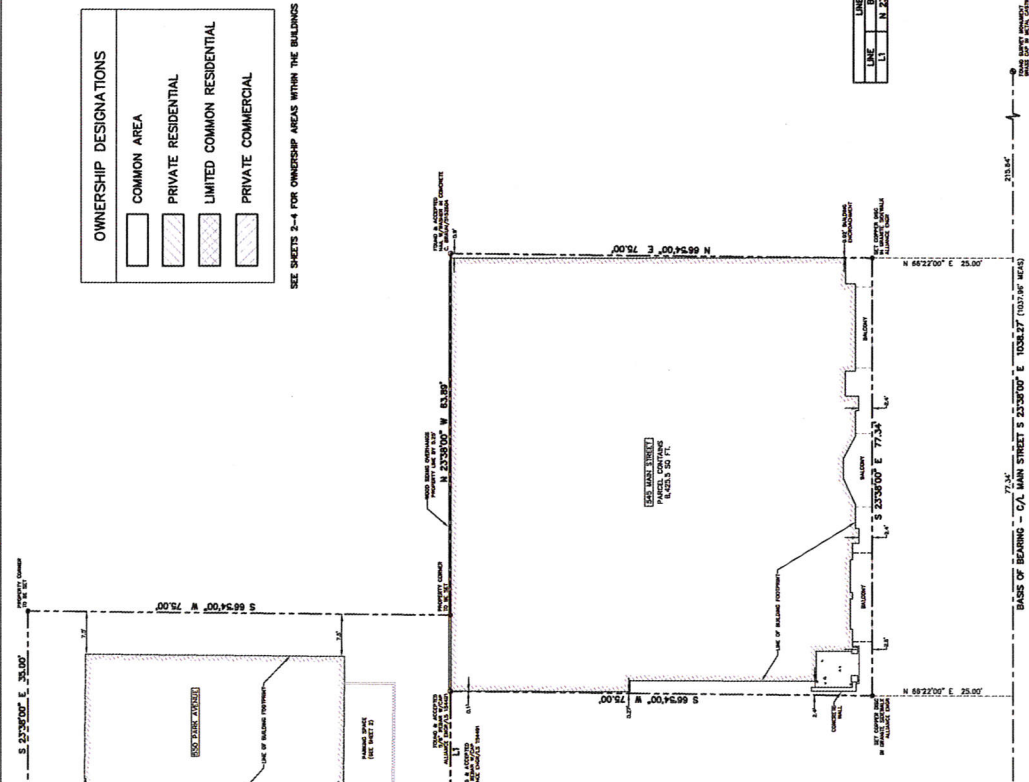
  
\_\_\_\_\_  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

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

**Attachment 1 – Proposed Plat**

# Attachment 1 - Proposed Condominium Record of Survey



OWNERSHIP DESIGNATIONS

[White Box]	COMMON AREA
[Hatched Box]	PRIVATE RESIDENTIAL
[Hatched Box]	LIMITED COMMON RESIDENTIAL
[Hatched Box]	PRIVATE COMMERCIAL

SEE SHEETS 2-4 FOR OWNERSHIP AREAS WITHIN THE BUILDINGS

### SURVEYOR'S CERTIFICATE

I, Nicholas Lippa, Licensed Land Surveyor, State of Utah, Registration No. 491919, hereby certify that the foregoing plat is a true and correct representation of the survey as shown on the ground on this date. I have personally examined the survey and the same has been monumented on the ground on this date.

### BOUNDARY DESCRIPTION

**PARCEL 1**  
 Lot 1, 545 MAIN STREET, Lot Line Adjustment Plat, Park City, Utah, according to the official Survey Map No. 491919, recorded November 2, 1982, on Entry No. 197782, and that the same has been monumented on the ground on this date.

Also being described as and being located within the following: All of Lots 13, 14 and 15, and the North 2.4 feet of Lot 12, Block 9, PARK CITY SURVEY OF BUILDING LOTS.

**PARCEL 2**  
 Beginning at the easternmost corner of Lot 35, Block 8, Park City Survey, and running thence South 65°24'00" West 75.00 feet; thence North 23°30'00" West 30.00 feet; thence North 65°24'00" East 75.00 feet; thence South 23°30'00" East to the point of beginning.

### OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that 545 MAIN STREET HOLDINGS, LLC, an Oklahoma limited liability company, the undersigned owner of the herein described tract of land to be known hereafter as Parcel 2, does hereby consent to the recordation of this plat.

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

545 Main Street Holdings, LLC, an Oklahoma limited liability company  
 By: Nicholas Lippa, Vice President

### ACKNOWLEDGMENT

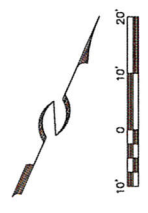
State of: \_\_\_\_\_  
 County of: \_\_\_\_\_  
 On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, Nicholas Lippa personally appeared before me, \_\_\_\_\_, a Notary Public in and for the State of Utah, and who by me duly sworn/affirmed, did say that she is the Vice President of 545 Main Street Holdings, LLC an Oklahoma limited liability company, and that said document was signed by her on \_\_\_\_\_, 2016, and that she executed this plat of April Inn Condominiums.

I, a Notary Public commissioned in \_\_\_\_\_  
 Printed Name: \_\_\_\_\_  
 Reading In: \_\_\_\_\_  
 My commission expires: \_\_\_\_\_  
 Commission No.: \_\_\_\_\_

LINE	BEARING	DISTANCE
L1	N 23°30'00" W	21.55

### NOTES

- The survey monument of Fourth Street and Main Street shown on the Park City Monument Control Map, recorded November 2, 1982, on Entry No. 197782, was destroyed previous surveys.
- The dimensions of the interior corners shown on this plat are taken from architectural drawings. It is the intent that the units be constructed as shown, though variations may occur.
- This condominium plat is subject to the Conditions of Approval in Ordinance 16-\_\_\_\_\_.



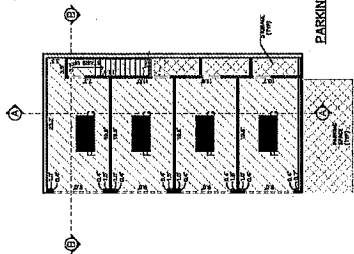
## A PARCEL COMBINATION PLAT IN BLOCK 9, PARK CITY SURVEY APRIL INN CONDOMINIUMS

LOCATED IN BLOCK 9, PARK CITY SURVEY AND ALSO IN SECTION 16  
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

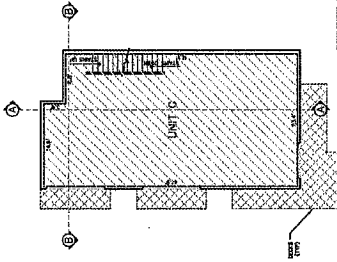
<p>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT                  REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016</p> <p>BY: _____                  S.B.W.E.D.</p>	<p>PLANNING COMMISSION                  APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016</p> <p>BY: CHAIR _____</p>	<p>ENGINEER'S CERTIFICATE                  FIND THIS PLAT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH PROFESSIONAL ENGINEERING ACT AND THE RULES OF THE BOARD OF ENGINEERING EXAMINERS. FILE IN MY OFFICE THIS _____ DAY OF _____, 2016</p> <p>BY: _____                  PARK CITY ENGINEER</p>	<p>APPROVAL AS TO FORM THIS _____ DAY OF _____, 2016</p> <p>BY: _____                  PARK CITY ATTORNEY</p>	<p>COUNCIL APPROVAL AND ACCEPTANCE                  APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016</p> <p>BY: _____                  MAYOR</p>	<p>CERTIFICATE OF ATTEST                  I CERTIFY THIS RECORD OF SURVEY WAS FILED BY _____ AT _____ O'CLOCK _____ DAY OF _____, 2016</p> <p>BY: _____                  PARK CITY RECORDER</p>	<p>RECORDED                  STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ CITY</p> <p>DATE _____ TIME _____ ENTRY NO. _____</p> <p>FEE _____</p>
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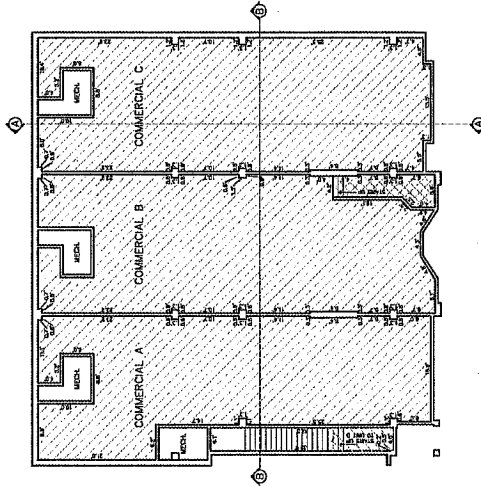
(435) 644-4447  
 CONSULTING PROFESSIONALS LAND PLANNERS SURVEYORS  
 333 Main Street, P.O. Box 2000, Park City, Utah 84302-2000



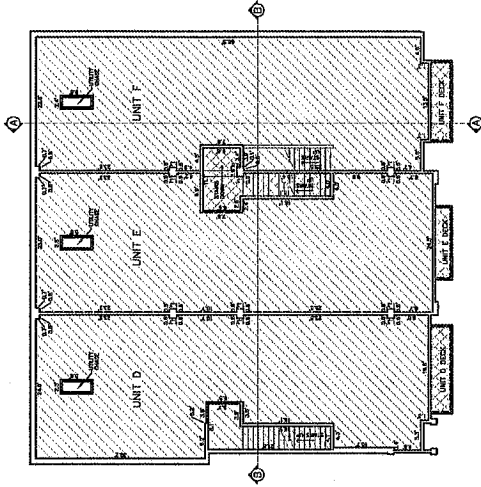
PARKING LEVEL-550 PARK AVENUE



STREET LEVEL-550 PARK AVENUE



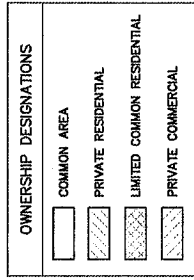
STREET LEVEL-545 MAIN STREET



SECOND LEVEL-545 MAIN STREET

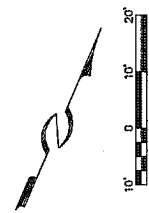
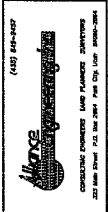
UNIT AREA TABLE

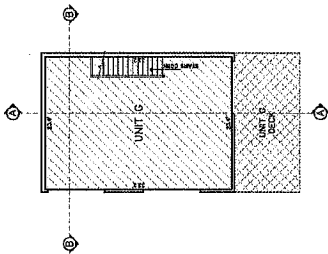
UNIT	UNIT OVERSHP AREA	GARAGE AREA
COMMERCIAL A	1252 SQ FT	N/A
COMMERCIAL B	1528 SQ FT	N/A
COMMERCIAL C	1528 SQ FT	N/A
UNIT D	2942 SQ FT	253 SQ FT
UNIT E	2942 SQ FT	253 SQ FT
UNIT F	2942 SQ FT	253 SQ FT



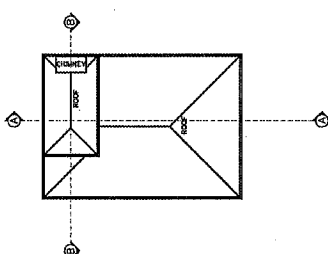
# APRIL INN CONDOMINIUMS

SHEET 2 OF 4  
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 AT THE REQUEST OF  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ENTRY NO. \_\_\_\_\_  
 FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

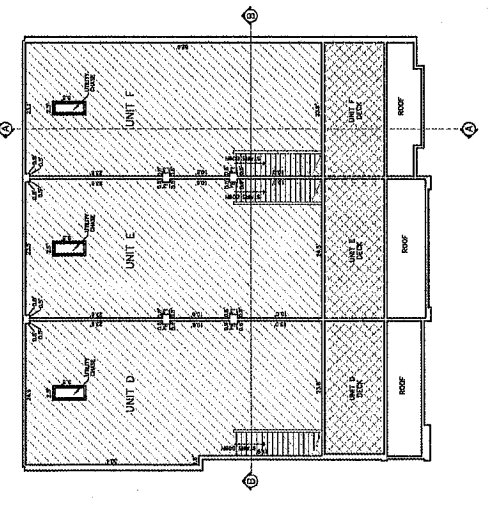




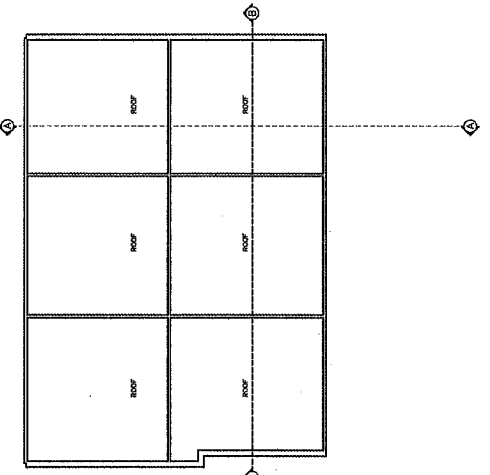
UPPER LEVEL-550 PARK AVENUE



ROOF LEVEL-550 PARK AVENUE



THIRD LEVEL-545 MAIN STREET



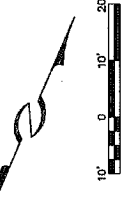
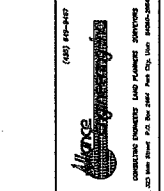
ROOF LEVEL-545 MAIN STREET

UNIT AREA TABLE			
UNIT	PRIVATE OWNERSHIP AREA	COMMON OWNERSHIP AREA	GARAGE AREA
COMMERCIAL A	1441 SQ. FT.	N/A	N/A
COMMERCIAL B	1541 SQ. FT.	N/A	N/A
COMMERCIAL C	1552 SQ. FT.	N/A	N/A
UNIT 1	2363 SQ. FT.	220 SQ. FT.	220 SQ. FT.
UNIT 2	2249 SQ. FT.	220 SQ. FT.	220 SQ. FT.
UNIT 3	2020 SQ. FT.	220 SQ. FT.	220 SQ. FT.
UNIT 4	1829 SQ. FT.	220 SQ. FT.	220 SQ. FT.

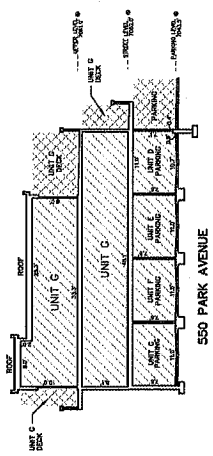
**OWNERSHIP DESIGNATIONS**

- COMMON AREA
- PRIVATE RESIDENTIAL
- LIMITED COMMON RESIDENTIAL
- PRIVATE COMMERCIAL

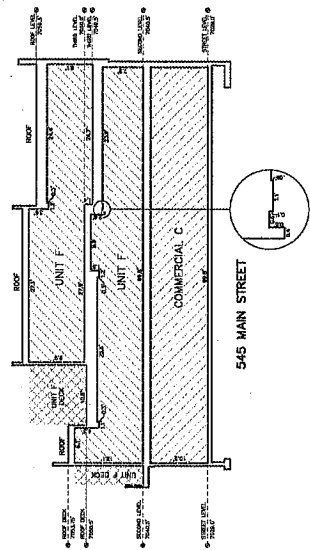
# APRIL INN CONDOMINIUMS



JOB NO. 1-3-24 FILE # V101025-2024-0071 (S) (L) (S) (A) (U) (D) (R) (E) (G)  
 10/24  
**SHEET 3 OF 4**  
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 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
 AT THE OFFICE OF THE REGISTER  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ENTRY NO. \_\_\_\_\_  
 FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

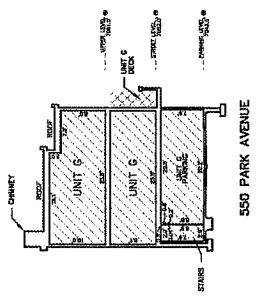


550 PARK AVENUE



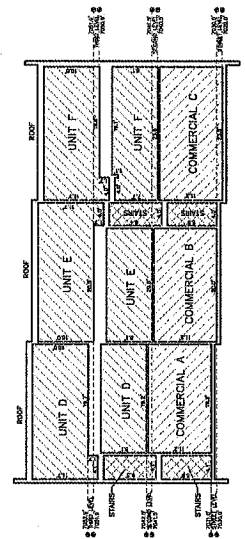
545 MAIN STREET

SECTION ④



550 PARK AVENUE

SECTION ③



545 MAIN STREET

SECTION ②

OWNERSHIP DESIGNATIONS	
[White Box]	COMMON AREA
[Diagonal Lines /]	PRIVATE RESIDENTIAL
[Diagonal Lines \]	LIMITED COMMON RESIDENTIAL
[Cross-hatch]	PRIVATE COMMERCIAL

# APRIL INN CONDOMINIUMS

SHEET 4 OF 4  
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 AT THE REQUEST OF \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ ENTRY NO. \_\_\_\_\_  
 PEE \_\_\_\_\_ RECORDER \_\_\_\_\_



(435) 644-6477  
  
 CONSULTING ENGINEERS LAND PLANNING ARCHITECTS  
 222 Main Street, 7th Fl., Salt Lake City, Utah 84143-0222