

Ordinance No. 2016-50

**AN ORDINANCE APPROVING THE STEIN ERIKSEN LODGE COMMON AREA
THIRD SUPPLEMENTAL SHEET FOR ALL PHASES, LOCATED AT 7700 STEIN
WAY, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Stein Eriksen Lodge, located at 7700 Stein Way have petitioned the City Council for approval of the Stein Eriksen Lodge Common Area Third Supplemental Sheet amending the common area of the Stein Eriksen Lodge condominium plat; and

WHEREAS, on August 10, 2016, the property was posted and legal notice was published in the Park Record according to the requirements of the Land Management Code; and

WHEREAS, August 10, 2016, courtesy notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on August 24, 2016 and continued the item to September 28, 2016; and

WHEREAS, on September 9, 2016, legal notice was published in the Park Record according to the requirements of the Land Management Code and on September 13, 2016 the property was reposted; and

WHEREAS, the Planning Commission held public hearings on September 28th and October 26th, 2016, and forwarded a positive recommendation to City Council; and,

WHEREAS, City Council held a public hearing on November 17, 2016 to receive input on the Third Supplemental Sheet,

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Stein Eriksen Lodge Common Area Third Supplemental Sheet for All Phases as an amendment to the condominium 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 Stein Eriksen Lodge Common Area Third Supplemental Sheet for All Phases 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 7700 Stein Way.
2. The Stein Eriksen Lodge is located in the Residential Development (RD-MPD) zoning district.
3. The property is subject to the Deer Valley Master Planned Development, as amended (11th Amended Master Planned Development).
4. The Deer Valley Master Planned Development (11th Amended) allocates 66.75 units of density to the Stein Eriksen Lodge multi-family parcel. There are currently 65 residential units of varying sizes totaling 197,858.26 square feet due to the use of Deer Valley units when developing this parcel.
5. On August 27, 2009, the City Council approved a First Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements and addition to the spa building, as support commercial space, within the existing platted common area. The First Supplemental Sheet was recorded on June 23, 2010.
6. On October 11, 2012, the City Council approved a Second Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements to the support meeting rooms. The Second Supplemental Sheet was recorded on June 28, 2013.
7. On December 5, 2015, members of the Stein Eriksen Lodge Owner's Association, Inc. voted to expand residential accessory uses within the common area for improvements to the outdoor pool area and for additions to the existing owner and guest ski locker room and owner and guest recreation and entertainment facilities.
8. On May 17, 2015, the Stein Eriksen Lodge Owner's Association submitted an application for a Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge condominium plat to reflect proposed improvements to the existing platted common area for approximately 3,000 sf of additional guest ski lockers, 3,500 sf for guest recreational amenities (game room) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to the outdoor pool and deck area. These uses are all considered residential accessory uses.
9. At 19' to 25', the height of the addition complies with the allowed height of 35' from existing natural grade.
10. Exterior materials and architecture are proposed to match the existing buildings in character, style, details, and type.
11. The application was deemed complete on August 16, 2016.
12. This plat amendment does not increase the square footage of either support meeting space, support commercial space, or change any residential units or private areas.
13. The proposed Third Supplemental Sheet is consistent with the 11th amended Deer Valley Master Planned Development.
14. No changes are proposed to the support commercial areas, support meeting space, or to any residential or private area within the building or site. Limited common deck area for Unit 212 is relocated to the north side of the unit.
15. The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%.

16. This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.
17. There is good cause for the proposed amendment to the condominium plat in that the amendment reflects proposed physical changes to the common area for exclusive use by owners, guests, and employees.

Conclusions of Law:

1. There is good cause for this Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominium plat.
2. The proposed plat is consistent with the Park City Land Management Code, the 11th Amended Deer Valley Master Planned Development, and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed plat.
4. Approval of this Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominiums 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 amendment 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. All conditions of approval of the October 26, 2016 amended Conditional Use Permit shall apply.
4. The plat shall be recorded prior to issuance of a certificate of occupancy for the addition.
5. All conditions of approval of the Deer Valley Master Planned Development (11th Amendment) continue to apply.
6. All conditions of the Stein Eriksen Lodge Condominium plat and supplemental sheets, as amended, continue to apply.
7. As common area the addition for residential accessory uses may not be separately sold or deeded.
8. No further expansion of support commercial exceeding 17,250 square feet and no further expansion of support meeting space exceeding 9,893 square feet will be permitted based on the additional floor area of this expansion.
9. All required disturbance and impact fees will be calculated based on the building permit application and are required to be paid prior to issuance of a building permit.
10. The proposed video viewing room is considered residential accessory space intended as a guest amenity for exclusive use by owners, guests and employees of the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

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

PASSED AND ADOPTED this 17th day of November, 2016.



PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

**Exhibit A- Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge
Common Area condominium plat**

EXHIBIT A

SURVEYOR'S CERTIFICATE

I, John Demaree, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154497, as prescribed by the laws of the State of Utah, and that by authority of the owner(s), I have prepared this Record of Survey map of the STEIN ERIKSEN LODGE COMMON AREA, and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.



BOUNDARY DESCRIPTION

The Common Area, contained within the Stein Eriksen Lodge, a Utah Condominium Project, as the same is identified in the Record of Survey Map recorded in Summit County, Utah as Entry No. 127370, and in the Amended Record of Survey Map recorded in Summit County as Entry No. 200211 and in the Declaration of Condominium, Conditions and Restrictions of the Stein Eriksen Lodge, a Utah Condominium Project, recorded in Summit County, Utah, on January 11, 2011, as Entry No. 182771, in Book 206, at Page 18, and in the Amended Declaration of Condominium, Conditions, Restrictions of the Stein Eriksen Lodge, a Utah Condominium Project, recorded in Summit County, Utah on January 6, 2013, as Entry No. 200212, in Book 206, at Page 18, and the First Supplemental Record of Survey Map recorded December 27, 2012, as Entry No. 214571, in Book 211, at Page 153, and Corrected First Supplemental Record of Survey Map recorded December 18, 2014, as Entry No. 228421, in Book 214, at Page 263, and Third Amendment to Declaration of Condominium, recorded January 8, 2016, as Entry No. 237611, in Book 250, at Page 452, and Fourth Amendment to the Condominium Declaration, recorded December 27, 2016, as Entry No. 244217, in Book 254, at Page 20, and Second Amended Stein Eriksen Lodge, Sheet 2 of 3 of the Record of Survey Map recorded July 23, 2016, as Entry No. 241910, and First Supplemental Record of Survey Map recorded July 13, 2016, as Entry No. 241822, and First Amendment to the Condominium Declaration, recorded July 13, 2016, as Entry No. 241823, in Book 2213, at Page 311, the Stein Eriksen Lodge Common Area Supplemental Sheet for all Phases Survey Map recorded June 23, 2010, as Entry No. 921426, and Stein Eriksen Lodge Common Area Second Supplemental Sheet for all Phases Survey Map recorded June 23, 2010, as Entry No. 923745, records of the Summit County Recorder's Office.

Together with (A) the undivided separate interest in said Condominium Project's Common Area and facilities which is appurtenant to said unit, the undivided separate interest in the composition of the common area and facilities to which said interest relates; (B) the exclusive right to use and enjoy each of the limited common areas which is appurtenant to said unit, and (C) the non-exclusive right to use and enjoy the common area and facilities included in said condominium project (no said project may hereafter be expanded) in accordance with the aforesaid declaration and survey map (as said declaration and map may hereafter be amended or supplemented) and the Utah Condominium Decree Act.

OWNER'S DEDICATION AND CONSENT TO RECORD

On this _____ day of _____, 2013, Stein Eriksen Lodge Owner's Association, Inc., a Utah non-profit corporation, does hereby certify that on the minutes of the Association noted to represent the Condominium Project's Common Area and Facilities, the members of the Association have collectively consented to the terms of the plat which comprises Stein Eriksen Lodge. In accordance with the Utah Condominium Decree Act, the Association has consented to the recording of this Amended Record of Survey Map, and does hereby consent to the recording of this Amended Declaration of Condominium, Conditions and Restrictions of the Stein Eriksen Lodge Common Area Supplemental Sheet for all Phases Survey Map, and the First Amendment to the Declaration of Condominium, Conditions and Restrictions of the Stein Eriksen Lodge Common Area Supplemental Sheet for all Phases Survey Map recorded June 23, 2010, as Entry No. 921426, and Stein Eriksen Lodge Common Area Second Supplemental Sheet for all Phases Survey Map recorded June 23, 2010, as Entry No. 923745, records of the Summit County Recorder's Office.

By _____
Russell L. Olsen, Chief Executive Officer

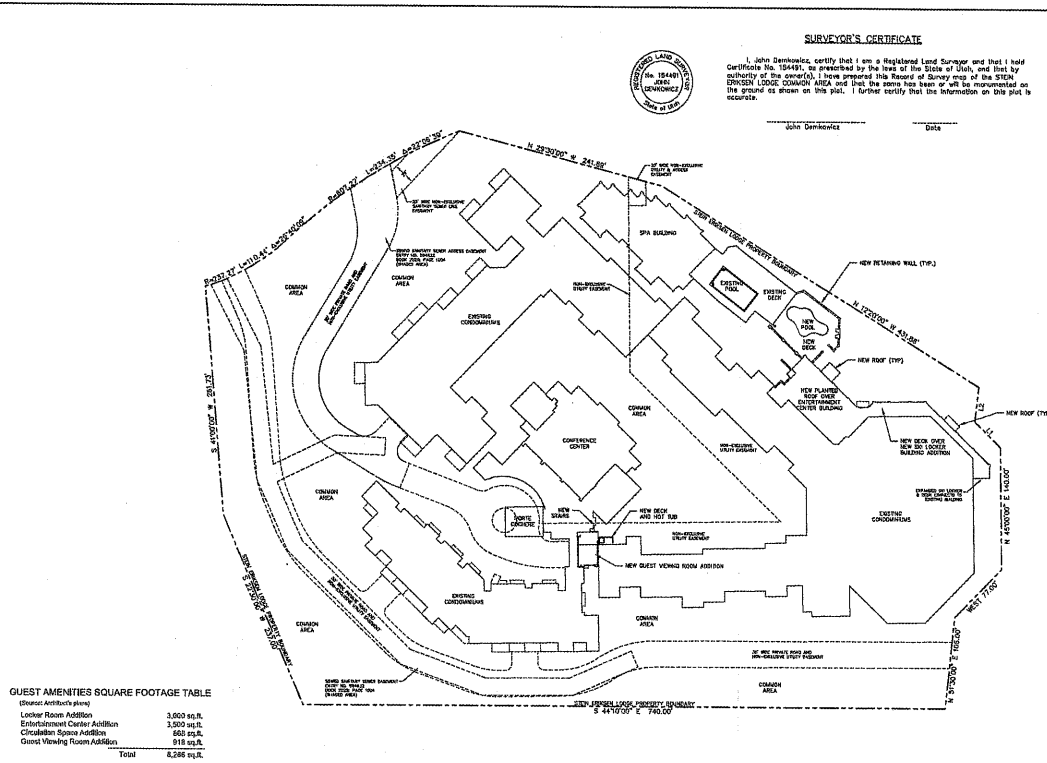
ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF SUMMIT) ss.
On this _____ day of _____, 2013, personally appeared before me, Russell L. Olsen, who being by me duly sworn did say, that he is the Chief Executive Officer of the Stein Eriksen Lodge Owner's Association, Inc., a Utah non-profit corporation, and that he signed the above Owner's Declaration and Consent to Record for, on and in behalf of the said owner of said Association, and said Russell L. Olsen duly consented that said Association recorded the same.

A Notary Public commissioned in Utah
Residing in _____
My commission expires: _____



LINE	TYPE	LENGTH
1-2	N 20°00'00" E	41.60
2-3	S 70°00'00" W	110.00



GUEST AMENITIES SQUARE FOOTAGE TABLE
(Source: Architect's plans)

Lodger Room Addition	3,600 sq. ft.
Entertainment Center Addition	3,200 sq. ft.
Circulation Space Addition	860 sq. ft.
Guest Viewing Room Addition	515 sq. ft.
Total	8,265 sq. ft.
Pool and Deck Addition	3,850 sq. ft.
Guest Viewing Room Deck	231 sq. ft.

- NOTES:
- This Third Supplemental Record of Survey Map is an Amendment to the common area for all phases, currently of record, together with all amendments thereto, to further delineate the common area and facilities to be included in the common area in accordance with the Utah Condominium Act.
 - All other conditions of approval of the Stein Eriksen Lodge Common Area Project continue to apply.
 - All conditions of approval of the Deer Valley Master Planned Development and the Stein Eriksen Lodge (including the permit) shall continue to apply.
 - This plat is subject to the conditions of approval of Ordinance 10-1.

THIRD SUPPLEMENTAL SHEET FOR ALL PHASES
STEIN ERIKSEN LODGE COMMON AREA

A UTAH CONDOMINIUM PROJECT LOCATED IN THE
NW 1/4 OF SECTION 27 AND THE NE 1/4 OF SECTION 26,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

<p>UTAH STATE SURVEYORS 600 WEST CENTER STREET, SUITE 200, SALT LAKE CITY, UTAH 84101-2000</p>	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D. BY _____ S.E.W.J.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 20th DAY OF SEPTEMBER, 2013 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 _____, 2013 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2013 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 _____, 2013 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2012 A.D. BY _____ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER _____
	SHEET 1 OF 1 JOB NO.: 8-118 FILE: A:\SteinEriksen\logos\logos\829129\829129-144.dwg						