

Ordinance No. 2017-61

AN ORDINANCE APPROVING THE GOLD DUST PLAZA CONDOMINIUMS UNITS 201 & 202, FIRST AMENDED PLAT LOCATED AT 1887 GOLD DUST LANE 201& 202, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1887 Gold Dust Lane Units 201 and 202 have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 11, 2017, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 11, 2017, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on October 25, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 9, 2017, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Gold Dust Plaza Condominiums Units 201 & 202, First Amended plat located at 1887 Gold Dust Lane 201/202.

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

SECTION 1. APPROVAL. The Gold Dust Plaza Condominiums Units 201 & 202, First Amended 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 1887 Gold Dust Lane Units 201 & 202.
2. The property is in the General Commercial (GC) District.
3. Adjacent land uses are office and commercial uses.
4. The subject property consists of Units 201 and 202 of the Gold Dust Plaza Condominiums which were recorded in 2000.
5. Based on Building Permit B02-08063 issued on October 23, 2002, it would appear that a previous tenant constructed the units in the manner proposed on the plat with the removal of a portion of the wall between Units 201 and 202.

6. The subject property was included as Lot 17A of the Prospector Square subdivision recorded on December 26, 1974.
7. The Prospector Square Resubdivision of Lots 17A, 17B, and 18A was recorded on June 3, 1994 and included the subject property.
8. The Fuegi Replat combining Lots 17A and 17C of the Prospector Square subdivision was recorded on December 17, 1999 and included the subject property.
9. The Gold Dust Plaza Condominium Conversion was approved by the City Council on April 20, 2000 creating 8 separate units within the office building located at 1887 Gold Dust Lane, which was under construction at the time. This condominium plat was recorded on July 10, 2000.
10. On August 31, 2017, the City received a Plat Amendment application for the Gold Dust Plaza Condominiums Units 201 & 202, First Amended. The application was deemed complete on September 22, 2017 and is the subject of this report.
11. The applicant is proposing to transfer approximately 129 square feet of private area from Unit 201 to Unit 202.
12. The Management Committee of Gold Dust Plaza Condominiums has provided a Certification of Vote indicating that greater than 75 percent of the Unit Owners have given consent to the proposed amendment.
13. The proposed change will not affect the use of the units. Both units currently have a general office use which is an allowed use in the GC zone.
14. The proposed changes are interior to the existing structure and do not alter any features of the building relating to building height or setback requirements.
15. The proposed changes to the units have already been constructed. The proposed plat memorializes the as built condition of Units 201 and 202.
16. This proposal does not change the size of the overall common area for the development.
17. Unit 201 is currently 994 square feet in size and will become 866 square feet in size.
18. Unit 202 is currently 1109 square feet in size and will become 1238 square feet in size.
19. Parking is also maintained since the overall FAR of the building is not changing, and the parking requirements are not changing.
20. The parking requirements for Gold Dust Plaza fall under the Prospector Square Subdivision regulations which have been based on a maximum density of 2.0 FAR with zero lot line development since it was first platted in 1974.
21. The existing parking for the Prospector Square Subdivision contains thirteen (13) shared parking lots with 1,096 total spaces intended for common use and satisfies parking requirements for this development.
22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

4. Approval of the 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 Planner, 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 (1) years' 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 other conditions of approval and platted requirements for the Gold Dust Plaza Condominiums continue to apply and shall be noted on the plat.

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

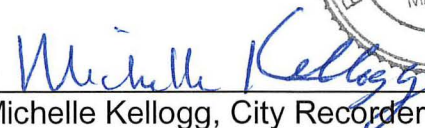
PASSED AND ADOPTED this 9th day of November, 2017.

PARK CITY MUNICIPAL CORPORATION



Jack Thomas, MAYOR

ATTEST:



Michelle Kellogg, City Recorder

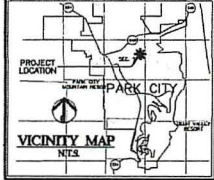


APPROVED AS TO FORM:

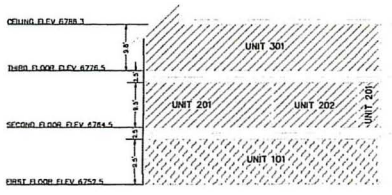
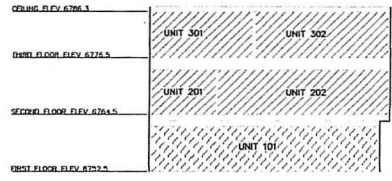
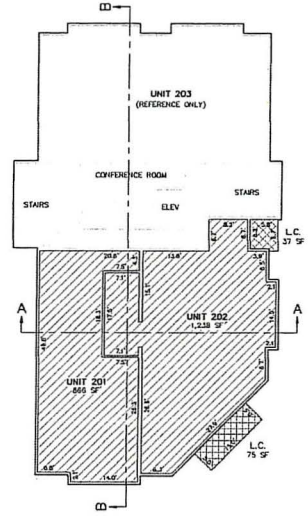
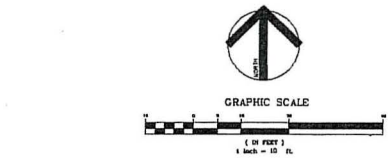


Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



CONDOMINIUM PLAT
GOLD DUST PLAZA CONDOMINIUMS
 UNITS 201 & 202, FIRST AMENDED
 - A UTAH CONDOMINIUM PROJECT -
 A CONDOMINIUM PROJECT LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 9,
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
 PARK CITY, SUMMIT COUNTY, UTAH



OWNERS DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS THAT MIKE WILLIAMS, ITS OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE HEREINAFTER KNOWN AS "GOLD DUST PLAZA CONDOMINIUMS, UNITS 201 & 202, FIRST AMENDED," CONSENT TO THE REVISION OF THIS CONDOMINIUM PLAT, RESERVING THE LAND AND FIRST PRIVATE AREAS, COMMON AREAS AND FACILITIES, LIMITED COMMON AREAS AND FACILITIES AND EASEMENTS.
 IN WITNESS WHEREOF, OWNER HAS SIGNED THIS _____ DAY OF _____, 2017.

ACKNOWLEDGMENT
 STATE OF UTAH) ss.
 COUNTY OF SUMMIT)
 I, _____, DAY OF _____, 2017, PERSONALLY APPEARED BEFORE ME, MIKE WILLIAMS, WHOSE CREDENTIALS I PERSONALLY KNOW TO BE (OR PRODUCE ON THE BASIS OF SATISFACTORY EVIDENCE AND WHO BY HIS SAID INSTRUMENTS, DID SAY THAT HE IS THE OWNER OF SAID LIMITED LIABILITY COMPANY BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND SAID MIKE WILLIAMS HAS ADMITTED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAID _____ DAY OF _____, 2017.
 MI CONDOMINIUM OFFICER: _____
 RESIDING IN _____ COUNTY, STATE OF _____
 SIGNING AS A REPRESENTATIVE CAPACITY: An AUTHORIZED OFFICER, AGENT, PARTNER, TRUSTEE, MEMBER OR OFFICER REPRESENTATIVE MAY SIGN ON BEHALF OF THIS REPRESENTATIVE AGENCY, IF IT IS A CORPORATION, PARTNERSHIP, TRUST, LIMITED LIABILITY COMPANY OR OTHER ENTITY PROVIDED THEY HAVE BEEN GRANT AUTHORITY TO SIGN IN THEIR REPRESENTATIVE CAPACITY.
 THE NOTARY MUST REQUIRE THE SIGNER TO PRESENT SATISFACTORY DOCUMENTARY EVIDENCE AND ADMITTED AS TRUTH ON AFFIRMATION.

OWNERS DEDICATION AND CONSENT TO RECORD
 KNOW ALL MEN BY THESE PRESENTS THAT MICHAEL DEVELOPMENT SERVICES, INC. THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE HEREINAFTER KNOWN AS "GOLD DUST PLAZA CONDOMINIUMS, UNITS 201 & 202, FIRST AMENDED," CONSENT TO THE REVISION OF THIS CONDOMINIUM PLAT, RESERVING THE LAND AND FIRST PRIVATE AREAS, COMMON AREAS AND FACILITIES, LIMITED COMMON AREAS AND FACILITIES AND EASEMENTS.
 IN WITNESS WHEREOF, OWNER HAS SIGNED THIS _____ DAY OF _____, 2017.

ACKNOWLEDGMENT
 STATE OF UTAH) ss.
 COUNTY OF SUMMIT)
 I, MICHAEL DEVELOPMENT SERVICES, INC. BY: ROBERT RUCKER, ITS PRESIDENT, WHOSE CREDENTIALS I PERSONALLY KNOW TO BE (OR PRODUCE ON THE BASIS OF SATISFACTORY EVIDENCE AND WHO BY HIS SAID INSTRUMENTS, DID SAY THAT HE IS THE PRESIDENT OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND SAID MIKE WILLIAMS HAS ADMITTED TO ME THAT SAID LIMITED LIABILITY COMPANY EXECUTED THE SAID _____ DAY OF _____, 2017.
 MI CONDOMINIUM OFFICER: _____
 RESIDING IN _____ COUNTY, STATE OF _____
 SIGNING AS A REPRESENTATIVE CAPACITY: An AUTHORIZED OFFICER, AGENT, PARTNER, TRUSTEE, MEMBER OR OFFICER REPRESENTATIVE MAY SIGN ON BEHALF OF THIS REPRESENTATIVE AGENCY, IF IT IS A CORPORATION, PARTNERSHIP, TRUST, LIMITED LIABILITY COMPANY OR OTHER ENTITY PROVIDED THEY HAVE BEEN GRANT AUTHORITY TO SIGN IN THEIR REPRESENTATIVE CAPACITY.
 THE NOTARY MUST REQUIRE THE SIGNER TO PRESENT SATISFACTORY DOCUMENTARY EVIDENCE AND ADMITTED AS TRUTH ON AFFIRMATION.

- NOTES**
1. Located Within The Northeast 1/4 of Section 9, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Utah City, Summit County, Utah.
 2. Point of Beginning (P.O.B.) is located at the top corner of a solitary sewer vaulted in Park Avenue, as shown herein.
 3. This Plat amends Units 201 & 202 of "Gold Dust Plaza Condominiums", on the west of record in the office of the Summit County Recorder, City number 26676.
 4. Common, Confession, Easements, Encumbrances, Easements, or any items previously associated with the property described herein remain in effect.
 5. The date of this Condominium Plat is the date of the Survey and the date of the plat.
 6. All other Units are shown herein for reference only for information on any unit shown from Units 201 & 202, please refer to "GOLD DUST PLAZA CONDOMINIUMS" as recorded in the office of the Summit County Recorder, City number 26676.
 7. All conditions of GOLD DUST PLAZA CONDOMINIUMS plat shall continue to apply.

FEDERAL DESCRIPTION
 All of those 201 and 202, Gold Dust Plaza Condominiums, together with appurtenant to the official plat thereof as set out and shown in the office of the Summit County Recorder, City number 26676.

SURVYORS CERTIFICATE
 I, Gregory R. Ruckler, of Park City, Utah, County of Summit, State of Utah, am a Licensed Professional Land Surveyor, and I have been licensed since 1972, as provided by the laws of the State of Utah, and that I have performed a survey of the land described herein.
 I further certify that the plat of Survey is a correct representation of the land surveyed and has been filed in conformity with the requirements and regulations of the law and as required by Section 57-2-13 of Chapter 2, Utah Code, Annotated, 1953.

Gregory R. Ruckler, Surveyor
 STATE OF UTAH
 COUNTY OF SUMMIT
 No. 18778
 EXPIRES _____ DATE _____

SHEET 1 OF 1
 DATE OF SURVEY: _____
 DATE OF PLAT: _____

Evergreen Engineering, Inc.
 2125 Main Street, Suite 200, Park City, Utah 84302
 P.O. Box 288, 700 East 100th Street, Park City, Utah 84302
 Phone: 435.844.4447 Fax: 435.844.3279
 Email: info@evergreeneng.com

CITY ENGINEER
 THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____, A.D. 2017.

CITY ENGINEER _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, A.D. 2017.

BY: _____
 SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, A.D. 2017.

CHAIR _____

APPROVAL AS TO FORM
 APPROVED AS TO FORM ON THIS _____ DAY OF _____, A.D. 2017.

CITY ATTORNEY _____

COUNCIL APPROVAL & ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2017.

MAYOR _____

CERTIFICATE OF ATTEST
 I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2017.

CITY RECORDER _____

RECORDED
 No. _____
 STATE OF _____
 COUNTY OF _____
 RECORDED AND FILED IN THE RECORDS OF THE _____ COUNTY RECORDER _____ DATE _____

