

Ordinance No. 2018-03

**AN ORDINANCE APPROVING THE CENTRAL PARK CITY CONDOMINIUM PLAT
LOCATED AT 1893 PROSPECTOR AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of property known as the Central Park City Condominiums, located at 1893 Prospector Avenue, petitioned the City Council for approval of the Central Park City Condominiums plat; and

WHEREAS, on November 29th, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on November 25th, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on December 13, 2017, to receive input on the Central Park City Condominium plat; and

WHEREAS, the Planning Commission, on December 13, 2017, forwarded a positive recommendation to the City Council; and

WHEREAS, the City Council on January 4, 2018, held a public hearing and took action on the condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Central Park City Condominiums plat consistent with the Central Park City Condominiums Master Planned Development Agreement and Conditional Use Permit.

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 Central Park City Condominiums 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 1893 Prospector Avenue.
2. The Central Park City Condominiums are located in the GC zoning district.
3. On June 5, 2014, the City Council approved the Gigaplat Replat amending the Prospector Square Supplemental Amended Plat to reconfigure Lots 25a and 25b and Parking Lot F. The plat was recorded at Summit County on May 1, 2015.
4. The property is also located within the Prospector Landscaping and Maintenance of Soil Cover Ordinance (Park City Soil Ordinance).

5. On May 13, 2015, the Planning Commission approved a Master Planned Development for the Central Park City Condominiums and the approval was documented in a Development Agreement recorded at Summit County on May 30, 2016.
6. The Central Park City Condominiums Master Planned Development includes a total of eleven residential units. Nine units were identified for market rate units and 2 units (totally 1,355 sf) were identified as deed restricted units to satisfy the affordable housing obligation of 1.5 AUE (Affordable Unit Equivalents).
7. The GC District allows a Floor Area Ratio (FAR) of 2.0 for a gross floor area of 11,520 sf.
8. Gross floor area of the building is 11,493 sf and the Floor Area Ratio (FAR) of the building is 1.99 (including all enclosed areas of residential uses, enclosed circulation and storage area and excludes parking).
9. On May 13, 2015 the Planning Commission approved a Conditional Use Permit for eleven residential units within one building known as the Central Park City Condominiums.
10. A Development Agreement was ratified by the Planning Commission on November 11, 2015.
11. On June 10, 2016, a building permit was issued for the building. Construction is nearing completion, with expectation of a certificate of occupancy by the end of January, 2018.
12. On May 11, 2017, the City Council approved proposed terms and conditions associated with a purchase agreement to acquire all eleven units for the purpose of providing deed restricted affordable housing in alignment of the General Plan and Council's critical goals.
13. All eleven units are proposed as deed restricted for sale units, as part of the City's affordable housing program.
14. Energy efficiency upgrades are being provided as a condition of sale, including improvements to the building envelope anticipating a 15% decrease in carbon emissions, energy star rated appliances, low flow plumbing fixtures, and a 25 kW solar array to provide one third of the electric power load.
15. On October 30, 2017, the City received a completed application for the Central Park City Condominiums plat for eleven units within one building.
16. This condominium plat identifies seven units with living area between 739 sf and 772 sf, three units at 970 sf, and one unit at 465 sf for a total of 8,661 sf of living area for the eleven units. On the ground level each unit has a storage area and one parking space. Gross building floor area is 11,493 sf, excluding parking.
17. All parking on Parking Lots A-K in the Prospector Square Subdivision is shared parking for residential and commercial uses in the entire Prospector Square development area. There were originally 92 parking spaces in Parking Lot F and the previous non-compliant spaces (in terms of length), along the eastern property line, have been brought into compliance with improvements to Parking Lot F and construction of this building. Parking Lot F includes a total of 103 parking spaces, including the 11 spaces provided under the proposed building.

18. This condominium plat memorializes the density, size and configuration of constructed units (anticipated completion of construction is January 2018) and identifies areas of private and common ownership.
19. All of the units will become deed restricted units upon sale of the building to the City, once the certificate of occupancy is issued.
20. This lot is located in a FEMA flood zone A.

Conclusions of Law:

1. There is good cause for this condominium plat.
2. The 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.
4. 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 amended condominium 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 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 plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. All conditions of approval of the Central Park City MPD and CUP shall continue to apply, including requirements and restrictions related to the Park City Soils Ordinance.
4. All conditions of approval of the Gigaplat Replat shall continue to apply.
5. All recorded easements shall be noted on this plat prior to recordation.
6. Prior to the sale of any Units, affordable housing deed restrictions, as approved by the City shall be recorded against all units and noted on the plat. A note on the plat shall indicate that the Units are anticipated to all be used as affordable housing with deed restrictions recorded against them. Under the MPD, a minimum of 2 units (totaling 1,355 sf) are identified as deed restricted units to satisfy the affordable housing obligation of 1.5 AUE.

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

PASSED AND ADOPTED this 4th day of January, 2018.

PARK CITY MUNICIPAL CORPORATION



ATTEST:

Andy Beerman
Andy Beerman, MAYOR

Michelle Kellogg
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington
Mark Harrington, City Attorney

Exhibits
Exhibit A – Condominium plat

EXHIBIT A

SURVEYOR'S CERTIFICATE



I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 724889 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, CENTRAL PARK CITY CONDOMINIUMS, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

PROPERTY DESCRIPTION

Lot 25B-R, GIGAPLAT REPLAT, a Resubdivision of Lots 25a, 25b, Pursing Lot F & Common Area of Prospecter Square Supplemental Amended Plat, according to the official plat thereof, on file and of record in the office of the Summit County Recorder Summit County, Utah.
Tax ID No. PSA-25a-R

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these present that, the undersigned are the owners of the herein described real property and improvements located thereon and hereby cause and consent that this condominium plat be prepared and recorded in accordance with the Utah Condominium Act, Title 57, Chapter 8, Utah Code Annotated, and affirm that the real property is to be dedicated by the owners for the uses and purposes as set forth herein and is to be hereafter known as CENTRAL PARK CITY CONDOMINIUMS.

Executed this _____ day of _____, 2017

PARK CITY MUNICIPAL CORPORATION, a Body politic and corporate of the State of Utah

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

State of _____

County of _____

On this _____ day of _____, 2017, personally appeared before me _____ whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he is the representative of PARK CITY MUNICIPAL CORPORATION, a Body politic and corporate of the State of Utah and that said document was signed by him on behalf of said corporation by authority of its bylaws, or (resolution of its board of directors), and said _____ acknowledged to me that said corporation executed the same.

Notary Public _____

Printed Name _____

Residing in: _____

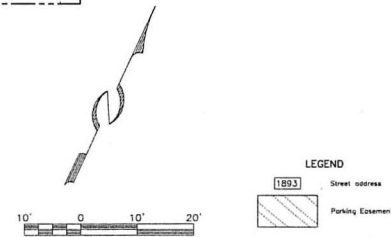
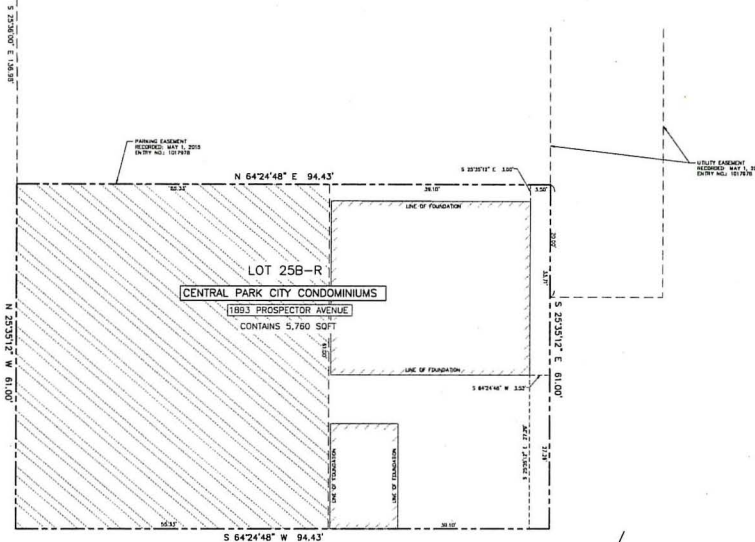
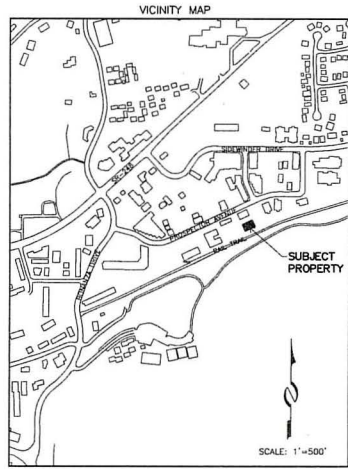
My commission expires: _____

NOTES

- This plat is subject to the Conditions of Approval in Ordinance 2017-_____.
- Ownership, operation, and maintenance of the private sewer lateral for the benefit of Lot 25b-R shall be the responsibility of the owner of Lot 25b-R.
- Modified 13-D sprinklers may be required for new construction to be determined by the Chief Building Official at the time of review of the building permit submittals.
- Future development on Lot 25b-R is required to comply with the Order of the State Engineer regarding streamside construction application Number 12-35-5026A, or as amended and restated.
- All required Army Corps of Engineers permits are required prior to any work in the stream corridor, including stream rehabilitation work.
- An elevation certificate is required prior to the issuance of building permits, as required by the Flood Plain Manager, for any work in the flood plain.
- The subdivision is located in FEMA Flood Zone A, which will require a hydraulic & hydrology study upstream and downstream of development prior to permit issuance for construction on Lot 25b-R.
- The dimensions of the private spaces and square footage calculations are based on drawings supplied by Gigaplat Architects. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the Declaration of Condominium for Park City Central Condominiums, a Utah Condominium Project. Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
- All common structural elements are designated as Common Areas and Facilities, as described in the Declaration of Condominium.
- Building lies on this sheet are from the property line to the building foundation as shown.
- All Common Areas and Facilities are dedicated as non-exclusive easements to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Service District, and Summit County for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
- This plat also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:
 - Utility Easement for the benefit of Lot 25a-R per The Gigaplat Replat Entry No. 1017972
 - Parking Easement, Entry No. 1017978, Summit County Recorder's Office.
- All Conditions of Approval of Gigaplat Replat, recorded May 1, 2015, as Entry No. 1017972 continue to apply and remain in full force and effect.

SHEET 1 OF 3

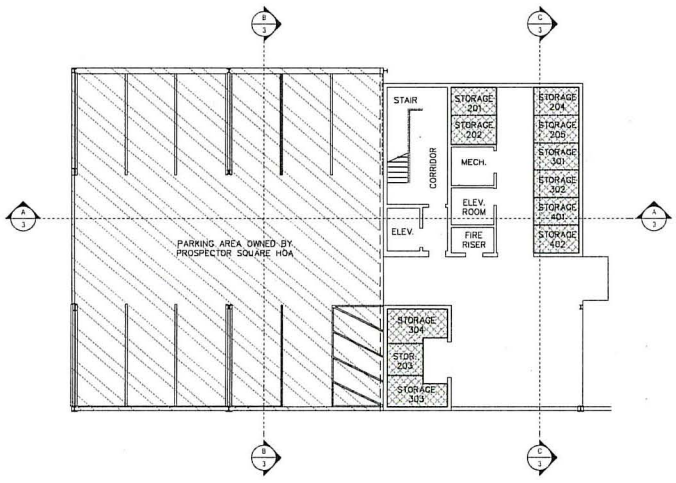
BASIS OF BEARING - C/A PROSPECTOR AVENUE N 64°24'00" E 976.86'
324.88'



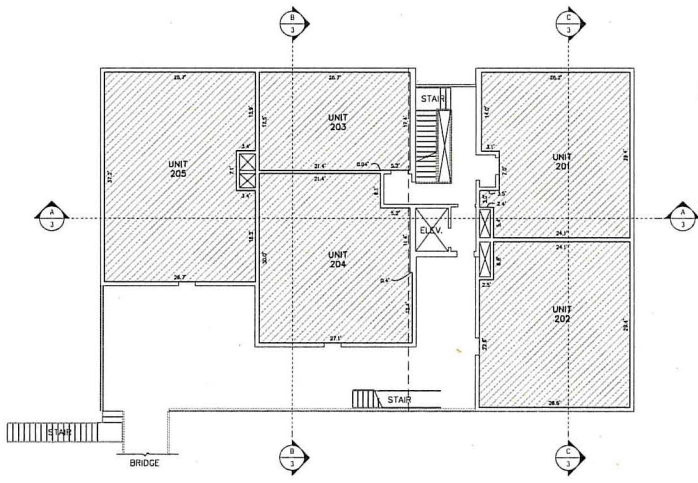
A UTAH CONDOMINIUM PROJECT CENTRAL PARK CITY CONDOMINIUMS

LOCATED IN NE 1/4 SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

| | | | | | | | |
|--|--|--|---|---|--|--|---|
| (435) 449-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 West Street, P.O. Box 2024, Park City, Utah 84060-2024 | SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY _____ S.B.W.R.D. | PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR | ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER | APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY | COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR | CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER | RECORDED STATE OF UTAH, COUNTY OF SUMMIT, and FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____ |
| | JOB NO.: 5-10-17 FILE: K:\Prospecter\Utah\Utah2017\091917pat.dwg | | | | | | |



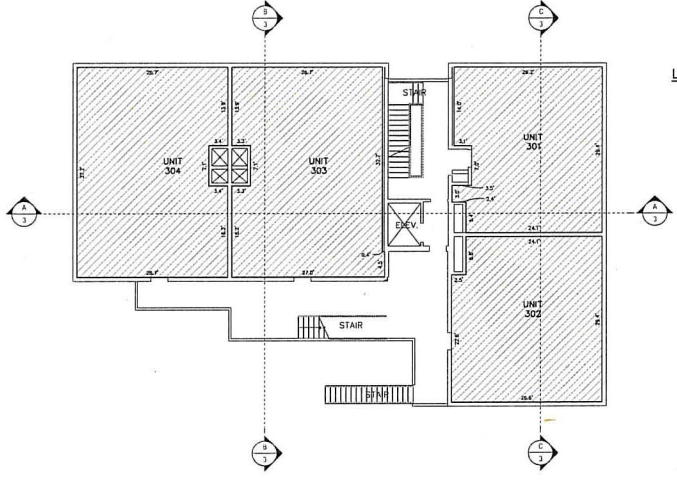
LEVEL 1
SCALE: 1" = 10'



LEVEL 2
SCALE: 1" = 10'

LEVEL 2 SQUARE FOOTAGE TABLE

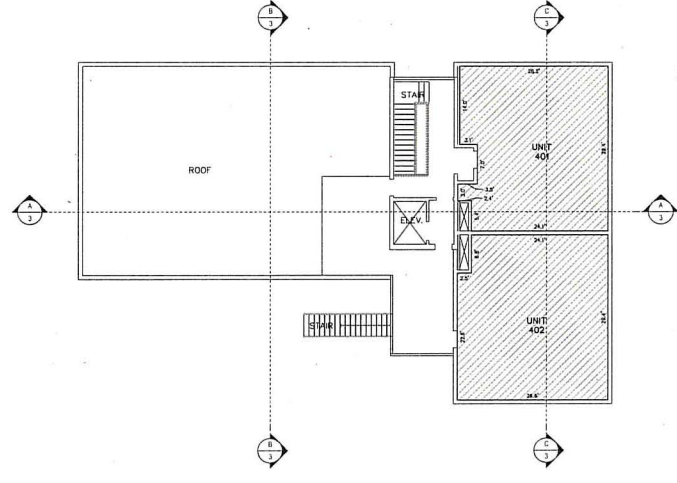
| UNIT | SQUARE FOOTAGE |
|----------|----------------|
| UNIT 201 | 739 SF |
| UNIT 202 | 766 SF |
| UNIT 203 | 485 SF |
| UNIT 204 | 772 SF |
| UNIT 205 | 570 SF |
| TOTAL | 3,712 SF |



LEVEL 3
SCALE: 1" = 10'

LEVEL 3 SQUARE FOOTAGE TABLE

| UNIT | SQUARE FOOTAGE |
|----------|----------------|
| UNIT 301 | 739 SF |
| UNIT 302 | 766 SF |
| UNIT 303 | 970 SF |
| UNIT 304 | 970 SF |
| TOTAL | 3,445 SF |

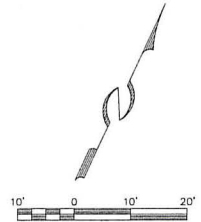


LEVEL 4
SCALE: 1" = 10'

LEVEL 4 SQUARE FOOTAGE TABLE

| UNIT | SQUARE FOOTAGE |
|----------|----------------|
| UNIT 401 | 739 SF |
| UNIT 402 | 766 SF |
| TOTAL | 1,504 SF |

- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



(435) 949-9487

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
222 Main Street, P.O. Box 2864 Park City, Utah 84062-2864

SHEET 2 OF 3

JOB NO.: S-10-17 FILE: K:\Prospector\Eng\Units\2017\051017PCC.dwg
11/02/17

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____

FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____

EXHIBIT B



SURVEYOR'S CERTIFICATE

I, Dennis Demko, certify that I am a Registered Land Surveyor and that I have Certificate No. 15449, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared the Record of Survey REPLAT and that the work has been done in accordance with the laws of the State of Utah and that the monument on the ground is shown on this plat. I further certify that the information on the plat is accurate.

PROPERTY DESCRIPTIONS

Parcel 1:
All of Lot 25A PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT, according to the official plat thereof, recorded as Entry No. 207004 of the official records in the office of Summit County Recorder, records of Summit County, Utah.

Parcel 2:
All of Lot 25B PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT, according to the official plat thereof, recorded as Entry No. 207004 of the official records in the office of Summit County Recorder, records of Summit County, Utah.

Parcel 3:
All of Lot F, PROSPECTOR SQUARE SUPPLEMENTAL AMENDED PLAT, according to the official plat thereof, recorded as Entry No. 207004 of the official records in the office of Summit County Recorder, records of Summit County, Utah.

Parcel 4:
A portion of land located in the northeast quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at the southeastern corner of Lot 25a of the Amended Plat of Prospector Square, recorded as Entry #105415 according to the official plat thereof in the office of records in the Office of the Registrar, Summit County, Utah, and point being located South 88°42'15" East 881.795 feet and North 84°24'00" East 813.82 feet from the center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence along the westerly and northerly boundaries of Lot 25a the following line (2) courses: (1) North 23°38'00" West 48.00 feet; thence (2) South 84°24'00" West 10.00 feet to the southerly corner of Lot 25a; thence along the westerly boundary of Lot 25a the following line (3) courses: (1) North 84°24'00" East 10.00 feet; thence (2) North 23°38'00" West 48.00 feet; thence (3) South 84°24'00" West 10.00 feet to the southerly corner of Lot 25a; thence along the westerly boundary of Lot 25b the following line (3) courses: (1) North 23°38'00" West 48.00 feet to the southerly right-of-way of Prospector Square Amended Plat of Prospector Square, thence along said westerly right-of-way North 84°24'00" East 60.00 feet to the northwestern corner of Lot 25a; thence along the westerly boundary of Lot 25b the following line (3) courses: (1) South 84°24'00" West 10.00 feet; thence (2) South 23°38'00" East 48.00 feet; thence (3) North 84°24'00" East 10.00 feet to the northeastern corner of Lot 25a; thence along the westerly boundary of Lot 25a the following line (3) courses: (1) South 84°24'00" West 10.00 feet; thence (2) South 23°38'00" East 48.00 feet; thence (3) North 84°24'00" East 10.00 feet to the southerly boundary of said Amended Plat of Prospector Square; thence along the southerly boundary of the Amended Plat of Prospector Square South 84°24'00" West 40.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT IOM, LLC, A Utah Limited Liability Company, the undersigned owner of Parcel 1, does hereby certify that it has caused this survey to be made and signed Report to be prepared, and does hereby consent to the recording of this plat amendment.

In witness whereof the undersigned has executed this certificate and dedication this 25th day of February, 2015.

IOM, LLC, a Utah Limited Liability Company
By: Rhonda Sidens
Rhonda Sidens
President

ACKNOWLEDGMENT

State of Utah
County of Summit
On this 25th day of February, 2015, personally appeared before me Rhonda Sidens, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that she is the President of IOM, LLC, a Utah Limited Liability Company and that said document was signed by her on behalf of said corporation by authority of its bylaws or (resolution of its board of directors), and said Rhonda Sidens acknowledged to me that said corporation executed the same.

Kathryn N. Gold
Kathryn N. Gold
Notary Public
Protest Notary
Residing in Park City, Utah
My commission expires 06/06/2017

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT FOOHORN LEGHORN, LTD, the undersigned owner of Parcel 2, does hereby certify that it has caused this survey to be made and signed Report to be prepared, and does hereby consent to the recording of this plat amendment.

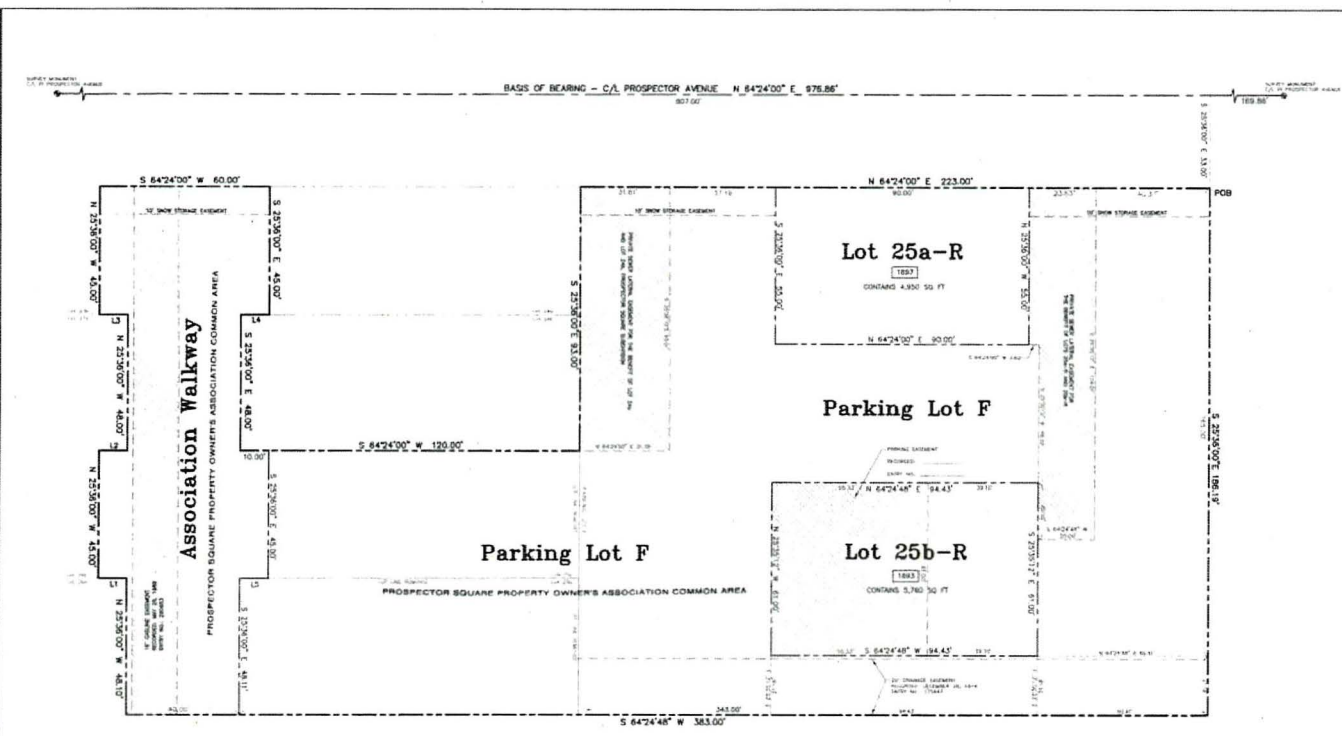
In witness whereof the undersigned has executed this certificate and dedication this 2nd day of March, 2015.

FOOHORN LEGHORN, LTD
By: Herry Louis
Herry Louis
President

ACKNOWLEDGMENT

State of Utah
County of Summit
On this 2nd day of March, 2015, personally appeared before me Herry Louis, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he is the president of FOOHORN LEGHORN, LTD, and that said document was signed by him on behalf of said corporation by authority of its bylaws or (resolution of its board of directors), and said Herry Louis acknowledged to me that said corporation executed the same.

Kathryn N. Gold
Kathryn N. Gold
Notary Public
Protest Notary
Residing in Park City, UT
My commission expires 06/06/2017



| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 84°24'00" W | 10.00' |
| L2 | N 84°24'00" E | 10.00' |
| L3 | S 84°24'00" W | 10.00' |
| L4 | S 84°24'00" W | 10.00' |
| L5 | S 84°24'00" W | 10.00' |

NOTE
XXXX Street address on Prospector Avenue

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION, the undersigned owner of Parcel 3 & 4, does hereby certify that it has caused this survey to be made and signed Report to be prepared, and does hereby consent to the recording of this plat amendment.

In witness whereof the undersigned has executed this certificate and dedication this 24th day of February, 2015.

By: Don S. Barrett
Don S. Barrett, President
PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION

ACKNOWLEDGMENT

State of Utah
County of Summit
On this 24th day of February, 2015, personally appeared before me, the undersigned notary public, in and for said County and State, Don S. Barrett, acknowledged to me that he is the president of PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION and that he signed the same on behalf of PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION.

Kathryn N. Gold
Kathryn N. Gold
Notary Public
Protest Notary
Residing in Park City, Utah
My commission expires 06/06/2017

A RESUBDIVISION OF LOTS 25a, 25b, Parking Lot F, & Common Area of Prospector Square Supplemental Amended Plat

GIGAPLAT REPLAT

LOCATED IN NE 1/4 SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

| | | | | | | | |
|--|---|---|--|--|--|--|--|
| CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 201 West Street, Suite 200, Park City, Utah 84302-2002 | (435) 648-6447 SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>3rd</u> DAY OF <u>March</u> , 2015 BY: <u>B.D. [Signature]</u> S.S.B.W.R.D. | PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 14TH DAY OF MAY, 2014 BY: <u>[Signature]</u> CHAIR | ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>18th</u> DAY OF <u>March</u> , 2015 BY: <u>[Signature]</u> PARK CITY ENGINEER | APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>30th</u> DAY OF <u>April</u> , 2015 BY: <u>[Signature]</u> PARK CITY ATTORNEY | COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 5TH DAY OF JUNE, 2014 BY: <u>[Signature]</u> MAYOR | CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS <u>30th</u> DAY OF <u>April</u> , 2015 BY: <u>[Signature]</u> PARK CITY RECORDER | RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>Park City Lodging, Inc</u> DATE <u>5/15/15</u> TIME <u>2:49pm</u> ENTRY NO. <u>1017972</u> BY: <u>[Signature]</u> RECORDER |
| | JOB NO.: 4-15-08 FILE: 4_UtahSummitCountyUtah2015-24040-000 | | | | | | |