

Ordinance No. 2018-56

AN ORDINANCE APPROVING THE SHADOW RIDGE CONDOMINIUMS THIRD AMENDED CONDOMINIUM PLAT AMENDING UNITS 4001, 4002, 4216, 4217, 4316, 4317, 4416 & 4417, LOCATED AT 50 SHADOW RIDGE ROAD, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 50 Shadow Ridge Road, units 4001, 4002, 4216, 4217, 4316, 4317, 4416 & 4417 have petitioned the City Council for approval of the Condominium Plat Amendment; and

WHEREAS, on October 6, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on October 10, 2018, the site was properly noticed and posted according to the 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 24, 2018, to receive input on Condominium Plat Amendment; and

WHEREAS, the Planning Commission on October 24, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 15, 2018, the City Council held a public hearing to receive input on the Condominium Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Shadow Ridge Condominiums Third Amended Condominium Plat, located at 50 Shadow Ridge Road.

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

SECTION 1. APPROVAL. The Shadow Ridge Condominiums Third Amended Condominium 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 subject site is located at 50 Shadow Ridge Road.
2. The site is within the Recreation Commercial District.
3. The proposed Condominium Plat Amendment requests to change private platted designation to common space.
4. Subject units are owned by the Owners' Association.
5. Unit 4001 is a 3,934.7 sf. and unit 4002 is 969.8 sf., both are conference rooms.
6. Units 4216, 4217, 4316, 4317, 4416, & 4417 are all maintenance closets consisting of 44.9 sf. each.

7. There are no physical changes associated with this Condominium Plat Amendment.
8. No exterior changes are proposed with this Condominium Plat Amendment.
9. A condominium is not use, but a type of ownership.
10. It is typical of conference rooms and maintenance closets to originally be designated as common space.
11. 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 Condominium Plat Amendment.
2. The Condominium Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plat Amendments.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat Amendment.
4. Approval of the Condominium 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 shall 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.

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

PASSED AND ADOPTED this 15th day of November, 2018.

PARK CITY MUNICIPAL CORPORATION





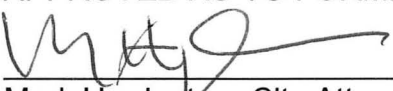
Andy Beerman, MAYOR

ATTEST:



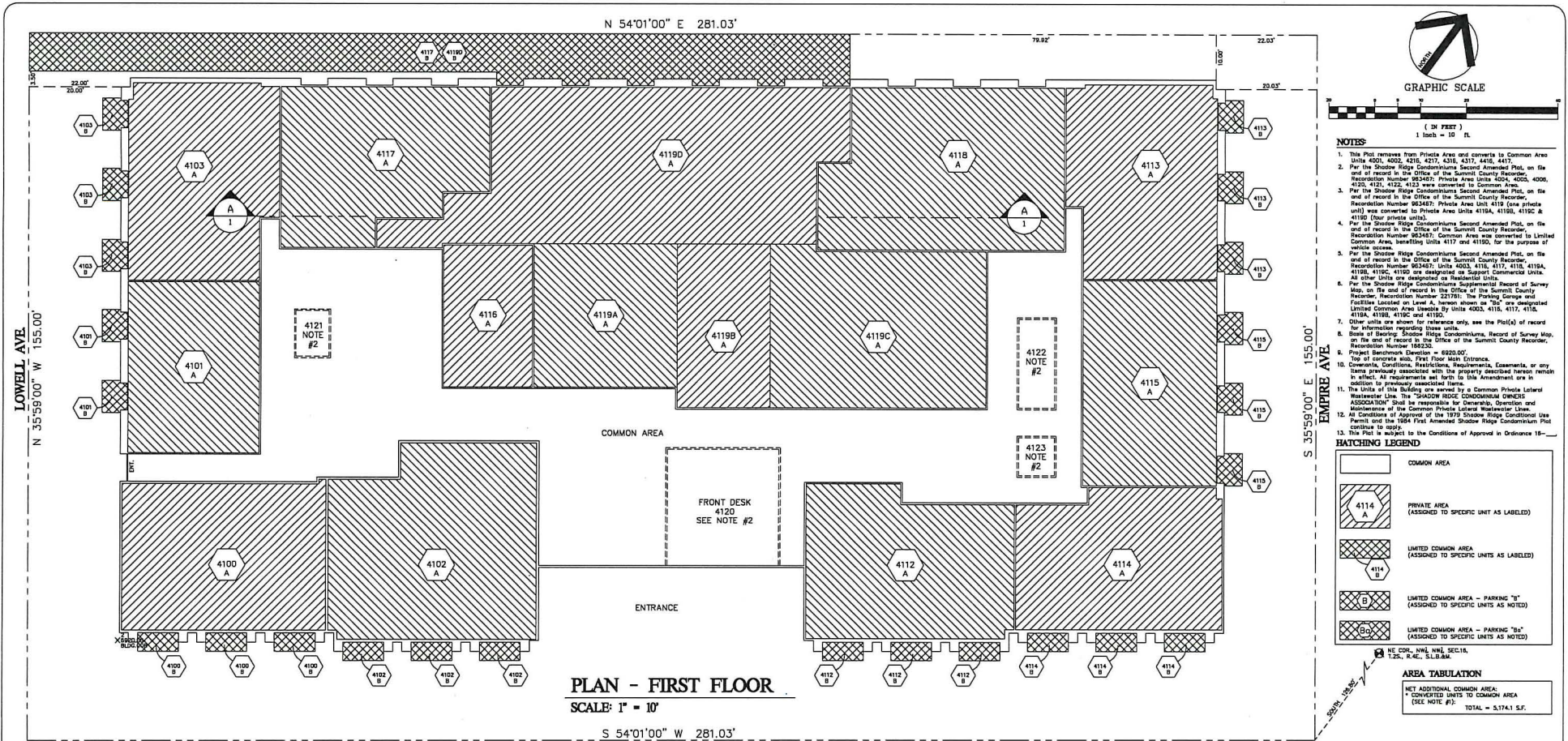
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

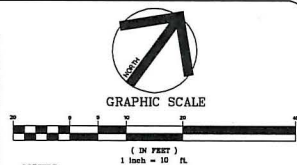


Mark Harrington, City Attorney

Attachment 1 – Shadow Ridge Condominiums Third Amended



PLAN - FIRST FLOOR
SCALE: 1" = 10'



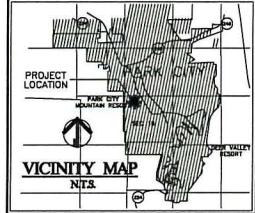
- NOTES**
1. The Plat removes from Private Area and converts to Common Area Units 4001, 4002, 4216, 4217, 4312, 4317, 4416, 4417.
 2. For the Shadow Ridge Condominiums Second Amended Plat, on file and of record in the Office of the Summit County Recorder, Recordation Number 953487, Private Area Units 4001, 4002, 4003, 4123, 4124, 4125 were converted to Common Area.
 3. For the Shadow Ridge Condominiums Second Amended Plat, on file and of record in the Office of the Summit County Recorder, Recordation Number 953487, Private Area Unit 4119 (one private unit) was converted to Private Area Units 4118A, 4118B, 4119C & 4119D (four private units).
 4. For the Shadow Ridge Condominiums Second Amended Plat, on file and of record in the Office of the Summit County Recorder, Recordation Number 953487, Common Area was converted to Limited Common Area, benefiting Units 4117 and 4118D, for the purpose of vehicle access.
 5. For the Shadow Ridge Condominiums Second Amended Plat, on file and of record in the Office of the Summit County Recorder, Recordation Number 953487, Units 4003, 4116, 4117, 4118, 4119A, 4119B, 4119C, 4119D are designated as Support Commercial Units. All other Units are designated as Residential Units.
 6. For the Shadow Ridge Condominiums Supplemental Record of Survey Map, on file and of record in the Office of the Summit County Recorder, Recordation Number 192323, the Parking Garage and Facilities Located on Level A, herein shown as 100% are designated Limited Common Area Units by units 4002, 4116, 4117, 4118, 4119A, 4119B, 4119C and 4119D.
 7. Other units are shown for reference only, see the Plat(s) of record for information regarding these units.
 8. State of Surveying, Shadow Ridge Condominiums, Record of Survey Map, on file and of record in the Office of the Summit County Recorder, Recordation Number 192323.
 9. Project Benchmark Elevation = 6292.00'.
 10. Use of concrete shall be First Floor Main Entrance.
 11. Covenants, Conditions, Restrictions, Requirements, Easements, or any other instruments associated with the property described herein remain in effect. All requirements set forth in this Amendment are in addition to previously recorded instruments.
 12. The Units of this Building are served by a Common Private Lateral Wastewater Line. The SHADOW RIDGE CONDOMINIUM OWNERS ASSOCIATION shall be responsible for Ownership, Operation and Maintenance of the Common Private Lateral Wastewater Line.
 13. All Conditions of Approval of the 1979 Shadow Ridge Conditional Use Permit and the 1984 First Amended Shadow Ridge Condominium Plat continue to apply.
 14. The Plat is subject to the Conditions of Approval in Ordinance 18-10.

HATCHING LEGEND

[Hatched Pattern]	COMMON AREA
[Hatched Pattern]	PRIVATE AREA (ASSIGNED TO SPECIFIC UNIT AS LABELED)
[Hatched Pattern]	LIMITED COMMON AREA (ASSIGNED TO SPECIFIC UNITS AS LABELED)
[Hatched Pattern]	LIMITED COMMON AREA - PARKING "B" (ASSIGNED TO SPECIFIC UNITS AS NOTED)
[Hatched Pattern]	LIMITED COMMON AREA - PARKING "16" (ASSIGNED TO SPECIFIC UNITS AS NOTED)

AREA TABULATION

NET ADDITIONAL COMMON AREA	* COVERED UNITS TO COMMON AREA (SEE NOTE #2)	TOTAL = 3,174.1 SF.
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OWNERS DEDICATION AND CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENTS THAT the SHADOW RIDGE CONDOMINIUMS OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, (the "Association"), owners of Unit 5001, 5002, 4216, 4217, 4316, 4317, 4416, 4417, Shadow Ridge Condominiums, described and shown herein, to be known hereinafter as "SHADOW RIDGE CONDOMINIUMS, THIRD AMENDED", do hereby certify that we have caused this plat to be prepared, and do hereby consent to the recordation of this plat. The Association also does hereby certify that this document is being executed by the Association on behalf of its members pursuant to written consent obtained from members owning at least two-thirds of the undivided interest in the common area and facilities of the Shadow Ridge Condominiums as authorized and permitted under the recorded declaration. The Association, on behalf of its members pursuant to written consent, certifies that it has caused this survey to be made and this amended condominium plat to be prepared, the Association, on behalf of all of the unit owners, does hereby consent to the recordation of this plat, in witness whereof, I have hereunto set my hand this _____ day of _____, 2016.

SHADOW RIDGE CONDOMINIUMS OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION

BY: TOM COVAK, PRESIDENT

CORPORATE ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

On this _____ day of _____, 2016, personally appeared before me, TOM COVAK, 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 PRESIDENT of the SHADOW RIDGE CONDOMINIUMS OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION and that said document was signed by him on behalf of said SHADOW RIDGE CONDOMINIUMS OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION by authority of the Bylaws, or (Resolution) of its Board of Directors, and said TOM COVAK, PRESIDENT, acknowledged to me that said SHADOW RIDGE CONDOMINIUMS OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION executed the same.

NOTARY PUBLIC: _____
MY COMMISSION EXPIRES: _____
RESIDING IN _____ COUNTY, STATE _____

LEGAL DESCRIPTION

Shadow Ridge Condominiums, on file and of record in the Office of the Summit County Recorder, Recordation Number 192323 (Supplemental Record of Survey Map Recordation Number 221781).

SURVEYORS CERTIFICATE

I, Gregory R. Melbach, of Park City, Utah, Certify that I am a Licensed Professional Land Surveyor, and that I hold License No. 187786, as prescribed by the laws of the State of Utah, and that I have performed a Survey of the herein described property.

I further certify that this Record of Survey is a correct representation of the land surveyed and has been prepared in conformity with the minimum standards and regulations of the law and as specified in Section 57-8-13 of Chapter 8, Condominium Ownership Act, Utah Code Title 57, Red Edition.

Gregory R. Melbach
DATE: _____

CONDOMINIUM PLAT
SHADOW RIDGE CONDOMINIUMS THIRD AMENDED
- A UTAH CONDOMINIUM PROJECT -
AMENDING UNITS 4001, 4002, 4216, 4217, 4316, 4317, 4416, 4417
A CONDOMINIUM PROJECT LOCATED WITHIN SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
1070 Ironwood Drive • Suite 104
P.O. Box 2861 • Park City • Utah • 84302
Phone: 435.648.4847 • Fax: 435.648.8219
E-mail: office@evergreen-eng.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. 2016.

CITY ENGINEER _____

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, A.D. 2016.

BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, A.D. 2016.

CHAIR _____

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____, A.D. 2016.

CITY ATTORNEY _____

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2016.

MAYOR _____

CERTIFICATE OF ATTEST

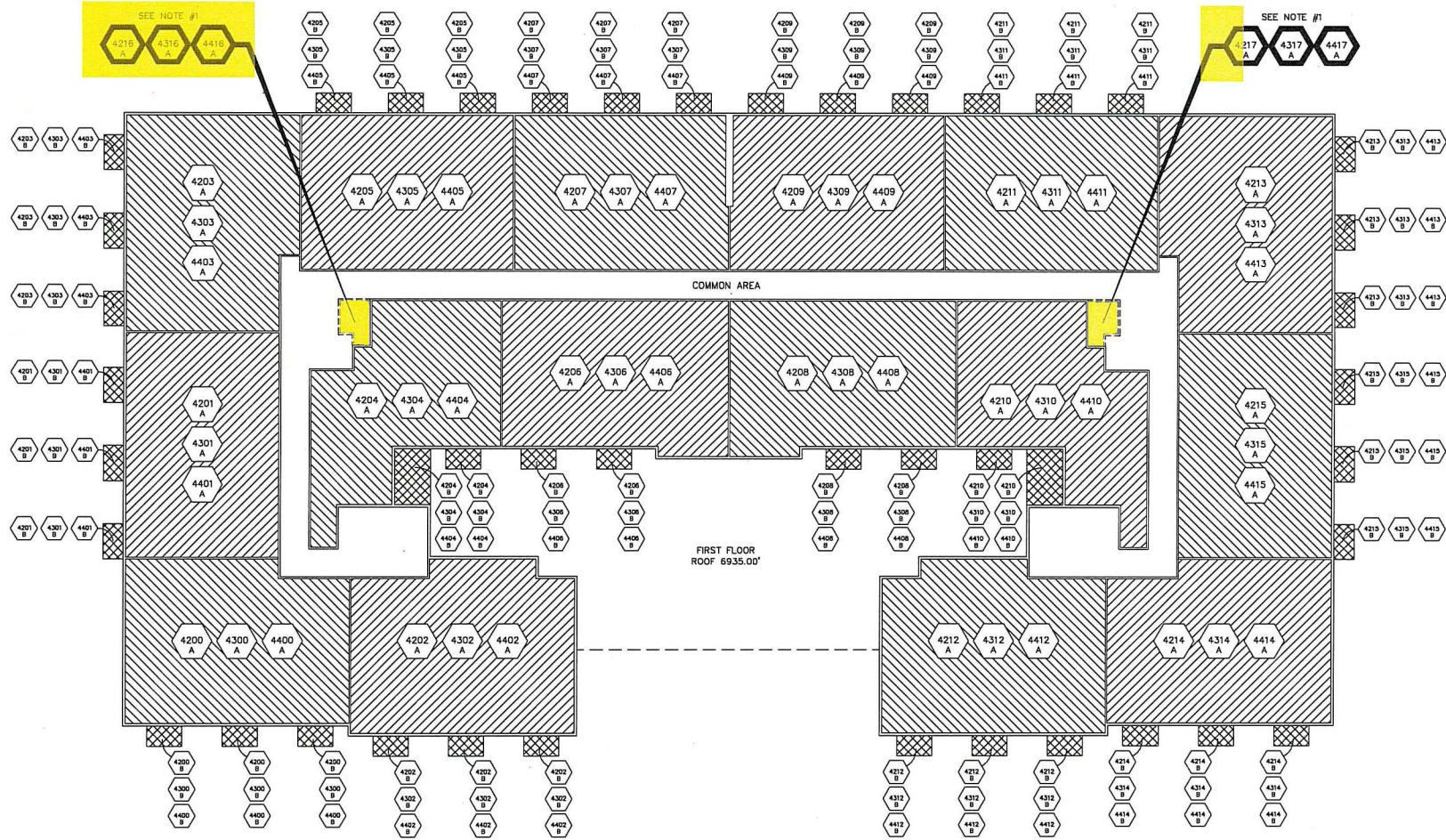
I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. 2016.

CITY RECORDER _____

RECORDED

N° _____ STATE OF _____ COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF: _____ COUNTY RECORDER _____

Attachment 1 – Shadow Ridge Condominiums Third Amended



PLAN - SECOND, THIRD & FOURTH FLOOR
 SCALE: 1" = 10'



HATCHING LEGEND

	COMMON AREA
	PRIVATE AREA (ASSIGNED TO SPECIFIC UNIT AS LABELED)
	LIMITED COMMON AREA (ASSIGNED TO SPECIFIC UNITS AS LABELED)
	LIMITED COMMON AREA - PARKING "B" (ASSIGNED TO SPECIFIC UNITS AS NOTED)
	LIMITED COMMON AREA - PARKING "B/A" (ASSIGNED TO SPECIFIC UNITS AS NOTED)



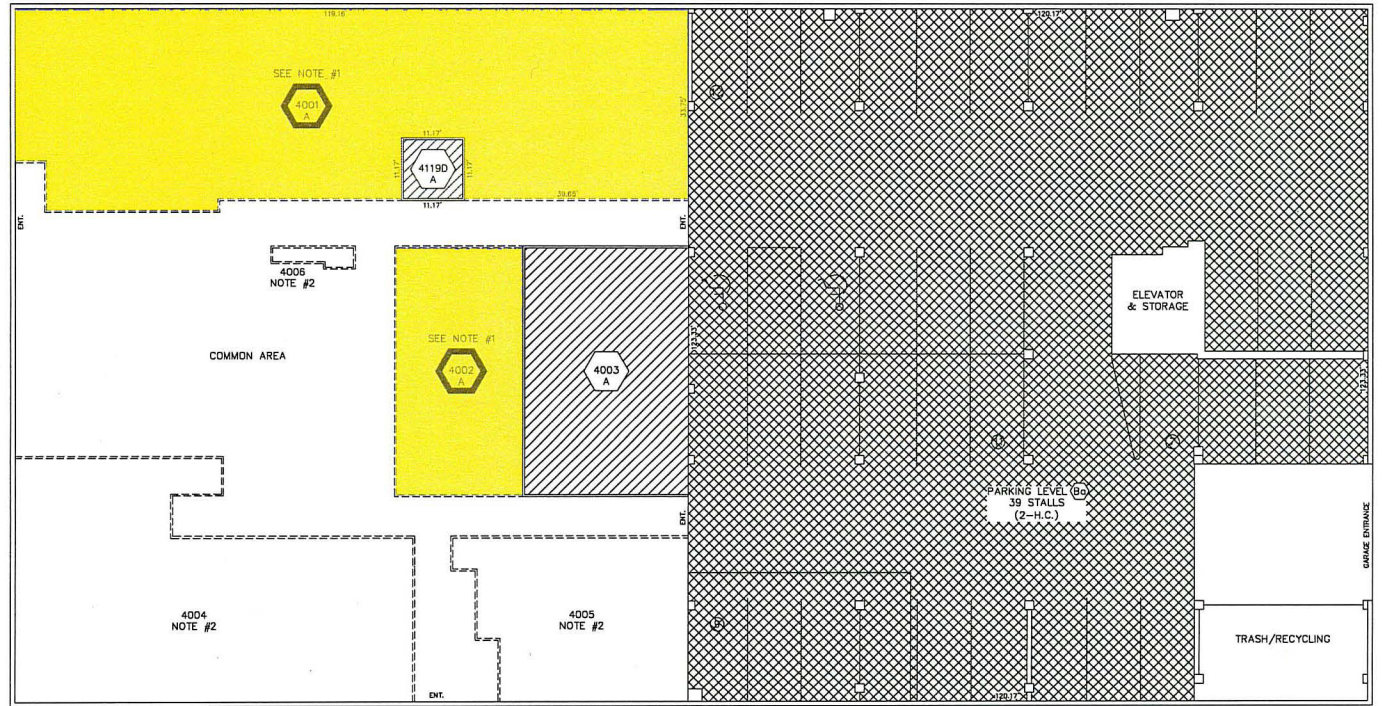
SHEET 2 OF 4
 Plot Date: OCTOBER 16, 2014
 Drawing Number: SR-2014-000004.dwg

Evergreen Engineering, Inc.
 Civil Engineering • Land Surveying • Land Planning
 11725 Remondino Drive • Suite 150 •
 P.O. Box 2881 • Park City • Utah • 84096
 Phone: (435) 846-4557 • Fax: (435) 846-9219
 E-mail: office@evergreen-eng.com



RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____ BOOK _____ PAGE _____
 FEE _____ RECORDER _____

Attachment 1 – Shadow Ridge Condominiums Third Amended



LIMITED COMMON AREA - PARKING DESIGNATION:

1. PARKING (B) LIMITED COMMON AREA DESIGNATED TO THE FOLLOWING UNITS:

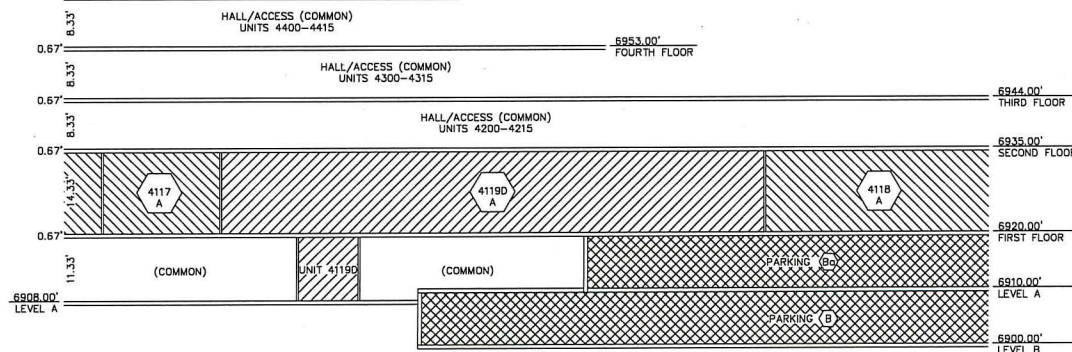
4101	4203	4213	4307	4401	4411
4102	4204	4214	4308	4402	4412
4103	4205	4215	4309	4403	4413
4112	4206	4200	4310	4404	4414
4113	4207	4301	4311	4405	4415
4114	4208	4302	4312	4406	4400
4115	4209	4303	4313	4407	
4100	4210	4304	4314	4408	
4201	4211	4305	4315	4409	
4202	4212	4306	4300	4410	

2. PARKING (B0) LIMITED COMMON AREA USEABLE BY UNITS:

4003	4116	4117	4118
4119A	4119B	4119C	4119D

PLAN - LEVEL A

SCALE: 1" = 10'



SECTION - A

SCALE: 1" = 10'



HATCHING LEGEND

	COMMON AREA
	PRIVATE AREA (ASSIGNED TO SPECIFIC UNIT AS LABELED)
	LIMITED COMMON AREA (ASSIGNED TO SPECIFIC UNITS AS LABELED)
	LIMITED COMMON AREA - PARKING "B" (ASSIGNED TO SPECIFIC UNITS AS NOTED)
	LIMITED COMMON AREA - PARKING "B0" (ASSIGNED TO SPECIFIC UNITS AS NOTED)



SHEET 3 OF 4
 Plot Date: OCTOBER 16, 2016
 Drawing Name: SR-20-1000000.dwg

Evergreen Engineering, Inc.
 Civil Engineering * Land Surveying * Land Planning
 3970 Business Drive * Suite 104
 P.O. Box 2381 * Park City * Utah * 84060
 Phone: (435) 648-4887 * Fax: (435) 648-9218
 E-mail: office@evergreen-eng.com



RECORDED
 STATE OF UTAH COUNTY OF SUMMIT AND FILED
 AT THE REQUEST OF _____
 DATE _____ TIME _____ BOOK _____ PAGE _____
 FEE _____ RECORDER _____