

Ordinance No. 2019-22

AN ORDINANCE APPROVING THE WOODSIDE PARK SUBDIVISION - PHASE I CONDOMINIUMS LOCATED AT 1333 PARK AVENUE, 1343 PARK AVENUE, 1353 PARK AVENUE, 1330 WOODSIDE AVENUE, AND 1350 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, On March 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on March 9, 2019, proper legal notice was sent to all affected property owners and published in the Park Record and on the Utah Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on March 27, 2019 , to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 27, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 18, 2019, 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 Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue.

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

SECTION 1. APPROVAL. The Woodside Park Subdivision - Phase I Condominiums located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue, 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 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue in the Historic Residential-Medium Density (HR-M) District.
2. The subject property currently consists of lots the Woodside Park – Phase I Subdivision.
3. The proposed site location addresses are 1333 Park Avenue (“Significant” Single-

Family Dwelling), 1343 Park Avenue (new Single-Family Dwelling), 1353 Park Avenue (“Significant” Single-Family Dwelling), 1330 Woodside Avenue (new Single-Family Dwelling), and 1350 Woodside Avenue (new Multi-Unit Dwelling).

4. On July 26, 2017 the Planning Commission approved the Woodside Park – Phase I Master Planned Development application and Conditional Use Applications for the Multi-Unit Dwelling and Parking Area.
5. On July 26, 2017 the Planning Commission forwarded a positive recommendation to City Council for the Woodside Park – Phase I Subdivision.
6. On August 31, 2017, the City Council approved the Woodside Park – Phase I Subdivision.
7. The Woodside Park – Phase I Condominium Plat Amendment application was deemed complete on January 31, 2019.
8. The proposed Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units and at least eleven (11) units will be deed restricted Affordable units.
9. The property consists of an eight (8) unit Multi-Unit Dwelling, four (4) Single-Family Dwellings (SFD), a Public Access Easement, common gathering areas, and a 13-car parking lot.
10. The project is phase one (1) of a two (2) phase project that will provide Affordable Housing units developed by the City. In addition to residential units, the two (2) projects will create a pedestrian link between Park Avenue and Empire Avenue through Public Access Easements.
11. The proposed Woodside Park Subdivision - Phase I Condominium Plat Amendment memorializes private, common, and limited common area which allows the units to be sold individually.
12. The Multi-Unit Dwelling has storage for ten (10) of the deed restricted units in the basement. The basement is accessed via an exterior staircase on the north façade adjacent to the parking area. The basement is a combination of common area and limited common appurtenant with each private unit for the storage.
13. The multi-unit dwelling contains eight (8) dwelling units; however, the Condominium Plat will create four (4) units each consisting of two (2) dwelling units. The two (2) dwelling units will consist of a larger main unit and an attached micro unit.
14. The rental rate of the micro unit will be established by the deed restrictions.
15. The interior wall between the main unit and the micro unit is designated as common area which will prevent the combination of the micro unit and main unit into one (1) dwelling unit.
16. Common areas include a 13-car parking lot, exterior walls and internal bearing walls/columns, internal circulation, exterior gathering areas and pathways, footing and foundation, roof, etc.
17. Limited common areas include porches for each unit, decks, and storage areas in the basement.
18. The proposed Condominium Plat is consistent with the approved Development Agreement and associated Affordable Housing Plan as it provides at least eleven (11) deed restricted units.
19. Recordation of this Condominium Plat would allow the applicant to sell each deed restricted unit individually.

20. The proposed Condominium Plat reflects compliance with the approved Master Plan (Development Agreement), Conditional Use, Subdivision Plat, Affordable Housing Mitigation Plan, and issued Building Permit.
21. Staff finds good cause for this Condominium Plat Amendment as the proposal memorializes private, common, and limited common area that would that allows the units to be sold individually. The proposed condominium project consists of twelve (12) units and at least eleven (11) units will be deed restricted Affordable units. The project is being developed in response to the City Council Affordable Housing Critical Priority.
22. The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards. The site is within the Soils Ordinance Boundary and the site will have to meet requirements of the Soils Ordinance.
23. On March 13, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on March 9, 2019 according to requirements of the Land Management Code.
24. The Planning Commission reviewed the proposed Condominium Plat Amendment on March 27, 2019 and forwarded a unanimous positive recommendation.
25. 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.
2. The Condominium 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 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:

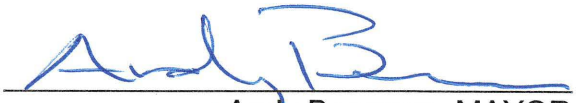
1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat, individual unit deed restrictions, and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
3. The individual unit deed restrictions for the Affordable units, acceptable to the City, shall be recorded with or prior to condominium plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the Affordable units are subject to a deed restriction.
4. The CCRs shall limit the HOA dues related to the deed restricted Affordable housing units in order to ensure the Affordable units remain affordable.

5. The applicant shall record the Plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval or 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.
6. All conditions of approval of the Master Planned Development, Conditional Use Permits, Woodside Park – Phase I Subdivision Plat Ordinance No. 2017-48, and approved Housing Mitigation Plan shall continue to apply.
7. A public electric bike station shall be installed within the project boundary.

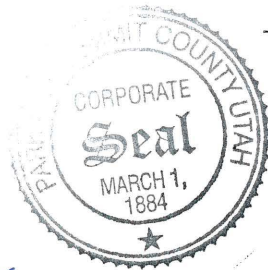
SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 18th day of April, 2019.

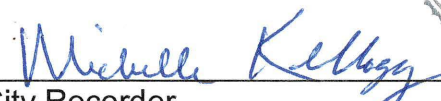
PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR



ATTEST:



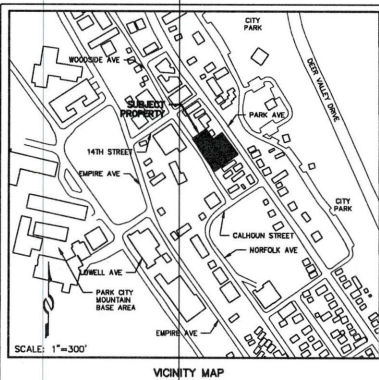
Michelle Kellogg
City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248991, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land together with easements, hereinafter to be known as Woodside Park Subdivision-Phase I Condominiums and that the same has been monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

Parcel 1:
 All of Lot 1, WOODSIDE PARK SUBDIVISION-PHASE I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah.
 Less and excepting the following described parcel:
 Beginning at a point that is South 35°59'00" East 170.99 feet and South 54°01'00" West 82.70 feet from a brass cap monument at the intersection of 14th Street and Park Avenue, said point being the northernmost corner of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah; and running thence coincident with the boundary of said Lot 1 South 35°59'00" East 68.56 feet; thence South 53°28'00" West 75.00 feet; thence North 35°59'00" West 67.28 feet to a point on the northerly boundary of said Lot 1; thence coincident with Lot 1 North 54°01'00" East 75.00 feet to the point of beginning.

ALSO
 All of Lots 2 & 3, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah.

Parcel 2:
 Beginning at a point that is South 35°59'00" East 170.99 feet and South 54°01'00" West 82.70 feet from a brass cap monument at the intersection of 14th Street and Park Avenue, said point being the northernmost corner of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah; and running thence coincidence with the boundary of said Lot 1 South 35°59'00" East 68.56 feet; thence South 53°28'00" West 75.00 feet; thence North 35°59'00" West 67.28 feet to a point on the northerly boundary of said Lot 1; thence coincident with Lot 1 North 54°01'00" East 75.00 feet to the point of the beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT Park City Municipal Corporation, a Utah municipal corporation, as to Parcel 1, to be known hereinafter as WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS, does hereby certify that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this plat.
 ALSO, the owner or its representative, hereby irrevocably offers for dedication to the City of Park City the streets, land for local government uses, easements, and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT Redevelopment Agency of Park City, as to Parcel 2, to be known hereinafter as WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS, does hereby certify that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2019.

By: Andy Beerman, Mayor

ACKNOWLEDGMENT

STATE OF UTAH)
) ss:
 COUNTY OF SUMMIT)

On this _____ day of _____, 2019, Andy Beerman 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 authorized representative of Redevelopment Agency of Park City, a Utah corporation, 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 he acknowledged to me that he executed the Condominium Plat.

By: _____
 Notary Public

Printed Name _____

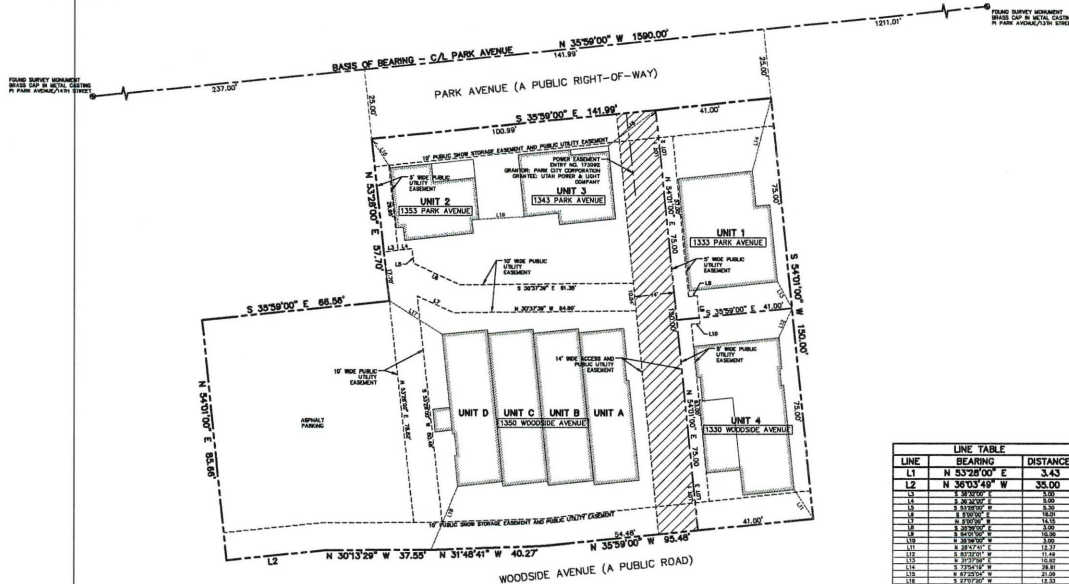
Residing in: _____

My Commission Expires: _____

Commission No.: _____

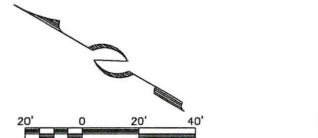
NOTES:

1. This condominium plat is subject to the Conditions of Approval in Ordinance 2019-_____.
2. All Conditions of Approval of Woodside Park Subdivision-Phase I continue to apply and remain in full force and effect.



WOODSIDE PARK SUBDIVISION-PHASE I CONDOMINIUMS

BLOCK 24, SNYDERS ADDITION TO PARK CITY
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
 PARK CITY, SUMMIT COUNTY, UTAH



(435) 848-4487

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
 323 Main Street P.O. Box 2064 Park City, Utah 84002-2064

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
 REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019
 BY _____ S.B.W.R.D.

PLANNING COMMISSION
 APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019
 BY _____ CHAIR

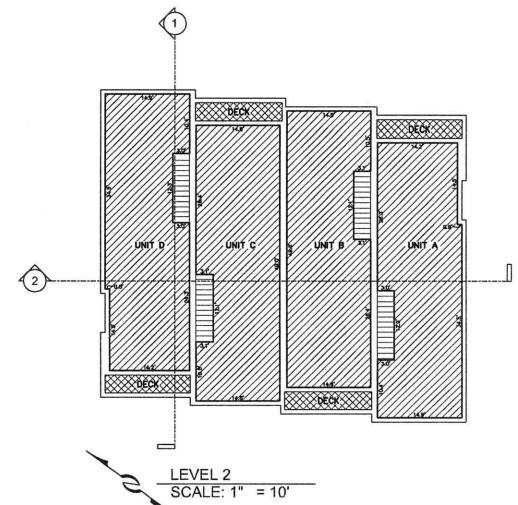
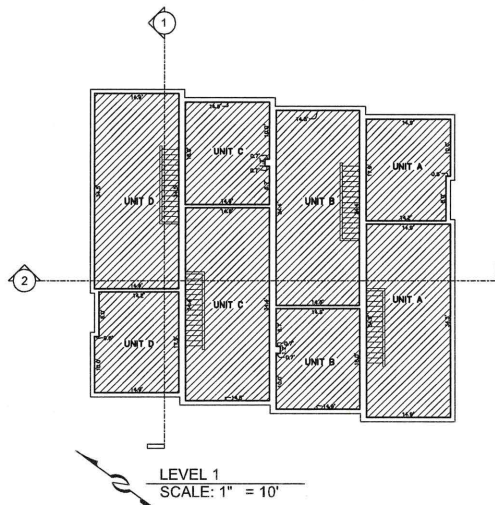
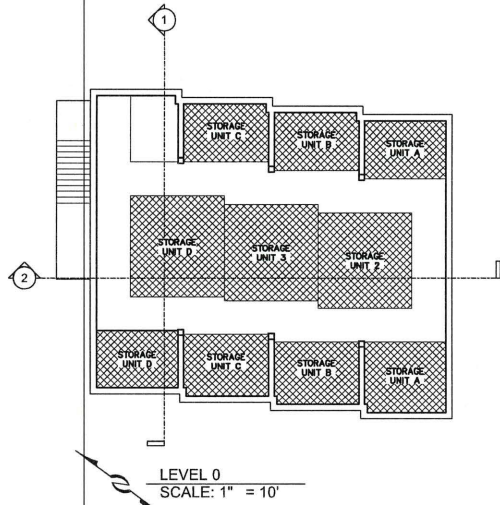
ENGINEER'S CERTIFICATE
 I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2019
 BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
 APPROVED AS TO FORM THIS _____ DAY OF _____, 2019
 BY _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
 APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019
 BY _____ MAYOR

CERTIFICATE OF ATTEST
 I CERTIFY THIS SUBDIVISION PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019
 BY _____ PARK CITY RECORDER

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
 FEE _____ RECORDER _____
 TIME _____ DATE _____ ENTRY NO. _____

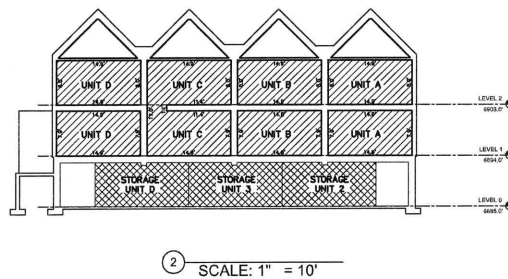
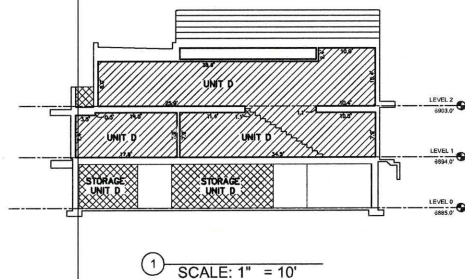


LEVEL 1 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
A	776
B	776
C	776
D	776

LEVEL 2 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
A	684
B	688
C	689
D	684



- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

TOTAL SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
A	1,460
B	1,465
C	1,465
D	1,460

WOODSIDE PARK SUBDIVISION—PHASE I CONDOMINIUMS

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SHEET 2 OF 4

JOB NO.: 7-10-18 FILE: X:\Snyder\Addition\dwg\en\plot2018\071018-condo.dwg

RECORDED

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

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