

Ordinance No. 10-18

**AN ORDINANCE APPROVING THE NAKOMA CONDOMINIUMS
FIRST AMENDMENT TO THE AMENDED AND RESTATED
NAKOMA CONDOMINIUMS RECORD OF SURVEY PLAT
LOCATED AT 8800 MARSAC AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as the Nakoma Condominiums, located at 8800 Marsac Avenue, Lot B of the Northside Village Subdivision II, have petitioned the City Council for approval of the Nakoma Condominiums First Amendment to the Amended and Restated Nakoma Condominiums record of survey plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on April 28, 2010, to receive input on the Nakoma Condominiums First Amendment to the Amended and Restated Nakoma Condominiums record of survey plat;

WHEREAS, the Planning Commission, on April 28, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Nakoma Condominiums First Amendment to the Amended and Restated Nakoma Condominiums record of survey 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 Nakoma Condominiums First Amendment to the Amended and Restated Nakoma Condominiums record of survey 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 8800 Marsac Avenue.
2. The Nakoma Condominiums are located in the RD-MPD zoning district.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.

4. On September 11, 2002, the Planning Commission approved a Master Planned Development for the Flagstaff Mountain Resort Phase II (Pod B-1).
5. The approved Flagstaff Mountain Resort Phase II MPD includes a maximum density assignment and conceptual site design for eighteen (18) detached single family units utilizing not more than 27 Unit Equivalents on Northside Village Subdivision II, Lot B.
6. The Planning Commission approved an MPD amendment to Lot B on October 27, 2004, in which the UE count on Lot B increased from 27 to 45, while maintaining the same footprint and maximum house size requirements as previously approved.
7. The Planning Commission approved a second amendment to the Nakoma Master Planned Development on April 23, 2008. That amendment allowed for the combination of units 17 and 18 into a single unit of 7,500 square feet and further allowed the distribution of the square footage to the other un-built units. Units 1-16 still have a maximum footprint of 3,000 square feet while unit 17 (combined unit) is allowed a maximum footprint of 5,000 square feet. The total Unit Equivalent count remained unchanged and cannot exceed 45 UEs (90,000 square feet).
8. On April 23, 2008, the Planning Commission approved the third amendment to the MPD to remove the 5,000 square foot cap on the total square footage of each unit while maintaining the total square footage cap for the project (45 Unit Equivalents or 90,000 square feet of total square footage). That amendment would allow for variations in size from 4,300 to 5,750 square feet and also maintain the cap of 3,000 square feet on the footprint. The approved maximum building footprint for the units 1-16 detached single-family units on Northside Village Subdivision II, Lot B, is 3,000 square feet with a maximum house size between 4,300 square feet and 5,750 square feet (whether considered a Basement or Floor Area by LMC definition). An additional 600 square feet is allowed for a garage.
9. Unit 17 may be up to 7,500 square feet of floor area (again, whether Basement or Floor Area as defined by the LMC) with a footprint not to exceed 5,000 square feet.
10. On November 11, 2009, the Planning Commission approved a Fourth Amendment to the MPD. The Fourth Amended MPD allows the following:
 - Units 1 and 2 combined into a duplex configuration, maximum footprint of 6000 square feet.
 - Unit 17 (previously combined with unit 18 into one larger unit) with an option to become a duplex, returning the unit count back 18. As a duplex, footprint increases from 5000 square feet to 6000 square feet.
 - Reduce minimum unit size from 4300 to 4000 square feet.
 - Maintain maximum unit size at 5,750 square feet (except if unit 18 is not constructed as a duplex with unit 17 and 17 can be 7,500sf).
 - Maximum cap of 45 Unit Equivalents remain.
11. The proposed amended record of survey is consistent with the approved and amended Master Planned Development for the Flagstaff Mountain Resort Phase II and the previous record of survey plats requiring a replatting of the units.
12. Two parking spaces are required for each unit.
13. Each building is required to conform to the 28+5 foot height requirement of the RD zone.
14. Each building meets or exceeds the required setbacks of the RD zone.
15. Each unit has a garage less than 600 square feet.

16. The Total Unit Equivalent consumed in these eight units are 20.7 UEs.

Conclusions of Law:

1. There is good cause for this amended record of survey.
2. The amended record of survey 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 amended record of survey.
4. Approval of the amended record of survey, 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 record of survey 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 record of survey 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.
3. All conditions of approval of the Flagstaff Mountain Resort Phase II (Pod B-1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.

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

PASSED AND ADOPTED this 20th day of May, 2010.

PARK CITY MUNICIPAL CORPORATION



Mayor Dana Williams

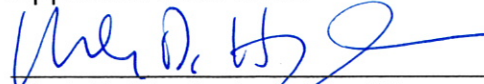
Attest:



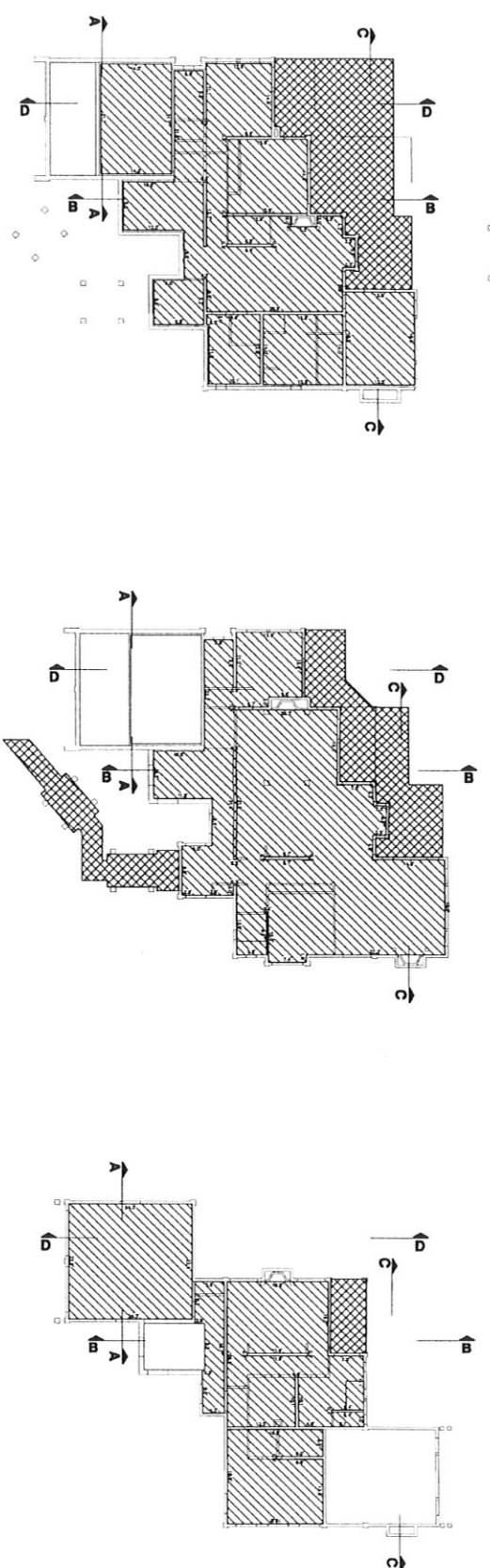
Janet M. Scott, City Recorder



Approved as to form:



Mark D. Harrington, City Attorney



1 LOWER LEVEL AREAS
SCALE: 1" = 10'

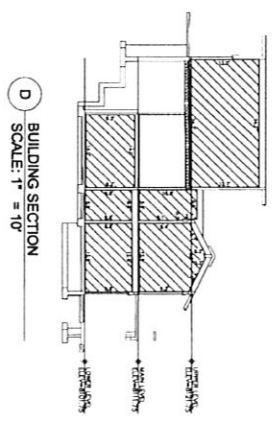
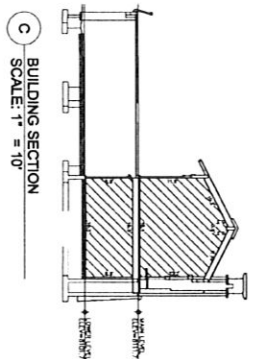
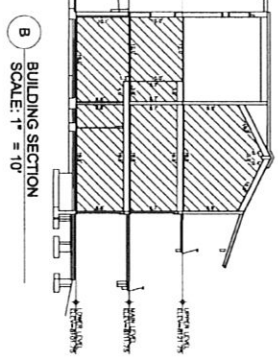
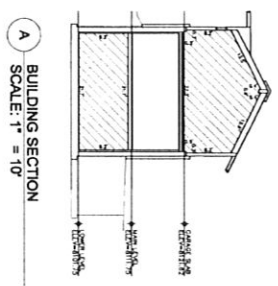
2 MAIN LEVEL AREAS
SCALE: 1" = 10'

3 UPPER LEVEL AREAS
SCALE: 1" = 10'



UNIT SQUARE FOOTAGE TABLE

FLOOR	SQUARE FOOTAGE
LOWER	2,313 SF
UPPER	2,313 SF
TOTAL SF	4,626 SF
OVERAGE	500 SF



A BUILDING SECTION
SCALE: 1" = 10'

B BUILDING SECTION
SCALE: 1" = 10'

C BUILDING SECTION
SCALE: 1" = 10'

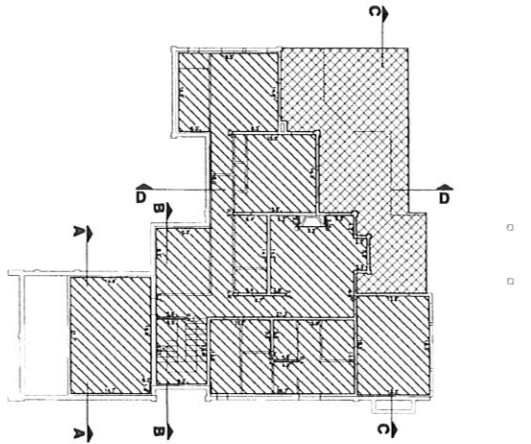
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RECORD OF SURVEY PLAT NAKOMA PHASE ONE UNIT 9

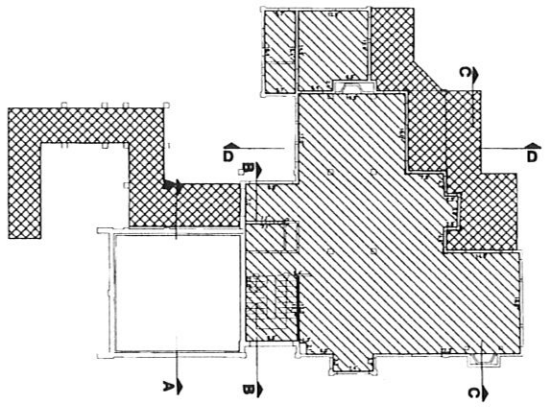
A UTAH PROJECT
LOCATED IN SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SAULT LAKE AND BERGEMAN PARK
COUNTY, SALT LAKE COUNTY, UTAH

JAN 28 2010

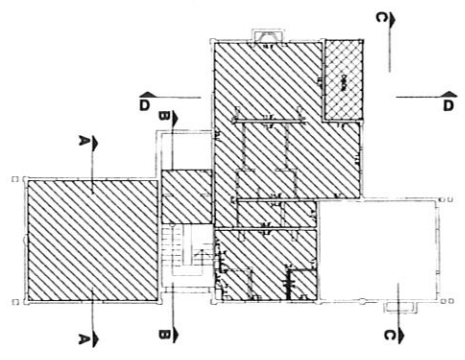
JOB NO. 2-17-0-03
SHEET 2 OF 9
RECORDED
STATE OF UTAH, COUNTY OF SALT LAKE AND NAHO
DATE: AT THE TIME OF RECORDING
BY: [Signature] [Name]
[Signature] [Name]



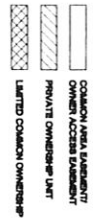
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SCALE: 1" = 10'



2 MAIN LEVEL AREAS
SCALE: 1" = 10'

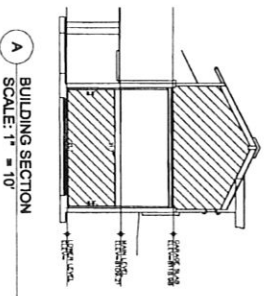


3 UPPER LEVEL AREAS
SCALE: 1" = 10'

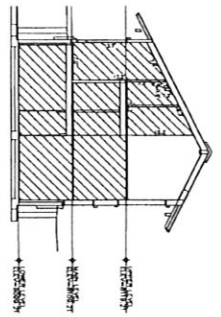


UNIT SQUARE FOOTAGE TABLE

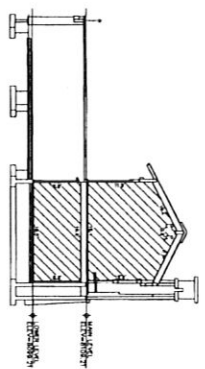
FLOOR	COMMON AREA	PRIVATE OWNER'S UNIT	LIMITED COMMON OWNERSHIP	TOTAL
LOWER	2,048 SF	1,118 SF	5,448 SF	8,614 SF
UPPER	2,048 SF	1,118 SF	5,448 SF	8,614 SF
TOTAL	4,096 SF	2,236 SF	10,896 SF	17,228 SF



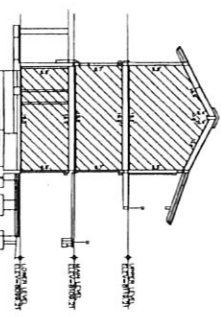
A BUILDING SECTION
SCALE: 1" = 10'



B BUILDING SECTION
SCALE: 1" = 10'



C BUILDING SECTION
SCALE: 1" = 10'



D BUILDING SECTION
SCALE: 1" = 10'

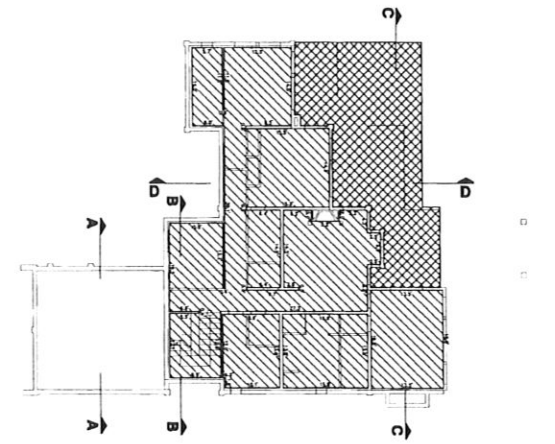
RECORD OF SURVEY PLAT

NAKOMA PHASE ONE UNIT 10

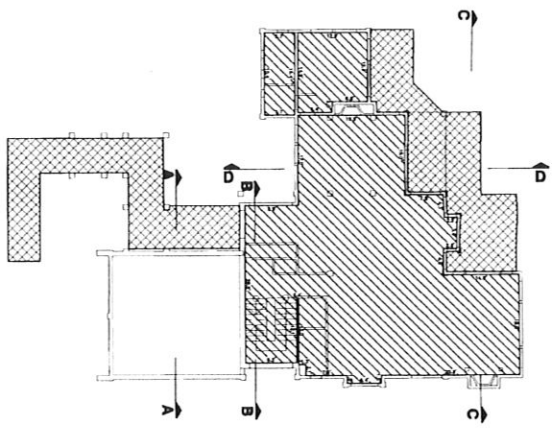
A UTAH PROJECT
LOCATED IN SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 EAST, 2ND 7" LAND BARS AND LAMARCA, PIKE
CITY, SALT LAKE COUNTY, UTAH

JAN 28 2010

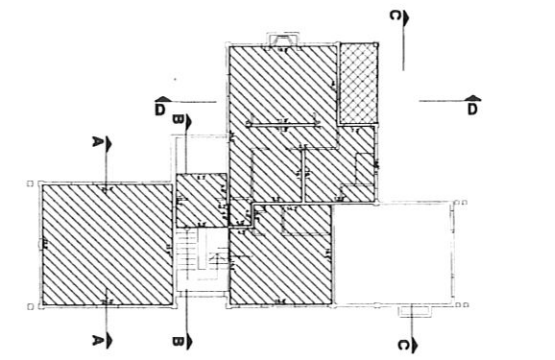
JOB NO. 2-110-03
SHEET 3 OF 9
RECORDED
STATE OF UTAH, COUNTY OF SALT LAKE AND FILED
DATE: 1/28/10 BY: [Signature]
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PAGE: [Signature]



1 LOWER LEVEL AREAS
SCALE: 1" = 10'



2 MAIN LEVEL AREAS
SCALE: 1" = 10'

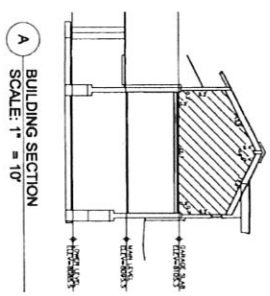


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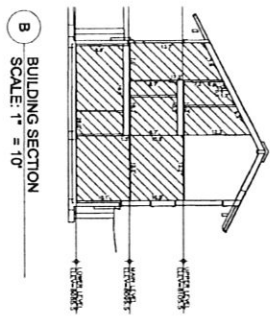


UNIT SQUARE FOOTAGE TABLE

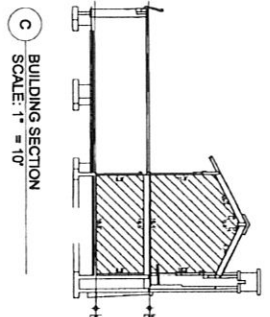
FLOOR	SQUARE FOOTAGE
LOWER	2,126 SF
UPPER	1,126 SF
TOTAL SF	3,252 SF
GAUGE	501 SF



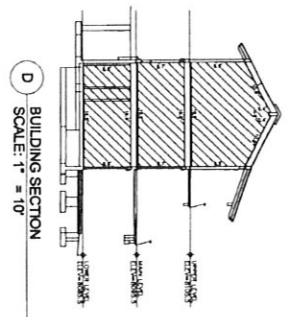
A BUILDING SECTION
SCALE: 1" = 10'



B BUILDING SECTION
SCALE: 1" = 10'



C BUILDING SECTION
SCALE: 1" = 10'



D BUILDING SECTION
SCALE: 1" = 10'

NAKOMA PHASE ONE UNIT 12

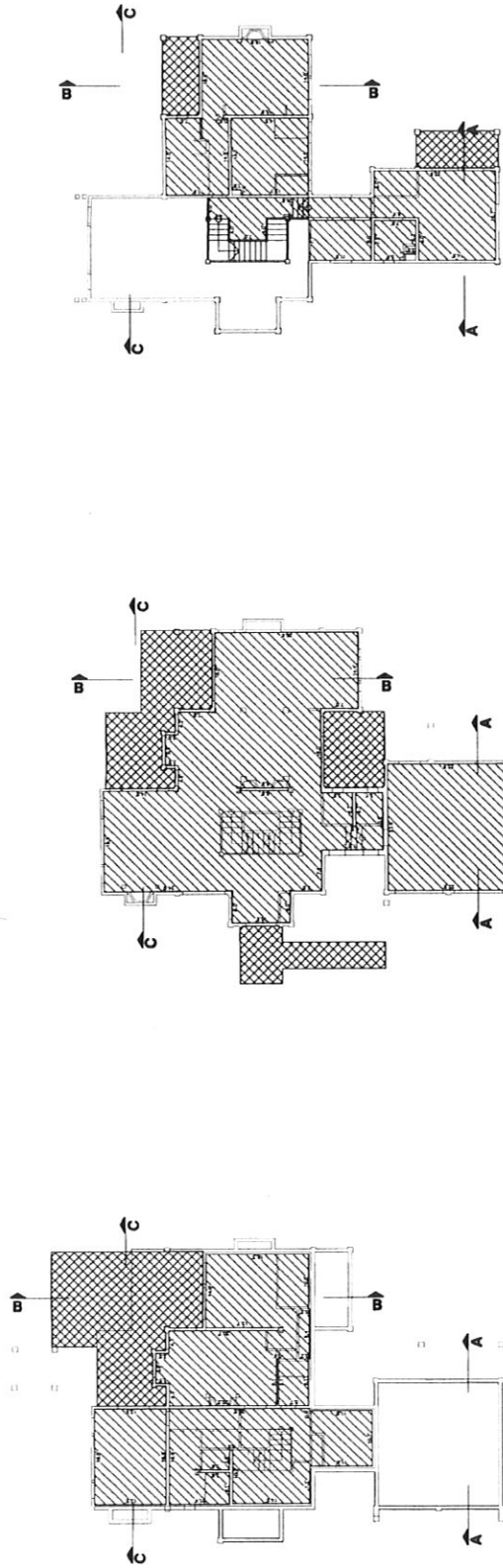
RECORD OF SURVEY PLAT
A UTAH PROJECT
LOCATED IN SECTION 26, TOWNSHIP 2 SOUTH, RANGE 4 NORTH, EAST 1/4 AND 2ND 1/4 AND 3RD 1/4, RANGE AND MERIDIAN, PARK CITY, SALT LAKE COUNTY, UTAH

JAN 28 2010

2008-001-2 (10-0-01)

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FILED BY
DATE
TIME
PLACE

SHEET 5 OF 8



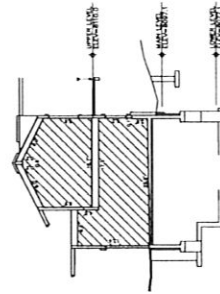
1 LOWER LEVEL AREAS
SCALE: 1" = 10'

2 MAIN LEVEL AREAS
SCALE: 1" = 10'

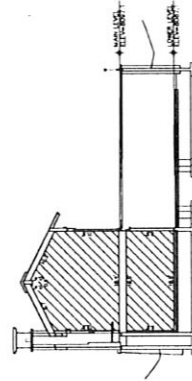
3 UPPER LEVEL AREAS
SCALE: 1" = 10'

- COMMON AREA BASEMENT
- PRIVATE OWNERSHIP UNIT
- LIMITED COMMON OWNERSHIP

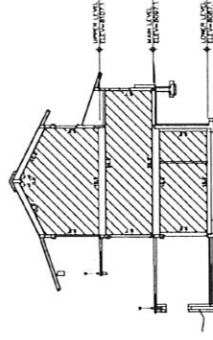
FLOOR	SQUARE FOOTAGE
LOWER	1,813 SF
MAIN	1,773 SF
UPPER	1,280 SF
TOTAL	4,866 SF
GARAGE	948 SF



A BUILDING SECTION
SCALE: 1" = 10'



B BUILDING SECTION
SCALE: 1" = 10'



C BUILDING SECTION
SCALE: 1" = 10'

RECORD OF SURVEY PLAT

NAKOMA PHASE ONE UNIT 15

A UTAH PROJECT
LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASIN AND IRRIGATION, PARK CITY, SALT LAKE COUNTY, UTAH

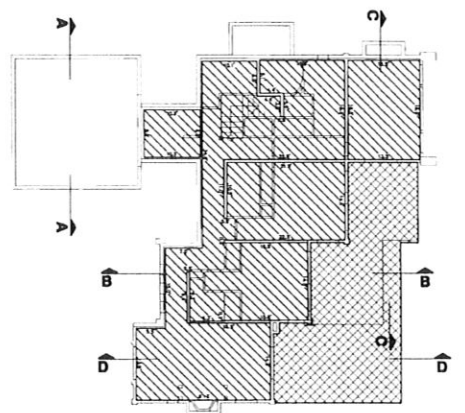
JAN 28 2010

SHEET 8 OF 9

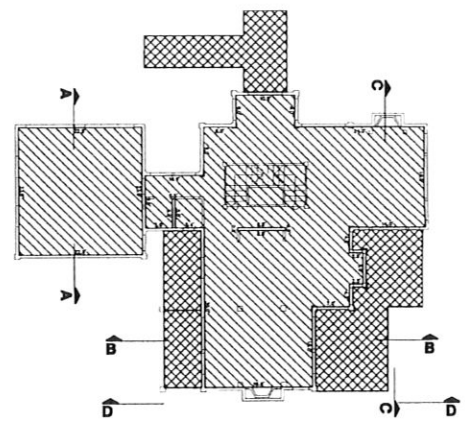
JOB NO. 2-10-03

RECORDED
STATE OF UTAH
AT THE OFFICE OF
DATE: _____ FILE NO. _____ BOOK _____ PAGE _____

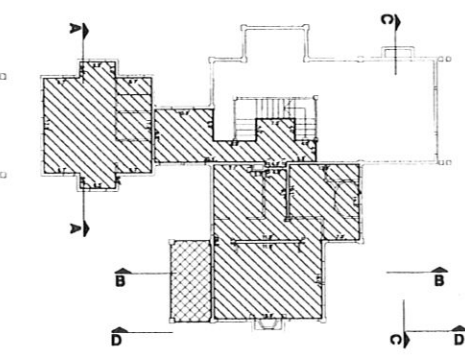
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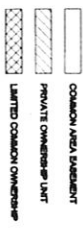
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2 MAIN LEVEL AREAS
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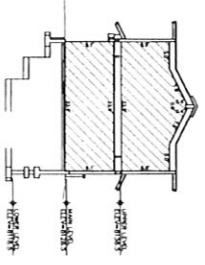


3 UPPER LEVEL AREAS
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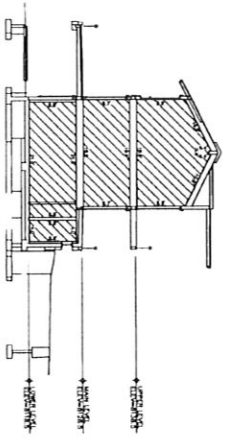


UNIT SQUARE FOOTAGE TABLE

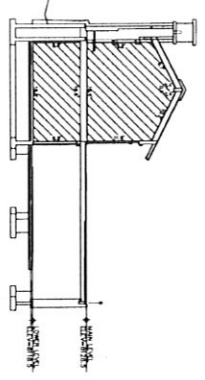
FLOOR	SQUARE FOOTAGE
LOWER	1,200 SF
MAIN	1,507 SF
UPPER	4,281 SF
TOTAL	6,988 SF
OVERAGE	544 SF



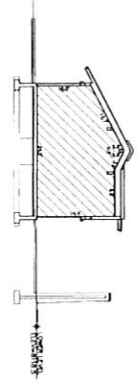
A BUILDING SECTION
SCALE: 1" = 10'



B BUILDING SECTION
SCALE: 1" = 10'



C BUILDING SECTION
SCALE: 1" = 10'



D BUILDING SECTION
SCALE: 1" = 10'

NAKOMA PHASE ONE UNIT 16

RECORD OF SURVEY PLAT
A UTAH PROJECT
LOCATED IN SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MOUNTAIN VIEW AND SHERMAN PARK
COUNTY, KANE COUNTY, UTAH

JAN 28 2010

JOB NO. 2-10-03
RECORDED
STATE OF UTAH, COUNTY OF KANE AND FILED
DATE: _____ TIME: _____
SHEET 9 OF 9