

Ordinance No. 11-10

**AN ORDINANCE APPROVING THE FIRST SUPPLEMENTAL PLAT FOR
CONSTRUCTED UNITS AT THE BELLES AT EMPIRE PASS CONDOMINIUMS,
AMENDING UNITS 1, 2, AND 12, LOCATED ON LOT 1 AND LOT 2 OF
THE SILVER STRIKE SUBDIVISION, PARK CITY, UTAH**

WHEREAS, the owners of the property known as The Belles at Empire Pass Condominiums Units 1, 2, and 12, have petitioned the City Council for approval of the First Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project;

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to property owners according the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on February 23, 2011, to receive input on the supplemental plat;

WHEREAS, the Planning Commission, on February 23, 2011, forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on March 24, 2011, to receive input on the supplemental plat;

WHEREAS, it is in the best interest of Park City, Utah to approve the First Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project to document the as-built conditions and constructed UEs for these three condominium units;

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 First Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project 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 supplemental plat includes Units 1, 2, and 12 of the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass and associated common area. The property is located on portions of Lots 1 and 2 of the Silver Strike subdivision and within Pod A of the Flagstaff Mountain Development, in an area

known as the Village at Empire Pass. The properties are addressed at 29, 39, and 32 Silver Strike Trail.

2. The property is located in the RD-MPD zoning district and is subject to the Flagstaff Mountain Development Agreement and Village at Empire Pass MPD.
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 July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass, aka Pod A. The MPD identified the area of the proposed condominium plat as the location for 18 PUD-style detached single family homes and duplexes.
5. On June 29, 2006, the City Council approved the Silver Strike Subdivision creating two lots of record. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres.
6. On August 17, 2007, the City Council approved 4 units on Lot 2 as the Christopher Homes at Empire Pass Phase I condominium plat. The plat was recorded at Summit County on October 3, 2007.
7. On November 29, 2007, the City Council approved the first amended Christopher Homes at Empire Pass Phase II condominium plat creating an additional 4 units on Lot 2. The plat was recorded at Summit County on February 20, 2008.
8. On April 23, 2008, the City Council approved two more condominium units on Lot 1 of the Silver Strike subdivision as Christopher Homes at Empire Pass Phase III condominium plat. The plat was recorded at Summit County on December 1, 2008.
9. On August 28, 2008, the City Council approved the Christopher Homes at Empire Pass Phase IV plat for eight additional condominium units on Lots 1 and 2, specifically units 5/6, 7/8, 13/14, and 17/18 in duplex configurations. The plat was recorded at Summit County on November 19, 2008.
10. On December 20, 2010, the Planning Department received a complete application for an amendment to Christopher Homes at Empire Pass condominium plats Phases I, II, III, and IV. The amended plat is an amended, consolidated, and restated condominium plat of The Belles at Empire Pass that in whole supersedes, amends, replaces, and consolidates all of the Christopher Homes at Empire Pass condominium plats Phases I, II, III, and IV. The amended plat is being reviewed concurrently with this First Supplemental plat.
11. On January 21, 2011, the Planning Department received a complete application for the First Supplemental Plat for Constructed Units at the Belles at Empire Pass a Utah Condominium project amending Units 1, 2, and 12.
12. The purpose of the supplemental plat is to describe and document the as-built conditions and UE calculations for the constructed Units 1, 2, and 12 prior to issuance of a Certificate of Occupancy and to identify private, limited common, and common area for these units.
13. The supplemental plat complies with the conditions of approval of the underlying plats, namely the Silver Strike subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass, that is being reviewed concurrently with this plat amendment. In addition, the three units are consistent with

the development pattern envisioned in the Village at Empire Pass MPD and the 14 Technical Reports.

14. Units 1 and 2 are located on Lot 2 and Unit 12 is located on Lot 1 of the Silver Strike Subdivision.
15. The approved maximum house size is 5,000 square feet of Gross Floor Area, as defined by the LMC. Gross Floor Area exempts basement areas below final grade and 600 square feet of garage area. Unit 1 house size is 4,982.9 sf, Unit 2 house size is 4,999.6 sf, and Unit 12 house size is 4,984.9 sf.
16. The Flagstaff Development Agreement requires calculation of unit equivalents (UE) for these units, in addition to maximum house size. The UE formula includes all interior square footage "calculated from the inside surfaces of the interior boundary wall of each completed unit, excluding all structural walls and components, as well as all shafts, ducts, flues, pipes, conduits and the wall enclosing such facilities. Unit Equivalent floor area includes all basement areas. Also excluded from the UE square footage is garage space up to 600 square feet per unit and all space designated as non-habitable on this plat." Within the Flagstaff Development Agreement one residential unit equivalent equals two thousand square feet.
17. Unit 1 contains 6010.8 gross square feet and utilizes 3.005 UEs. Unit 2 contains 6,614.1 gross square feet and utilizes 3.307 UEs. Unit 12 contains 5,275.8 sf and utilizes 2.637 UEs. These three units utilize 8.949 Unit Equivalents of the 45 total UE allocated for the Belles at Empire Pass.
18. As conditioned, this supplemental plat is consistent with the approved Flagstaff Development Agreement, the Village at Empire Pass MPD, and the conditions of approval of the Silver Strike Subdivision.
19. The Analysis section is incorporated herein.

Conclusions of Law:

1. There is good cause for this supplemental plat.
2. The supplemental 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 supplemental plat.
4. Approval of the supplemental 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 review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the amended record of survey.
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, 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 conditions of approval of the Village at Empire Pass Master Planned Development and the Silver Strike Subdivision plat shall continue to apply.
4. Unit 1 utilized 3.005 UEs. Unit 2 utilized 3.307 UEs. Unit 12 utilized 2.637 UEs. The

- total UEs utilized for each unit must be written on the plat under the unit name.
5. The approved maximum house size is 5,000 square feet of Gross Floor Area, as defined by the LMC. Gross Floor Area exempts basement areas below final grade and 600 square feet of garage area. Unit 1 house size is 4,982.9 sf, Unit 2 house size is 4,999.6 sf, and Unit 12 house size is 4,984.9 sf.
 6. The supplemental plat shall be recorded at Summit County as a condition precedent to issuance of a final certificate of occupancy for these units by the Park City Chief Building Official.

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

PASSED AND ADOPTED this 24th day of March, 2011.

PARK CITY MUNICIPAL CORPORATION



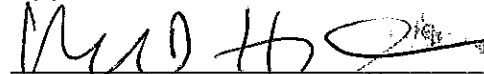
Mayor Dana Williams

Attest:

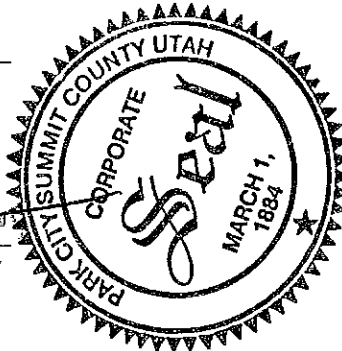


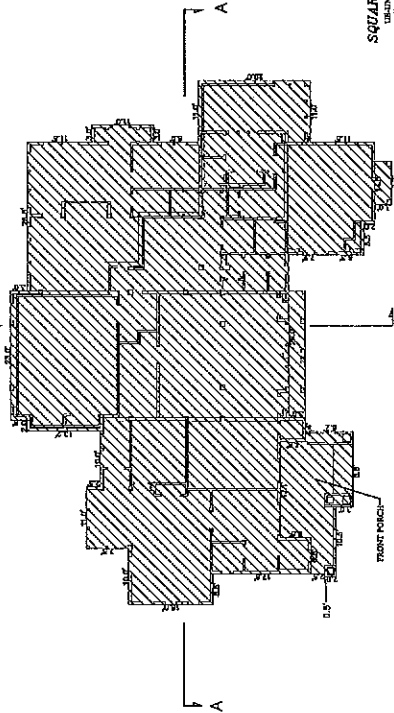
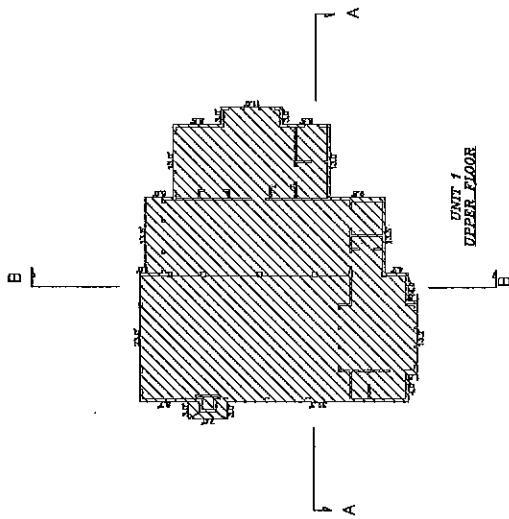
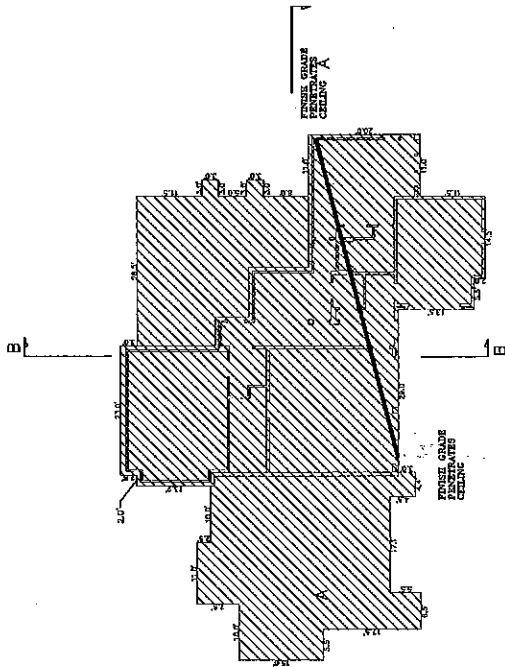
Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





FIRST SUPPLEMENTAL PLAN FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT AMENDING UNITS 1, 2 AND 12
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2
 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN SUMMIT
 COUNTY, UTAH

SHEET 2 OF 7



UNIT 1
 SQUARE FOOTAGE CALCULATIONS

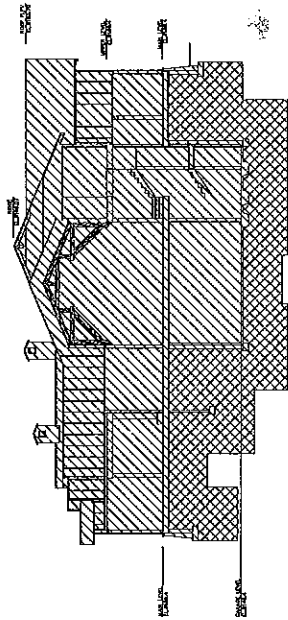
UNITS	FINISH FLOOR AREA	FINISH WALL AREA	FINISH CEILING AREA	TOTAL FINISH AREA
1	1,234	1,234	1,234	3,702
2	1,234	1,234	1,234	3,702
12	1,234	1,234	1,234	3,702
TOTAL	3,702	3,702	3,702	11,106

RECORDED

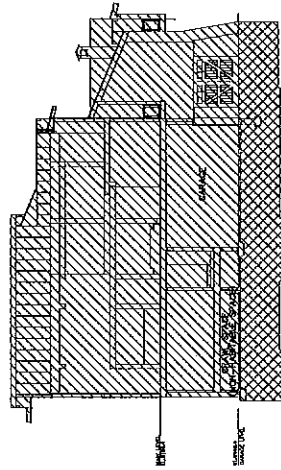
DATE OF _____ BY _____ COUNTY OF _____
 BOOK OF _____ PAGE _____
 RECORDS AND PLATS AT THE OFFICE OF _____
 COUNTY RECORDS

GC SURVEYING

2132 West 1235 South Salt Lake 84045
 801-520-8763 FAX 801-520-4200
 www.gc-surveying.com



UNIT 1
SECTION A
1"=10'



UNIT 1
SECTION B
1"=10'

CONCRETE CONSTRUCTION

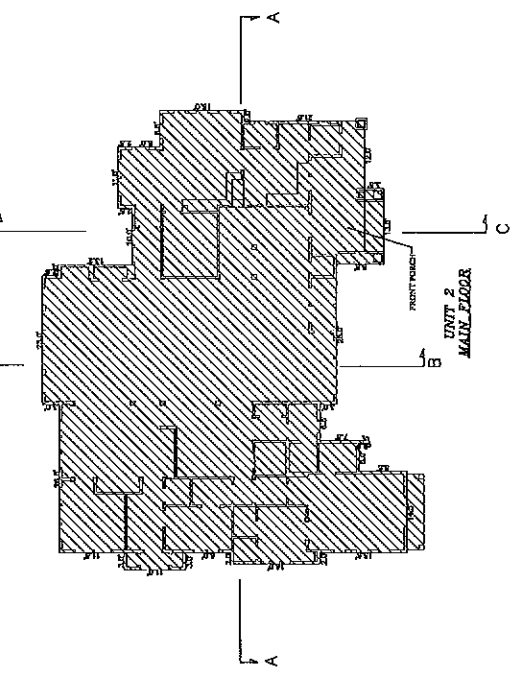
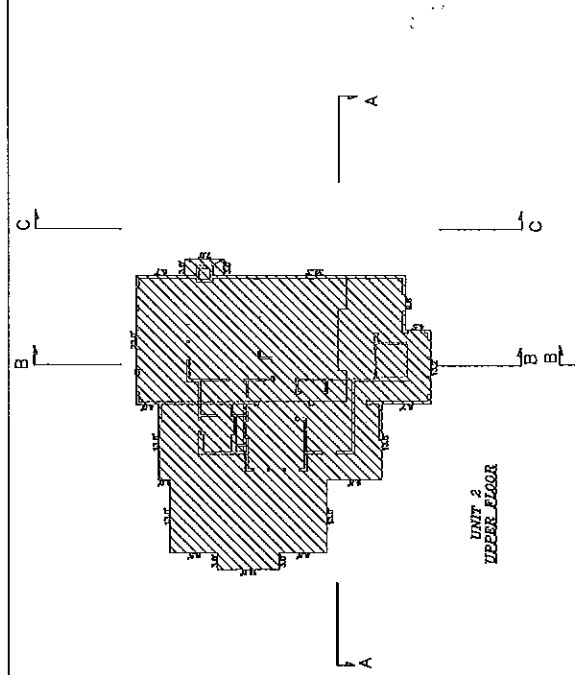
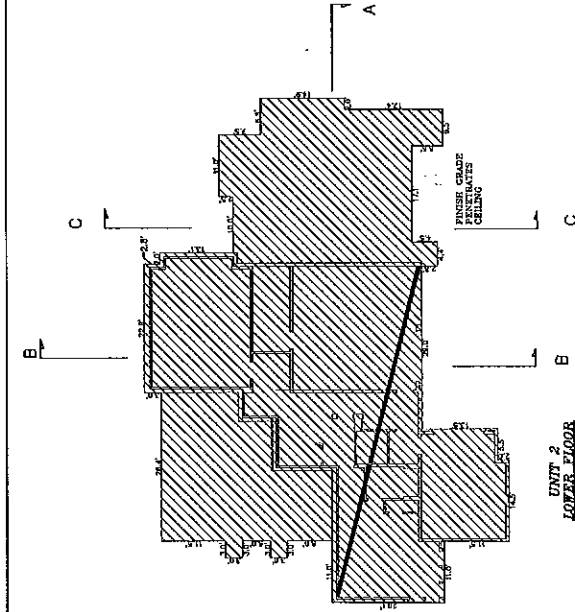
	CONCRETE
	GYP. BOARD
	INSULATION
	ROOFING
	FLOORING
	FOUNDATION

FIRST SUPPLEMENTAL PLAT FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT AMENDING UNITS 1, 2 AND 12
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2
 SOUTH RANGE 4 EAST, SAGHAWA CREEK BASIN AND MERIDIAN SURVEY
 COUNTY, UTAH
 SHEET 3 OF 7

RECORDED

DATE OF _____ TIME _____ COUNTY OF _____
 STATE OF _____ COUNTY OF _____
 DATE _____ TIME _____ COUNTY OF _____
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 COUNTY RECORDER

GC SURVEYING
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UNIT 2 SQUARE FOOTAGE CALCULATIONS

UNIT	AREA (SQ. FT.)
UNIT 2 UPPER FLOOR	1415
UNIT 2 LOWER FLOOR	1473
UNIT 2 MAIN FLOOR	1473
TOTAL	4361

US 1307

FIRST SUPPLEMENTAL PLAN FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT AMENDING UNITS 1, 2 AND 12
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 2
 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MERIDIAN SURVEY
 COUNTY, UTAH

SHEET 4 OF 7

GC SURVEYING
 2118 West 12315 South, Salt Lake City, UT 84143
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DATE OF RECORDING: _____

BOOK: _____ PAGE: _____

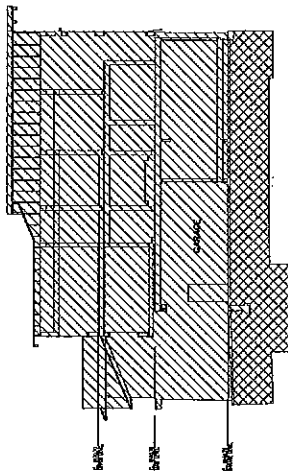
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RECORDED AND FILED AT THE COUNTY OF _____

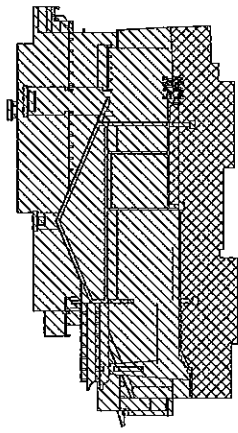
COUNTY RECORDER

CONSTRUCTION SYMBOLS

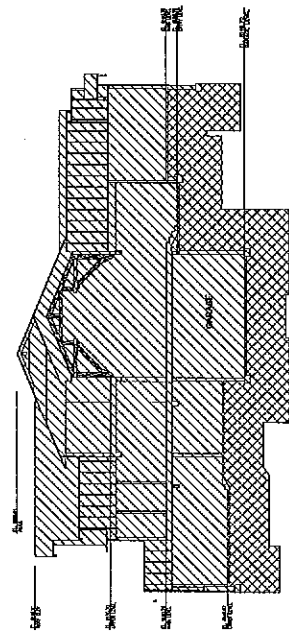
- FINISH GRADE PENETRATES CEILING
- FRONT PORCH
- UNIT 2 UPPER FLOOR
- UNIT 2 LOWER FLOOR
- UNIT 2 MAIN FLOOR



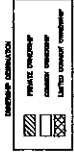
UNIT 2
SECTION 1
1"=10'



UNIT 2
SECTION 2
1"=10'



UNIT 2
SECTION A
1"=10'



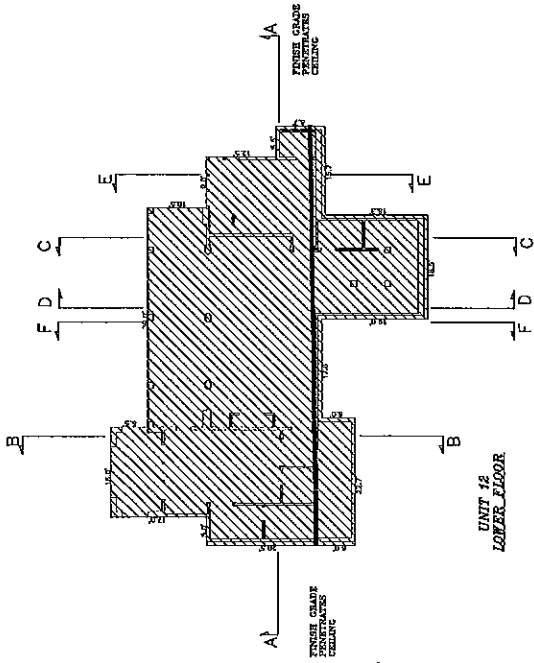
FIRST SUPPLEMENTAL PLAN FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
 A UTAH CONDOMINIUM PROJECT AMENDING UNITS 1, 2 AND 12
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2
 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SUMMIT
 COUNTY, UTAH

SHEET 6 OF 7

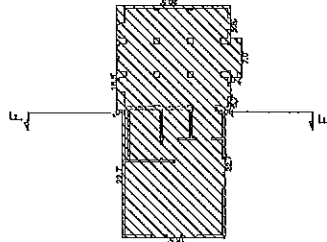
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OWNER: _____ BOOK: _____ PAGE: _____
 DATE OF RECORDING: _____ COUNTY OF: _____
 RECORDED AND FILED AT: _____
 COUNTY CLERK

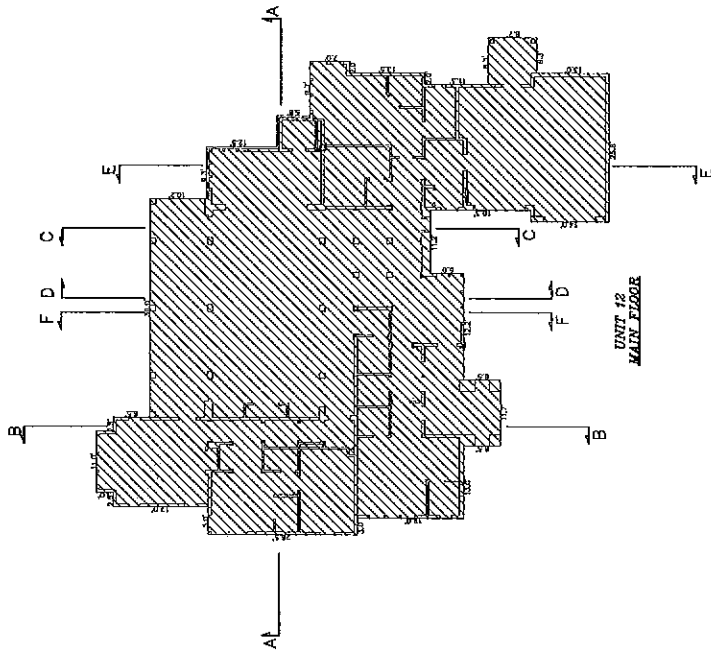
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 801-520-8768 www.gc-surveying.com



UNIT 12
LOWER FLOOR



UNIT 12
UPPER FLOOR



UNIT 12
MAIN FLOOR



FIRST SUPPLEMENTAL FLAT FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
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 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2
 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SUMMIT
 COUNTY, UTAH
 SHEET 6 OF 7

UNIT 12
 SQUARE FOOTAGE
 CALCULATIONS

UNIT	FLOOR	NET AREA	COMMON AREA	TOTAL
UNIT 12	LOWER FLOOR	1,124.00	100.00	1,224.00
UNIT 12	UPPER FLOOR	1,124.00	100.00	1,224.00
UNIT 12	MAIN FLOOR	1,124.00	100.00	1,224.00
TOTAL		3,372.00	300.00	3,672.00

CONSTRUCTION	FINISH	COMMON	UNIT
Diagonal Hatching	Diagonal Hatching	Diagonal Hatching	Diagonal Hatching

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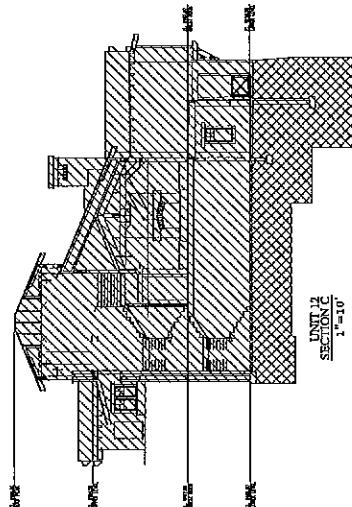
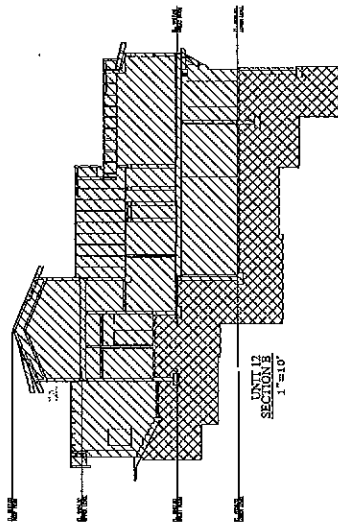
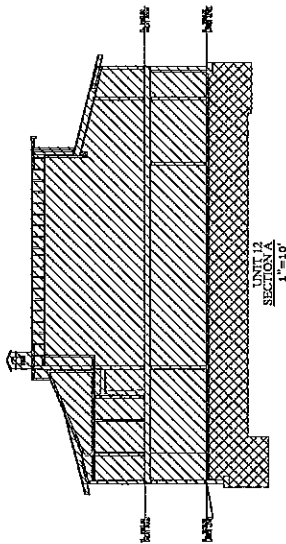
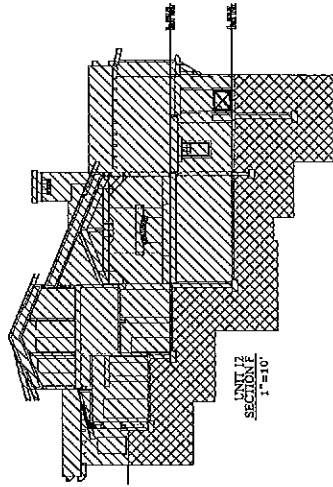
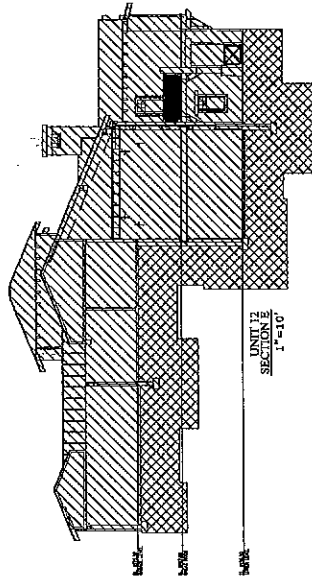
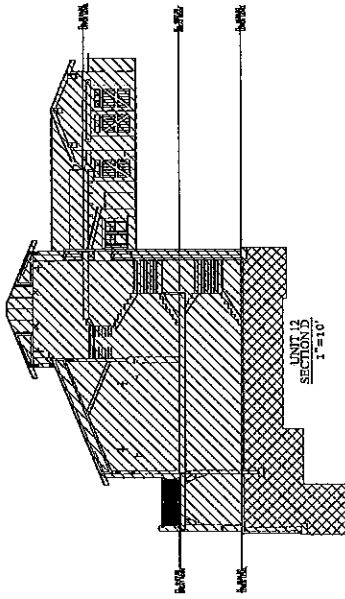
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DATE: _____ BY: _____

BOOK: _____ PAGE: _____

UNIT: _____ COUNTY: _____

APPROVED BY: _____



COMMON MATERIALS

	PRIVATE OWNERSHIP
	COMMON OWNERSHIP
	UNITED OWNERS OWNERSHIP

FIRST SUPPLEMENTAL PLAN FOR CONSTRUCTED UNITS
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 LOCATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2
 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN SUMMIT
 COUNTY, UTAH

SHEET 7 OF 7

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DATE: _____ BOOK: _____ PAGE: _____
 COUNTY OF _____ STATE OF _____
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 CLERK OF COURTS

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