

**Ordinance No. 2019-61**

AN ORDINANCE APPROVING THE LIFT LODGE AT TOWN LIFT, SECOND AMENDED PLAT LOCATED AT 875 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 875 Main Street have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on October 26, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 30, 2019, proper legal notice was published according to 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 November 13, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on November 13, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 5, 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 Lift Lodge at Town Lift, Second Amended plat located at 875 Main Street.

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

**SECTION 1. APPROVAL.** The Lift Lodge at Town Lift, Second Amended 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. In 1991, the Planning Commission and City Council approved a concept plan for the Town Lift Project which included the Lift Lodge Condominium project currently under review.
2. On June 11, 1997, the Planning Commission approved a CUP to allow a mixed use structure at this location. This CUP was subsequently modified on May 26, 1999. The existing building was constructed in 1998.
3. The Parking Management Plan for this location was approved by the Planning Commission on July 8, 1998.
4. The subject property falls under the 1982 Huntsman-Christensen Agreement which specified HCB zoning for the site and established an artificial natural grade for height measurements.

5. The 1982 Agreement was amended on April 16, 1992 to redefine artificial natural grade.
6. The Lift Lodge at Town Lift condominium conversion plat was approved by City Council on March 4, 1998 and recorded on August 3, 1999.
7. On August 30, 2018, the City Council approved the Lift Lodge at Town Lift, First Amended Condominium Plat which created new roof top common area.
8. On October 9, 2019, the City deemed the proposed Condominium Plat Amendment complete.
9. On November 13, 2019, the Planning Commission reviewed the proposed Condominium Plat Amendment and forwarded a unanimous positive recommendation to City Council.
10. The proposed Condominium Plat Amendment alters ownership of common areas, three (3) residential units, and one (1) commercial unit. Units affected include: Unit C, Unit 206, Unit 202, and Unit 302.
11. The original Conditional Use Permit approval for the subject Lift Lodge building was for the construction of a mixed use building with a total building floor area of 37,001 square feet. This was approved with 13 condominium units averaging 950 square feet in area (and 12,381 net square feet), 842 square feet of support commercial uses, and 3,554 square feet of net leasable commercial space (4,442 gross square feet of commercial space). This approval included 8,654 square feet of parking and storage, as approved with the Parking Management Plan.
12. The Lift Lodge was ultimately constructed with 16 residential units after a previous modification to the CUP. The units averaged less than 1,000 square feet and ranged in floor area from 681 square feet to 1,455 square feet. There were approximately 2,515 square feet of commercial uses (reduced from 5,100 square feet) and located at the south end of the building.
13. The proposed changes do not alter the number of units, and the size of the units still average less than 1,000 square feet (980 square feet). The units now range in size from 363 square feet to 1,457 square feet. The size of the commercial space has also increased to 451 square feet. These changes do
14. The subject property falls within the HRC zone, but uses the HCB regulations according to the 1982 Agreement amended in 1992.
15. All parking associated with the building is accommodated within the common parking structure the Lift Lodge shares with the Town Lift development.
16. The parking structure beneath the Lift Lodge provides a total of 28 code compliant spaces, which is sufficient for the proposed change in use. A total of 24 spaces are required for the 16 residential units and retail space.
17. Access to the underground parking structure is off Ninth Street. Secondary access is provided from the adjacent parking structure which has access to Park Avenue.
18. The applicant has not violated any terms of the original CUP approval.
19. On October 30, 2019, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record on October 26, 2019.
20. As of this date, no public input has been received by Staff.
21. The Findings in the Analysis Section are incorporated herein.

**Conclusions of Law:**

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including 15-4-12, 15-7.1-3(C), 15-12-15(B)(9), and applicable State law regarding condominium plat amendments.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the 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. All Conditions of Approval of the original Lift Lodge at Town Lift condominium plat and any subsequent modifications continue to apply.
2. 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.
3. The applicant will 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.
4. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.

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

PASSED AND ADOPTED this 5<sup>th</sup> day of December, 2019.

PARK CITY MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Mayor Andy Berman Date

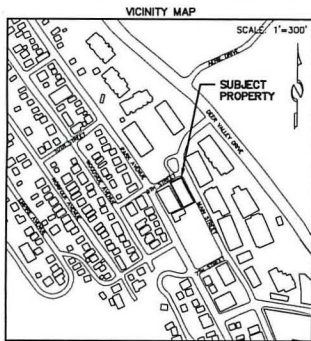
ATTEST:

  
  
\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

**Attachment 1 – Proposed Plat**



**OWNERSHIP LEGEND**

- COMMON AREAS AND FACILITIES
- PRIVATE RESIDENTIAL OWNERSHIP
- PRIVATE COMMERCIAL OWNERSHIP (See note 3)
- LIMITED COMMON AREAS AND FACILITIES



**SURVEYOR'S CERTIFICATE**

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 724892 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 owners, THE LIFT LODGE AT TOWN LIFT—SECOND AMENDED, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown herein is correct.

**LEGAL DESCRIPTION**

Units 206 and C, THE LIFT LODGE AT TOWN LIFT, a Utah Condominium Project, together with each unit's appurtenant undivided interest in the Common Areas and Facilities, according to the Record of Survey Map recorded August 3, 1999 as Entry No. 545822 and in the Declaration of Condominium for The Lift Lodge at Town Lift recorded August 3, 1999 as Entry No. 545823 in Book 1279 at Page 280 and in the First Amendment to Condominium Declaration recorded July 29, 2011 as Entry No. 927222 in Book 2089 at page 1822 and in the Amended and Restated Declaration of Condominium recorded May 30, 2019 as Entry No. 1111708, records of Summit County, Utah.

Units 202 and 302, FIRST AMENDMENT TO THE LIFT LODGE AT TOWN LIFT, a Utah Condominium Project, together with each unit's appurtenant undivided interest in the Common Areas and Facilities, according to the Record of Survey Map recorded May 30, 2019 as Entry No. 1111708 and in the Declaration of Condominium for The Lift Lodge at Town Lift recorded August 3, 1999 as Entry No. 545823 in Book 1279 at Page 280 and in the First Amendment to Condominium Declaration recorded July 29, 2011 as Entry No. 927222 in Book 2089 at page 1822, and in the Amended and Restated Declaration of Condominium recorded May 30, 2019 as Entry No. 1111708, records of Summit County, Utah.

**ASSOCIATION CONSENT TO RECORD**

KNOW ALL BY THESE PRESENTS, that the undersigned, on behalf of THE LIFT LODGE ASSOCIATION, INC., a Utah nonprofit corporation, having complied with the requirements of both Statutes and the Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for The Lift Lodge at Town Lift, hereby consent to the recording of this amended record of survey map.

Vanessa Carrington, President, by Dean Peters, attorney-in-fact  
THE LIFT LODGE ASSOCIATION, INC., a Utah nonprofit corporation

Dean Peters, Secretary/Treasurer  
THE LIFT LODGE ASSOCIATION, INC., a Utah nonprofit corporation

**ACKNOWLEDGMENT**

STATE OF UTAH )  
                  ) ss.  
COUNTY OF SUMMIT )

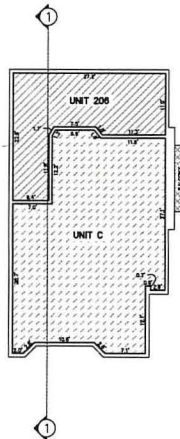
On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, personally appeared before me, the undersigned Notary Public, in and for said County and State, Dean Peters, being duly sworn, acknowledged to me that he is the attorney-in-fact for Vanessa Carrington, an individual, for the limited purpose of executing in the name of and for said Vanessa Carrington the above Association Consent to Record, and that he is the Secretary/Treasurer of The Lift Lodge Association, Inc., a Utah nonprofit corporation, and that the above Association Consent to Record was signed for, on, and in behalf of all of the unit owners of The Lift Lodge at Town Lift acting as a group (under the name of The Lift Lodge Association, Inc., a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1983) as amended and supplemented, and the Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions, and Restrictions for The Lift Lodge at Town Lift.

By: \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_ My Commission Expires: \_\_\_\_\_  
Residing in: \_\_\_\_\_ Commission No. \_\_\_\_\_

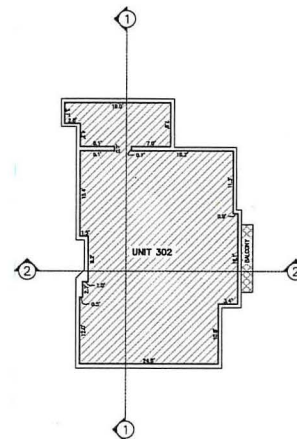
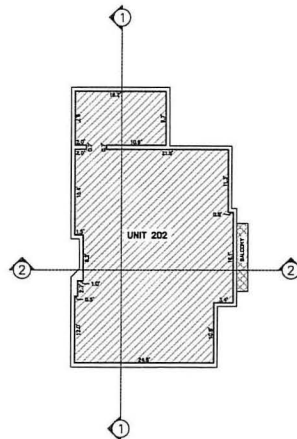
**NOTES**

- This plat amendment is subject to the Conditions of Approval in Ordinance 2020—
- All Conditions of Approval of The Lift Lodge at Town Lift recorded August 3, 1999, as Entry No. 545822 and First Amendment To The Lift Lodge At Town Lift recorded May 30, 2019, as Entry No. 1111708 shall continue to apply and remain in full force and effect.
- May be converted to Private Residential Ownership, subject to compliance with the terms of the Amended and Restated Declaration of Condominium and Declaration of Covenants, Conditions and Restrictions for The Lift Lodge at Town Lift (see Ownership Legend).
- Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.



**SECOND LEVEL**

UNIT NUMBER	SQUARE FOOTAGE
202	1,177 SF
206	363 SF
C	909 SF



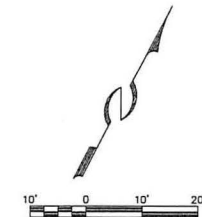
**THIRD LEVEL**

UNIT NUMBER	SQUARE FOOTAGE
302	1,159 SF

**THE LIFT LODGE AT TOWN LIFT—SECOND AMENDED**

AMENDING UNITS 202, 206, 302 & UNIT C

A UTAH CONDOMINIUM PROJECT  
LOCATED IN THE NORTHEAST QUARTER SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH



**PUBLIC SAFETY ANSWERING POINT APPROVAL**  
APPROVED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2020  
BY \_\_\_\_\_  
SUMMIT COUNTY GIS COORDINATOR

**SNYDERVILLE BASIN WATER RECLAMATION DISTRICT**  
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020  
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 \_\_\_\_\_, 2020  
BY \_\_\_\_\_  
PARK CITY ENGINEER

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020  
BY \_\_\_\_\_  
PARK CITY ATTORNEY

**CERTIFICATE OF ATTEST**  
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020  
BY \_\_\_\_\_  
PARK CITY RECORDER

**COUNCIL APPROVAL AND ACCEPTANCE**  
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020  
BY \_\_\_\_\_ MAYOR

**RECORDED**  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_ FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

Know all by these presents that the owners of Unit 202, and whose Unit is affected by the contents of THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED, hereby certify that they have caused this Condominium Plat to be prepared, and we, MARK A. RUELLE and SANDRA S. RUELLE, husband and wife as joint tenants, do hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and consent this \_\_\_\_ day of \_\_\_\_\_, 2020.

Mark A. Ruelle

Sandra S. Ruelle

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
:ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, Mark A. Ruelle 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, that he acknowledged to me that he executed THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED.

By \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
:ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, Sandra S. Ruelle 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, that she acknowledged to me that she executed THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED.

By \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

Know all by these presents that REMEDIAL PROPERTIES LLC, a Utah limited liability company, the owner of Unit 206, and whose Unit is affected by the contents of THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED hereby certifies that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and consent this \_\_\_\_ day of \_\_\_\_\_, 2020.

Dean Peters, Manager  
REMEDIAL PROPERTIES LLC, a Utah limited liability company

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
:ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, Dean Peters 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 a Manager of REMEDIAL PROPERTIES LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED.

By \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

Know all by these presents that the owner of Unit 302, and whose Unit is affected by the contents of THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED, hereby certify that she has caused this Condominium Plat to be prepared, and I, VANESSA C. CARRINGTON, trustee of the VANESSA C. CARRINGTON REVOCABLE TRUST dated 7/18/07, do hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and consent this \_\_\_\_ day of \_\_\_\_\_, 2020.

Vanessa C. Carrington, Trustee

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
:ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2020, Vanessa C. Carrington 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 she is the Trustee of the VANESSA C. CARRINGTON REVOCABLE TRUST dated 7/18/07, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED.

By \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

Know all by these presents that REMEDIAL PROPERTIES LLC, a Utah limited liability company, the owner of Unit C, and whose Unit is affected by the contents of THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED hereby certifies that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and consent this \_\_\_\_ day of \_\_\_\_\_, 2020.

Dean Peters, Manager  
REMEDIAL PROPERTIES LLC, a Utah limited liability company

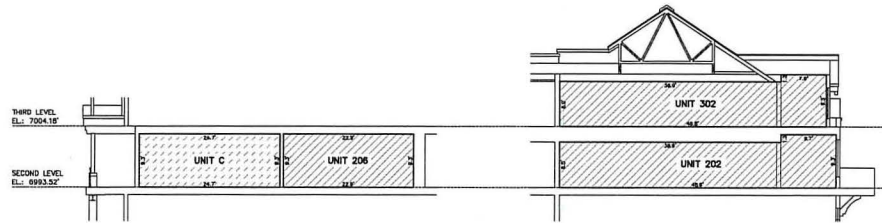
**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
:ss.  
COUNTY OF \_\_\_\_\_ )

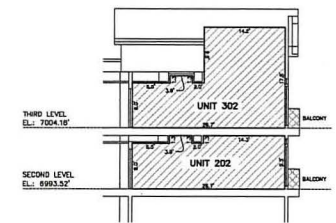
On this \_\_\_\_ day of \_\_\_\_\_, 2020, Dean Peters personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Manager of REMEDIAL PROPERTIES LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED.

By \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_



SECTION - 1



SECTION - 2

**OWNERSHIP LEGEND**

	COMMON AREAS AND FACILITIES
	PRIVATE RESIDENTIAL OWNERSHIP
	PRIVATE COMMERCIAL OWNERSHIP (See note 3)
	LIMITED COMMON AREAS AND FACILITIES



SHEET 2 OF 2

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RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_ FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

**THE LIFT LODGE AT TOWN LIFT-SECOND AMENDED**

AMENDING UNITS 202, 206, 302 & UNIT C

A UTAH CONDOMINIUM PROJECT  
LOCATED IN THE NORTHEAST QUARTER SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

(435) 849-8487

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
222 Main Street, P.O. Box 2884 Park City, Utah 84302-2884