Ordinance No. 2022-07

AN ORDINANCE APPROVING THE PAYDAY CONDOMINIUM AMENDED PLAT, LOCATED AT 1660 AND 1700 THREE KINGS DRIVE, PARK CITY, UTAH.

WHEREAS, the representative of the owners of the property known as the Payday Condominiums has petitioned the City Council for approval of a request for an amendment to the plat to clarify developable private residential space within Payday Condominium units by allowing for the conversion or acknowledgement of previously converted Limited Common Areas and Common Areas to Private Ownership as specified on the amended plat by unit type and location; and

WHEREAS, on January 11, 2022, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to all affected property owners on January 11, 2022 and legal notice was published in the Park Record and Public Notice Website; and

WHEREAS, the Planning Commission held a public hearings on May 12, 2021, October 13, 2021 and January 26, 2022 to receive input on the amended plat;

WHEREAS, the Planning Commission, on January 26, 2022, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 3, 2022, the City Council held a public hearing on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Payday Condominium Amended Plat to reflect as-built conditions and allow owners to expand private residential space without increasing the building pad or parking requirements beyond existing conditions; and

WHEREAS, Staff finds that the plat will not cause undue harm to adjacent property owners.

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 Payday Condominium 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. The property is located at 1660 and 1700 Three Kings Drive.

- 2. On June 8, 1972, the Planning Commission approved a Conditional Use Permit for the Payday Condominiums.
- 3. The Payday Condominium plat was recorded with Summit County on May 30, 1972.
- 4. In 1972 the Payday Condominiums were located in the Forest Estate (F-E) zone.
- 5. Planned Unit Developments were considered a Conditional Use in the F-E zone and the Payday Condos met all zone requirements at the time of approval.
- 6. The Payday Condominiums subdivision contains 21 buildings and 51 units.
- 7. In 2018 Planning Department staff informed representatives of the Payday Condominiums Association that a plat amendment would be required in order to rectify existing inconsistencies and clarify locations for future expansion in units which had not expanded.
- 8. The Payday Condos are now located in the Residential Development (RD) zone.
- 9. The proposed amendment is consistent with the purpose statements of the RD zoning district.
- 10. All additions to units are proposed within the existing building footprint.
- 11. The discussion and findings in the Staff Reports dated 1/26/22, 10/13/21 and 5/12/21 are incorporated herein.

Conclusions of Law:

- 1. There is good cause for this amendment to the plat.
- 2. The amended 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 plat amendment.
- 4. Approval of the plat amendment, subject to the conditions of approval, will 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 plat 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 plat 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
- 3. No building permit application may be submitted for expansions (or convertible space C) until after this plat amendment has been recorded.
- 4. Proposed additions are required to fit within the existing building pad and not allowed be expanded further into the setbacks.
- 5. All deck extensions must comply with Residential Development Zone setbacks. If the unit's deck is currently non-complying with the setback requirement, the unit owner shall not enlarge their deck. The plat amendment shall include a note outlining the following:

"The units identified below may only extend if the deck fully complies with Residential Development Zone setbacks.

- a. Building 2 Units 160, 161, 162
- b. Building 3 Units 163, 164, 165
- c. Building 4 Unit 174
- d. Building 10 Unit 174
- e. Building 12 Unit 180
- f. Building 13 Unit 181, 182, 183
- g. Building 16 Unit 190, 191, 192
- h. Building 19 Unit 201
- i. Building 20 Unit 202, 203, 204
- j. Building 21 Unit 205, 206, 207"
- 6. Deck extensions, less than 30" above final grade, that are LMC compliant and receive Payday board approval, may be approved without a plat amendment. The deck will be in common area perpetually which keeps in the ownership of the Payday HOA.
- 7. The Payday HOA shall provide all Unit owners annual notice of the City's nightly rental regulations and use reasonable business efforts to ensure compliance with the requirement for City Nightly rental licenses.
- 8. Any new rooftop equipment of any kind on any of the structures within Payday Condominiums shall be prohibited unless pre-existing and deemed necessary.

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

PASSED AND ADOPTED this 3rd day of March, 2021.

PARK CITY MUNICIPAL CORPORATION

— DocuSigned by: Navvn Worcl

57775BCB46414F6

Nann Worel, MAYOR

ATTEST:

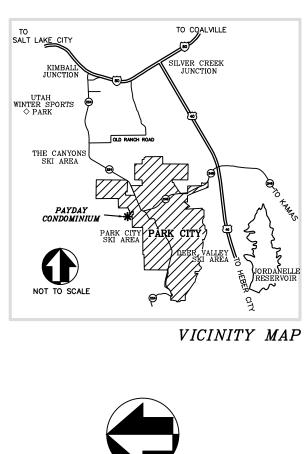
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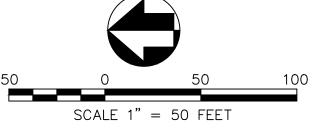
City Recorder

APPROVED AS TO FORM:

DocuSigned by:

City Attorney's Office





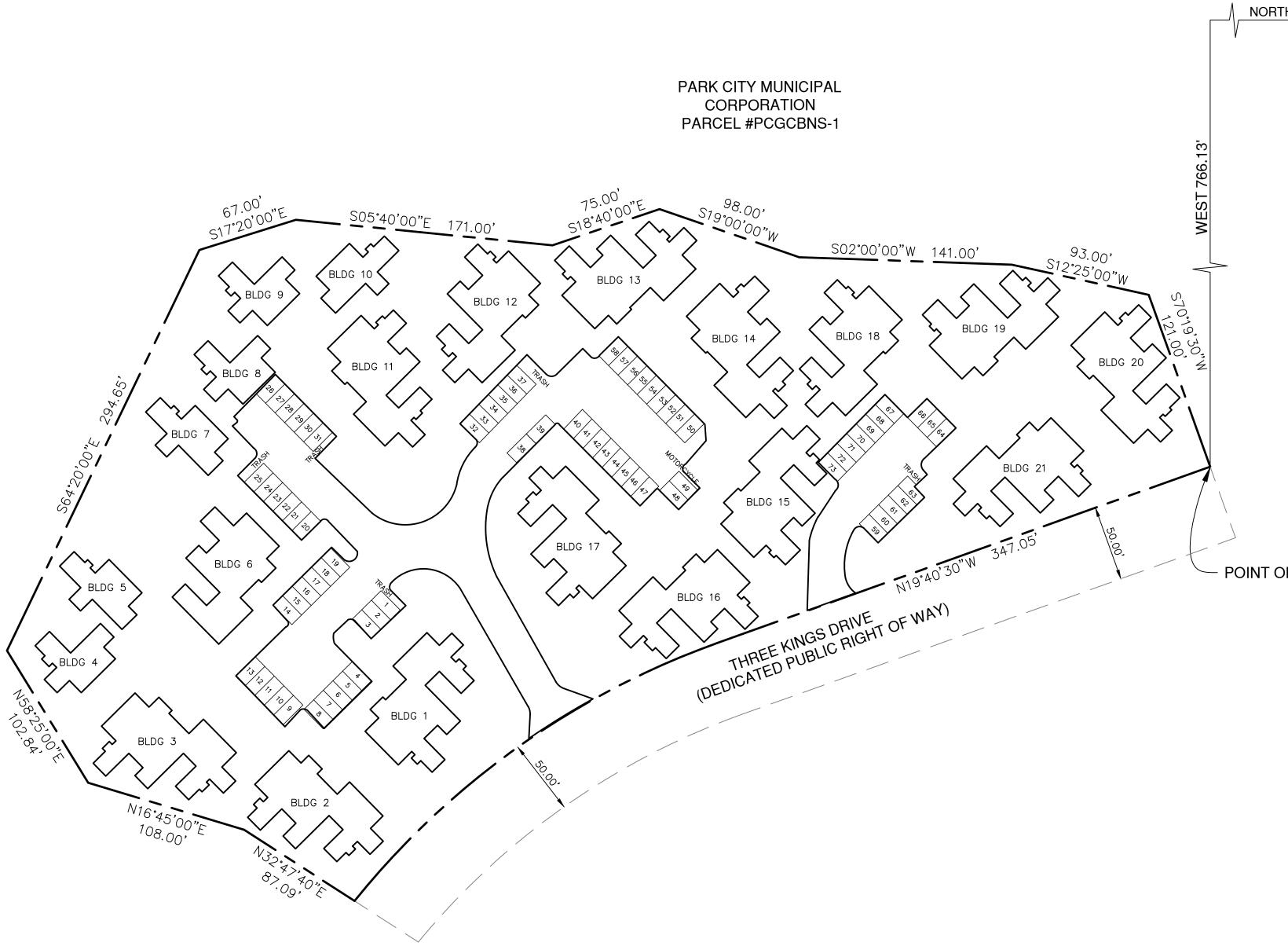
NOTES:

- 1. This Amended Record of Survey Map is an Amendment of sheets 1, 2, 3, 4, and 5 of the PAYDAY CONDOMINIUM, recorded June 2, 1972, as Entry #116125 in the Summit County Recorders Office. Sheet 1, shall remain intact.
- 2. All other conditions of approval of the PAYDAY CONDOMINIUM project continue to apply. 3. Recorded concurrently herewith the Corrected Amendment to the Condominium Declaration for PAYDAY CONDOMINIUM. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following: "Private Ownership Area A" means and refers to all of the previously existing privately-owned property as shown on the original Map or Maps, property privately owned prior to the Private Ownership Area B Effective Date.

"Private Ownership Area B" means and refers to the property changed from Common Area. or Limited Common Area to Private Ownership which, hereafter. shall for all purposes be considered part of each Unit, as shown on this Amended Map, including by way of Illustration but not limitation private ownership, taxes, assessments, insurance, liability, maintenance, repair and replacement.

"Convertible Space Area C" means and refers to the property to be changed in the future from limited common and/or Private interior areas to be expanded within the original existing building footprint.

- 4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of 'PAYDAY CONDOMINIUM' (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed. In all cases where necessary in the opinion of the Community Development Department, a certified survey will be required prior to issuance of a building permit to verify setbacks or other Land Management Code regulations.
- 5. The conversion of Common Area and/or Limited Common Area to Private Ownership Area B was approved on October 4, 2019 by more than two-thirds of the PAYDAY CONDOMINIUM unit owners. Record of the unit owners approval is on file with the PAYDAY Homeowners Association, Inc.
- 6. SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REQUIREMENTS. No Management Committee approval shall be issued for any proposed structural alteration within the Private Ownership Area B unless and until a receipt from the Snyderville Basin Reclamation District (the "SBWRD") is submitted. This receipt must indicate payment of additional Impact Fees required as a result of the alteration, or if no additional fees are required. written evidence of SBWRO review.
- 7. CROSS EASEMENTS. Private Ownership Area B is subject to described easements and rights of way, together with on easement or right of way for laterals which may cross said Area affecting more than one Owner, and other similar easements, rights of way, appurtenances to or accompanying the authorized improvement of sold Area, which rights are hereby expressly reserved.
- 8. Refer to the original plat recorded June 2, 1972 as Entry No. 116125 in the office of the Summit County Recorder for building ties to property boundary.



PARK CITY MUNICIPAL CORPORATION PARCEL #PCGCBNS-1



DECEMBER 17, 2021

_____, 202_ A.D.

SNYDERVILLE BASIN WATER

RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS_____

S.B.W.R.D.

			л
PLANNING COMMISSION	CITY ENGINEER	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST
APPROVED BY THE PARK CITY PLANNING COMMISSION	THIS PLAT IS IN ACCORDANCE WITH INFORMATION ON	APPROVED AS TO FORM	I CERTIFY THIS RECORD OF SURVEY
THIS, DAY OF, 202	FILE IN THE PARK CITY ENGINEERING DEPARTMENT.	THIS, DAY OF, 202	MAP WAS APPROVED BY PARK CITY COUNCIL
	THIS, DAY OF, 202		THIS, DAY OF, 202
BY		BY	BY
CHAIR	CITY ENGINEER	PARK CITY ATTORNEY	PARK CITY RECORDER
		•	

DAY OF___

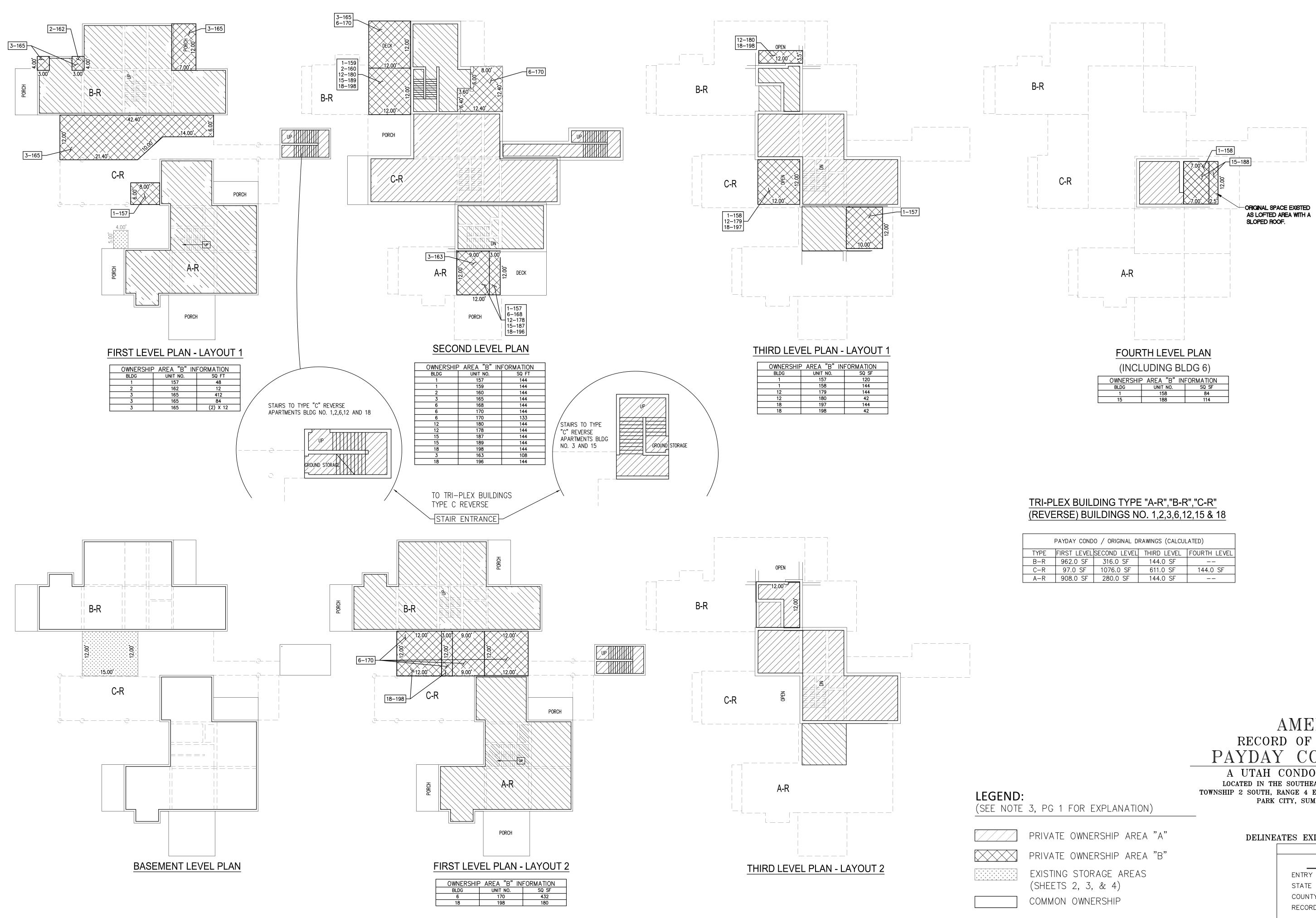
BY ___

PAYDAY CONDOMINIUM-AMENDED

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

SOUTHEAST CORNER SECTION 8, T2S, R4E SALT LAKE BASE AND MERID

	SURVEYOR'S CERTIFICATE
8	I, Craig E. Ahrens, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 270814 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 unit owners(s), at the PAYDAY CONDOMINIUM PROJECT acting as a group in accordance with the Declaration of Covenants, Conditions, and Restrictions for PAYDAY CONDOMINIUM, a Utah Condominium Project, this Amended Record of Survey Map of PAYDAY CONDOMINIUM, which consists of sheets 1 thru 7, in accordance with the provisions of Section $57-8-13(1)$ of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate and correct.
RTH 1077.84'	Craig E. Ahrens, LS #270814 DATE
	LEGAL DESCRIPTION
	PAYDAY CONDOMINIUM, according to the official plat thereof recorded June 2, 1972 as Entry No. 116125 of the official records in the office of the Summit County Recorder, being more particularly described as follows less the dedicated public right of way of Three Kings Drive:
	BEGINNING at a point North 1077.84 feet and West 766.13 feet from the Southeast corner of
	Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 19°40'30" West 347.05 feet to a point of a curve to the left the center of which is South 70°19'30" West 545.00 feet; thence Northwesterly along the arc of said curve 298.93 feet; thence North 32°47'40" East 87.09 feet; thence North 16°45' East 108.00 feet; thence North 58°25' East 102.84 feet; thence South 64°20' East 294.65 feet; thence South 17°20' East 67.00 feet; thence South 5°40' West 171.00 feet; thence South 18°40' East 75.00 feet; thence South 19°00' West 98.00 feet; thence South 2°00' West 141.00 feet; thence South 12°25' West 93.00 feet; thence South 70°19'30" West 121.00 feet to the point of beginning.
	Contains 211,356 quare feet or 4.852 acres.
	OWNER'S DEDICATION AND CONSENT TO RECORD KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned owner(s) of the herein as
	described tract of land, hereby certify that they have caused this survey to be made and this Amended Record of Survey Map to be prepared consent to the recordation of this Amended Record of Survey Map.
OF BEGINNING	Susan Philipp, President Date PAYDAY CONDOMINIUM Homeowners Association, Inc.
	ACKNOWLEDGMENT
	ACKNOWLEDGMENT State of;
	State of; ss:
	State of;;; County of; On this day of, 202_, personally appeared before me, the undersigned Notary Public, in and for said County and State, Susan Philipp, being duly sworn, acknowledged to me that she is the president of the PAYDAY CONDOMINIUM Homeowners Association, Inc., and that she signed the above Owner's Dedication and Consent to Record for, on, and in behalf of all the unit owners at the PAYDAY CONDOMINIUM Project acting as a group (under the name PAYDAY CONDOMINIUM Homeowners Association, Inc.) in accordance with the Utah Condominium Ownership Act, U.C.A., Section 57–1–1 et seq. (1963) as amended and supplemented, and Declaration of Covenants, Conditions, and Restrictions for PAYDAY CONDOMINIUM.
	State of
SHEET 1 OF 7	State of
	State of
_ COUNCIL AF	State of



PAYDAY CONDO / ORIGINAL DRAWINGS (CALCULATED)					
YPE	FIRST LEVEL	SECOND LEVEL	THIRD LEVEL	FOURTH LEVEL	
3–R	962.0 SF	316.0 SF	144.0 SF		
C-R	97.0 SF	1076.0 SF	611.0 SF	144.0 SF	
A−R	908.0 SF	280.0 SF	144.0 SF		

Al	MENDED
RECORD	OF SURVEY MAP
PAYDAY	CONDOMINIUM

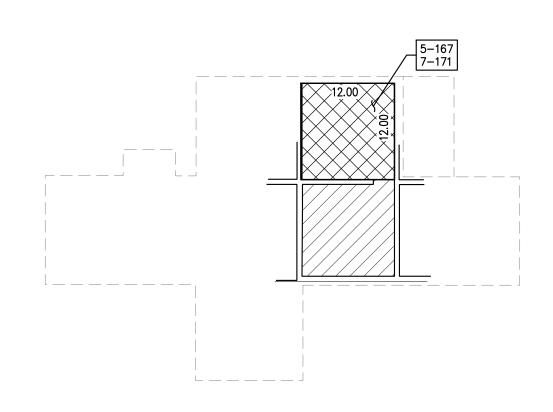
A UTAH CONDOMINIUM PROJECT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

INEATES EXISTING OWNERSHIP A, B, AND STORAGE			SHEET 2	C)F	7	
	INEATES	EXISTING	OWNERSHIP	А,	В,	AND	STORAGE

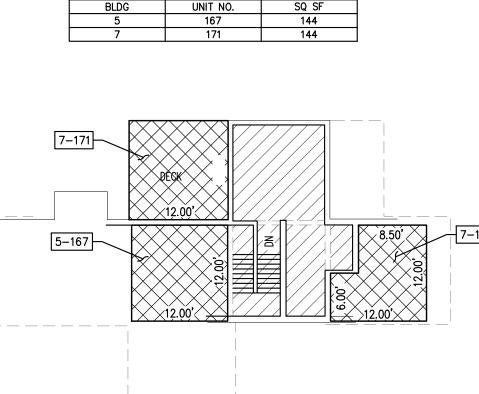
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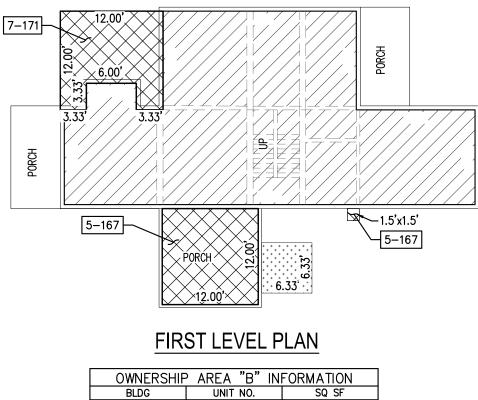


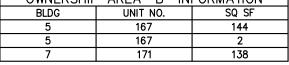
THIRD LEVEL PLAN



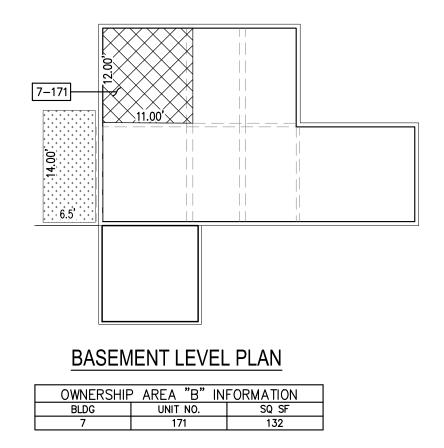
SECOND LEVEL PLAN

OWNERSHIF	° AREA "B" IN	FORMATION
BLDG	UNIT NO.	SQ SF
5	167	144
7	171	123
7	171	144

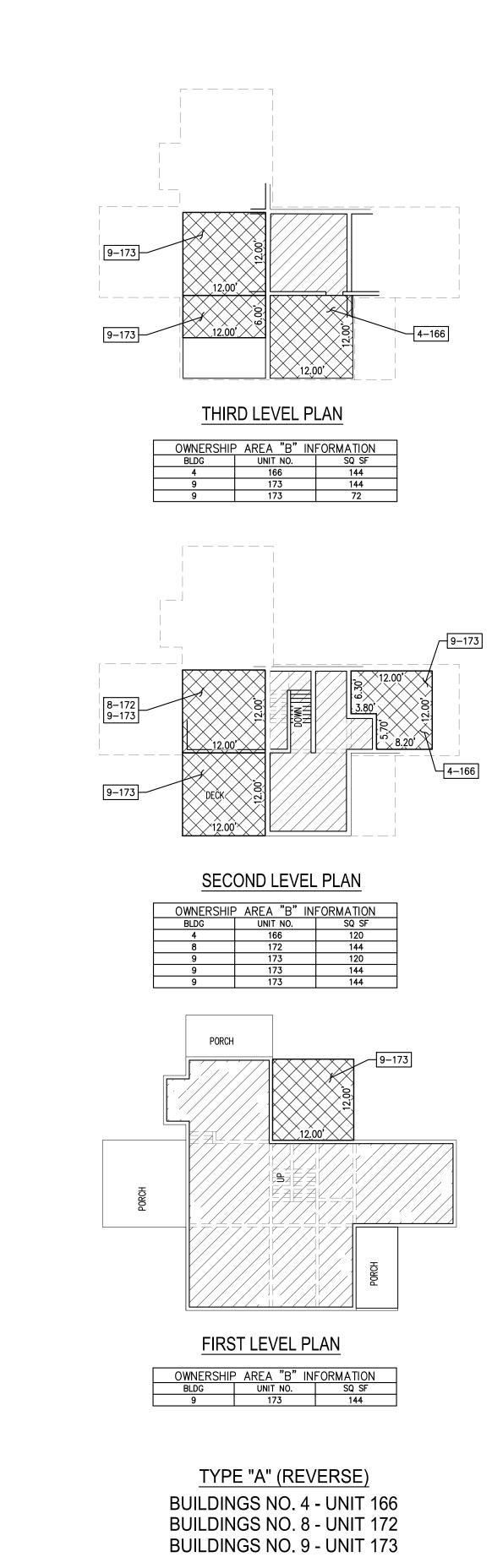


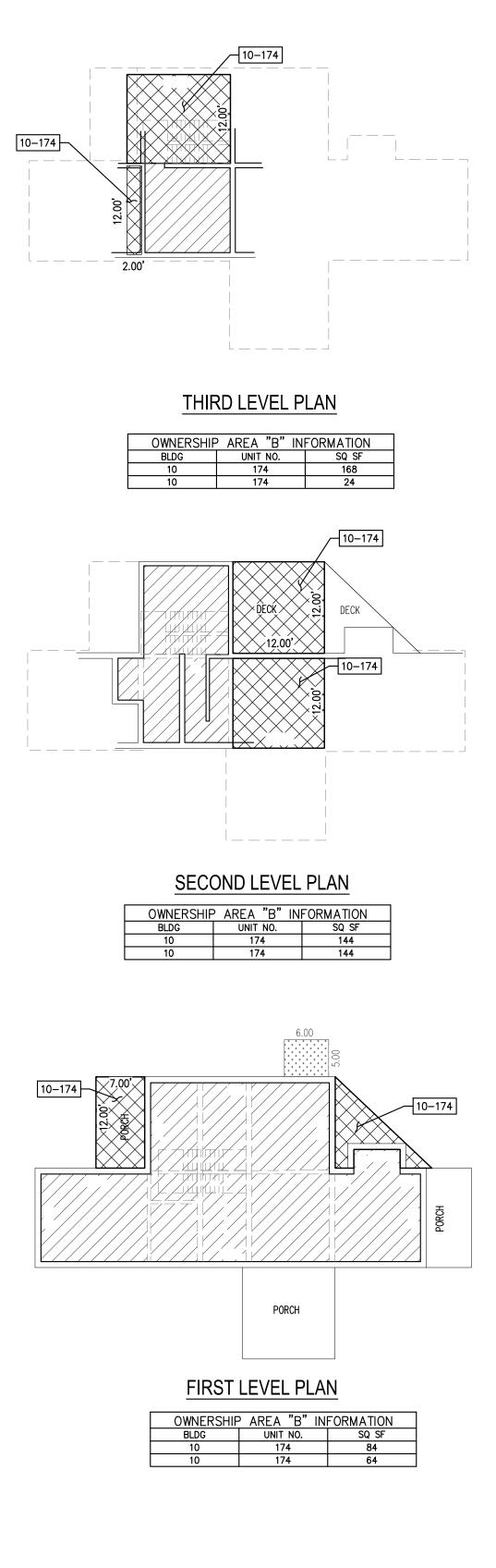


TYPE "B" (REVERSE) BUILDING NO. 5 - UNIT 167 BUILDING NO. 7 - UNIT 171



TYPE "B" (REVERSE) BUILDING NO. 7 - UNIT 171





TYPE "B"

BUILDING NO.10 - UNIT 174

PAYDAY CONDO / ORIGINAL DRAWINGS (CALCULATED) TYPE FIRST LEVEL SECOND LEVEL THIRD LEVEL B-R (5,7) 926.0 SF 294.0 SF 144.0 SF B (10) 926.0 SF 294.0 SF A-R 926.0 SF 285.0 SF (4,8,9) 926.0 SF 285.0 SF 144.0 SF 144.0 SF

LEGEND: (SEE NOTE	3, PG 1 FOR EXPLANATION)
	PRIVATE OWNERSHIP AREA "A"
	PRIVATE OWNERSHIP AREA "B"
	EXISTING STORAGE AREAS (SHEETS 2, 3, & 4) COMMON OWNERSHIP

AMENDED RECORD OF SURVEY MAP PAYDAY CONDOMINIUM

A UTAH CONDOMINIUM PROJECT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

> SHEET 3 OF 7 DELINEATES EXISTING OWNERSHIP A, B, AND STORAGE

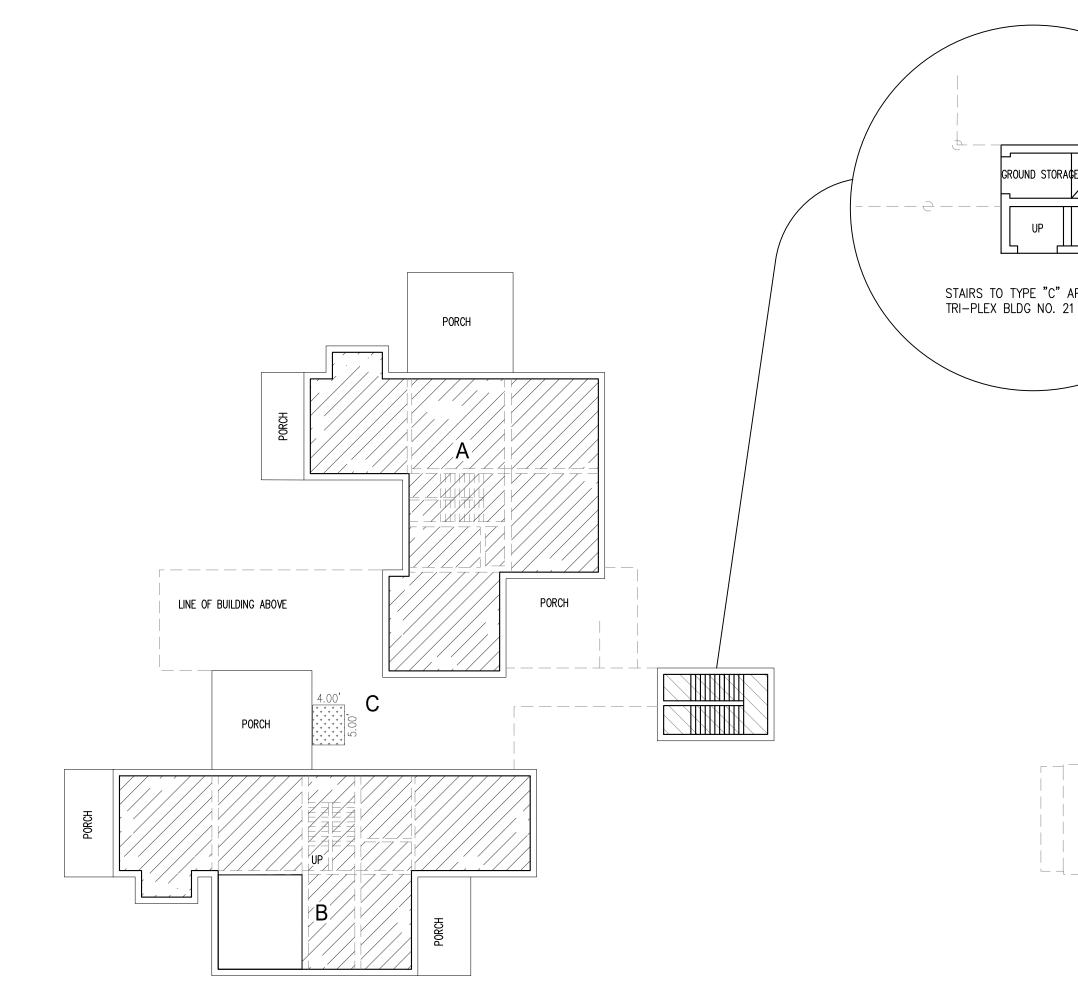
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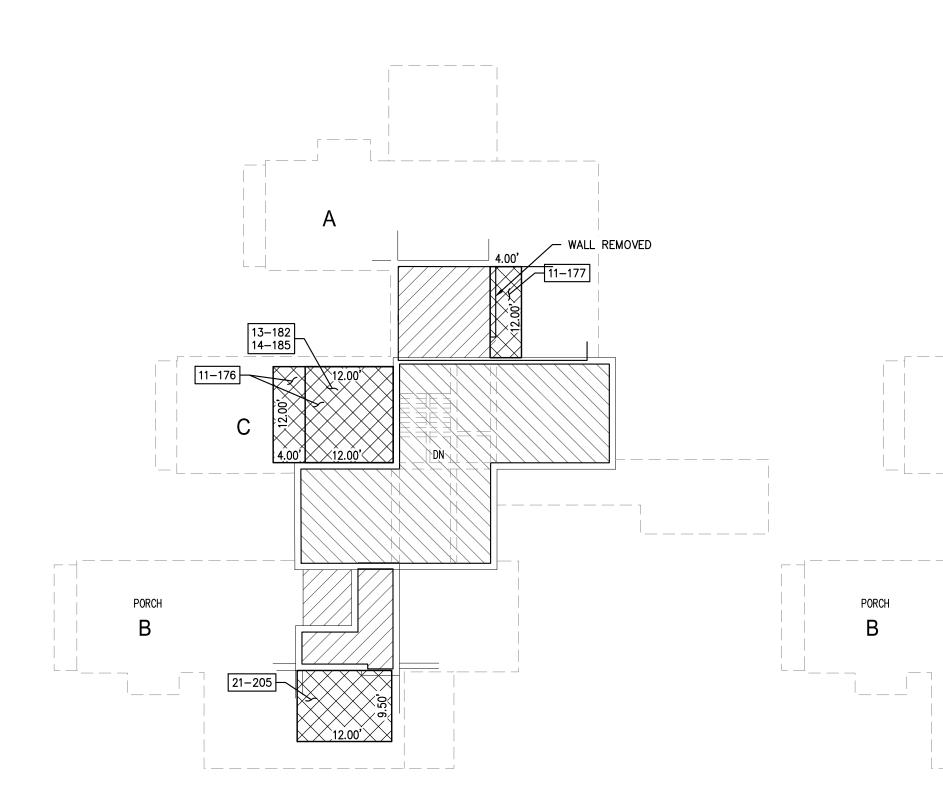
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FIRST LEVEL PLAN

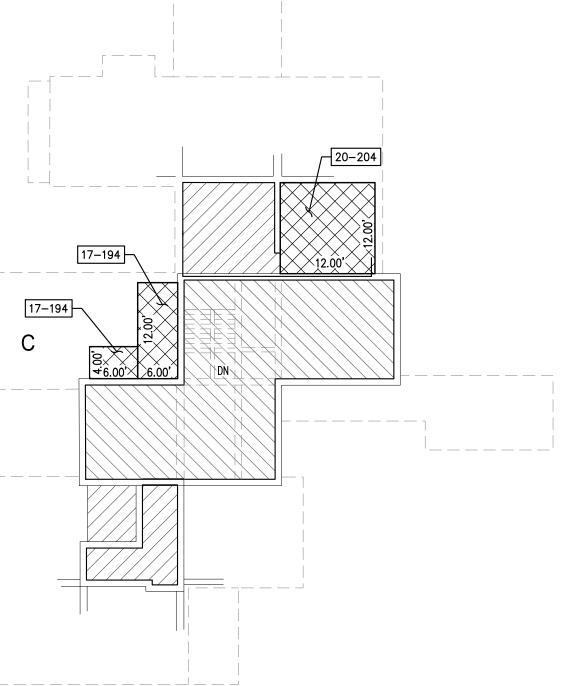


THIRD LEVEL PLAN - LAYOUT 1

OWNERSHIF	° AREA " B" IN	FORMATION
BLDG	UNIT NO.	SQ SF
11	177	48
11	176	192
13	182	144
14	185	144
21	205	114

THIRD LEVEL PLAN - LAYOUT 2				
OWNERSHIF	AREA "B" IN	FORMATION		
BLDG	UNIT NO.	SQ SF		
17	194	72		
17	194	24		
20	204	144		

UP

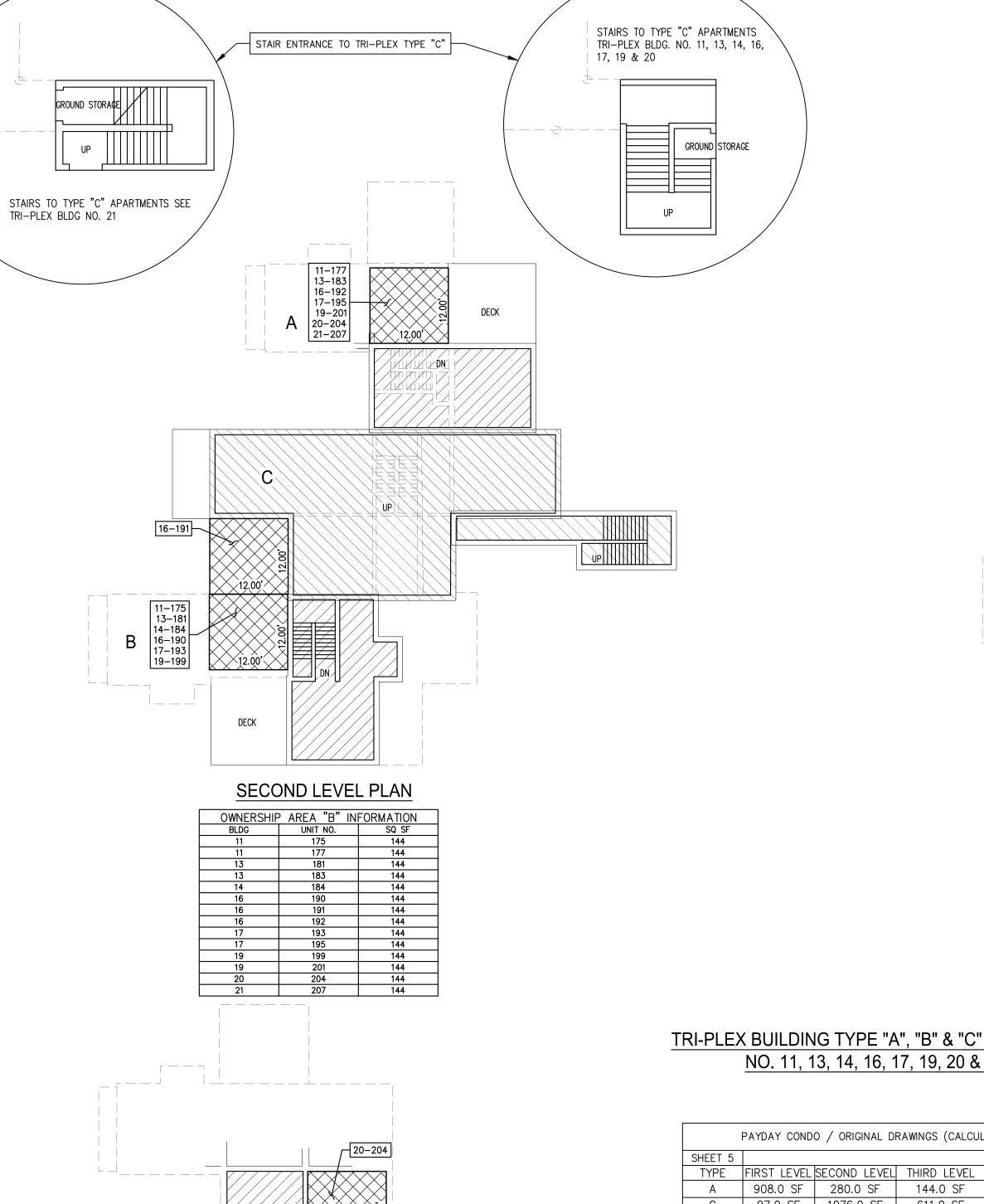


TRI-PLEX BUILDING TYPE "A", "B" & "C" BUILDINGS NO. 11, 13, 14, 16, 17, 19, 20 & 21

- -L __ _ _ _

L ____

	PAYDAY CONDO / ORIGINAL DRAWINGS (CALCULATED)			
SHEET 5				
TYPE	FIRST LEVEL	SECOND LEVEL	THIRD LEVEL	FOURTH LEVE
A	908.0 SF	280.0 SF	144.0 SF	
С	97.0 SF	1076.0 SF	611.0 SF	144.0 SF
В	926.0 SF	314.0 SF	144.0 SF	



LEGEND: (SEE NOTE	3,	PG	1	FOF	r ex
	PF	RIVA	TE	OW	NER
	PF	riva	TE	OW	NER
					ORA 3, d
	СС)MM	ON	ОМ	/NER

XPLANATION)

RSHIP AREA "A" RSHIP AREA "B" RAGE AREAS & 4) RSHIP

AMENDED RECORD OF SURVEY MAP PAYDAY CONDOMINIUM

A UTAH CONDOMINIUM PROJECT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,

TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

SHEET 4 OF 7 DELINEATES EXISTING OWNERSHIP A, B, AND STORAGE

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COUNTY OF _____ RECORDED AND FILED AT THE REQUEST OF:

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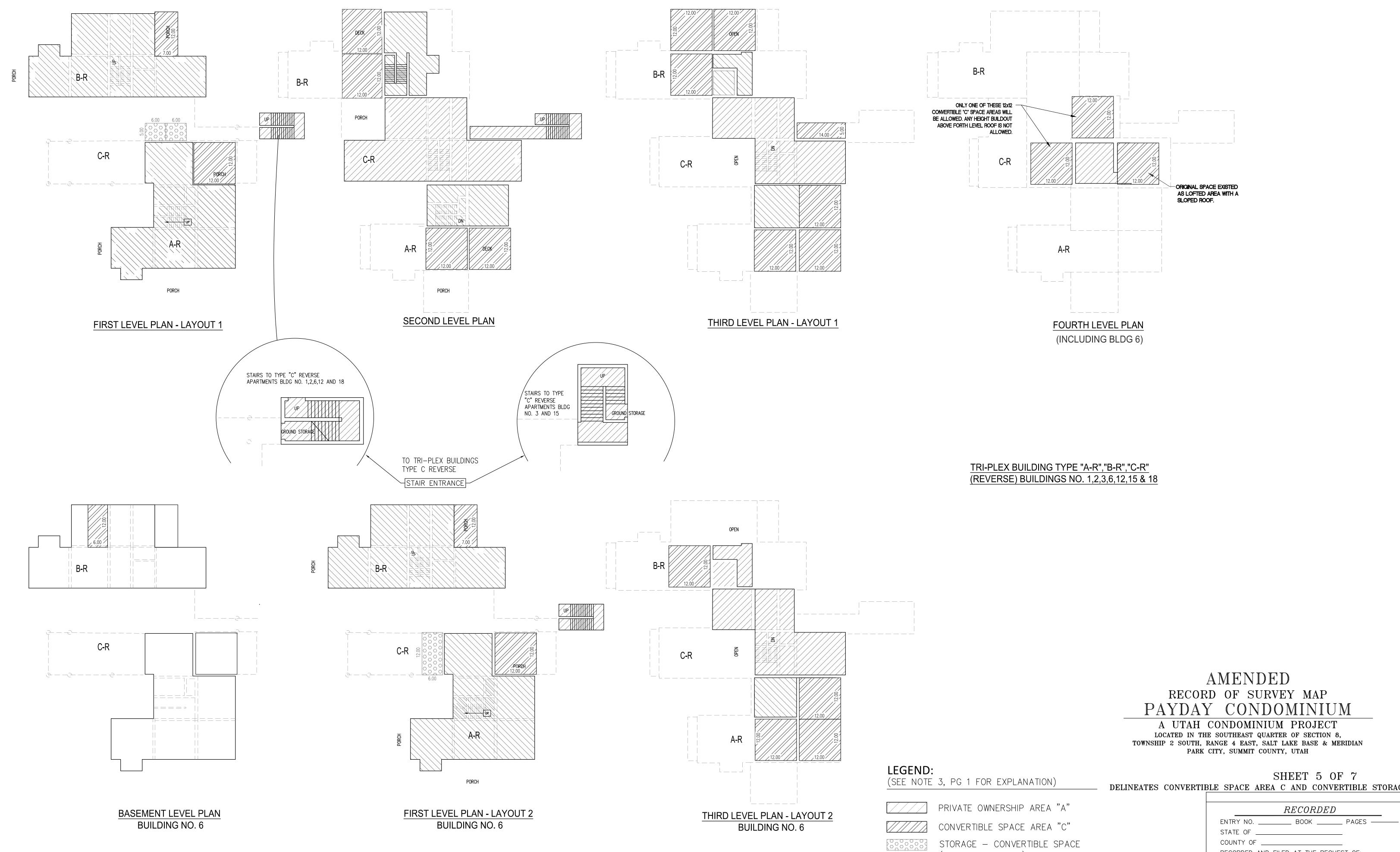
COUNTY RECORDER

- _ _ _ _ _ _ _ _ С В ---FOURTH LEVEL PLAN

 OWNERSHIP
 AREA
 "B"
 INFORMATION

 BLDG
 UNIT NO.
 SQ SF

_ _ _ + _ _ _ _

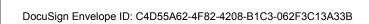


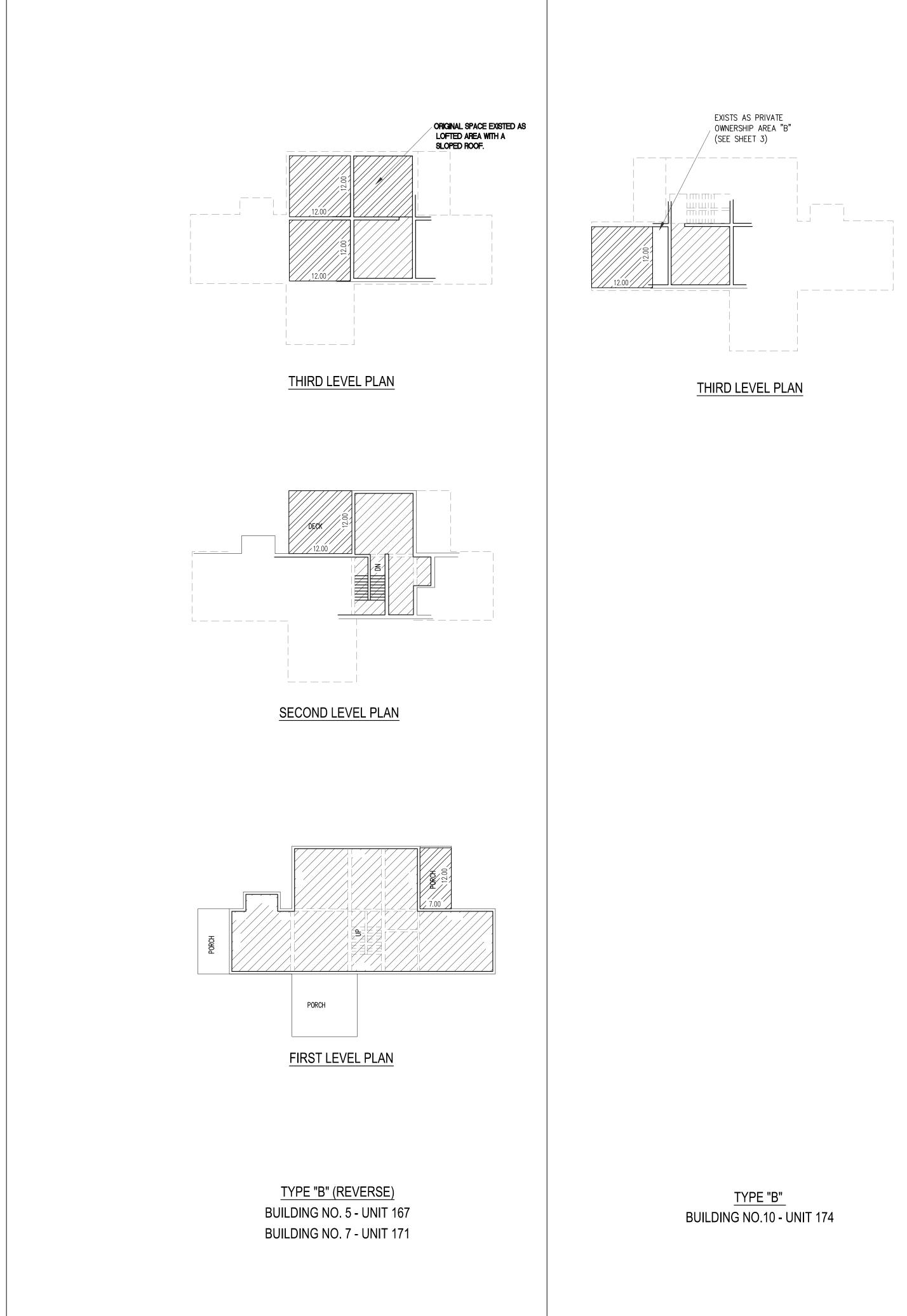
DELINEATES CONVERTIBLE SPACE AREA C AND CONVERTIBLE STORAGE

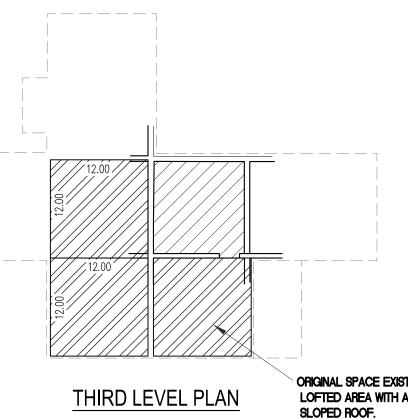
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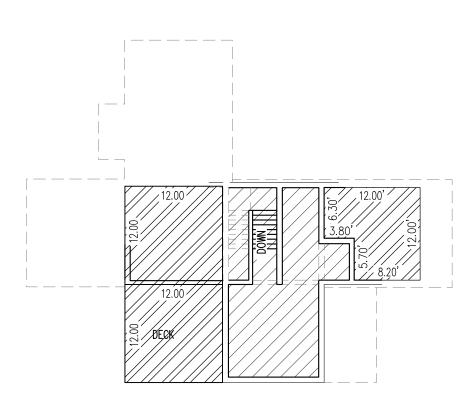
(SHEETS 5, 6, & 7)

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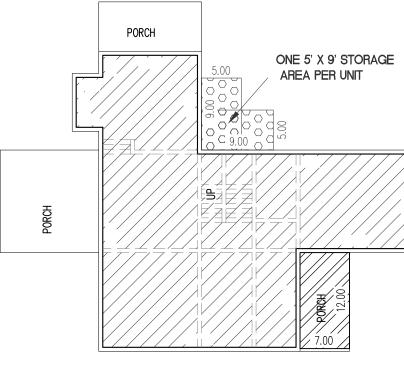








SECOND LEVEL PLAN



FIRST LEVEL PLAN

TYPE "A" (REVERSE) BUILDINGS NO. 4 - UNIT 166 BUILDINGS NO. 8 - UNIT 172 BUILDINGS NO. 9 - UNIT 173

ORIGINAL SPACE EXISTED AS LOFTED AREA WITH A SLOPED ROOF.

LEGEND:

(SEE NOTE 3, PG 1 FOR EXPLANATION)

	PRIVATE OWNERSHIP AREA "A"
	CONVERTIBLE SPACE AREA "C"
000000000000000000000000000000000000000	STORAGE — CONVERTIBLE SPACE (SHEETS 5, 6, & 7)

AMENDED RECORD OF SURVEY MAP PAYDAY CONDOMINIUM

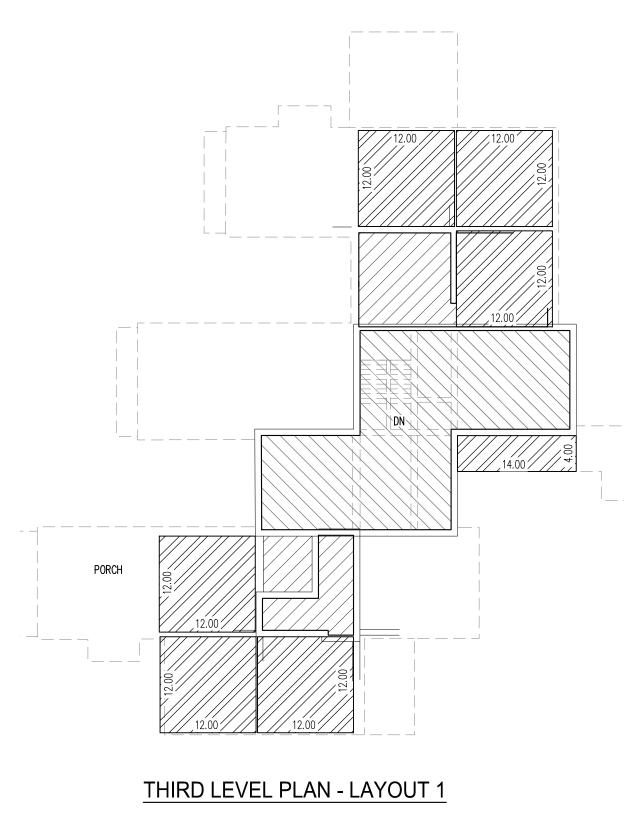
A UTAH CONDOMINIUM PROJECT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

			S	H	EET	6	OF	7	
DELINEATES	CONVERTIBLE	SPACE	AREA	С	AND	CON	IVERI	TIBLE	STORAGE

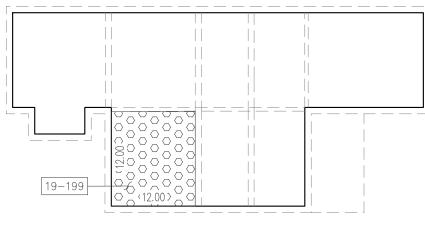
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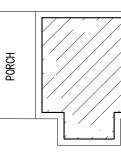
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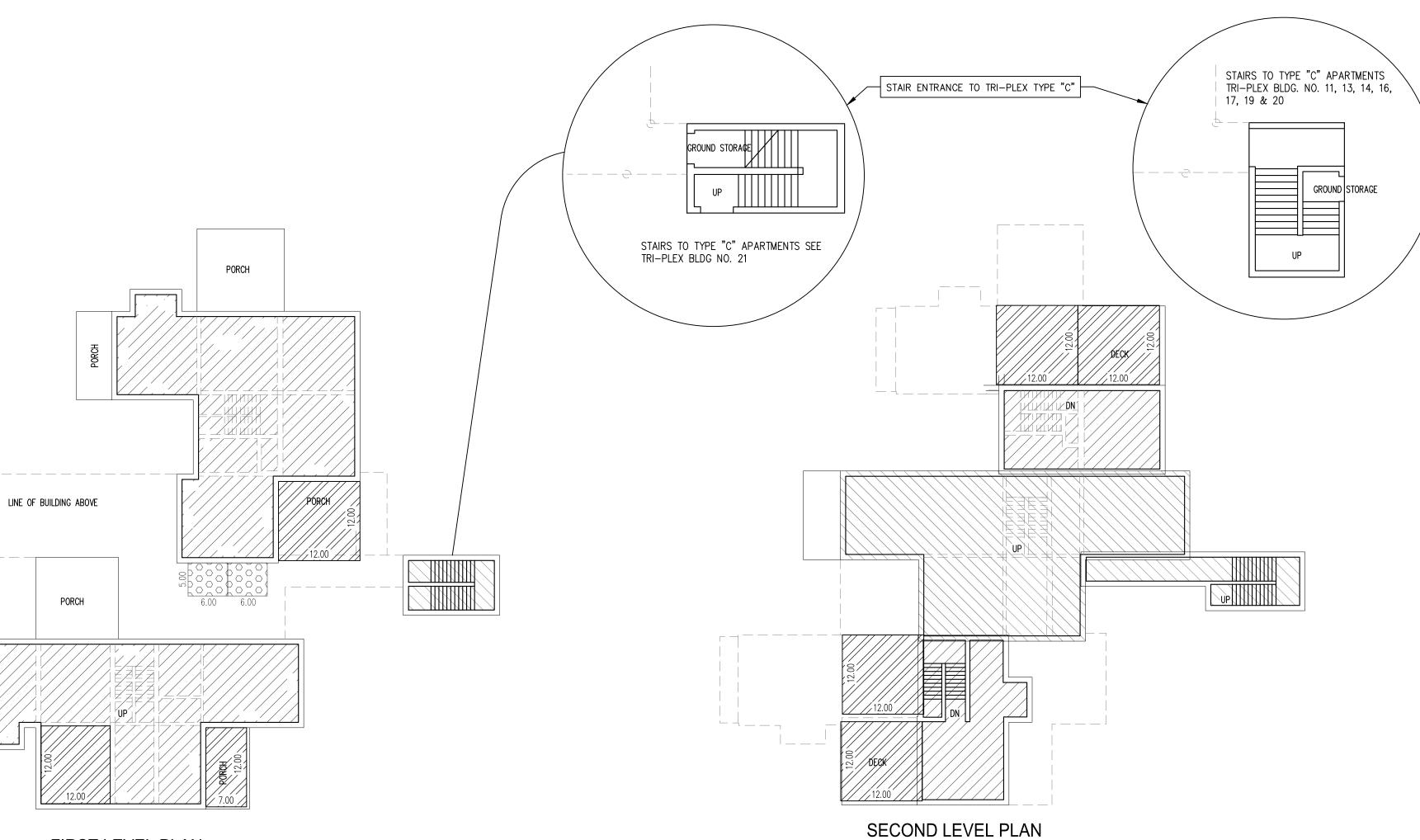
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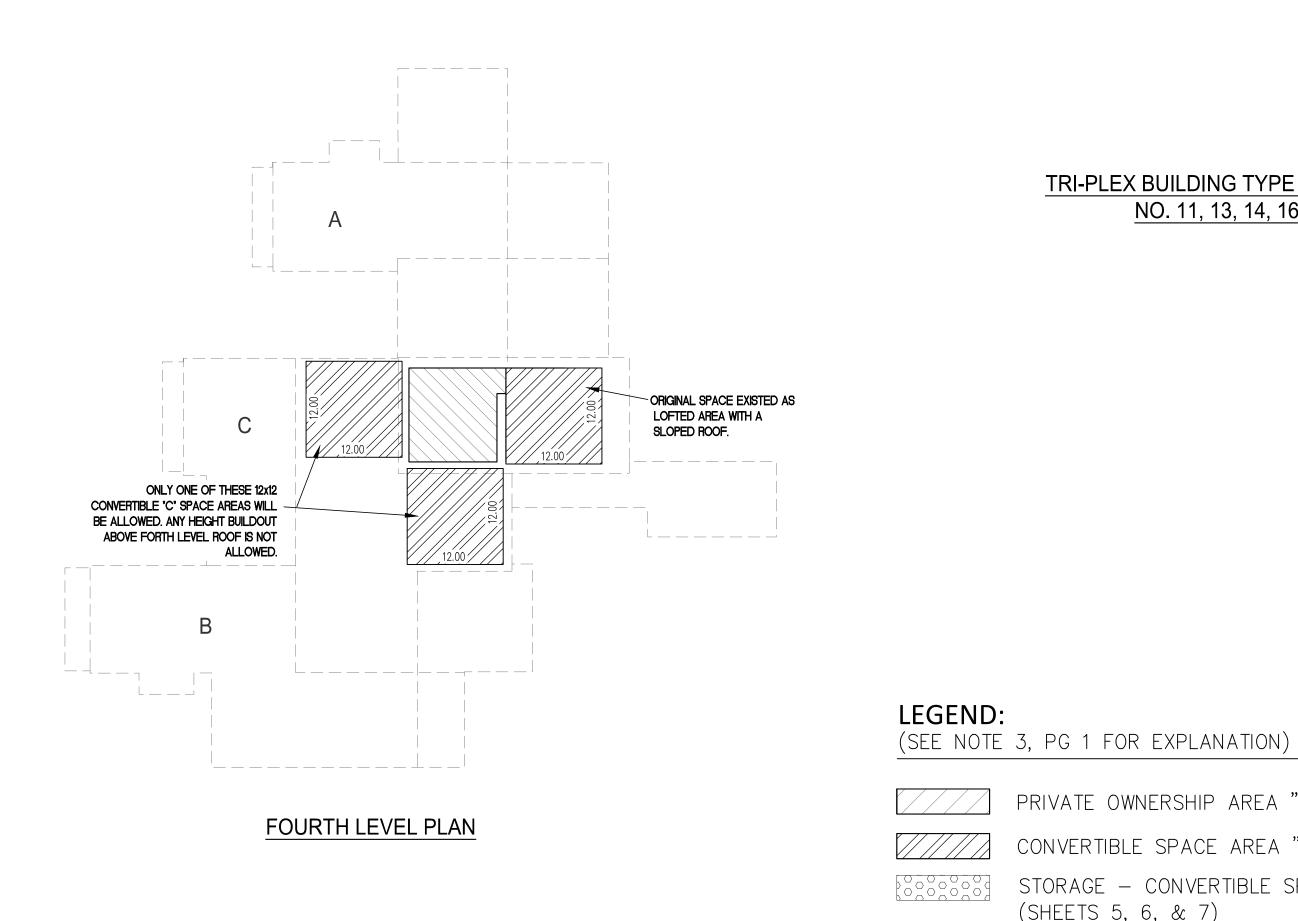
BASEMENT LEVEL PLAN







FIRST LEVEL PLAN



TRI-PLEX BUILDING TYPE "A", "B" & "C" BUILDINGS NO. 11, 13, 14, 16, 17, 19, 20 & 21

AMENDED RECORD OF SURVEY MAP PAYDAY CONDOMINIUM

A UTAH CONDOMINIUM PROJECT LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

SHEET 7 OF 7 DELINEATES CONVERTIBLE SPACE AREA C AND CONVERTIBLE STORAGE

PRIVATE OWNERSHIP AREA "A" CONVERTIBLE SPACE AREA "C" STORAGE – CONVERTIBLE SPACE (SHEETS 5, 6, & 7)

RECORDED

ENTRY NO. _____ BOOK _____ PAGES _____ STATE OF _____ COUNTY OF _____

RECORDED AND FILED AT THE REQUEST OF:

NOT TO SCALE