

AN ORDINANCE APPROVING THE NORTH SILVER LAKE AMENDED AND RESTATED CONDOMINIUM PLAT 1ST AMENDMENT TO UNITS 6A, 6B, 10, 11, AND 13 AT 7101 SILVER LAKE DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Unit 6A, 6B, 10, 11, and 13 of the North Silver Lake Amended and Restated Condominium Plat, located at 7101 Silver Lake Drive have petitioned the City Council for approval of an amended and restated condominium 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 July 13, 2016, to receive input on the North Silver Lake Amended and Restated Condominium Plat 1st Amendment; and

WHEREAS, the Planning Commission, on July 13, 2016, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council on August 4, 2016 conducted a public hearing to receive input on the North Silver Lake Amended and Restated Condominium Plat 1st Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Amended and Restated Condominium Plat 1st Amendment

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. North Silver Lake Amended and Restated Condominium Plat 1st Amendment 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 site is located at 7101 Silver Lake Drive in Deer Valley.
2. The site is located in the Residential Development (RD) District.
3. The proposed Condominium Plat Amendment amends building envelopes and interiors from the existing plat approved by the City Council on June 25, 2015.
4. The proposed Condominium Plat Amendment adjusts the platted condominium units, common area, and limited common area for the development.

5. The proposed Condominium Plat identifies the private, limited common, support limited common and facilities, and common areas.
6. The current Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
7. The Condominium Plat approved in 2014 was consistent with the 2010 approved Conditional Use Permit containing 54 units.
8. The proposed Condominium Plat consists of eleven (11) single-family dwellings, two (2) duplex dwellings with two (2) units each, thirty-nine (39) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
9. The proposed Condominium Plat Amendment is consistent with the 2010 approved Conditional Use Permit containing 54 units.
10. The massing remains in substantial compliance with the 2010 CUP approval.
11. The original CUP does not have to be re-reviewed as the proposal complies with the approved CUP. The density of 54 units still remains the same.
12. The size of the private units within the single-family, duplex, and multi-unit dwelling ranges from 1,997 - 8,686 square feet.
13. This adjustment is consistent with the 2010 CUP plan and layout.
14. The net increase in size is 351 square feet.
15. The Deer Valley MPD did not allocate a maximum house size or a UE allocation for each residential unit.
16. The Deer Valley MPD density allocation was based on a density of fifty four (54) units.
17. The applicant is actively working on the project.
18. All findings in the analysis section of the staff report are incorporated herein.

Conclusions of Law:

1. There is good cause for this Condominium Plat Amendment.
2. The proposed Condominium Plat Amendment 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 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.
5. The Condominium Plat Amendment is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and

content of the Condominium Plat Amendment 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 Condominium Plat Amendment 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. A note shall be added to the condominium plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this condominium plat amendment.
4. All conditions of approval of the City Council's July 1, 2010 order on the Conditional Use appeal shall continue to apply.
5. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.
6. All conditions of approval of the City Council's May 08, 2014 and June 25, 2015 approval of the North Silver Lake Condominium Plat shall continue to apply.

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

PASSED AND ADOPTED this 4 day of August, 2016.

PARK CITY MUNICIPAL CORPORATION




Jack Thomas, MAYOR

ATTEST:


Michelle Kellogg, City Recorder

APPROVED AS TO FORM:


Mark Harrington, City Attorney

