Ordinance No. 2018-57

AN ORDINANCE ABANDONING/VACATING THE MINE CART CONDOMINIUM RECORD OF SURVEY MAP, REPEALING ORDINANCE NO. 06-79, AND APPROVING THE MINE CART SUBDIVISION PLAT, A TWO (2) LOT SUBDIVISION, LOCATED AT 553 DEER VALLEY LOOP ROAD, PARK CITY, UTAH

WHEREAS, the property owners of the property located at 553 Deer Valley Loop Road Unit A and Unit B, Park City, UT 84060, have petitioned the City Council for approval of the Subdivision Plat; and

WHEREAS, on October 6, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on October 10, 2018, the site was properly noticed and posted according to the 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 October 24, 2018, to receive input on Condominium Plat Amendment; and

WHEREAS, the Planning Commission on October 24, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 15, 2018, the City Council held a public hearing to receive input on the Condominium Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to abandon the Mine Cart Condominiums Record of Survey Map located at 553 Deer Valley Loop Road.

WHEREAS, it is in the best interest of Park City, Utah to approve the Mine Cart Subdivision Plat located at 553 Deer Valley Loop Road.

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

SECTION 1. APPROVAL. The Mine Cart Subdivision 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 subject site is located at 553 Deer Valley Loop Road, addressed (platted) as Unit A & Unit B.
- 2. The entire site consisting of 7,935 square feet (0.18 acres) has currently double frontage as it adjacent to both Deer Valley Loop Road and Deer Valley Drive.

- 3. The site is within the Residential-Medium Density District.
- 4. The proposal abandons / vacates the recorded Mine Cart Condominium Plat and subdivides the site into two (2) lots of record.
- 5. The recorded Mine Cart Condominiums has not been built and the site is currently vacant.
- 6. Proposed Lot 1 is 4,171 square feet.
- 7. Proposed Lot 2 is 3,764 square feet.
- 8. The minimum lot area within the Residential-Medium Density District is 2,812 square feet for a single family dwelling.
- 9. The applicant has indicated on their write-up to build one (1) single family dwelling on each lot.
- 10. The density of the site remains the same as it was originally platted as two (2) units or lots within this same site.
- 11. Proposed Lot 1 has a width of 61 feet.
- 12. Proposed Lot 2 has a width of 59 feet.
- 13. The minimum lot width in the Residential-Medium Density District is 37.5 feet.
- 14. Proposed Lot 1 has a minimum lot depth of approximately 70 feet.
- 15. Proposed Lot 2 has a minimum lot depth of 69 feet.
- 16. The minimum front setback for lots 75 feet deep or less is a minimum of 10 feet.
- 17. The minimum side setback is 5 feet.
- 18. The maximum building height in Residential-Medium Density District is 28 feet; however, structures with a gable, hip, barrel, and similar pitched roof may extend up to another 5 feet.
- 19. Proposed Lot 1 is to have access off Deer Valley Drive.
- 20. Proposed Lot 2 is to have access off Deer Valley Loop Road.
- 21. Due to the current designation of Deer Valley Drive, being a major residential collector road, staff recommends that Proposed Lot 1 does not back onto Deer Valley Drive, but rather provides its own turn around area within the proposed lot so vehicle traffic accesses Deer Valley Drive without having to back into traffic.
- 22. There is a concrete retaining wall built over the City Right-of-Way along Deer Valley Drive.
- 23. In order to have access to Deer Valley Drive as requested for Proposed Lot 1, the property owner shall be responsible of modifying the existing retaining wall.
- 24. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

- 1. There is good cause for this Subdivision Plat.
- 2. The Subdivision Plat is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plat Amendment.
- 3. Neither the public nor any person will be materially injured by the proposed Subdivision Plat.
- 4. Approval of the Subdivision 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 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.
- 2. The applicant shall 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.
- 3. A plat note shall be added to limit one (1) single family dwelling per lot. No duplexes allowed.
- 4. A plat note shall be added indicating that vehicles on Lot 1 shall not back up onto Deer Valley Drive and that Lot 1 shall have its own turn around to accomplish this within their owner private property.
- 5. Before the Mine Cart Subdivision Plat is recorded, the applicant shall provide proof to the City indicating that the property has been withdrawn from the Utah Condominium Ownership Act in accordance with Utah Code 57-8-22.
- 6. Ten foot (10') public utility and snow storage easements shall be granted along Deer Valley Drive and Deer Valley Loop Road.
- 7. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the plat.
- 8. The property owner shall be responsible of obtaining applicable permit / encroachment agreement through the Engineering Department concurrently with the building permit for Proposed Lot 1 in order to modify the existing retaining wall on Deer Valley Drive.

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

Andv Beerman.

PASSED AND ADOPTED this 15th day of November, 2018.

CORPORATE

PARK CITY MUNICIPAL CORPORATION

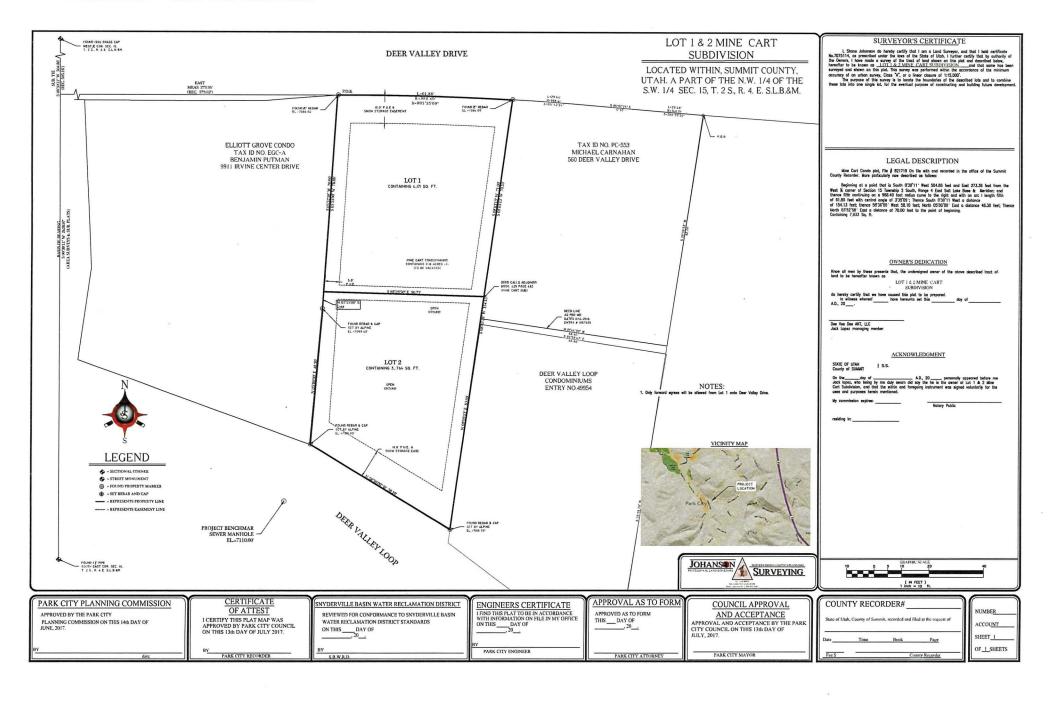
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 - Mine Cart Subdivision



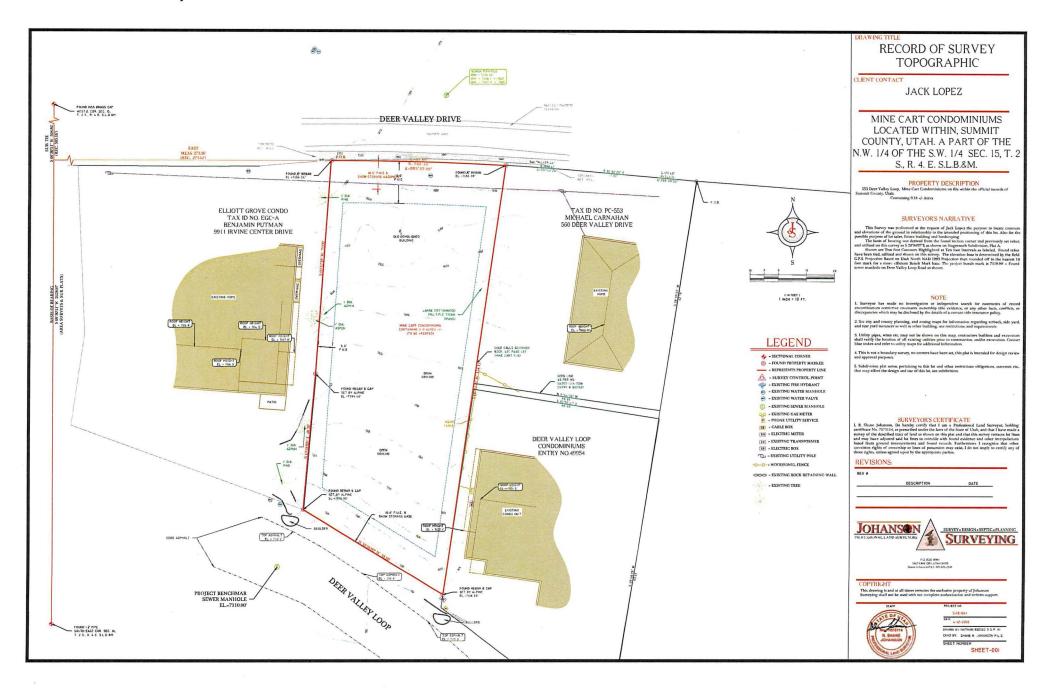
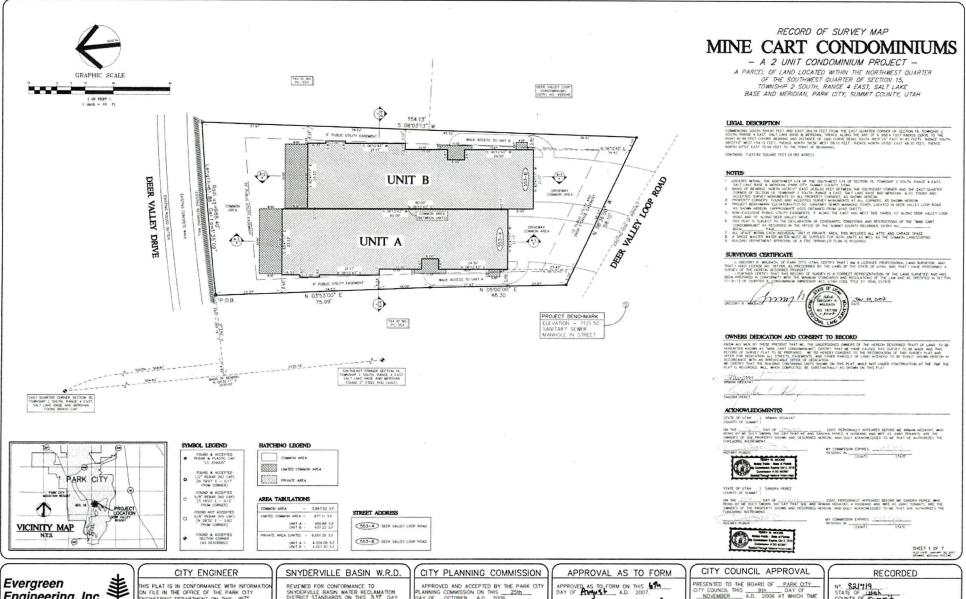


Exhibit C – Mine Cart Condominiums Record of Survey Map (2007)



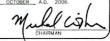
Evergreen Engineering, Inc. Civil Engineering * Land Surveying * Land Plans 50 Shadow Ridge Drive * Level 81 * Suite 200 P.O. 80x 2881 * Park City * Urah * 84060 Phone: 435-649-4667 * Fax: 435-649-9219 Email: afficeOcvergreen-eng.com

ENGINEERING DEPARTMENT ON THIS 18TH DAY OF 10AY A.D. 2007.

Que W. O Ham PE

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 3 CF DAY OF ADD AD 2007.





Dong Williams

Nº SAUTH STATE OF LIEAD COUNTY OF SUMMITH RECORDED AND FILED AT THE REDUEST OF: Coultrien Title Date: Sea of The County Recorded That 1800 pm COUNTY RECORDER