

Ordinance No. 2019-04

**AN ORDINANCE AMENDING ORDINANCE NO. 15-12 AND APPROVING THE
ROUNABOUT CONDOMINIUMS FIRST AMENDMENT, LOCATED AT 300 DEER
VALLEY DRIVE, PARK CITY, UTAH.**

WHEREAS, the property owners of the property located at 300 Deer Valley Drive have petitioned the City Council for approval of a Condominium Plat Amendment; and

WHEREAS, on November 24, 2018, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on November 28, 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 December 12, 2018, to receive input on the Plat Amendment; and

WHEREAS, the Planning Commission on December 12, 2018, forwarded a positive recommendation to the City Council; and,

WHEREAS, on January 15, 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 Roundabout Condominiums First Amendment located at 300 Deer Valley Drive.

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

SECTION 1. APPROVAL. The Roundabout Condominiums First 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 subject site, Roundabout Condominiums, is located at 300 Deer Valley Drive.
2. Roundabout Condominiums was approved as two (2) condominium buildings, consisting of two (2) units in each building for a total of four (4) units.
3. On June 14, 2007 the City Council approved the Roundabout Subdivision Plat which was recorded February 21, 2008, a two (2) lot subdivision.
4. In 2014 the site remained unimproved and on May 8, 2014 the City Council approved Ordinance No. 14-21 approving the Roundabout Condominiums Plat, which consisted of four (4) condominium units.

5. On April 23, 2015 the City Council approved Ordinance No. 15-12 amending Ordinance No. 14-21 and approving the Roundabout Condominium Plat, four (4) condominium units.
6. The site is within the Residential District.
7. The proposed Condominium Plat Amendment consists of amending the boundary of the Roundabout Condominiums to reflect 2,731.8 square feet of common space that has already been transferred to the adjacent property owner.
8. On October 4, 2016 a special warranty deed was recorded at Summit County from Roundabout LLC to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
9. October 4, 2016 a quit claim deed was recorded at Summit County from Roundabout Homeowners Association, Inc., to Eliot Realty LLC consisting of 2,731.8 square feet of common space of the Roundabout Condominiums.
10. The October 4, 2016 property transfer of the common area of the Roundabout Condominiums took place without City approvals.
11. The proposed Condominium Plat Amendment consists of amending the overall Condominium site to 25,754 square feet in size.
12. This proposed Condominium Plat Amendment does not increase density.
13. The proposed Condominium Plat Amendment does not affect any private units, limited common spaces, parking areas, footprint, etc.
14. The only platted designation of the 2731.8 square feet area is common space.
15. The existing Condominium Plat shows a platted ten foot (10') wide non-exclusive public utility & snow storage easement along Deer Valley Drive, as well as a five foot (5') utility easement along the side and rear property lines.
16. Roundabout Condominiums does not have an open space requirement.
17. The proposed Condominium Plat Amendment does not affect the minimum lot area or any of the required minimum setbacks based on the location of the 2,731.8 square feet of common space already transferred.

Conclusions of Law:

1. There is good cause for the Condominium Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plat Amendments.
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.

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 Plats 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 plats 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 ten foot (10') snow storage and non-exclusive public utility easement to extend along Deer Valley Drive shall be noted on the Plat.
4. A five foot (5') utility easement shall be noted on the Plat along the side property line.
5. All Conditions of Approval of the Ordinance No. 15-21 shall continue to apply.

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

PASSED AND ADOPTED this 15th day of January, 2019.

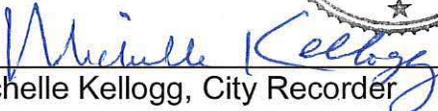
PARK CITY MUNICIPAL CORPORATION



Andy Beerman, MAYOR

ATTEST:





Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



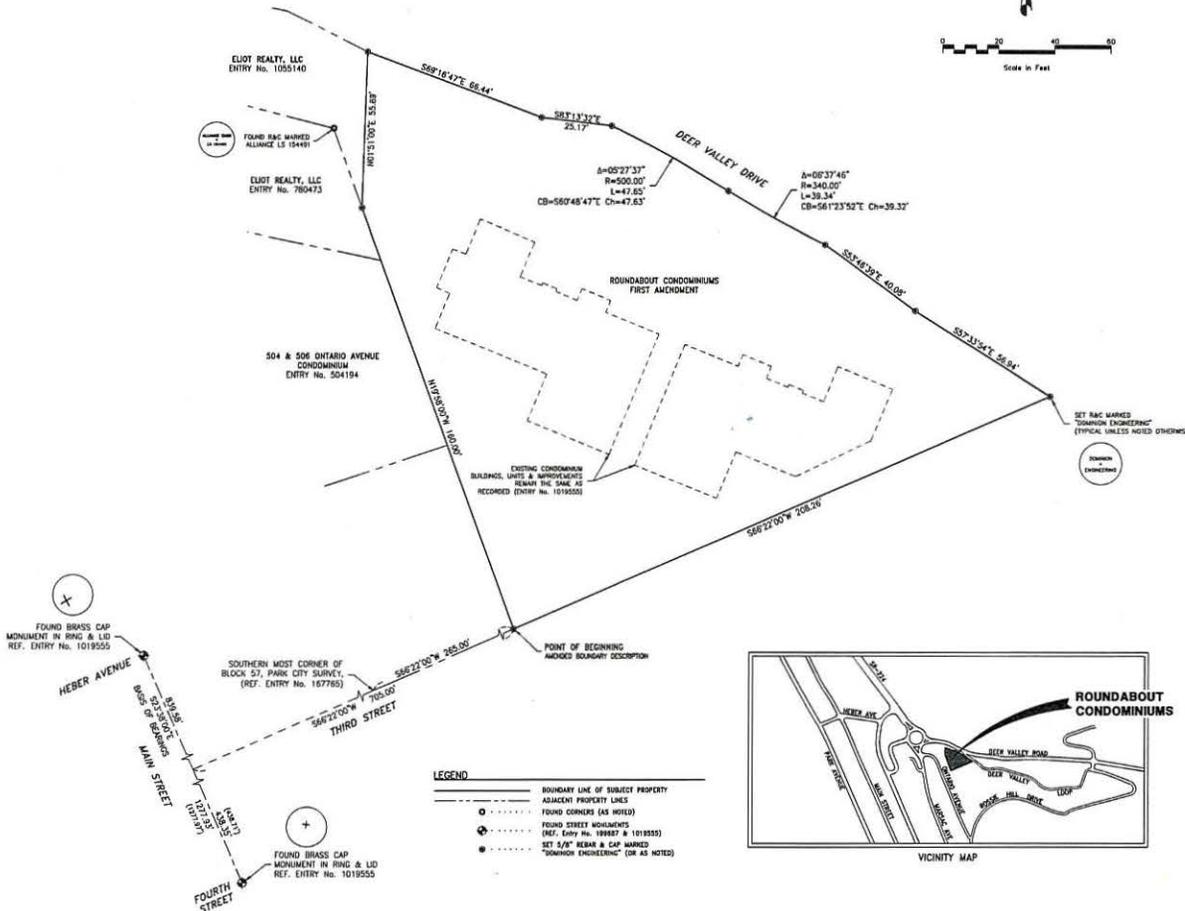
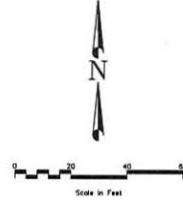
Mark Harrington, City Attorney

Exhibit A2 Attachment 1 – Roundabout Condominiums First Amendment

ROUNABOUT CONDOMINIUMS FIRST AMENMENT

AN AMENDMENT OF THE BOUNDARY LINE OF THE
ROUNABOUT CONDOMINIUMS
RECORDED AS ENTRY No. 1019555

IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, James D. Pitkin, do hereby certify that I am a Professional Land Surveyor in the State of Utah holding certificate number 171546 as prescribed by Title 58, Chapter 22 of the Professional Engineers and Land Surveyors Licensing Act. I further certify that by the authority of the owners, I have made an accurate survey of the tract of land shown and described herein in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements shown and have amended the boundary hereafter to be known as

ROUNABOUT CONDOMINIUMS FIRST AMENDMENT

and that the same has been surveyed and monuments have been placed on the ground as represented on this plat. I further certify that the requirements of all applicable statutes and ordinances of the Weber County Land Use Code have been complied with.

BOUNDARY DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Summit County, Utah; more particularly described as follows:

BEGINNING at a point that is North 66°22'00" East 265.00 feet and North 19°58'00" West 140.00 feet from the Southernmost corner of Block 57, Park City Survey according to the Amended plat thereof, recorded as Entry No. 199887 as recorded in the Office of the Summit County Recorder, and running thence North 19°58'00" West 160.00 feet; thence North 01°51'00" East 55.89 feet to the southerly boundary and right-of-way line of Deer Valley Drive; thence South 69°16'47" East 66.44 feet along said Road; thence South 83°13'32" East 25.17 feet along said Road to a point on a 500.00 foot radius curve to the right; thence Southwesterly 47.65 feet along said Road and the arc of said curve through a central angle of 05°27'37" (chord bears South 60°48'47" East 47.63 feet) to a point of reverse curvature with a 340.00 foot radius curve to the left; thence Southwesterly 39.34 feet along said Road and the arc of said curve through a central angle of 06°37'46" (chord bears South 61°23'52" East 39.34 feet); thence South 57°45'39" East 40.08 feet along said Road; thence South 57°33'54" East 56.94 feet along said road; thence South 66°22'00" West 208.26 feet to the POINT OF BEGINNING.

Contains 25,754 square feet or 0.591 acres, more or less.

Date: April 14, 2018

James D. Pitkin, PLS.
License No. 171546



OWNER'S DEDICATION

ROUNABOUT HOMEOWNERS ASSOCIATION, INC., a Utah Non profit Corporation, the owner or the described tract of land to be hereafter known as ROUNABOUT CONDOMINIUMS FIRST AMENDMENT does hereby consent to the amendment of the boundaries described and shown.

In witness whereof, I have hereunto set my/our hand this ____ day of _____, 20__.

ROUNABOUT HOMEOWNERS ASSOCIATION, INC.

(Signature) _____

(Print Name) _____

(Title) _____

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20__.

by _____ the _____ of ROUNABOUT HOMEOWNERS

ASSOCIATION, INC.

A Notary Public Commissioned in _____

My Commission Expires _____

Commission Number _____

Printed Name _____

Plot: P:\V\2018\18-04\18-04-19-2018_1.pdf date: April 19, 2018 1:41:11 PM created by: JWP

PROJECT NO. 2953-01	PREPARED BY Dominion Engineering Associates, L.C. 5664 South Green Street Murray, Utah 84123 801-713-3000	CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	COUNCIL APPROVAL & ACCEPTANCE	CERTIFICATE OF ATTEST	SUMMIT COUNTY RECORDER
SHEET NO. 1 OF 1	THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF _____ A.D. 20__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____ A.D. 20__	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 20__	APPROVED AS TO FORM THIS ____ DAY OF _____ A.D. 20__	APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS ____ DAY OF _____ A.D. 20__	I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____ A.D. 20__	RECORDED & FILED AT THE REQUEST OF _____ Date _____ Time _____ Book _____ Page _____ By _____ SUMMIT COUNTY RECORDER	
FILE NAME: AM ROUNDABOUT	CITY ENGINEER _____	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CHAIRMAN _____	CITY ATTORNEY _____	MAYOR _____	CITY RECORDER _____		