

Ordinance No. 2023-34

AN ORDINANCE APPROVING THE FOUNDERS PLACE CONDOMINIUMS – PHASE II PLAT, LOCATED AT 3267 WEST DEER HOLLOW ROAD, WASATCH COUNTY, PARK CITY, UTAH

WHEREAS, the owners of the property located at 3267 West Deer Hollow Road petitioned the City Council for approval of the Founders Place Condominiums-Phase II Plat; and

WHEREAS, on May 31, 2023, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on May 18, 2023, courtesy notice was mailed to property owners within 300 feet of 3267 W Deer Hollow Road and notice was posted to the property; and

WHEREAS, on June 14, 2023, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on June 14, 2023, the Planning Commission unanimously forwarded a positive recommendation for City Council's consideration on July 6, 2023; and

WHEREAS, on July 6, 2023, the City Council reviewed the proposed plat and held a public hearing; and

WHEREAS, the plat is consistent with the Land Management Code including § 15-7.1-3(C), § 15-12-15(B)(9), and Chapters 15-2.16 and 15-7.

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

SECTION 1. APPROVAL. The Founders Place Condominium Phase II Plat, located at 3267 West Deer Hollow Road, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

Background:

1. The Founders Place Phase I Condominium Plat was approved by the Park City Council on January 27, 2022, and recorded with the Wasatch County Recorder July 5, 2022.
2. The Founders Place Phase II Condominium Plat includes 19 market rate condominium units and one affordable unit.
3. The Founders Place Phase II Condominium Plat complies with the Recreation Commercial Zoning District requirements.
 - a. The Founders Place Phase II Condominium Plat complies with the Front, Rear, and Side Setback Requirements.
 - b. The Founders Place Phase II Condominium Plat complies with Open Space requirements established in the Master Planned Development Review.

4. The Founders Place Phase II Plat complies with the requirements of the Land Management Code, Housing Mitigation Plan approved by the City Council on June 28, 2022, modifications to the Master Planned Development, and the Multi-Unit Dwelling Conditional Use Permit which were approved by the Planning Commission on January 12, 2023.

Conclusions of Law

1. There is Good Cause for the Founders Place Condominium Phase II Plat because it complies with the requirements of the Master Planned Development Modification and Multi-Unit Dwelling Conditional Use Permit.
2. The Condominium Plat is consistent with the Land Management Code, including Chapter 15-2.16 *Recreation Commercial Zoning District* and § 15-7.1-6 *Final Subdivision Plat*.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Condominium 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 with Wasatch County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this Plat approval 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. The plat shall note that fire sprinklers are required for all new construction.
4. The City Engineer shall review and approve all Lot grading, utility installation, public improvement, and drainage plans for compliance with City standards prior to issuance of any building permits.
5. The Applicant shall submit draft deed restrictions in compliance with the approved Housing Mitigation Plan for review and approval by the Planning, Housing, and Legal Departments prior to submitting a condominium mylar for the one affordable unit within Phase II. The deed restrictions shall be approved, executed, and recorded simultaneously with the condominium mylar.
6. No Certificate of Occupancy for any market rate unit for Phase II shall be issued by the City until the affordable unit required for Phase II is complete and deed restrictions, in a form approved by the City Attorney's Office, are recorded.
7. Site plans and Building Design must resolve snow release issues to the satisfaction of the Chief Building Official prior to issuance of a building permit.
8. The Applicant shall submit a Storm Water runoff protection plan in a form approved by Wasatch County prior to building permit issuance.

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

PASSED AND ADOPTED this 6th day of July, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775BCB46414F6

Nann Worel, MAYOR

ATTEST:



DocuSigned by:

Michelle Kellogg

E5F905BB533F431...

City Recorder

APPROVED AS TO FORM:

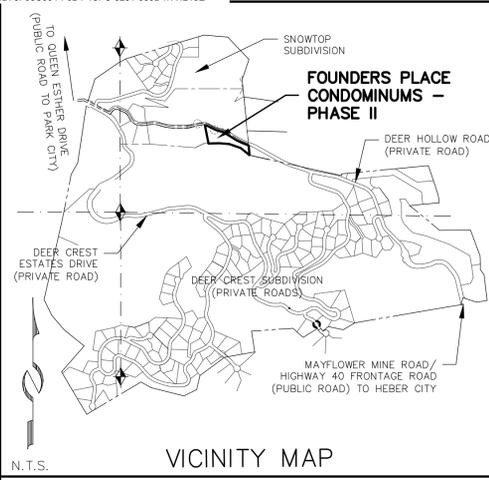
DocuSigned by:

JMDH

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City Attorney's Office

Attachment 1 – Proposed Plat



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the buildings constructed hereon to be divided into units, together with easements as set forth to be hereafter known as FOUNDERS PLACE CONDOMINIUMS - PHASE II and do hereby dedicate for the perpetual use of the public trails and other areas shown on this plat as intended for public use.

In witness whereof, the undersigned set his hand this ____ day of _____, 2023.
Deer Crest Associates I, L.C.
a Utah limited liability company
By: Bill Fiveash, Authorized Signatory

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this ____ day of _____, 2023, Bill Fiveash 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 the Authorized Signatory of Deer Crest Associates I, L.C., a Utah limited liability company, and that FOUNDERS PLACE CONDOMINIUMS - PHASE II, was signed 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 FOUNDERS PLACE CONDOMINIUMS - PHASE II.

By: _____
Notary Public
Printed Name: _____
Residing in: _____
My commission expires: _____
Commission No. _____



SURVEYORS CERTIFICATE

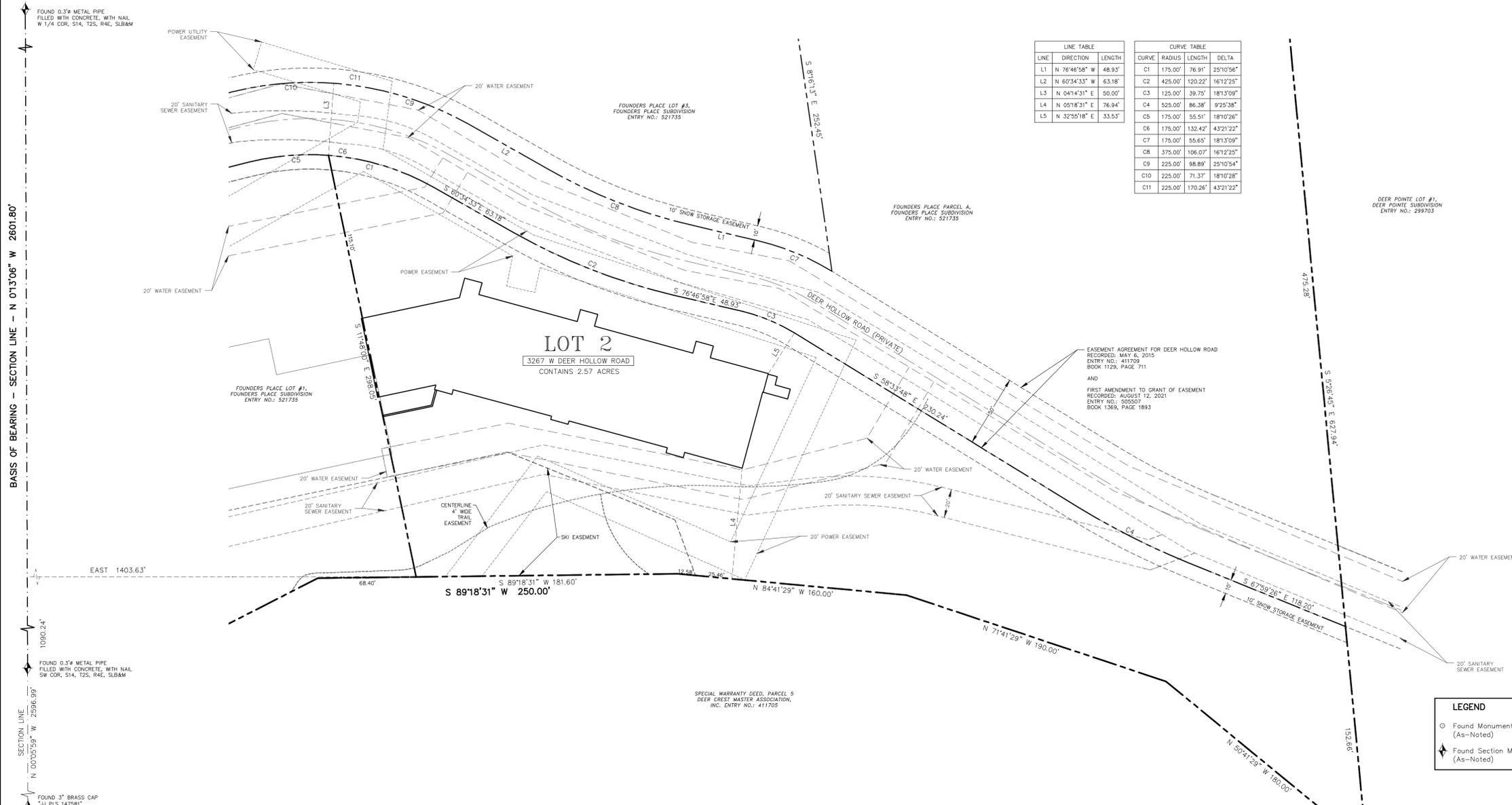
I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, FOUNDERS PLACE CONDOMINIUMS - PHASE II, a Utah Condominium project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

LEGAL DESCRIPTION

Lot 2, FOUNDERS PLACE SUBDIVISION, according to the official plat recorded JULY 5TH, 2022, as Entry No. 521735 in the Wasatch County Recorder's Office.

NOTES

- 1. This condominium plat is subject to the Conditions of Approval in Park City Ordinance 2023-...
2. All areas outside of those designated as Private Ownership and Limited Common on sheets 2-5 shall be Common Area.
3. The dimensions of the private spaces and square footage calculations are based on drawings by Sparano + Mooney Architecture. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the Declaration of Condominium for FOUNDERS PLACE CONDOMINIUMS ("Declaration"). Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
4. All common structural elements are designed as Common Areas and Facilities, as described in the Declaration.
5. Building ties on this sheet are from the property line to the building foundation as shown.
6. All Common Areas and Facilities are dedicated as non-exclusive easements to Park City Municipal Corporation, Jordanelle Special Service District, Park City Fire Service District, Summit County, and Wasatch County for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement. Access to the units is by private roads and is not warranted by Park City.
7. Unit WH-05 is deed restricted employee/affordable housing unit.
8. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the Lot.
9. The Deer Crest Master Association, Inc (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Deer Crest, as amended ("Master Declaration"), requires the membership of each unit owner. Members are subject to the terms of its Articles of Incorporation, Bylaws, Rules and Regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
10. Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities governed by such owner or agreements with such owner.
11. Deer Hollow Road is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Deer Crest in accordance with the Master Declaration. Deer Hollow Road is not a public road or right-of-way.
12. This plat records a total of 49,320 SF of Residential Unit area that is not subject to the Unit Equivalent (UE) formula. The total Residential Unit area is comprised of nineteen (19) Units.
13. Employee Unit WH-05 is excluded from the total Residential Unit area.
14. Vehicular access through the controlled access gate is limited solely to residents and guests and shall otherwise be closed at all times.
15. All construction traffic regardless of vehicular weight is limited to U.S. Highway 40 and the eastern perimeter controlled access gate.
16. Public safety access and utility easements are hereby dedicated for all roads.
17. Permanent maintenance of all perimeter gates, roads, hard surfaced pedestrian/bicycle pathways, including snow removal, shall be the sole responsibility of the property owners and/or homeowners' association, to the reasonable satisfaction of Park City.
18. Park City Municipal Corporation is a third-party beneficiary.
19. (Intentionally Blank)
20. In the event of an emergency, Wasatch County Fire has a perpetual right to access the rear of all structures via any means necessary.
21. The ski easement shown is in favor of Deer Valley Resort.
22. Four foot wide trail easements are for public use.
23. Jordanelle Special Service District has 20' wide water line easements and access easements for the purpose of operating, maintaining, repairing, eventual replacement and upgrade of one or more underground pipelines and appurtenances for conveyance, distribution, and/or transmission of water, in their current location, as well as future utility lines and/or relocations approved by the district.
24. See Record of Survey 0003768 in the Wasatch County Surveyor's Office.
25. Wasatch County Fire has the right to approve ground surface at access to rear of all structures.



LINE TABLE and CURVE TABLE with columns for Line/Curve, Direction, Length, Radius, Length, and Delta.

FOUNDERS PLACE CONDOMINIUMS - PHASE II

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, WASATCH COUNTY, UTAH

WASATCH COUNTY SURVEYOR
APPROVED AS TO FORM ON THIS ____ DAY OF _____, 2023.
RECORD OF SURVEY # _____
WASATCH COUNTY SURVEYOR

WASATCH COUNTY FIRE DISTRICT
APPROVED THIS ____ DAY OF _____, 2023
BY: _____ FIRE CHIEF

JORDANELLE SPECIAL SERVICES DISTRICT AND SPECIAL IMPROVEMENT DISTRICT
APPROVED THIS ____ DAY OF _____, 2023
BY: _____ GENERAL MANAGER

PLANNING COMMISSION
RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THE ____TH/ND DAY OF _____, 2023
BY: _____ CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2023
BY: _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 2023
BY: _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THE ____TH/ND DAY OF _____, 2023
BY: _____ MAYOR

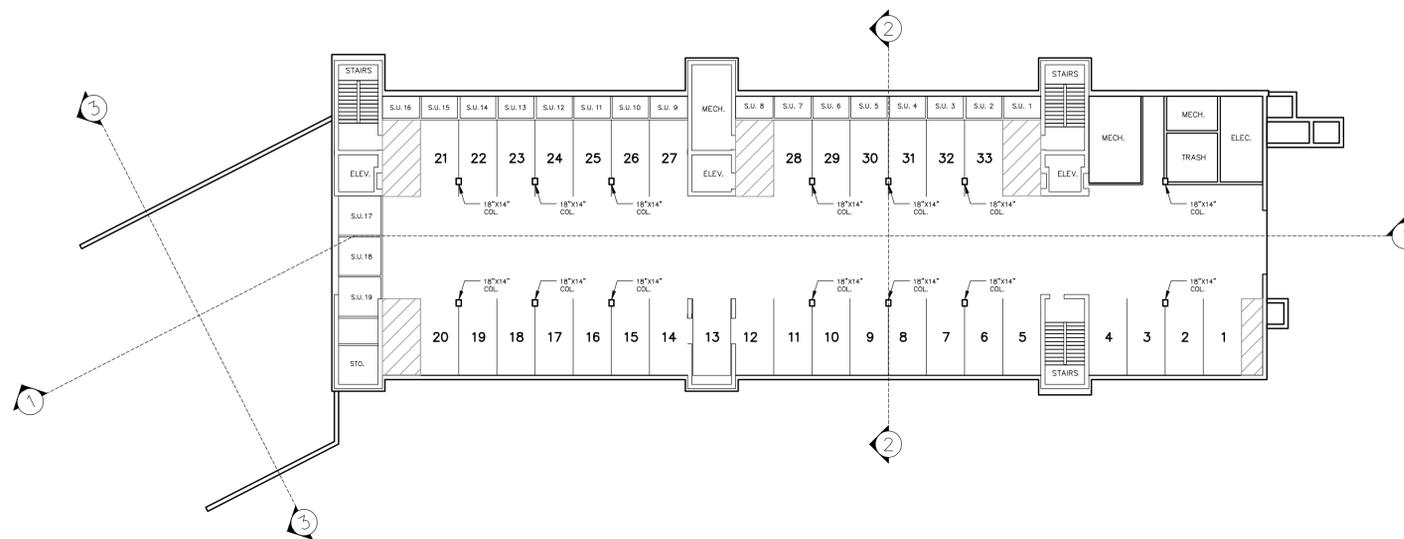
CERTIFICATE OF ATTEST
I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THE ____TH/ND DAY OF _____, 2023
BY: _____ PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF WASATCH, AND FILED AT THE REQUEST OF _____
FEE _____ RECORDER _____
TIME _____ DATE _____ ENTRY NO. _____





LEVEL - B1



PARKING LEVEL

ABBREVIATION LEGEND

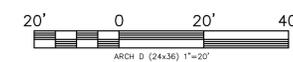
ELEV. = ELEVATOR
S.U. = STORAGE UNIT

OWNERSHIP LEGEND

-  COMMON
-  LIMITED COMMON
-  PRIVATE OWNERSHIP

FOUNDERS PLACE CONDOMINIUMS – PHASE II

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH



RECORDED

STATE OF UTAH, COUNTY OF WASATCH, AND FILED

AT THE REQUEST OF _____

FEE _____ RECORDER _____

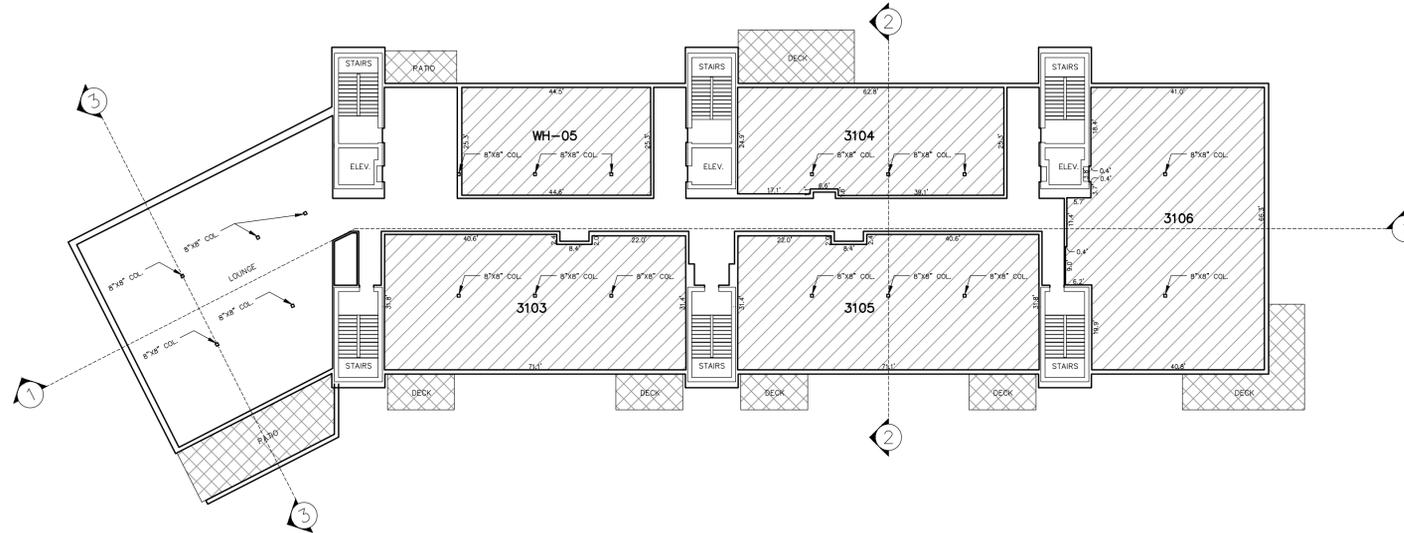
TIME _____ DATE _____ ENTRY NO. _____



P.O. BOX 2664 | 2700 W. HOMESTEAD RD. STE 50,
PARK CITY, UT 84098 | 435-649-8467

**LEVEL - 1
SQUARE FOOTAGE TABLE**

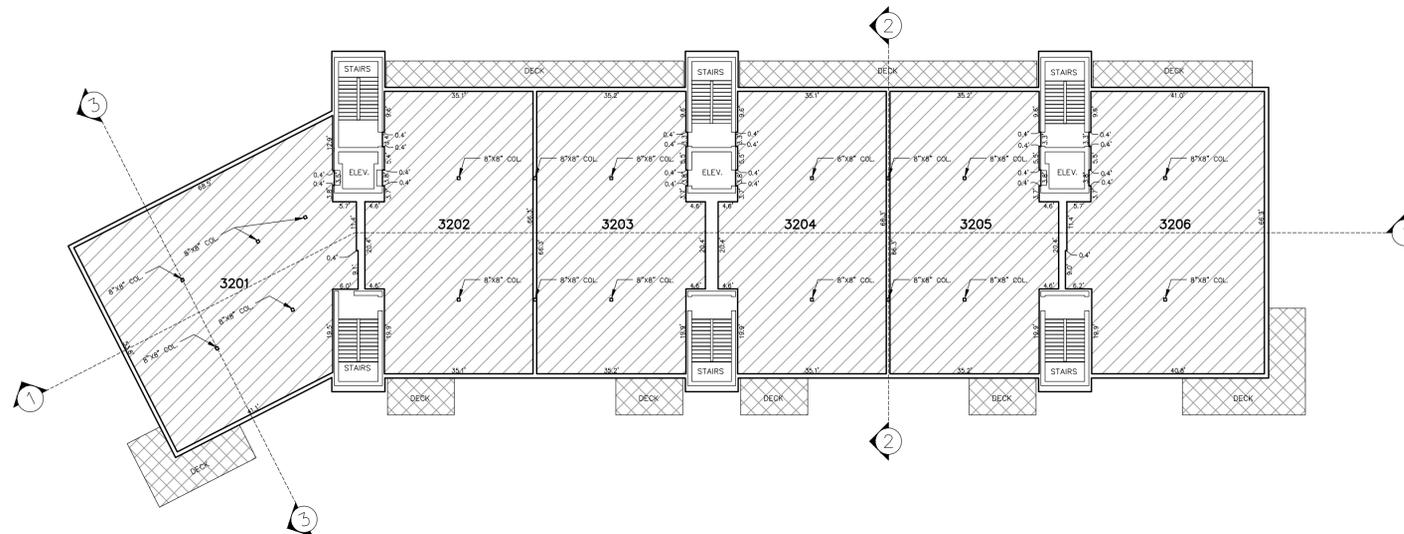
UNIT NUMBER	SQUARE FOOTAGE
WH-05	1,125 SF
3103	2,231 SF
3104	1,574 SF
3105	2,231 SF
3106	2,831 SF



LEVEL - 1

**LEVEL - 2
SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE
3201	3,067 SF
3202	2,420 SF
3203	2,428 SF
3204	2,420 SF
3205	2,428 SF
3206	2,832 SF



LEVEL - 2

ABBREVIATION LEGEND

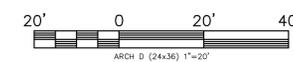
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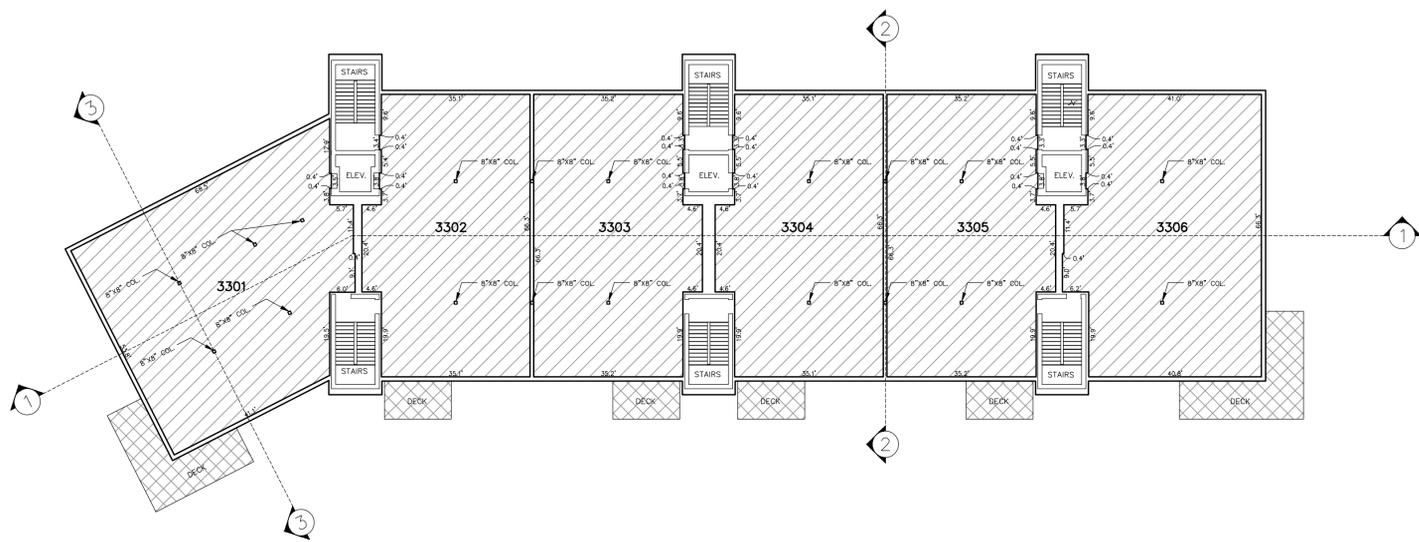


RECORDED

STATE OF UTAH, COUNTY OF WASATCH, AND FILED
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**LEVEL - 3
SQUARE FOOTAGE TABLE**

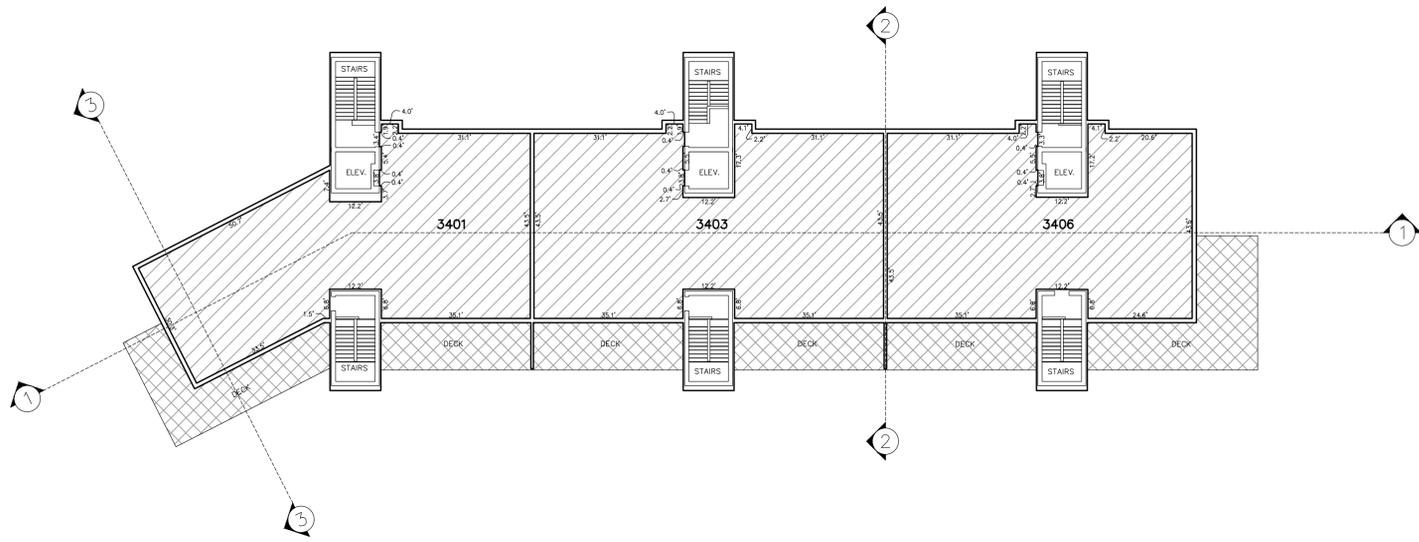
UNIT NUMBER	SQUARE FOOTAGE
3301	3,067 SF
3302	2,420 SF
3303	2,428 SF
3304	2,420 SF
3305	2,428 SF
3306	2,832 SF



LEVEL - 3

**LEVEL - 4
SQUARE FOOTAGE TABLE**

UNIT NUMBER	SQUARE FOOTAGE
3401	3,089 SF
3403	3,342 SF
3406	2,886 SF



LEVEL - 4

ABBREVIATION LEGEND

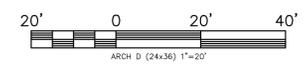
ELEV. = ELEVATOR
S.U. = STORAGE UNIT

OWNERSHIP LEGEND

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-  PRIVATE OWNERSHIP



FOUNDERS PLACE CONDOMINIUMS – PHASE II
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LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH



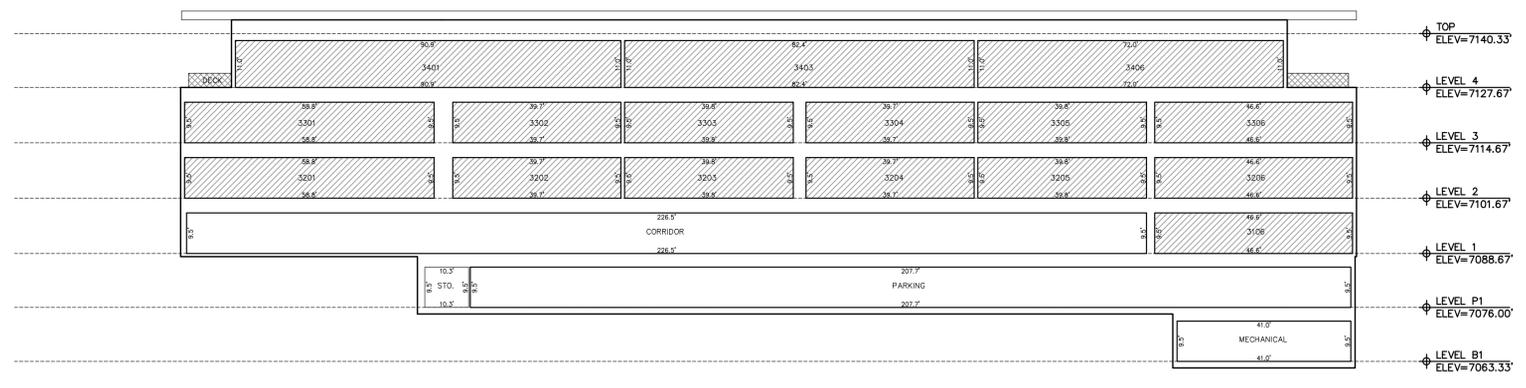
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RECORDED

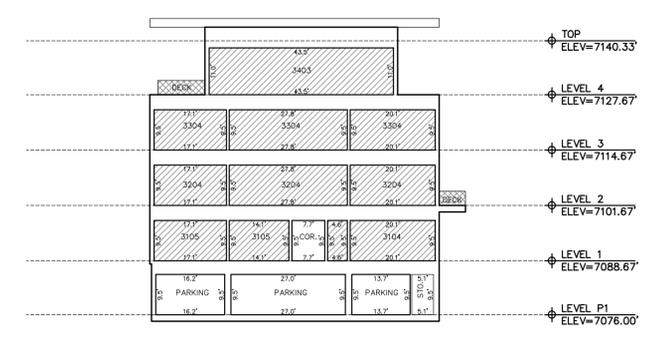
STATE OF UTAH, COUNTY OF WASATCH, AND FILED
AT THE REQUEST OF _____

FEE _____ RECORDER _____

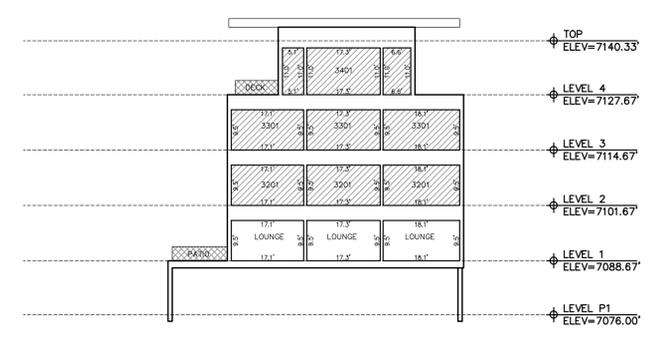
TIME _____ DATE _____ ENTRY NO. _____



1 BUILDING SECTION 1-1
SCALE: 1" = 20'



2 BUILDING SECTION 2-2
SCALE: 1" = 20'



3 BUILDING SECTION 3-3
SCALE: 1" = 20'

ABBREVIATION LEGEND

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S.U. = STORAGE UNIT

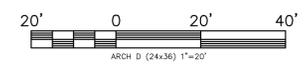
OWNERSHIP LEGEND

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FOUNDERS PLACE CONDOMINIUMS – PHASE II

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SALT LAKE BASE AND MERIDIAN
WASATCH COUNTY, UTAH



03/28/2023 JOB NO.: 02-10-21 FILE: X:\DeerCrest\dwg\sr\plat2023\021021-PH-II.dwg SHEET 5 OF 5

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____

FEE RECORDER

TIME _____ DATE _____ ENTRY NO. _____