

Ordinance No. 10-29

**AN ORDINANCE APPROVING THE SNOW COUNTRY CONDOMINIUMS
AMENDMENT TO RECORD OF SURVEY PLAT LOCATED AT
1150 DEER VALLEY DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 1150 Deer Valley Drive have petitioned the City Council for approval of the Snow Country Condominiums Amendment to Record of Survey; 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 October 28, 2009, December 9, 2010, April 28, 2010, and July 14, 2010, to receive input on the Snow Country Condominiums Amendment to Record of Survey Plat;

WHEREAS, the Planning Commission, on July 14, 2010, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Snow Country Condominiums Amendment to Record of Survey Plat.

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 Snow Country Condominiums Amendment to Record of Survey Plat as shown in Attachment A 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 1150 Deer Valley Drive.
2. The property is located within the General Commercial (GC) District.
3. There are currently 71 units on site.
4. The existing Record of Survey Plat shows an area within one of the buildings that is platted common and labeled "laundry".
5. The applicant requests to amend 556 square feet from common (laundry) area to private area.
6. The proposed amendment adds one (1) additional dwelling unit in the existing multi-unit dwelling.
7. The parking area is approximately 24,179 square feet.
8. There is approximately 5,788 square feet of interior landscaping which equates to twenty-four percent (24%) of the total parking area.

9. There is approximately 12,544 square feet of area that can be utilized as snow storage.
10. The City Engineer has inspected the site and has found the same areas identified as interior landscaping as readily accessible locations for snow storage.
11. The layout of the parking area with the adjacent landscaping/snow storage area is very typical to other parking areas found in Park City.
12. A certificate of compliance was issued for this site in October 2008, relating to the soils ordinance.
13. The existing complex was approved by the City in 1976 which at the time required one (1) parking space per dwelling unit, which was a minimum of 71 spaces.
14. The plat has a note identifying two (2) areas on site accommodating 74 parking spaces, 50 along the front of the buildings and 24 along the east of the buildings.
15. There currently exist a total of 81 parking spaces.
16. The applicant has submitted a parking analysis which indicates that during the summer season the parking lot usage averages approximately 37% and in the winter season the parking lot usage averages approximately 74%.
17. The current LMC requires that a condominium unit not greater than 650 square feet to have one (1) parking space.
18. According to the number of existing units and their corresponding floor areas and also the proposed unit and its corresponding floor area the LMC mandates a total of 90 parking spaces.
19. The site is considered legal non-compliant because it does not comply with the current parking standard.
20. The site accommodates seven (7) additional parking spaces from the original plat approval that shows a total of 74.
21. The site has more parking (81 parking spaces) than what was approved in 1976 (74 parking spaces)
22. The proposed plat amendment to the record of survey plat does not increase the discrepancy between the existing condition and the development standards prescribed by the LMC.
23. The request does not increase the degree of non-compliance.
24. With 81 total spaces; the configuration will remain the same with 72 spaces dedicated to each of the 72 units and four (4) spaces for rental by the HOA, and five (5) spaces for visitors.
25. The applicant has met with the Building Official to inquire as to the appropriate requirements that the Building Department will suggest to come up with their accessibility compliance plan.
26. The proposed amendment will also modify the record of survey plat reflecting the area located on the northwest corner of the site to match what has been built.

Conclusions of Law:

1. There is good cause for this amendment to Record of Survey Plat
2. The amendment to Record of Survey 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 amendment to Record of Survey Plat.
4. Approval of the amendment to Record of Survey 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 Attorney and City Engineer will review and approve the final form and content of the amendment to the Record of Survey 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 amendment to the Record of Survey 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.
3. The applicant will make all necessary improvements to parking area lighting in compliance with Park City regulations prior to plat recordation.

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

PASSED AND ADOPTED this 29th day of July, 2010.

PARK CITY MUNICIPAL CORPORATION



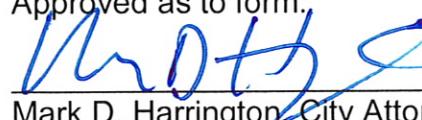
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



Attachment A - Proposed Amendment to Record of Survey Plat

1072	1069	1068	1063	1060	1057	1054	1051	1048	1045
1071	1068	1065	1062	1059	1056	1053	1050	1047	1044
1070	1067	1064	1061	1058	1055	1052	1049	1046	1043
									1040

BUILDING NO 2 (2 MODULE)
SECTION A-A

NOTE—
ALL CROSSWALLS ARE
TO BE CONCRETE CONSTRUCTION
AND NOT CROSS-WALLED TO
THE PERIMETER CONSTRUCTION.

Unit 1070 will be created pursuant
to this proposed plat amendment.
The existing laundry area will
become a unit.

IDENTIFY THAT THE BUILDING DIMENSIONS
OF THE "TYPICAL BAYS" OF BUILDING #1, NORTH
BLOCK, BUILDING 2 WITH 4 TEAMS, AND BUILDING
BAY 5 OF SNOW COUNTRY CONDOMINIUMS
UTAH CONDOMINIUM PROJECT ARE AS SHOWN
ON THIS PLAT.

DATE: 7-2-97
LICENCIATE NO: 30002

1062	1069	1066	1053	1050	1047	1044
1061	1068	1065	1052	1049	1046	1043
1060	1067	1064	1051	1048	1045	1042

BUILDING NO 4 (4 MODULE)
SECTION A-A

1065	1062	1069	1066	1053	1050	1047	1044
1064	1061	1068	1065	1052	1049	1046	1043
1063	1060	1067	1064	1051	1048	1045	1042

BUILDING NO 1 (3 MODULE)
SECTION A-A

1066	1063	1060	1057	1054	1051	1048	1045
1065	1062	1069	1066	1053	1050	1047	1044
1064	1061	1068	1065	1052	1049	1046	1043
1063	1060	1067	1064	1051	1048	1045	1042

EXHIBIT A RECORD OF SURVEY MAP OF
SNOW COUNTRY
CONDOMINIUMS
UTAH CONDOMINIUM PROJECT
LOCATED IN THE STATE OF UTAH, COUNTY OF SALT LAKE,
SOUTH PARK AVENUE, ROBOK 101
PARK CITY, UTAH 84060
PREPARED BY: J. JOHNSON ASSOCIATES
1515 PARK AVENUE, PO BOX 1001
PARK CITY, UTAH 84060
RECORDED BY: J. JOHNSON ASSOCIATES
STATE OF UTAH, COUNTY OF SALT LAKE
RECORDED FILED AT THE REQUEST OF
By: _____
Date: _____ Time: _____
Book: _____ Page: _____
FEE: \$100.00
Summit County Recorder
Sheet 2 of 5

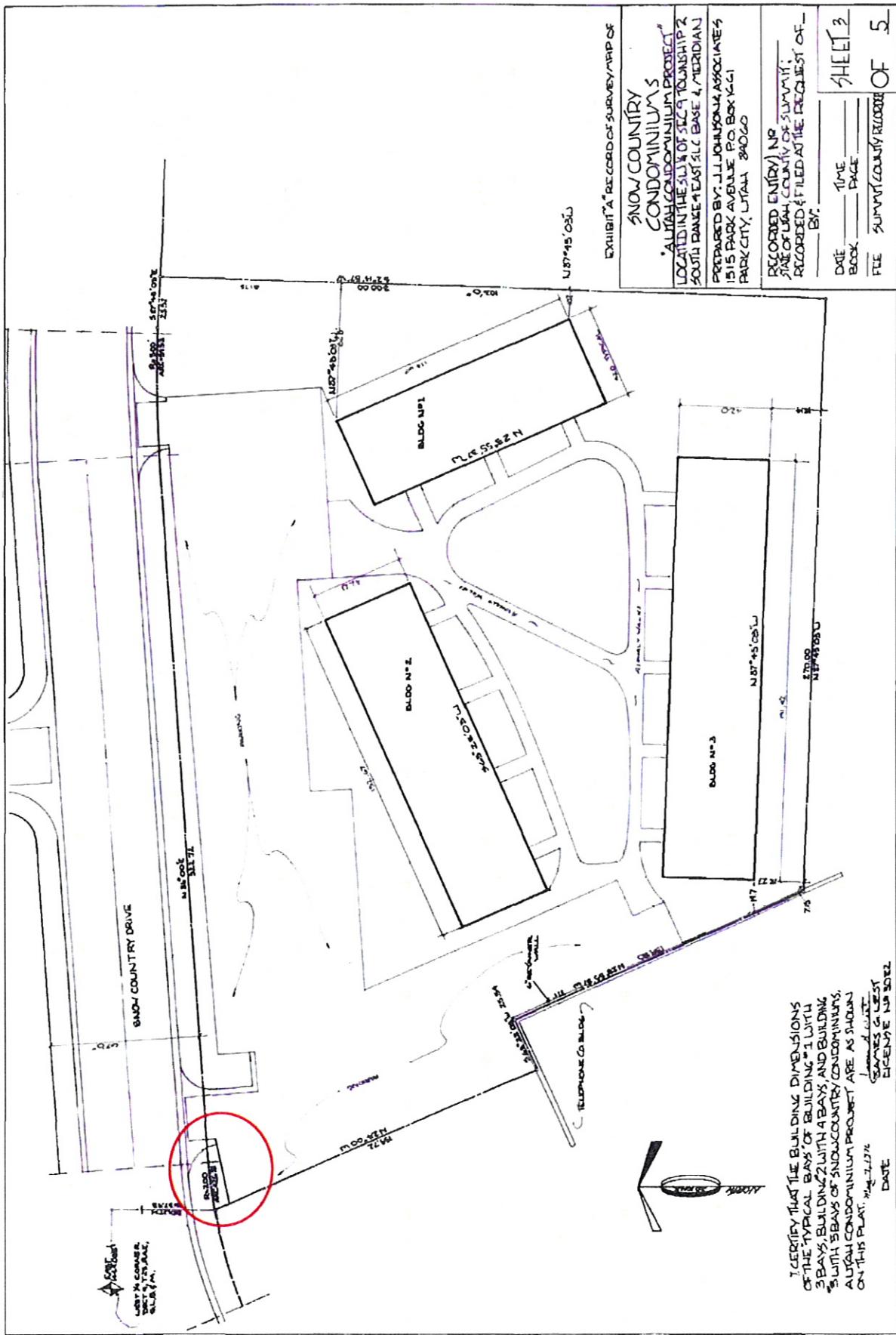


Exhibit C - Original Record of Survey Plat

OWNER'S CERTIFICATE OF CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT WE, RAY L. JOHNSON, PRESIDENT
AND MERLE H. HUSTON, VICE PRESIDENT/DEADERER, OF GREATER
PARK CITY CORPORATION, LOCATED AT THE WAVERS
OF THE TRACT OF LAND DESCRIBED, LIE ON AND INN SNOW COUNTRY CONDO-
MINIUMS, UTAH CONDOMINIUM PROJECT, LOCATED ON SAID TRACT
OF LAND, DO HEREBY MAKE THIS CERTIFICATE FOR AND ON BEHALF OF
SAID CORPORATION BY AUTHORITY OF DAILY PAPER DESCRIBED IN BY
ITS BOARD OF DIRECTORS, & SAID CERTIFICATE AND THIS RECORD
ORINATION HAS CAUSED A SURVEY TO BE MADE AND THIS RECORD
OF SURVEY MAP CONSISTING OF 5 SHEETS TO BE PREPARED AND SAID
CORPORATION HAS CONSENTED AND DOES HEREBY CONSENT TO RE-
CORDATION OF THIS RECORD OF SURVEY MAP IN ACCORDANCE
WITH THE UTAH CONDOMINIUM OWNERSHIP ACT.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS
22nd Day of June, AD 1976.

Ray L. Johnson
RAY L. JOHNSON,
PRESIDENT
A UTAH CORPORATION

Merle H. Huston
MERLE H. HUSTON,
VICE PRESIDENT
CHARTERED SECTION 18,
TREASURER
PARK CITY

James G. West
JAMES G. WEST,
SURVEYOR
A UTAH CORPORATION

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT
BE IT REMEMBERED THAT ON THIS 27TH DAY OF JUNE, A.D. 1976,
PERSONALLY APPEARED BEFORE THE UNDERSIGNED NOTARY
PUBLIC IN AND FOR SAID COUNTY AND STATE, RAY L. JOHNSON,
SON, PRESIDENT AND MERLE H. HUSTON, VICE PRESIDENT,
TODAY JUROR OF GREATER PARK CITY COMPANY, A UTAH CORPORATION,
CORPORATION WHO BEING, BY ME DULY SWORN, DID SAY THAT THEY
ARE THE PRESIDENT AND VICE PRESIDENT, TREASURER OF SAID
CORPORATION AND THAT THE UTAH CONDOMINIUMS ARE
OWNERS' CONDOMINIUMS, A BODY CORPORATE AND FORGOING
CERTIFICATE OF CONSENT TO RECORD WAS SIGNED
FOR AND IN BEHALF OF SAID CORPORATION, BY AUTHORITY
OF ITS BY-LAWS AND A RESOLUTION DULY PASSED BY ITS
BOARD OF DIRECTORS, AND RAY L. JOHNSON AND MERLE
HUSTON, ACKNOWLEDGED TO ME THAT SAID CORPO-
RATION EXECUTED THE SAME.

James G. West
NOTARY PUBLIC
REIDING IN ~~Summit~~ COUNTY, UTAH
BY COMMISSION EXPIRES 6/27/77
RECORDED
MAY 21, 1976
BY *James G. West*
RECORDED

SURVEYORS' CERTIFICATE

I, JAMES G. WEST, SURVEYOR, STATE OF UTAH, AN ACCREDITED LAND SURVEYOR
AND THAT I HOLD LICENSE NO. 3082, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND I HAVE
MADE A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT EAST 100 FEET FROM THE WEST QUARTER CORNER
OF SECTION 9, TOWNSHIP 2, SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERTONIAN, SAID POINT BEING
OBLIQUE TO THE EAST, THE DADAL POINT OF WHICH IS SOUTH 11° 40' 50" EAST 2000 FEET; AND
THENCE NIECE NORTH EASTLY ALONG THE LINE OF SAID CURVE 26.31 FEET TO A POINT
OF TANGENCY THENCE NORTH 82° 00' EAST 522.72 FEET TO A POINT ON A SECOND HORIZONTAL
CURVE TO THE RIGHT; THENCE EASTERLY ALONG THE ARC OF SAID CURVE 54.55 FEET TO
A POINT OF TANGENCY; THENCE SOUTH 87° 45' EAST 20.23 FEET; THENCE SOUTH 21° 45' WEST
3000 FEET; THENCE NORTH 87° 45' EAST 210.00 FEET; THENCE NORTH 22° 55' 37" WEST
198.80 FEET; THENCE NORTH 87° 45' EAST 210.00 FEET; THENCE NORTH 25° 54' 46" WEST 194.72
FEET TO THE POINT OF BEGINNING, AREA BEING APPROXIMATELY 2.295 ACRES.

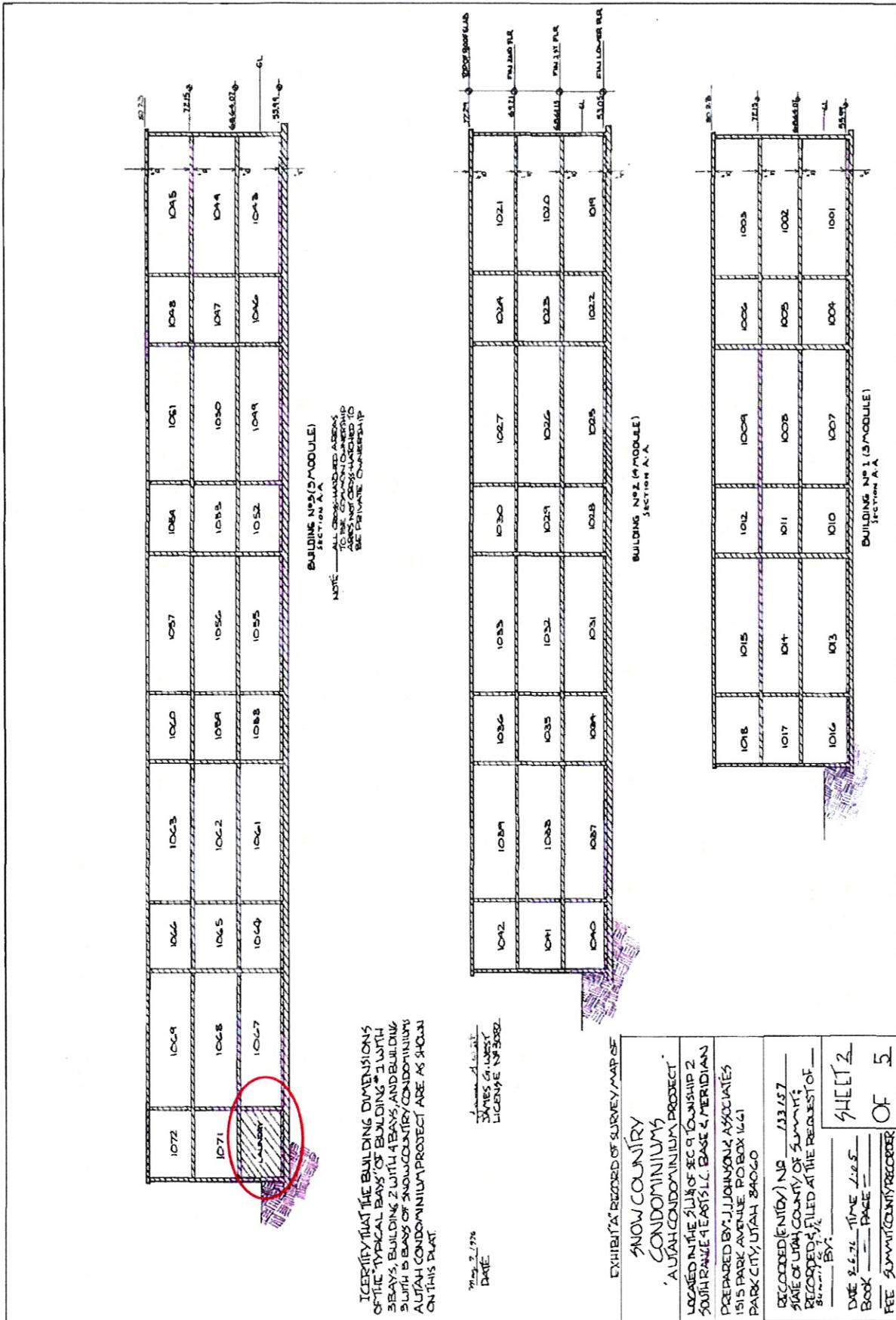
I FURTHER CERTIFY THAT THE ABOVE DESCRIPTION DESCRIBES THE LAND SURFACE UPON
WHICH HAS BEEN CONSTRUCTED SNOW COUNTRY CONDOMINIUMS IN ACCORDANCE WITH THE
UTAH CONDOMINIUM OWNERSHIP ACT. I FURTHER CERTIFY THAT THE REFERENCED
MARKERS AS SHOWN ON THIS PLAT ARE LOCATED AS SHOWN, AND ARE SUFFICIENT
TO READILY RESEMBLE OR RE-ESTABLISH THIS SURVEY.

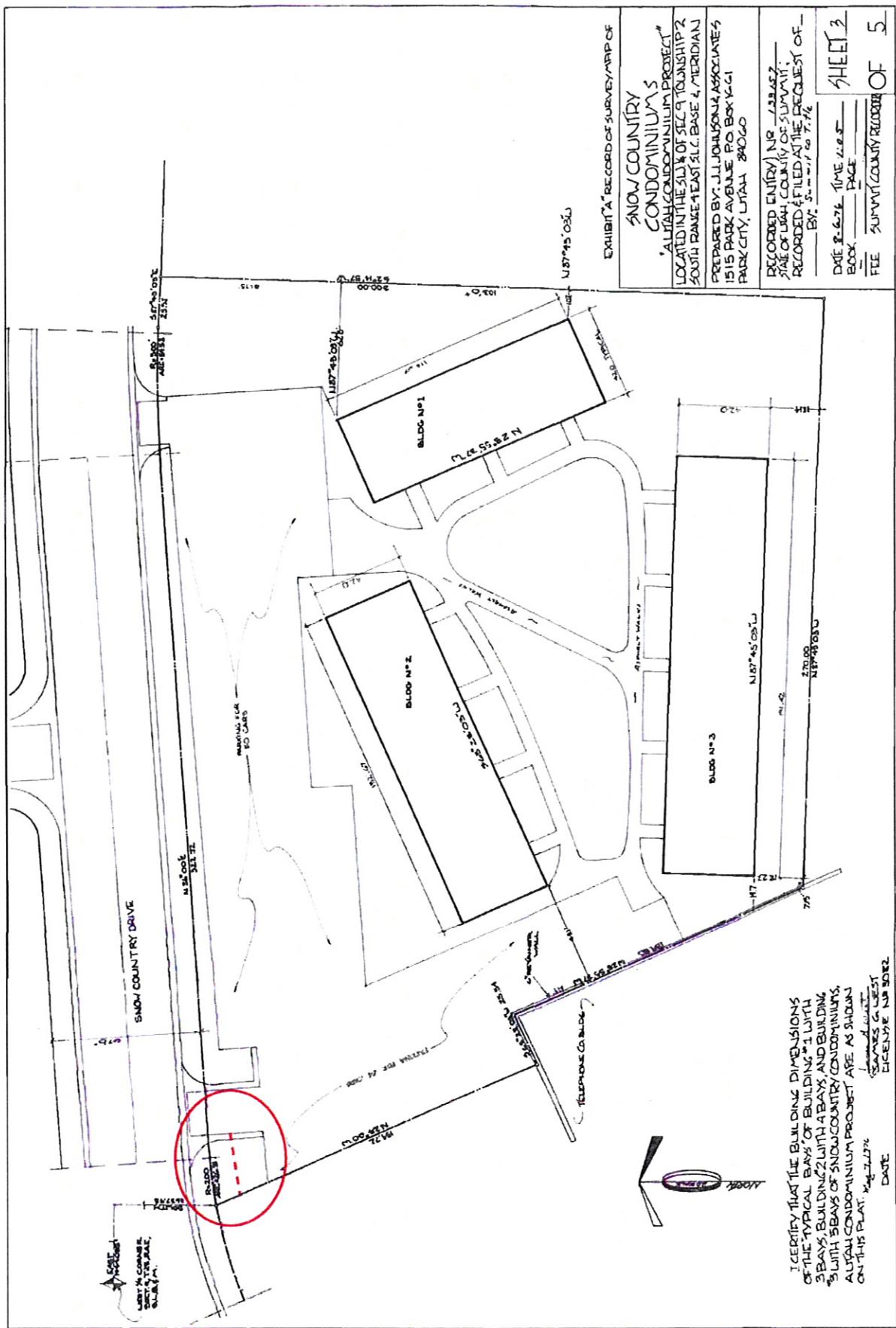
James G. West
DATE 21-5-76
LICENSURE NO 3082

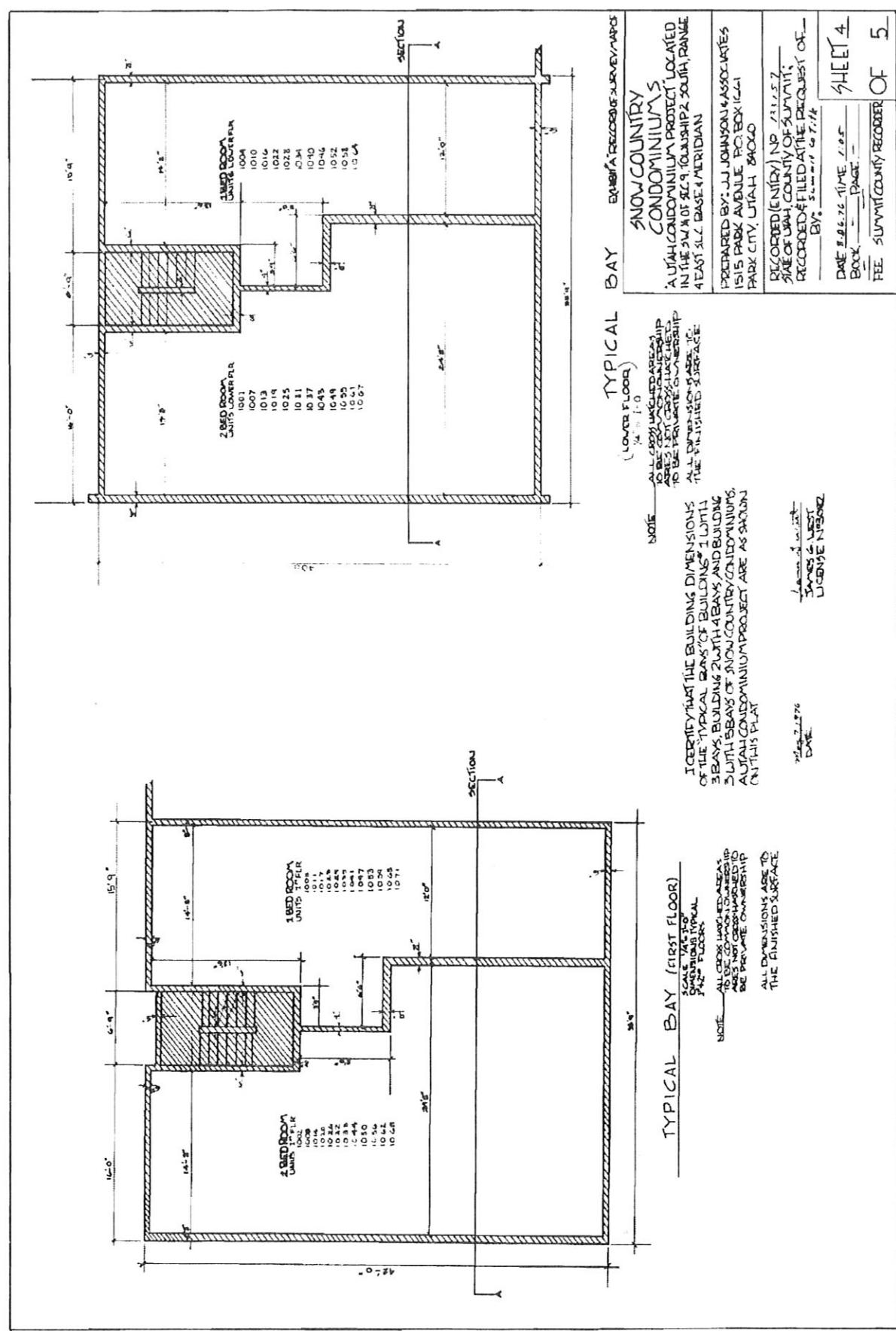
**SNOW COUNTRY
CONDOMINIUMS**

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE S.W. ¼ OF SEC. 9, TOWNSHIP 2
SOUTH, RANGE 4 EAST, SLC BASE & MERTONIAN.
PREPARED BY: JJ JOHNSON & ASSOCIATES
1515 PARK AVE, PARK CITY, UTAH

RECORDED ENTRY NO 133557 STATE OF UTAH
COUNTY OF SUMMIT: RECORDED & FILED AT THE REQUEST OF CLERK
BY: James G. West DATE 22-6-76 TIME 10:05 BOOK 2 PAGE 1
FEE: \$22.00 Summit County Recorder







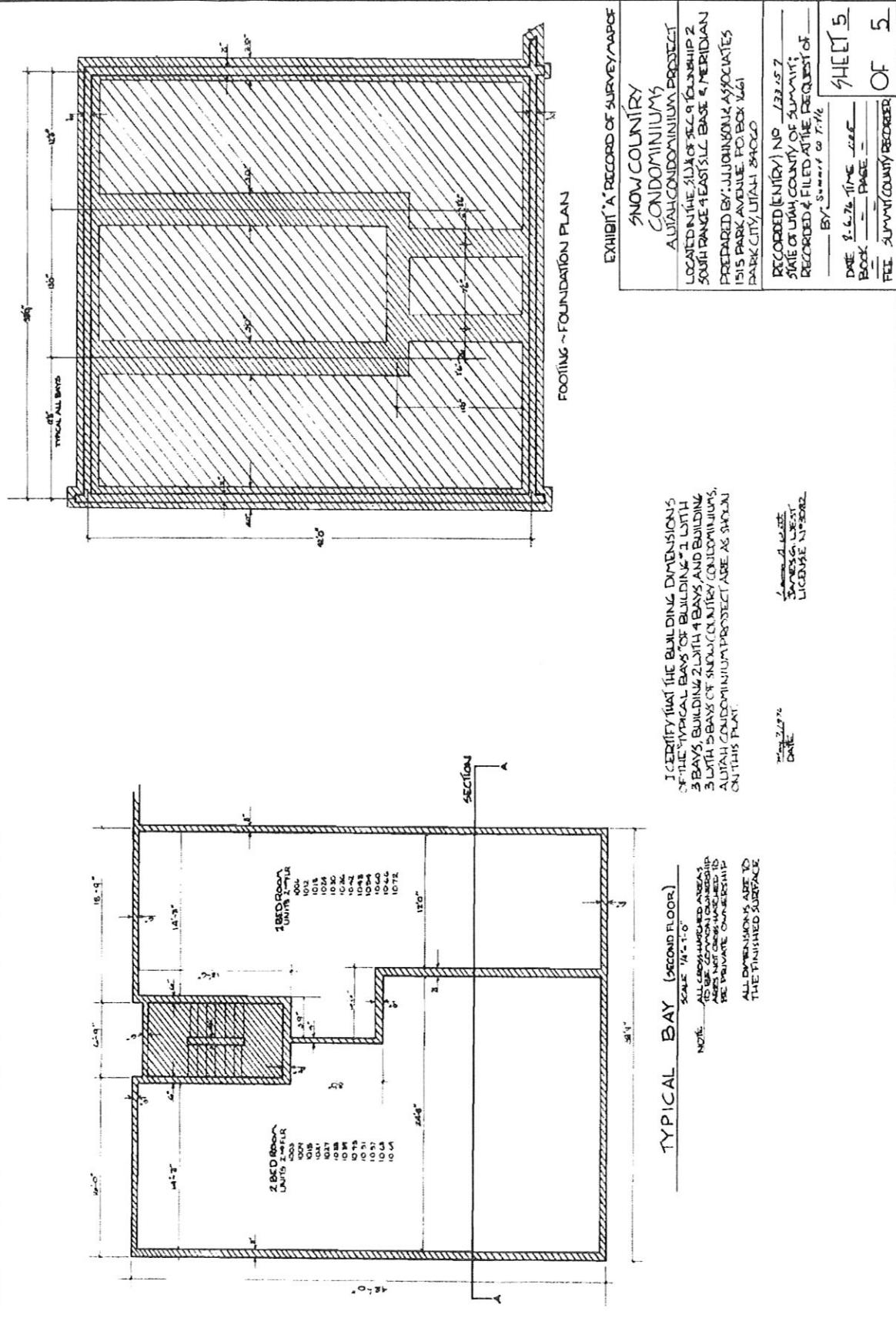
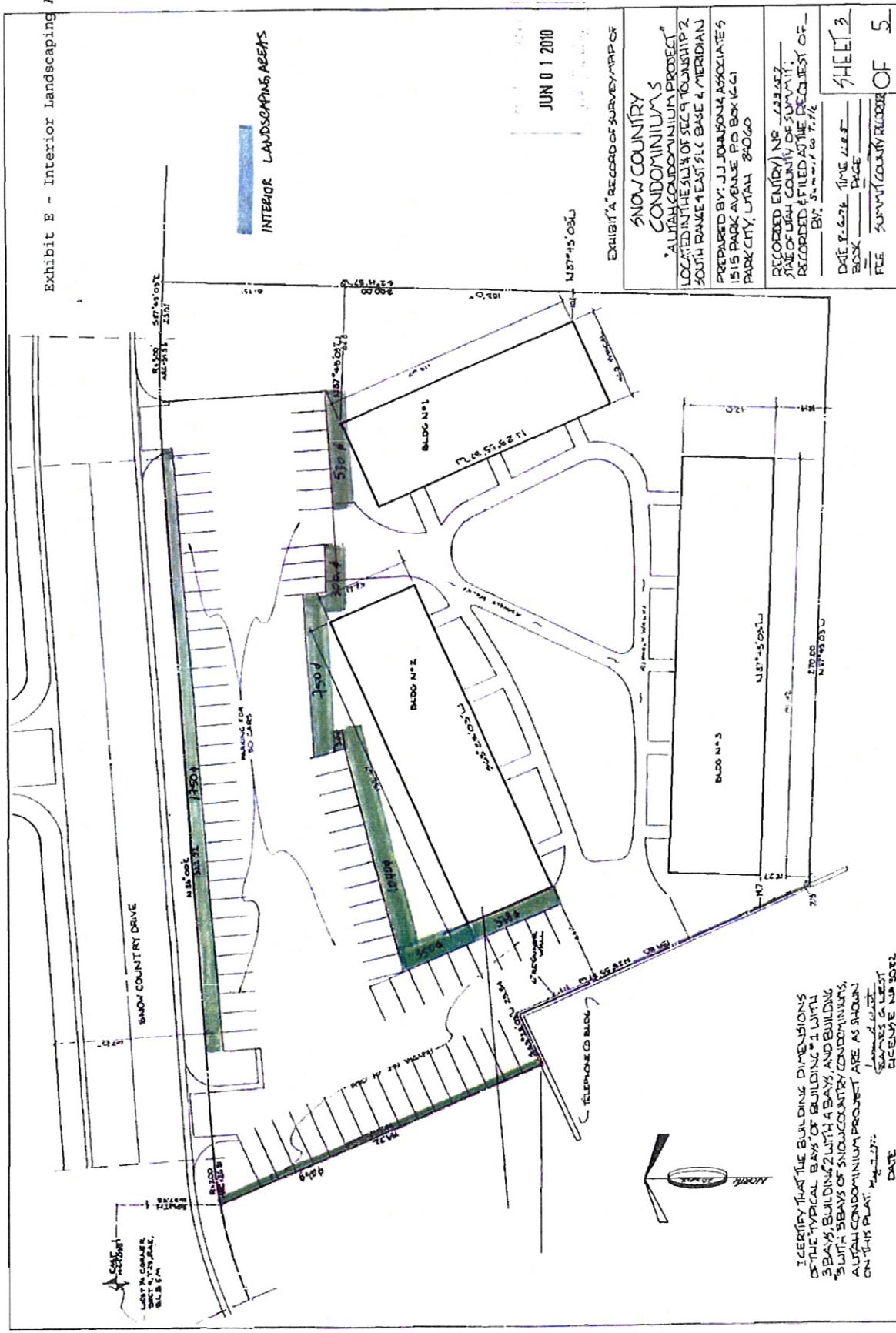


Exhibit E - Interior Landscaping Areas



Notes:

1. THE CONTRACTOR SHALL LOCATE ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
2. ALL LANDSCAPED AREAS SHALL BE GRADED TO DRAIN AWAY FROM OTHER AREAS FOLLOWING THE EXISTING GRADE LINE PATTERN.
3. ALL ENTITLED QUANTITIES ARE ESTIMATED IF IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE APPROPRIATE TAKE-OFFS.
4. EXISTING ALLUVIATED SOIL SHALL HAVE A THICKNESS OF 12" OR MORE. EXISTING SOIL THICKNESS SHALL NOT EXCEED 18" AND NO MORE THAN 24" DEEP. EXCAVATION OF TOP SOIL, FOLLOWED BY SOIL.
5. ALL EXCAVATED SOIL SHALL BE PLACED IN THE EXCAVATION HOLE AND RE-TAILED TO THE GRADE LINE.
6. ALL ROCK TERRACES AND WALLS ARE TO BE CONSTRUCTED WITH A 1:1 SLOPE AND PLACEMENT OF ALL ROCK ACCORDING TO THE CONTRACTOR'S OWN DESIGN AND PLACEMENT OF BULK MULCH.
7. ALL LANDSCAPED AREAS SHALL BE SPRAY TURF OR GROW SPINACH AND TURF SEED.
8. ALL SERVICE BROWN SOILS BE PLACED BY THE MOA.

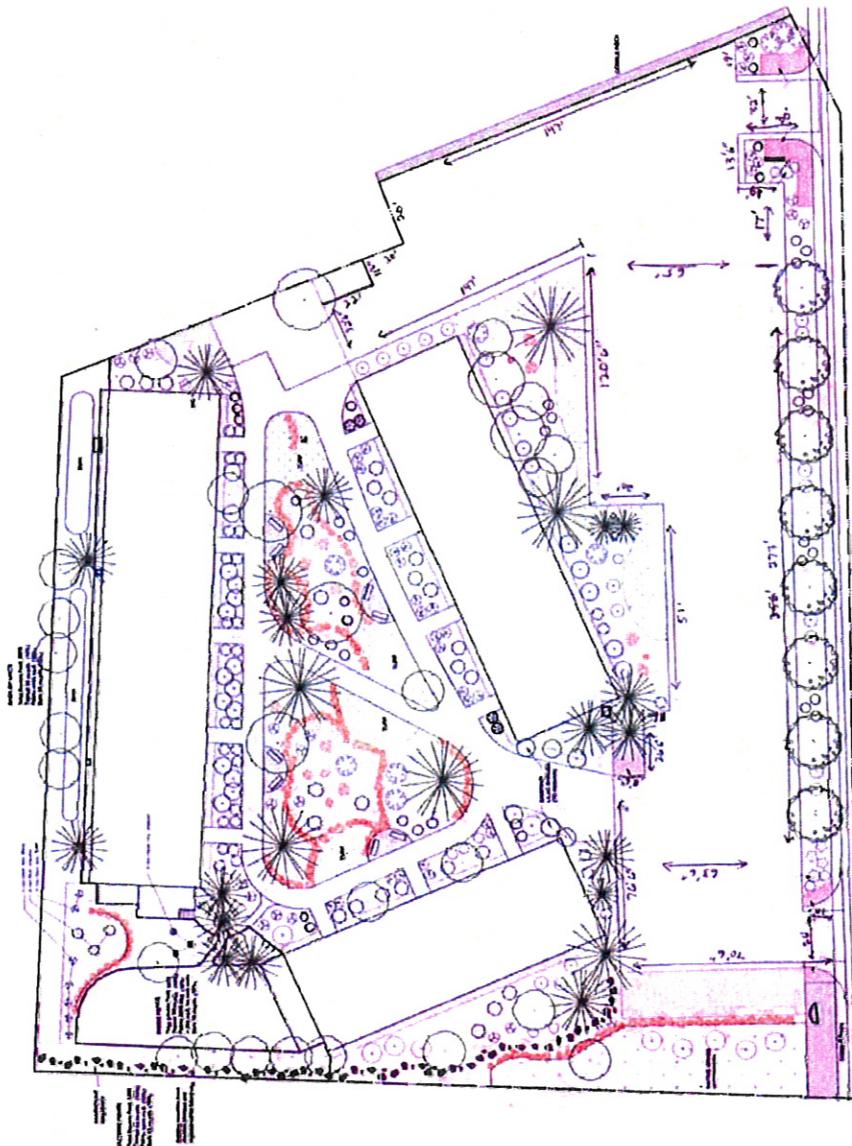
N
S
E
W

SCALE 1:20



PCN
Planning
Construction
Nursery
Landscaping
Snow Country Condos
100 New Valley Circle
Pine Valley, Utah
Phone: 435-657-1111
Fax: 435-657-1112
Email: info@pcn.com

RECEIVED
PCN 11/2000
Landscape Plan
Version 1.1



DEER VALLEY DRIVE

Exhibit F - Snow Storage Areas

