Ordinance No. 12-20

AN ORDINANCE APPROVING THE COURCHEVEL CONDOMINIUM AT DEER VALLEY FOURTH AMENDMENT LOCATED AT 2700 DEER VALLEY DRIVE EAST, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Courchevel Condominiums, located within the Deer Valley Community of the Deer Valley Resort Tenth Amended and Restated Large Scale Master Planned Development, have petitioned the City Council for approval of a plat amendment to convert to private area the common attic area above Unit B304; 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 June 27, 2012, to receive input on the proposed amendments to the record of survey plat;

WHEREAS, the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 12, 2012, the City Council held a public hearing on the proposed amendment to the record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah and consistent with the Deer Valley Resort 10th Amended and Restated Master Planned Development to approve the proposed amendment to the Courchevel Condominiums record of survey plat.

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

<u>SECTION 1. APPROVAL.</u> The above recitals are hereby incorporated as findings of fact. The Fourth Amended Courchevel Condominiums record of survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

- 1. The Courchevel Condominiums are located at 2700 Deer Valley Drive East within the Deer Valley Community portion of the Deer Valley Resort Master Planned Development (MPD).
- 2. The Courchevel Condominium at Deer Valley record of survey was approved by the City Council on December 27, 1984 and recorded at Summit County on December 31, 1984.

- 3. The Courchevel Condominiums at Deer Valley record of survey plat recorded 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.
- 4. There are two (2) access driveways from the garage to Deer Valley Drive East.
- 5. In November of 1989, an amended record of survey plat was approved and recorded increasing the number of residential condominium units to forty-one (41).
- 6. In February of 2012, a second amendment record of survey plat was recorded. This second amendment converted 608 square feet of common attic area above each of Units B301 and B303, 1,216 square feet total, to private area.
- 7. Two of the three approved Courchevel buildings (Buildings B and C) were constructed beginning in 1984 and completed in 1988. Building A was never constructed.
- 8. The second amendment reflected that Building A was not built and removed it from the record of survey.
- 9. On June 13, 2012, a third amendment record of survey plat was reviewed by the Planning Commission and approved by City Council on June 28, 2012. This third amendment proposes to convert 470 square feet of common attic area above Unit B202 to private area for an additional bedroom and bathroom.
- 10. Currently there are 27 condominium units and 29 parking spaces. The third amendment proposes to create 2 additional parking spaces within the existing garage for a total of 31 parking spaces.
- 11. Each existing condominium unit contains 759 square feet, except for Units B301 and B303, which contain a total of 1,367 square feet and Unit B202 is proposed to contain 1,229.
- 12. The property is subject to requirements and restrictions of the Deer Valley Resort 10th Amended and Restated Large Scale MPD.
- 13. The MPD originally allowed up to 20.5 UEs for the Courchevel parcel.
- 14. The MPD was amended in 2001 to transfer seven (7) UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property.
- 15. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 22,179 square feet, including the pending 470 for Unit B202 subject to approval of the third amendment.
- 16. On May 9, 2012 the City received a completed application for a fourth amendment to the Courchevel Condominiums at Deer Valley record of survey requesting conversion of 608 square feet of common attic area above Unit B304 to private area for an additional bedroom and bathroom.
- 17. Unit B304 is located on the second floor of Building B.
- 18. In January 2011, Courchevel Condominium owner's association voted to approve construction of additional floor area and the transfer 470 square feet of common space to private space for unit B202 and 608 square feet for unit B304.
- 19. The only exterior change proposed is the addition of a matching window on the south side of Building B.

- 20. The proposed amendment is consistent with the purpose statements of the district.
- 21. Unit B304 would increase by 680 square feet from 759 square feet to 1,367 square feet and the total floor area would be 22,787 square feet.
- 22. The total proposed UE for the project, including the pending third amendment and this fourth amendment, would be 11.39 UE.
- 23. The current Deer Valley MPD allows 13.5 UE for Courchevel Condominiums. If this amendment is approved and recorded there will be 4,213 square feet (2.1 UE) of floor area remaining for future conversion of common area to private area. An additional parking space would be required for each unit that exceeds 1,000 square feet, unless a parking exception is approved by the Planning Commission per LMC Section 15-3-7.
- 24. The building does not exceed the allowable 35' building height and there are no non-conforming setback issues.
- 25. All construction is proposed within the existing building envelope.
- 26. The current LMC requires two (2) spaces for each of the amended units greater than 1,000 square feet and less than 2,500 square feet. The proposed fourth amendment complies with this requirement.
- 27. The current LMC would require one and half (1.5) spaces for each unit greater than 650 square feet and less than 1,000 square feet. The existing development would be short 12.5 parking spaces if developed under the current Land Management Code (LMC).
- 28. Thirty-one (31) parking spaces will be required and thirty-one (31) spaces will exist with approval of the third amendment and restriping of the garage.
- 29. There is undeveloped land on the property available for construction of additional off-street surface parking; however lack of parking for this property has not been an issue in the past and sufficient parking for the proposed addition to Unit B304, as well as B202, proposed with the third amendment, can be provided within the parking structure. One guest drop off parking spaces will be striped outside of the garage on the southern portion of the west entrance driveway.
- 30. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.
- 31. The expanded unit would comply with the current parking code.

Conclusions of Law:

- 1. There is good cause for this record of survey.
- 2. The record of survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
- 3. As conditioned, the record of survey plat is consistent with the Deer Valley Resort MPD, 10th amended and restated.
- 4. Neither the public nor any person will be materially injured by the proposed record of survey.
- 5. Approval of the record of survey, 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 record of survey for compliance with State law, the Land Management Code, and conditions of approval.
- 2. The applicant will record the record of survey at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) year's 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.
- All construction requires a Building Permit and approvals from the Building and Planning Departments. No certificate of occupancy for the addition to Unit B304 shall be issued until this plat amendment is recorded. Residential fire sprinklers are required.
- 4. All conditions of approval of the Deer Valley Resort 10th Amended and Restated Large Scale MPD and the amended Courchevel Condominiums at Deer Valley record of survey plats shall continue to apply.
- 5. Recordation of this fourth amendment shall occur after recordation of the third amendment.

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

PASSED AND ADOPTED this 12th day of July, 2012.

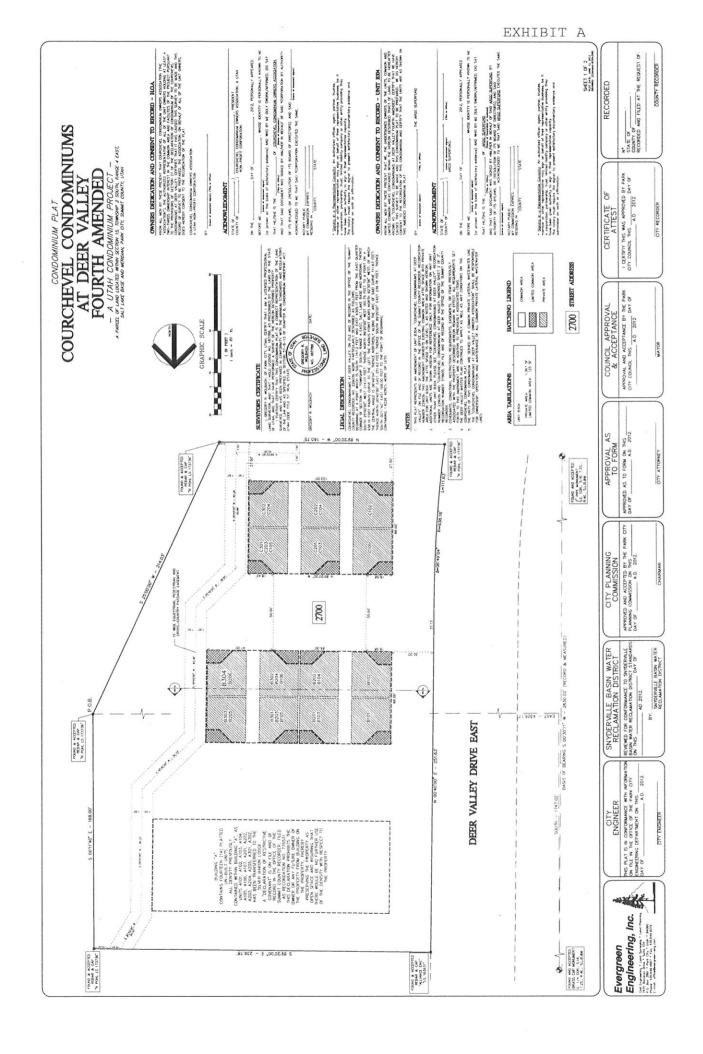
PARK CITY MUNICIPAL CORPORATION

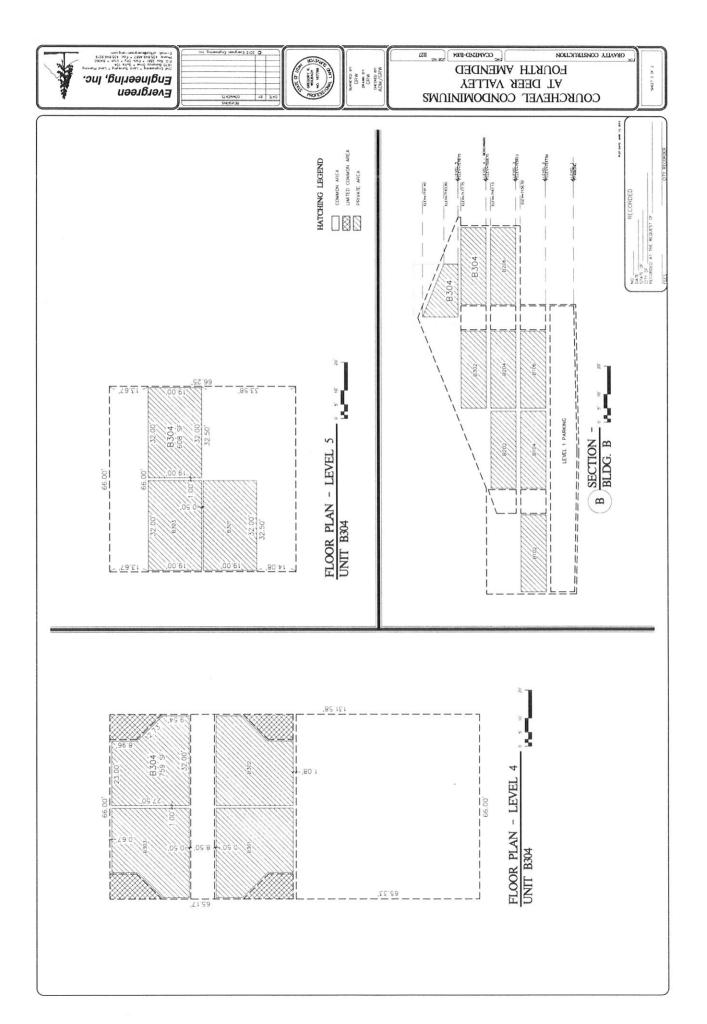
Dana Williams, MAYOR

Janet M. Scott, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington City Attorney





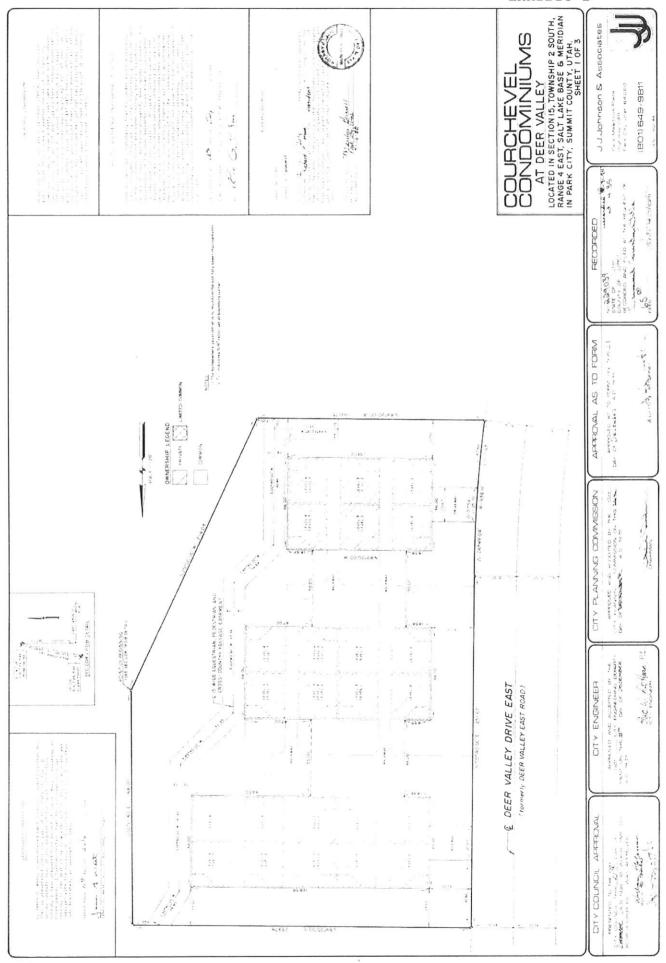
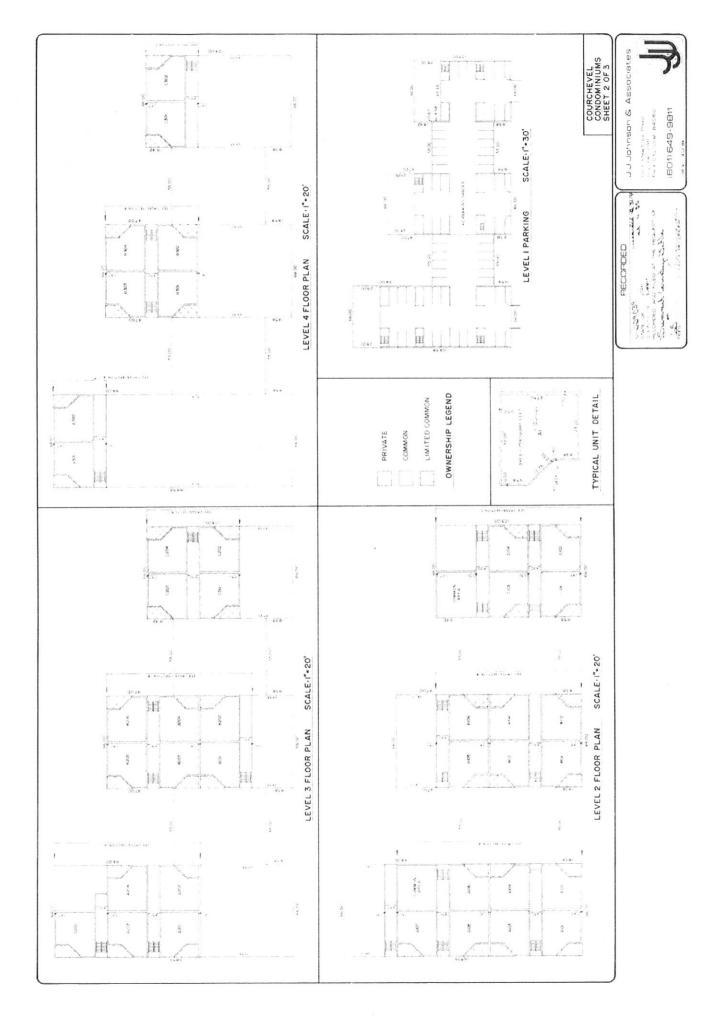
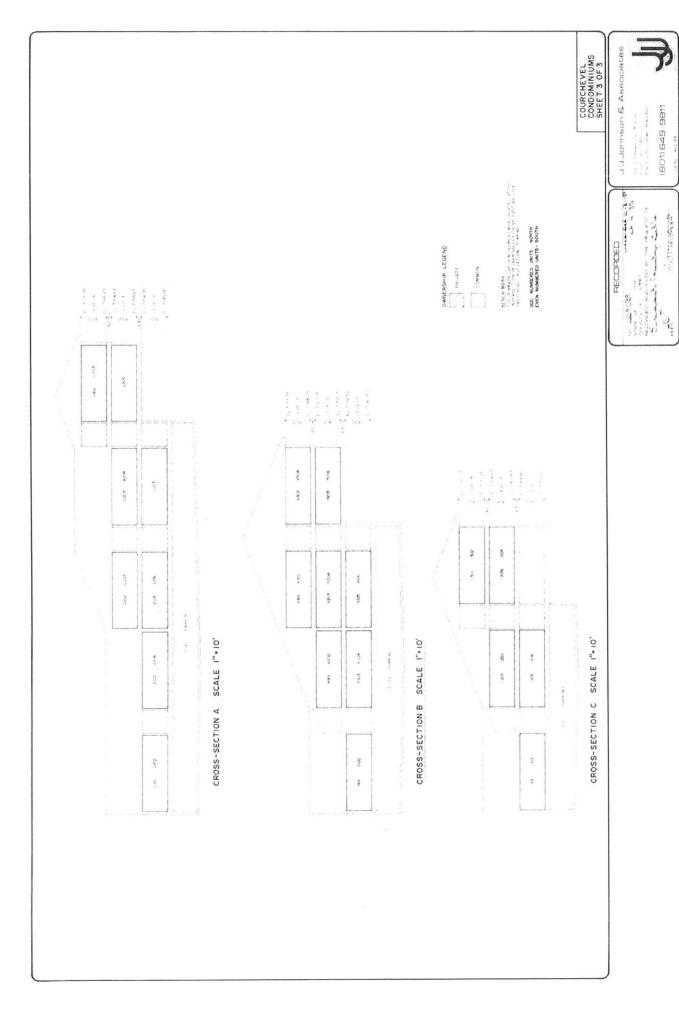


Exhibit B - Courchevel Condo plat





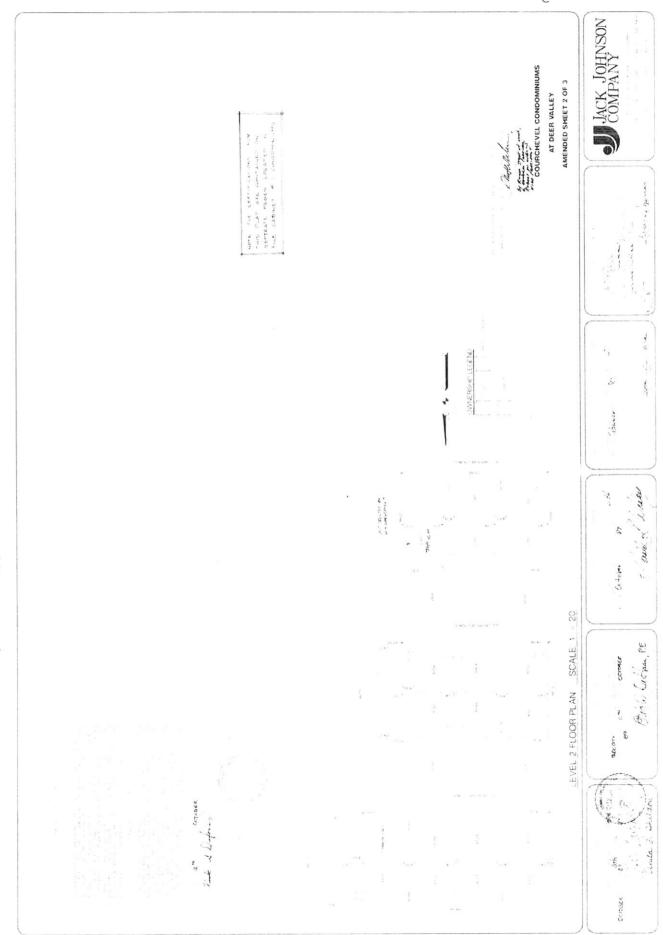
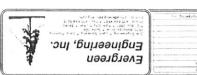


Exhibit C - Courchevel Condo Amended (sheet 2 of 3) plat

Exhibit D - Courchevel Condo Second Amended plat

D





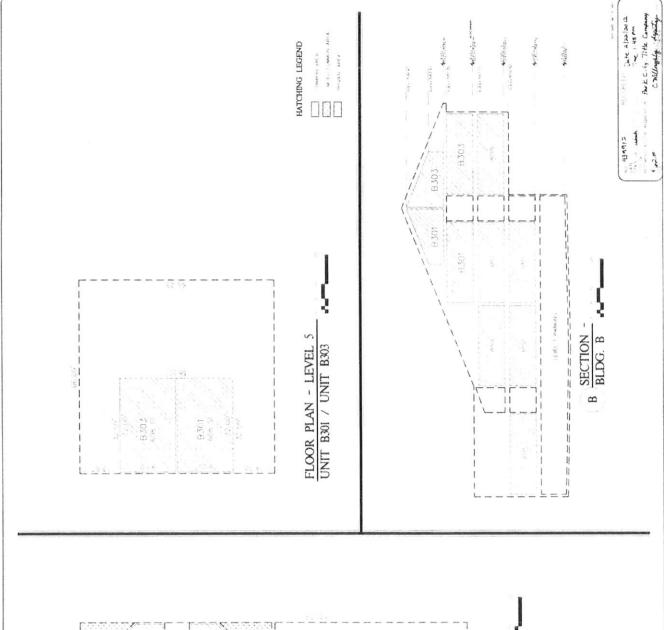


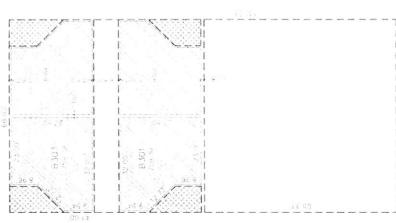
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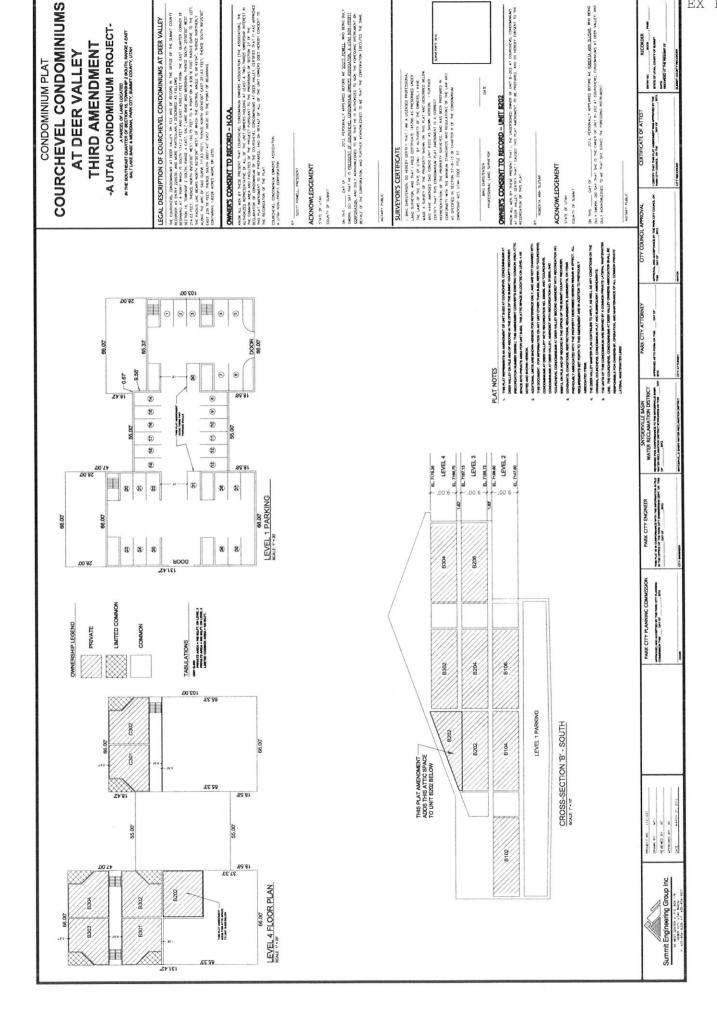
RICHARD CHAN & SCOTT POWELL

SECOND YMENDED VI. DEEK AYTTEA CONKCHEAET CONDOMINIOMS

FLOOR PLAN - LEVEL UNIT B301 / UNIT B303







Deer Valley MPD Density Chart

DEER VALLEY RESORT TENTH AMENDED AND RESTATED LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT

EXHIBIT 1 DEVELOPMENT PARCELS 12-Aug-09

		DED WYTER	DEVEL OPER			610051
		DENSITY	DEVELOPED DENSITY		HEIGHT	PARCEL SIZE
PARCEL NAME		(UNITS)	(UNITS)	NOTES	(FEET)	(ACRES)
DEER VALLEY COMMUNITY						
Stonebridge & Boulder Creek Multi-Family		50	54	1	28	10.23
Aspenwood Multi-Family		30	30		28	9.21
Pine Inn & Trails End Multi-Family		40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family		14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)		29	27		28-75	5.70
Courcheval Multi-Family		13.5	27	1	35	1.82
Daystar Multi-Family		24	24		28	9.84
Fawngrove Multi-Family		50	50		28	12.05
Chateaux Fawngrove Multi-Family		10.5	11 20	2	28 28	Incl
Bristlecone Multi-Family Lakeside Multi-Family		20 60	60		28	Incl 6 49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)		274	274		28	237.81
Pinnacle Multi-Family		86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)		10.5	21	1	35	3 50
Red Stag Lodge		8.5	11	1	35	Incl
Powder Run Multi-Family		25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)		11	14	1	28	1 04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)		12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)		15	20	1	28	1 44
Lodges @ Deer Valley (Northeast Multi-Family)(includes Silver Baron Lodg	e)	115	109	3	28-35	12 65
Snow Park Village (Snow Park Hotel & Parking Sites)		210.75	0	4	28-45	14.93
Total Deer Valley Community		1108.75				
AMERICAN FLAG COMMUNITY						
American Flag Single Family		93	93		23	83 04
LaMaconnerie Multi-Family		15	15		28	6.19
Total American Flag Community		108				
NORTH SILVER LAKE COMMUNITY						
Westview Single Family		15	1		28	40.69
Evergreen Single Family		36	36		28	27 60
NSL Homesite Parcel #1		1	1		35	1 90
Belleterre Single Family		10	10 14	10	28 28	11.42 4.62
Bellevue Townhomes (NSL Subdivision Lot 1)		24 18	12	10	28	3.75
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1) NSL Subdivision Lot 2B		54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)		43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot		0	0	5	0	4 03
Total North Silver Lake Community		201				
SILVER LAKE COMMUNITY						
Stag Lodge Multi-Family		50	52	6	28-35	7 34
Cache Multi-Family		12	12		28	1 77
Sterlingwood Multi-Family		18	18		28-35	2.48
Deer Valley Club		20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)		18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family		66.75	65	11	28-35	10 86
Little Belle Multi-Family		20 65	20 78	1	28 28-45	3 66 3 24
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)		14	14	1	28-45	0.61
Sterling Lodge (Lot 2 Silver Lake East Subdivision) Royal Plaza Multi-Family (Silver Lake Village Lot A)		7 6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)		7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)		10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)		6	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)		16	15		59 (A)	0.53
Silver Lake Village Lot F		11	0		59 (A)	0 35
Silver Lake Village Lot G		11	0		59 (A)	0.38
Silver Lake Village Lot H		12	0		59 (A)	0.44
SL Knoll Condominiums		4	4		35	0.76
Knoll Estates Single Family		21	21 51		35 35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)		51 20	51	. 7	35	1.39
Knollheim Single Family		20	2	t.	35	0.66
Alpen Rose Single Family Silverbird Multi-Family		6	6		35	0.80
Ridge Multi-Family		24	24		35	2.34
Enclave Multi-Family		17	17		28-35	1 79
Twin Pines Multi-Family		8	8		28-35	1 33
Cottages Single Family	104	11	11		28	7 06
Alta Vista Subdivision	104	7	7		35	6.02
Woods Multi-Family		16	7	8	28-35	241