

**Ordinance No. 2019-59**

**AN ORDINANCE APPROVING THE LILAC HILL CONDOMINIUMS PLAT AT 632 DEER VALLEY LOOP**

WHEREAS, the owner of the property located at 632 Deer Valley Loop have petitioned the City Council for approval of a Condominium Plat; and

WHEREAS, on October 30, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 26, 2019, proper legal notice was published according to 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 November 13, 2019, to receive input on the Condominiums Plat; and

WHEREAS, the Planning Commission, on November 13, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, on December 5, 2019, the City Council held a public hearing to receive input on the Condominiums Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lilac Hill Condominiums Plat at 632 Deer Valley Drive.

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

**SECTION 1. APPROVAL.** The Lilac Hill Condominiums 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 property is located at 632 Deer Valley Loop and Rossie Hill Drive.
2. The property consists of the Lilac Hill Subdivision – First Amended, Lot 1A and Lot 1B, each with a Duplex Dwelling currently under construction.
3. The applicant is creating a Condominium Plat that incorporates the two lots so that the four (4) dwelling units can be sold as individual Residential Condominiums creating the Lilac Hill Condominiums.
4. The property is located in the Residential-Medium Density (RM) District.
5. 632 Deer Valley Loop is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.
6. Single-family, duplex, and triplex dwellings are allowed uses in this zone.

7. The four units have received Historic District Design Review and Approval.
8. Existing access to the Lot 1A is limited to a driveway from Deer Valley Loop.
9. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance).
10. All Conditions of Lilac Hill Subdivision – First Amended, approved as Ordinance 2018-04 shall continue to apply and remain in full force and effect.
11. 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 Condominium Plat as it will allow for the sale of the four (4) units as Residential Condominiums.
2. The Condominium Plat is consistent with the Park City Land Management Code including Sections 15-4-12, 15-7.1-3(C) and 15-12-15(B)(9) and applicable State Law regarding Condominium Plats.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat.
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 Condominium Plat 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 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. Lots 1A and 1B of the Lilac Hill Subdivision – First Amended shall not be further subdivided in the future.
4. Any new development on this lot shall not block the view of the historic house from the 632 Deer Valley Loop and Deer Valley Drive rights-of-way.
5. A ten foot (10') wide public snow storage easement is required along the Rossie Hill frontage of the property.
6. Driveway access shall be limited from Deer Valley Loop and Rossie Hill Drive. The new lot facing Rossie Hill Drive shall only be accessible from the eastern half of the Rossie Hill frontage where the property line directly abuts the City right-of-way. The slope of the access off of Rossie Hill Drive shall be no more than 5% for the first 20 feet of driveway off of the right-of-way to maintain sight lines. Access to Lot 1 B shall be limited to a shared driveway accessible from Rossie Hill Drive.
7. The property owner has agreed to finance the cost of a pedestrian staircase to the west of the subject property, linking Rossie Hill to Deer Valley Loop, at his cost up to \$75,000. The stairs shall be constructed at cost to the applicant prior to a Certificate of Occupancy (CO) for the dwelling units on Lot 1B. Should the stairs not be constructed prior to CO, the applicant shall post a guarantee or bond for the construction of the stairs. If the BLM does not grant the easement for the pedestrian

staircase, the applicant's guarantee or bond shall sunset within 36 months of Certificate of Occupancy on the Condominium project.


8. All conditions of the Lilac Hill Subdivision – First Amended, approved as Ordinance 2018-04, continue to apply and shall be noted on this Plat.

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

PASSED AND ADOPTED this 5<sup>th</sup> day of December 2019.

PARK CITY MUNICIPAL CORPORATION



  
\_\_\_\_\_  
Andy Beerman, MAYOR

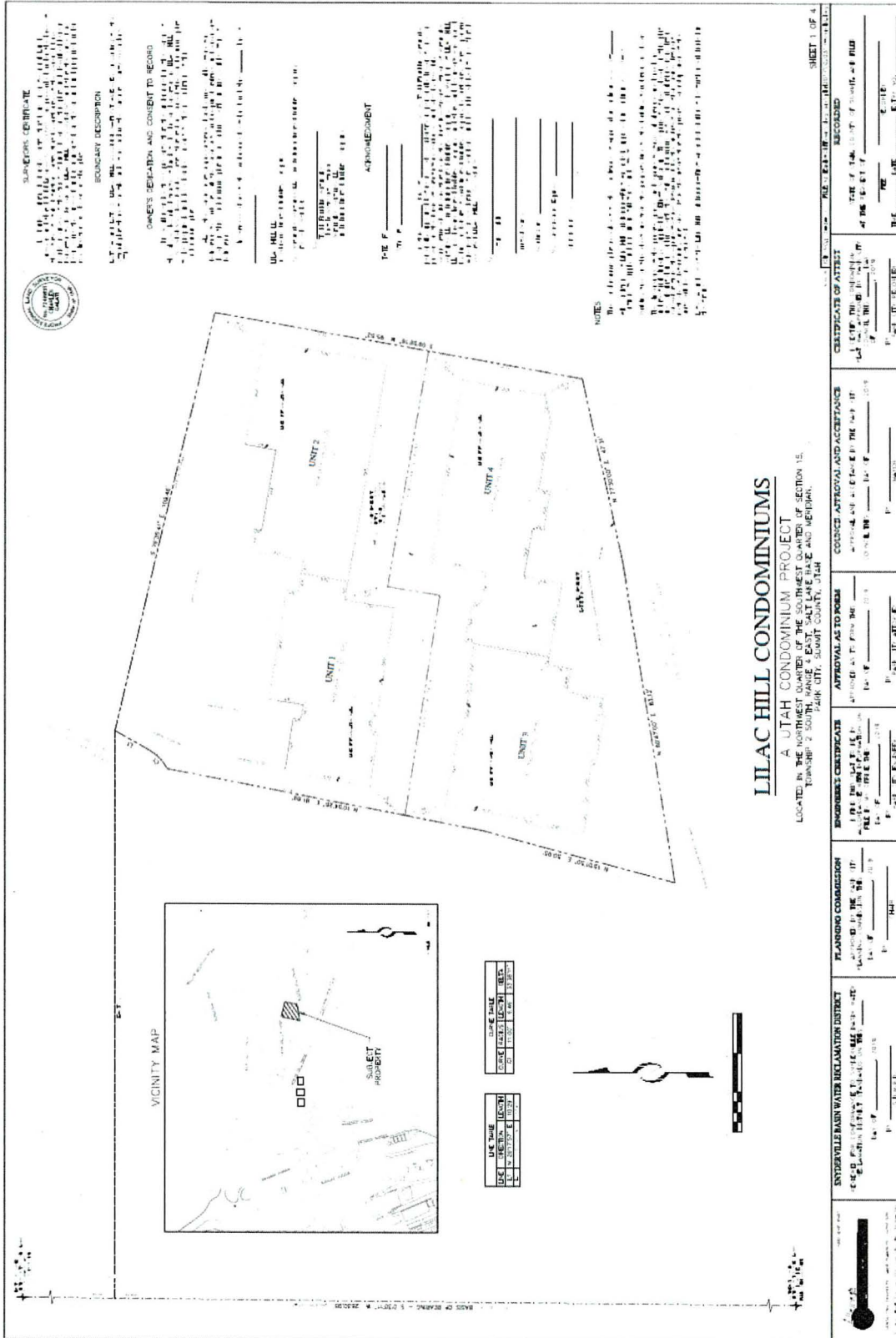
ATTEST:

  
\_\_\_\_\_  
Michelle Kellogg  
City Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Mark Harrington, City Attorney

# Attachment 1 – Lilac Hill Condominiums Plat



**BOUNDARY DESCRIPTION**  
 THE CORNERS OF THE SECTION 15, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASIN AND MEDIAN, PARK CITY, SOUGHT COUNTY, UTAH

**OWNER'S DECLARATION AND CONSENT TO RECORD**  
 I, THE UNDERSIGNED, HAVE BEEN ADVISED BY THE SURVEYOR THAT THE PLAT IS ACCURATE AND CORRECTLY REPRESENTS THE PROPERTY DESCRIBED HEREIN. I HEREBY CONSENT TO THE RECORDING OF THIS PLAT AND TO THE ISSUANCE OF CONDOMINIUM UNITS THEREFROM.

**APPROVEMENT**  
 TO BE MADE BY THE PLATTEE TO THE PLAT

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**NOTES**  
 1. THE PLATTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES.  
 2. THE PLATTEE SHALL MAINTAIN THE COMMON AREAS AND UTILITIES IN ACCORDANCE WITH THE PLAT AND ANY APPLICABLE LAWS.  
 3. THE PLATTEE SHALL BE RESPONSIBLE FOR THE COSTS OF RECORDING AND PUBLIC NOTICE.

## LILAC HILL CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT  
 LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15,  
 TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASIN AND MEDIAN,  
 PARK CITY, SOUGHT COUNTY, UTAH

<b>ENGINEER'S CERTIFICATE</b> I, THE UNDERSIGNED, A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF UTAH, HAVE SURVEYED THE PROPERTY DESCRIBED HEREIN AND CERTIFY THAT THE PLAT IS ACCURATE AND CORRECTLY REPRESENTS THE PROPERTY DESCRIBED HEREIN. DATE: _____ BY: _____	<b>APPROVAL AS TO FORM</b> I, THE UNDERSIGNED, A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF UTAH, HAVE REVIEWED THE PLAT AND CERTIFY THAT THE PLAT IS ACCURATE AND CORRECTLY REPRESENTS THE PROPERTY DESCRIBED HEREIN. DATE: _____ BY: _____	<b>COUNCIL APPROVAL AND ACCEPTANCE</b> APPROVED AND ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF PARK CITY, UTAH, ON THIS _____ DAY OF _____, 20____. DATE: _____ BY: _____	<b>CERTIFICATE OF ATTEST</b> I, THE UNDERSIGNED, A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF UTAH, HAVE SURVEYED THE PROPERTY DESCRIBED HEREIN AND CERTIFY THAT THE PLAT IS ACCURATE AND CORRECTLY REPRESENTS THE PROPERTY DESCRIBED HEREIN. DATE: _____ BY: _____
<b>PLANNING COMMISSION</b> APPROVED BY THE PLANNING COMMISSION OF THE CITY OF PARK CITY, UTAH, ON THIS _____ DAY OF _____, 20____. DATE: _____ BY: _____	<b>RECORDED</b> RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SOUGHT COUNTY, UTAH, ON THIS _____ DAY OF _____, 20____. DATE: _____ BY: _____	<b>RECORDED</b> RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SOUGHT COUNTY, UTAH, ON THIS _____ DAY OF _____, 20____. DATE: _____ BY: _____	