

Ordinance No. 2023-15

AN ORDINANCE APPROVING THE FIRST RESTATED BLACK DIAMOND PLAT, LOCATED AT 2280 DEER VALLEY DRIVE, SUMMIT COUNTY, PARK CITY, UTAH

WHEREAS, the owners of the property located at 2280 Deer Valley Drive petitioned the City Council for approval of the First Restated Black Diamond Plat; and

WHEREAS, on March 8, 2023, notice was published in the *Park Record* and on the City and Utah Public Notice websites; and

WHEREAS, on March 7, 2023, courtesy notice was mailed to property owners within 300 feet of 2280 Deer Valley Drive and notice was posted to the property; and

WHEREAS, on March 22, 2023, the Planning Commission reviewed the application and held a public hearing; and

WHEREAS, on March 22, 2023, the Planning Commission forwarded a positive recommendation for City Council's consideration on April 4, 2023; and

WHEREAS, on April 4, 2023, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management code including § 15-7.1-3(B), § 15-12-15(B)(9), and Chapters 15-2.13 and 15-7.

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

SECTION 1. APPROVAL. The First Restated Black Diamond Plat Amendment, located at 2280 Deer Valley Drive, 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 Black Diamond Lodge Plat was approved in 2000.
2. The property is located at 2280 Deer Valley Drive.
3. The property is listed with Summit County as Parcel numbers BDL-141, BDL-243, and BDL-352
4. The Black Diamond Lodge is in the Residential Development (RD) Zoning District.
5. The Black Diamond Lodge is subject to the twelfth amended and restated Deer Valley Resort Large Scale Master Planned Development.
6. On March 8, 2000, the Park City Planning Commission approved a Master Planned Development Application/Conditional Use Permit for the Mountain View Lodge (changed to Black Diamond Lodge).
7. This Plat Amendment accurately identifies the square footages for all private ownership and Common Areas in the Black Diamond Lodge.

8. At the time of development, the Planning Commission required two parking spaces per Unit plus additional guest parking for the Black Diamond Lodge.
9. The current LMC requires two (2) parking spaces per Dwelling Units with a Floor Area greater than 2,000 square feet in a Multi-Unit Dwelling.
10. The Plat Amendment complies and provides 61 parking spaces.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because existing discrepancies between the recorded Plat and as-built conditions are corrected, and the original planning goals of the Black Diamond MPD and Deer Valley MPD are accomplished.
2. The Plat Amendment is consistent with the Park City Land Management Code, including Chapter 15-2.13 *Residential Development (RD) 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 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 plat at the 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. 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.

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

PASSED AND ADOPTED this 4th day of April, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775B0B46414F6...

Nann Worel, MAYOR

ATTEST:



DocuSigned by:

Michelle Kellogg

E5E905BB533E431

City Recorder

APPROVED AS TO FORM:

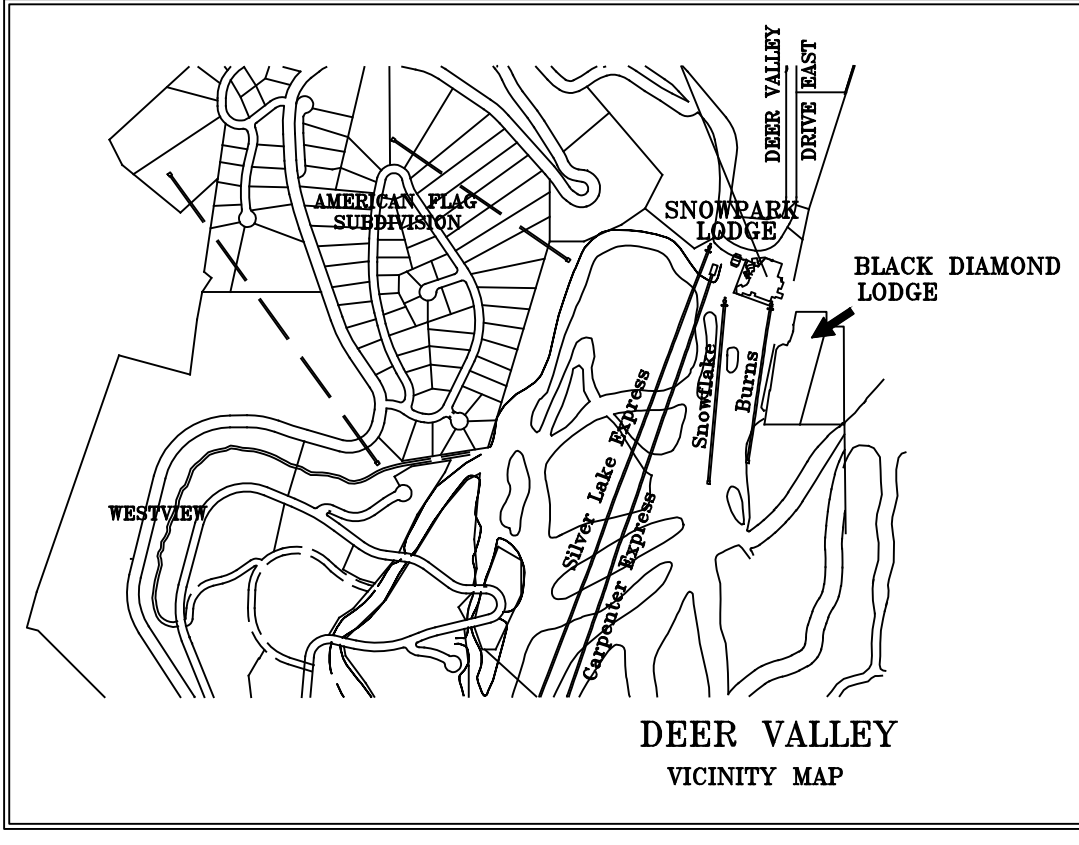
DocuSigned by:

Mark Harrington

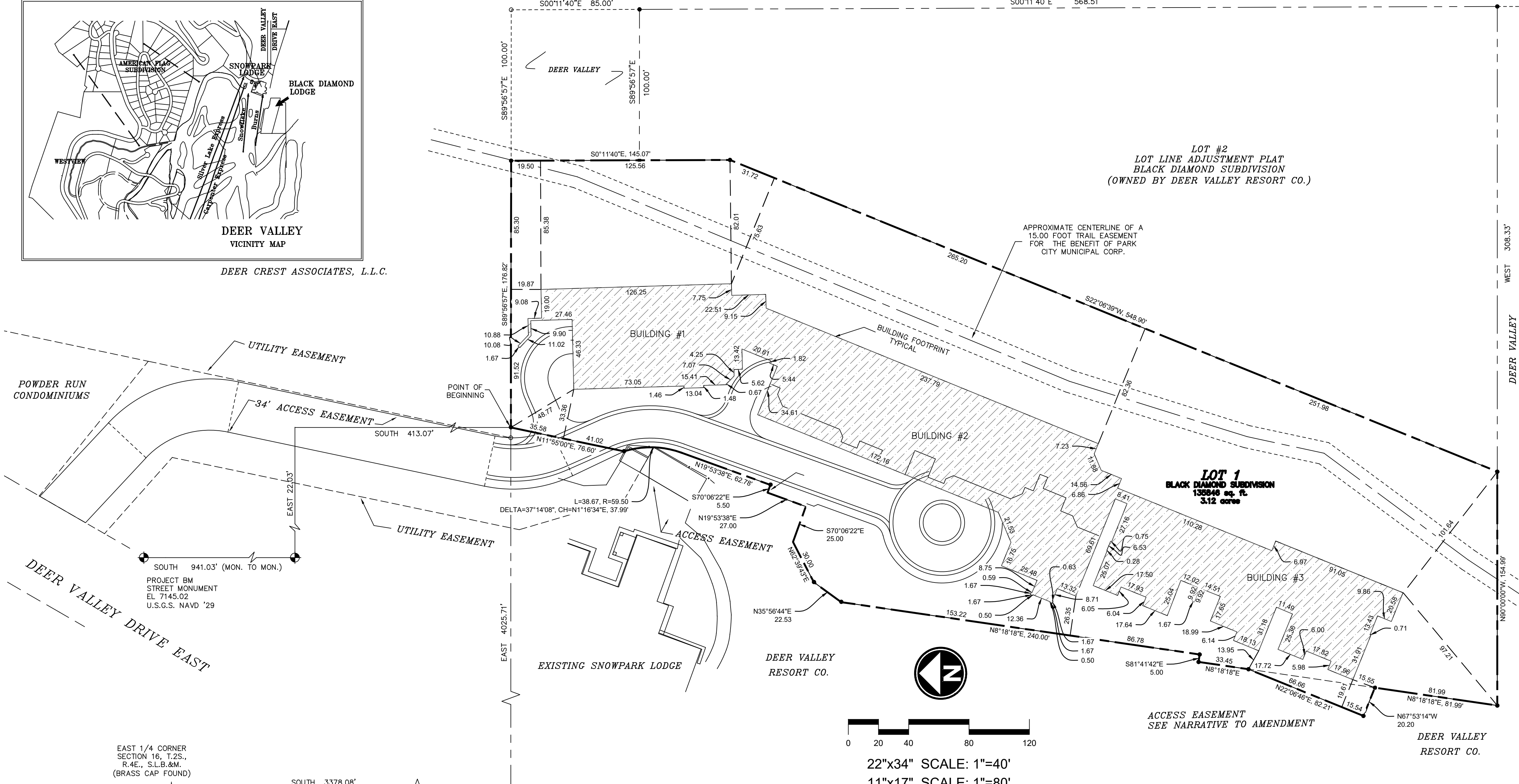
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City Attorney

Attachment 1 – Proposed Plat



DEER CREST ASSOCIATES, L.L.C.



BOUNDARY DESCRIPTION

All of Lot 1, Lot Line Adjustment Plat Black Diamond Subdivision, a two lot subdivision located in the South Half of Section 15, Township 2 South, Range 4 East, Salt Lake and Meridian, according to the official plat thereof recorded as Entry No. 573025 on September 18, 2023. In the office of The Summit County Recorder, together with a non-exclusive easement for access to said Lot #1 from Deer Valley Drive, a public street, over a parcel of land being 10.00 feet on each side of the following described centerline: Beginning at a point in Deer Valley Drive, said point being South 52°23'13" East 5030.37 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah; thence South 34°27'19" East 92.77 feet; thence South 09°22'15" West 428.07 feet to a point on the Northwesterly property line of said Lot #1.

Also together with a utility easement more particularly described as follows: Beginning at a point which is South 3378.08 feet and East 4025.71 feet and South 89°56'57" East 6.84 feet from the East quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, (Basis of Bearing being South 00°30'11" West between said East 1/4 Corner and the Southeast Corner of said Section 16); and running thence South 11°55'00" West 76.50 feet to a non-tangent point of curvature of a 59.50 foot radius curve to the right, the center of which bears South 72°39'30" West; thence Southeastly along the arc of said curve 20.16 feet along the arc of said curve 20.16 feet through a central angle of 19°24'48"; thence North 60°22'00" West 39.07 feet; thence North 16°26'32" West 72.95 feet; thence North 11°45'40" East 234.94 feet; thence North 48°23'23" West 67.56 feet to the Easterly Right of Way Line of Deer Valley Drive East; thence North 30°00'00" East along said Easterly Right of Way Line 50.00 feet to the Southwesterly Corner of Powder Run Condominiums recorded Nov. 01, 1985, Entry No. 241128 on file at the Summit County, Utah Recorder's Office; thence South 51°00'00" East 114.86 feet to the Southeastly Corner of said Powder Run Condominiums, said point also being on the Westerly Line of the Deer Crest Associates, L.L.C. Property; thence along said Westerly and the Southerly Line of said Deer Crest Associates, L.L.C. Property the following two (2) courses: 1) thence South 11°55'00" West 245.83 feet; 2) thence South 89°56'57" East 6.84 feet to the point of beginning. Recorded September 9, 2023, as Entry No. 570774, Book 1329, Page 997-1002 on file at the Summit County, Utah Recorder's Office.

Together with a 34.00 foot wide access easement more particularly described as follows: Beginning at a point on the Easterly Right of Way Line of Deer Valley Drive East, said point being South 3096.16 feet and East 3969.43 feet from the East quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, (Basis of Bearing being South 00°30'11" West between said East 1/4 Corner and the Southeast Corner of said Section 16); and running thence North 30°00'00" East along said Easterly Right of Way Line 34.90 feet; thence South 46°57'49" East 66.68 feet to a point of curvature of a 92.00 foot radius curve to the right, the center of which bears South 43°06'33" West; thence Southeastly along the arc of said curve 94.43 feet through a central angle of 58°48'27"; thence South 11°55'00" West 173.71 feet to a point of curvature of a 58.00 foot radius curve to the left, the center of which bears South 78°05'00" East; thence Southwesterly along the arc of said curve 30.21 feet through a central angle of 29°50'26"; thence South 11°55'00" West 56.85 feet; thence North 25°20'26" West 37.60 feet to a point of curvature of a 92.00 foot radius curve to the right, the center of which bears North 64°33'34" East; thence Northwesterly along the arc of said curve 59.98 feet through a central angle of 37°21'26"; thence North 11°55'00" East 173.71 feet to a point of curvature of a 58.00 foot radius curve to the left, the center of which bears North 78°05'00" West; thence Northwesterly along the arc of said curve 59.49 feet through a central angle of 58°45'54"; thence North 46°57'49" West 58.81 feet to the point of beginning. Recorded September 16, 2023, as Entry No. 573026, Book 1334, Page 40-45 on file at the Summit County, Utah Recorder's Office.

Containing 12,839 Sq. Ft. or 0.29 acres more or less.

SURVEYOR'S CERTIFICATE

I, Jack J. Johnson, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 147851 as prescribed under the laws of the State of Utah. I further certify that a survey has been made of the land shown on this plat and described hereon. I further certify that this plat is a correct representation of the land surveyed and has been prepared in conformity with the minimum standards and requirements of the law.

Jack J. Johnson
Date

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: that the undersigned is the owner of the hereon described tract of land, and hereby causes the same to be divided into private units, limited common areas, and common areas, as set forth, in this plat and in the declaration, hereafter to be known as The Black Diamond Lodge At Deer Valley, a Utah condominium project submitting the property to the provisions of the Utah Condominium Ownership Act and the undersigned, does hereby dedicate for the perpetual use of owners of condominiums in The Black Diamond Lodge At Deer Valley all common areas and do further dedicate for the use by emergency and utility service vehicles an ingress and egress easement over the common areas. The owner and it's representatives, hereby irrevocably offer for dedication to the City of Park City all the land for local government uses, easements and required utilities as shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

Also, the owner hereby dedicates to Snyderville Basin Sewer Improvement District, a non-exclusive easement over the roads, private driveways, common area parcels, emergency ingress/egress easements, and all other easements shown on this plat for the purpose of providing utility installation, maintenance, use, and eventual replacement.

Executed this _____ day of _____, 2023.

Black Diamond Lodge at Deer Valley Association of Unit Owners

By: Black Diamond Lodge HOA President
Dana Herman

FIRST RESTATED
BLACK DIAMOND PLAT

AMENDING THE COMMON AREAS
APPURTENANT TO UNIT 341 AND UNIT 352 AND CORRECTIONS
TO THE ORIGINAL PLAT PER AS-BUILT CONDITIONS
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

GENERAL NOTES

- 1. All the area within boundary shown hereon is common area except building 1, 2 and 3, refer to Sheets 2 and 3 for common area designation.
- 2. Common areas shown hereon, are hereby designated as a non-exclusive utility and access easements.
- 3. The street address of Black Diamond Lodge is 2280 Deer Valley Drive East, Park City, Utah 84060.
- 4. Project Benchmark: Existing Park City Street Monument located Deer Valley Drive East, EL 7145.02, U.S.G.S. NAVD '29, as shown hereon.
- 5. The location of Condominium Units and improvements shown hereon were derived from Architectural drawings and floor plans.
- 6. All conditions of approval of the March 8, 2023 Planning Commission approval of Mountain View Lodge CUP, apply.
- 7. The floor plans, building sections and elevations shown on these Plats were prepared from information furnished by the architect, Otto Walker and Smith Layton and Assoc. As such, slight modifications during construction should be expected and Plat Amendments may be required. The owner agrees to construct the buildings as per this record of survey. If any changes are proposed after recordation of this plat, a plat amendment would be required to remedy any conflicts or differences.
- 8. The Black Diamond Lodge has no frontage on a City Street.
- 9. The Black Diamond Lodge Buildings are served by a 6 inch common sewer lateral. The ownership, maintenance and eventual replacement of the common sewer lateral is the sole responsibility of the Black Diamond Lodge Homeowners Association.
- 10. At the time of any resurfacing of roads within the Black Diamond Lodge development, the Homeowners Association shall be responsible to raise sewer manholes to grade, according to Snyderville Basin Sewer Improvement District Standards.

NARRATIVE TO AMENDMENT OF PLAT

- 1. All the area within boundary shown hereon is common area except building 1, 2 and 3, refer to Sheets 2 and 3 for common area designation.
- 2. Common areas shown hereon, are hereby designated as a non-exclusive utility and access easements.
- 3. The street address of Black Diamond Lodge is 2280 Deer Valley Drive East, Park City, Utah 84060
- 4. All easements dedicated in the original filing of this plat remain unchanged with this restated plat.

ACKNOWLEDGMENT

State of Utah
County of Summit
On the _____ day of _____, 2023, personally appeared before me Dana Herman, who, being by me duly sworn, did say that he is the agent of Black Diamond Lodge HOA, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Association and duly executed the same.
My commission expires: _____
Notary Public

- LEGEND
- SECTION CORNER
- STREET MONUMENT
- FOUND EXISTING IRON ROD
- 5/8" IRON PIPE w/CAP, L.S. 147581 (SET OR TO BE SET)
- AREA WITHIN BUILDING FOOTPRINT

CITY COUNCIL
PRESENTED TO THE PARK CITY COUNCIL
THIS _____ DAY OF _____ 20____.
AT WHICH TIME THIS PLAT WAS APPROVED.
MAYOR
CITY RECORDER

CITY ENGINEER
REVIEWED FOR CONFORMANCE WITH
AVAILABLE INFORMATION IN THE
PARK CITY ENGINEERING DEPARTMENT
ON THIS _____ DAY OF _____ 20 ____.
CITY ENGINEER

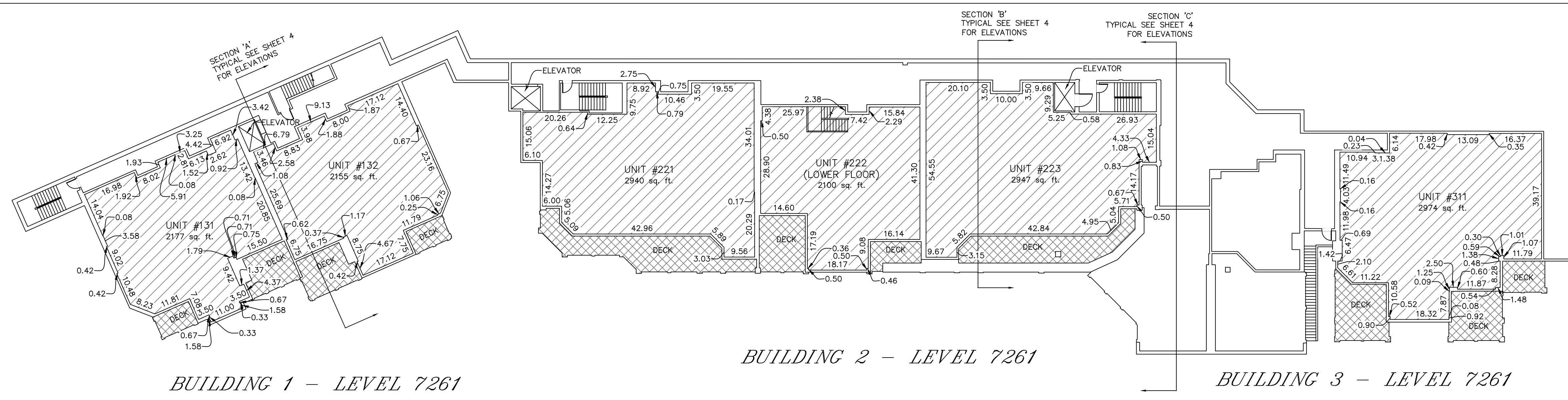
CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK
CITY PLANNING COMMISSION ON THIS _____
DAY OF _____ 20 ____.
CHAIRMAN

SEWER DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN SEWER IMPROVEMENT DISTRICT STANDARDS
THIS _____ DAY OF _____ 20 ____.
S.B.S.I.D.

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS _____
DAY OF _____ 20 ____.
CITY ATTORNEY

RECORDED
ENTRY NO. _____ BOOK _____ PAGE _____
STATE OF _____ UTAH _____ COUNTY OF _____ SUMMIT
DATE _____ TIME _____
RECORDED AND FILED AT THE REQUEST OF:
COUNTY RECORDER

Jack Johnson Consulting
Designing World Destinations
In-Person - 1910 Prospector Avenue - Suite 200 - Park City - Utah 84060
Telephone - 435.645.9001 - Facsimile - 435.776.7590
www.jackjohnson.com

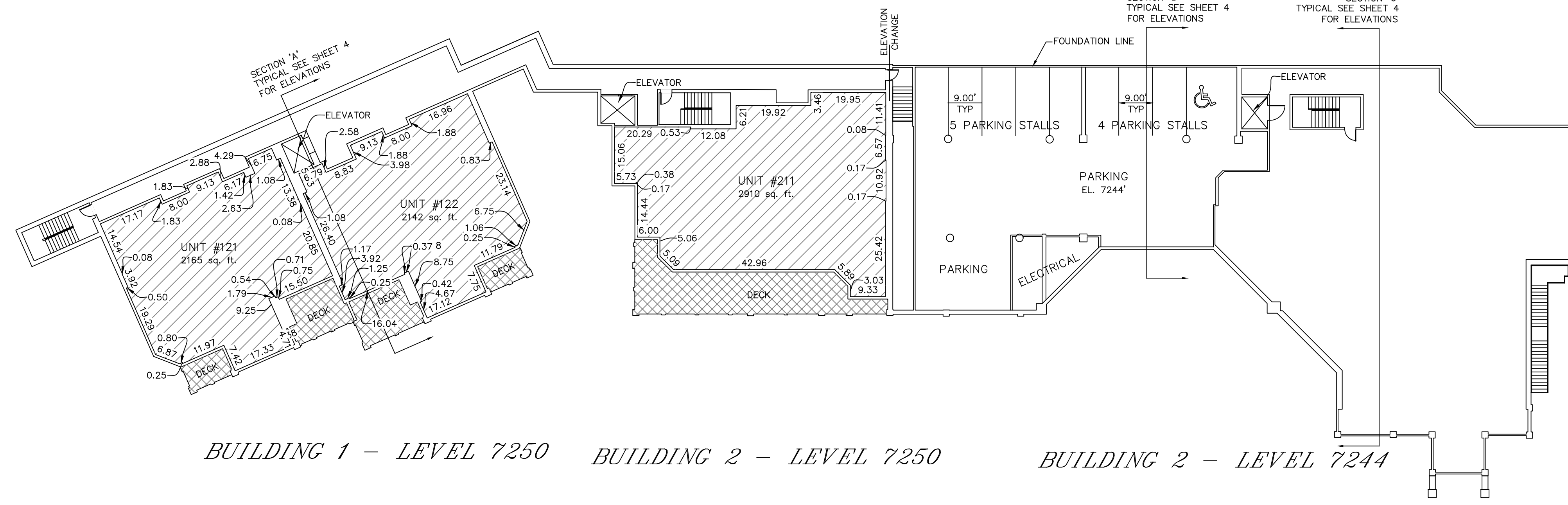


**FIRST RESTATED
BLACK DIAMOND PLAT**

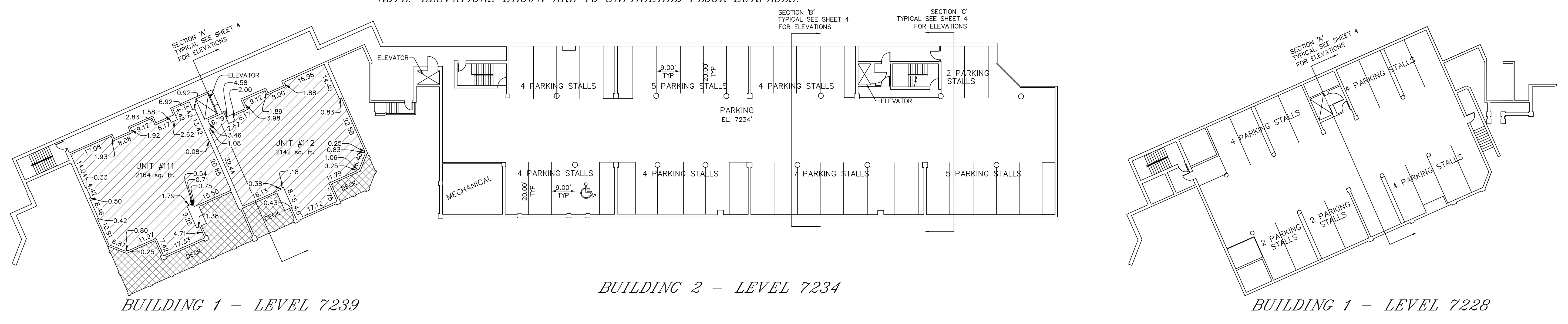
AMENDING THE COMMON AREAS
APPURTENANT TO UNIT 341 AND UNIT 352 AND CORRECTIONS
TO THE ORIGINAL PLAT PER AS-BUILT CONDITIONS
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 2 OF 4



NOTE: ELEVATIONS SHOWN ARE TO UNFINISHED FLOOR SURFACES.



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ENTRY NO. _____ BOOK _____ PAGE _____

STATE OF _____ COUNTY OF _____

DATE _____ TIME _____

RECORDED AND FILED AT THE REQUEST OF: _____

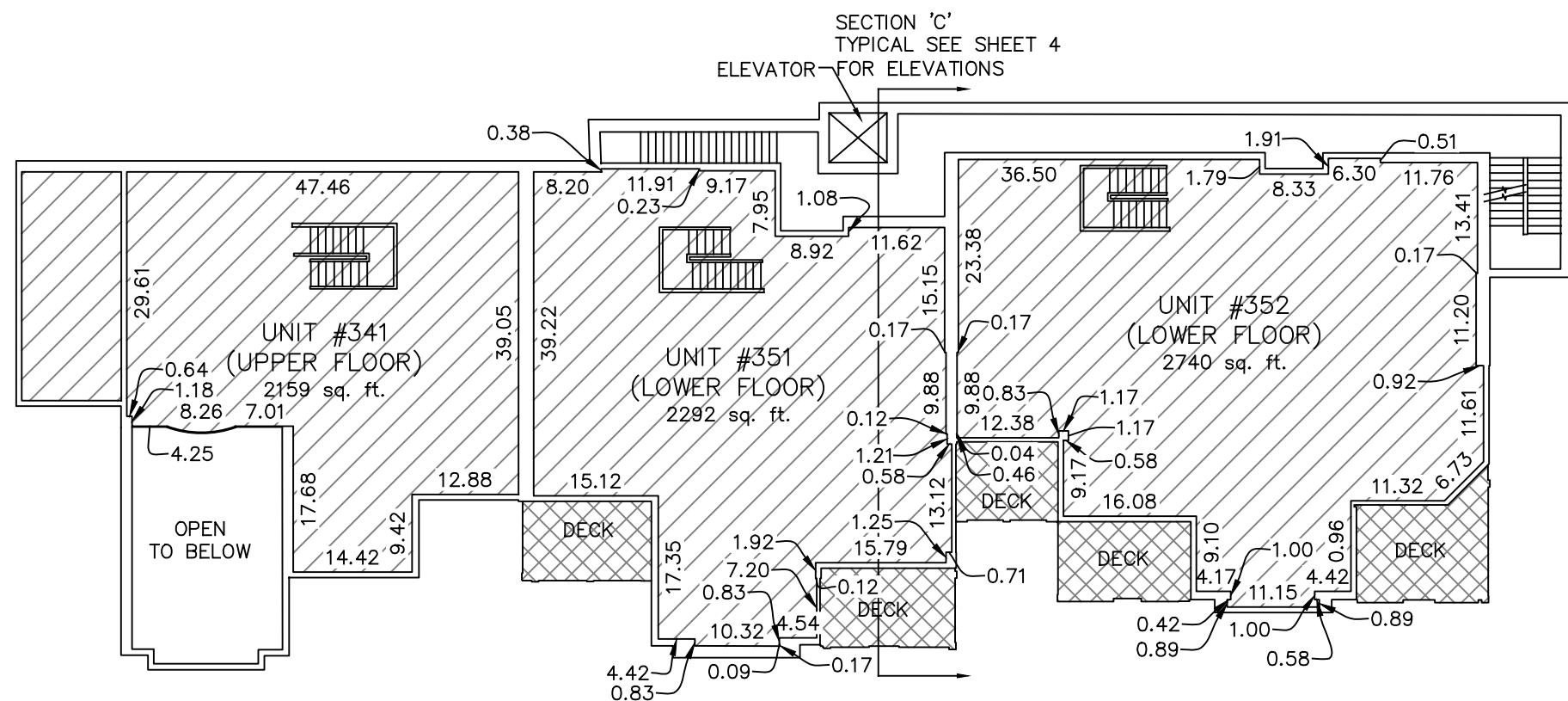
COUNTY RECORDER

**Jack
Johnson
Consulting**

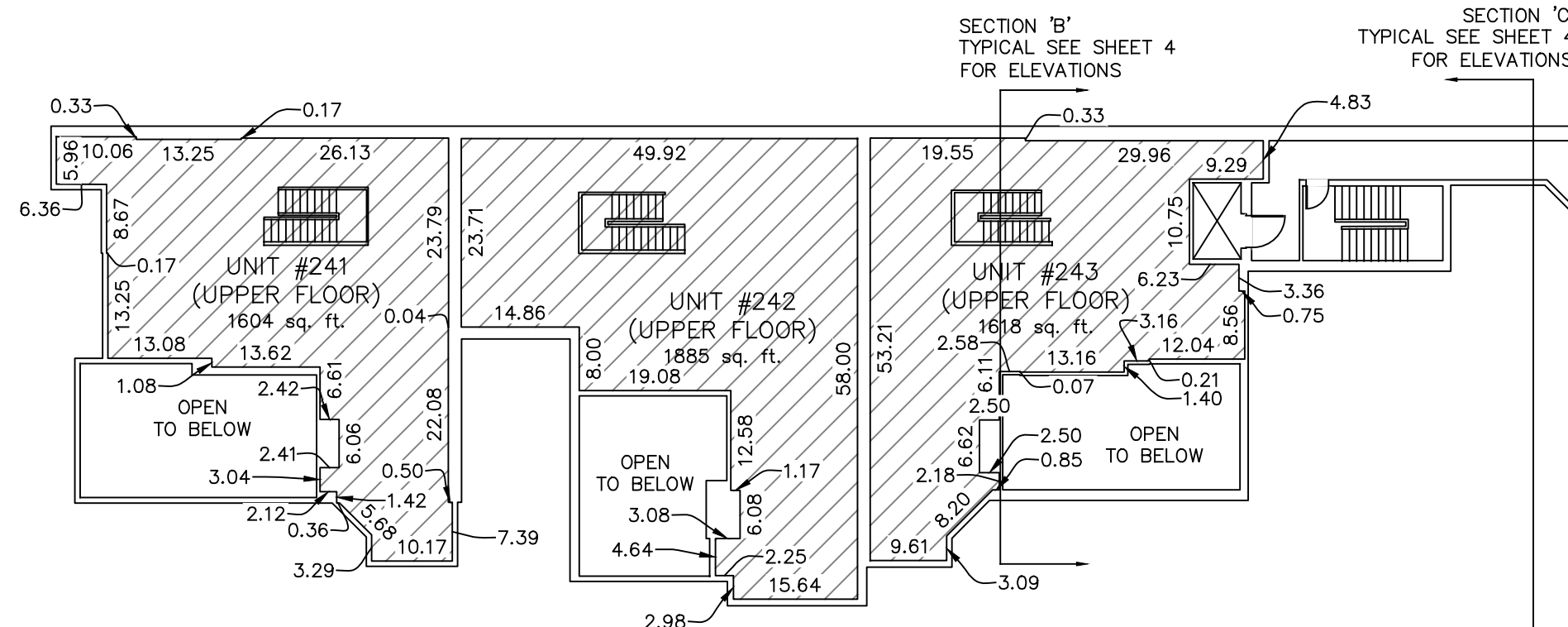
1910 PROSPECTOR AVENUE, SUITE 200
PARK CITY, UTAH 84060
(435) 645-9001

LEGEND

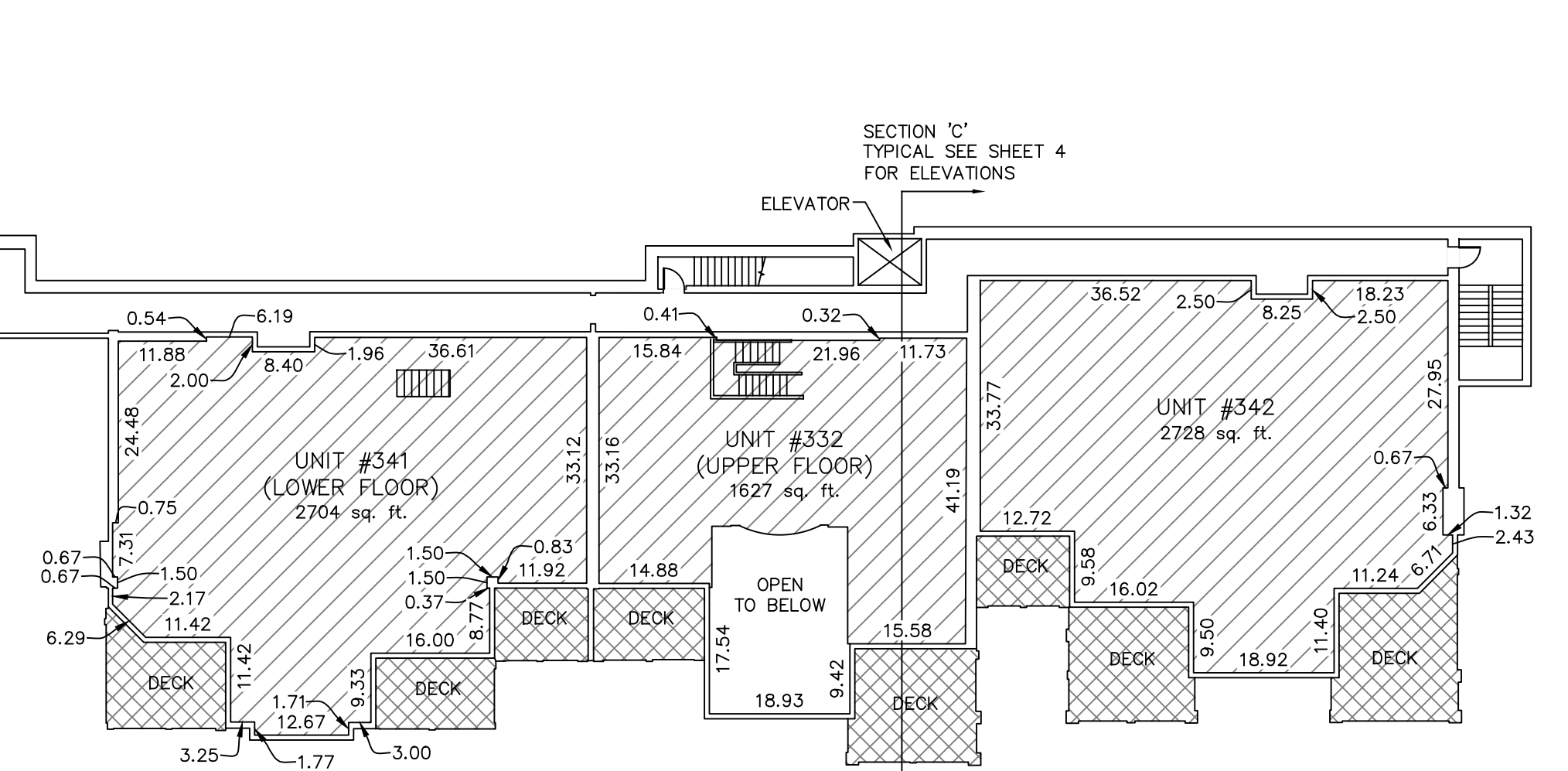
- COMMON AREA (CA)
- LIMITED COMMON AREA
- PRIVATE OWNERSHIP (PO)



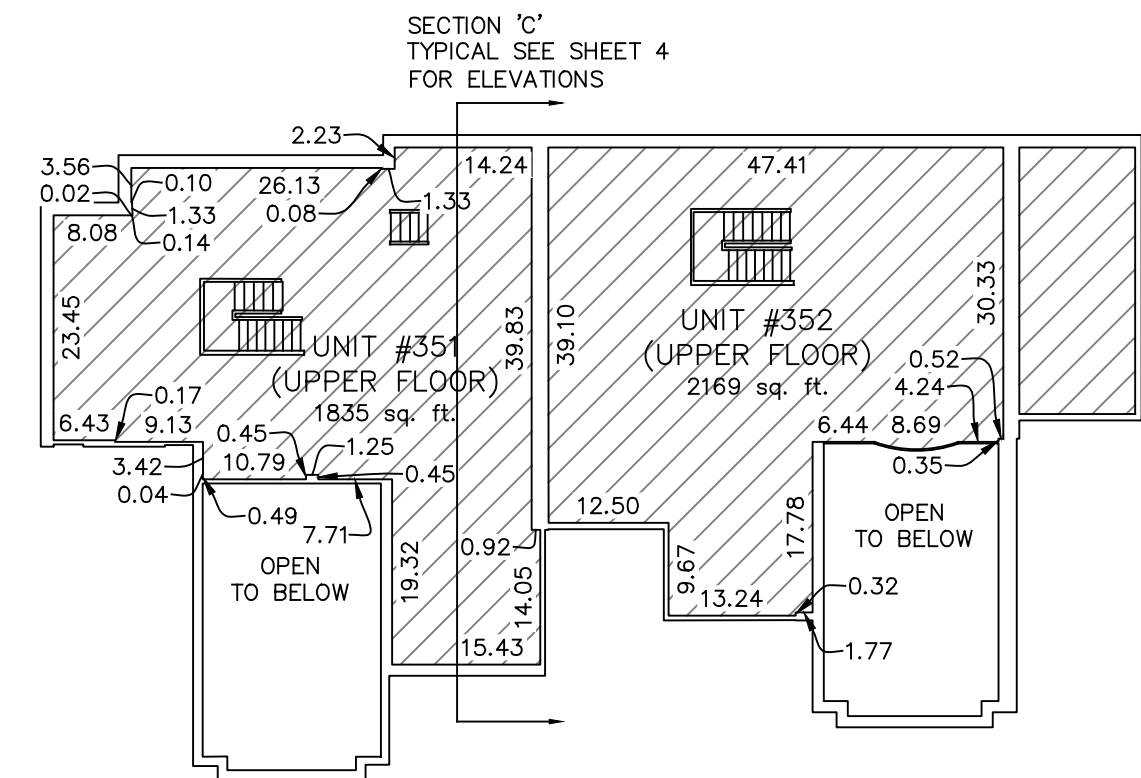
BUILDING 3 - LEVEL 7305



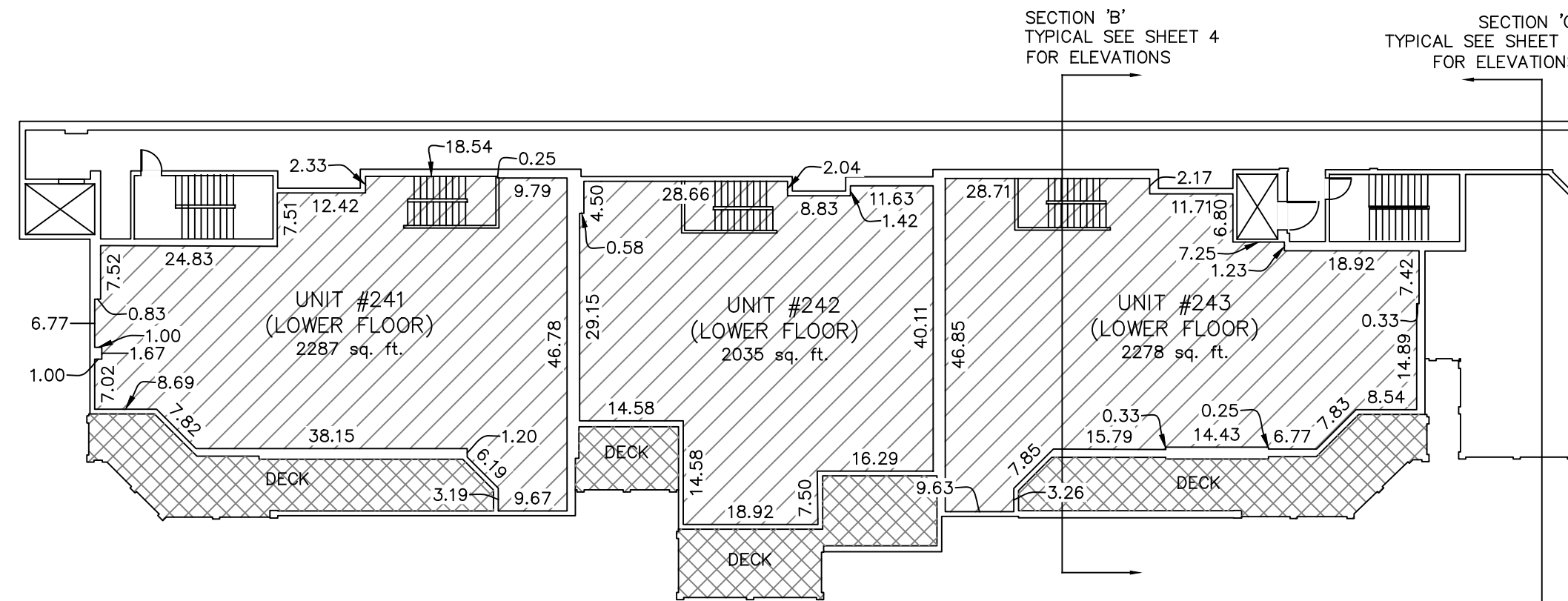
BUILDING 2 - LEVEL 7294



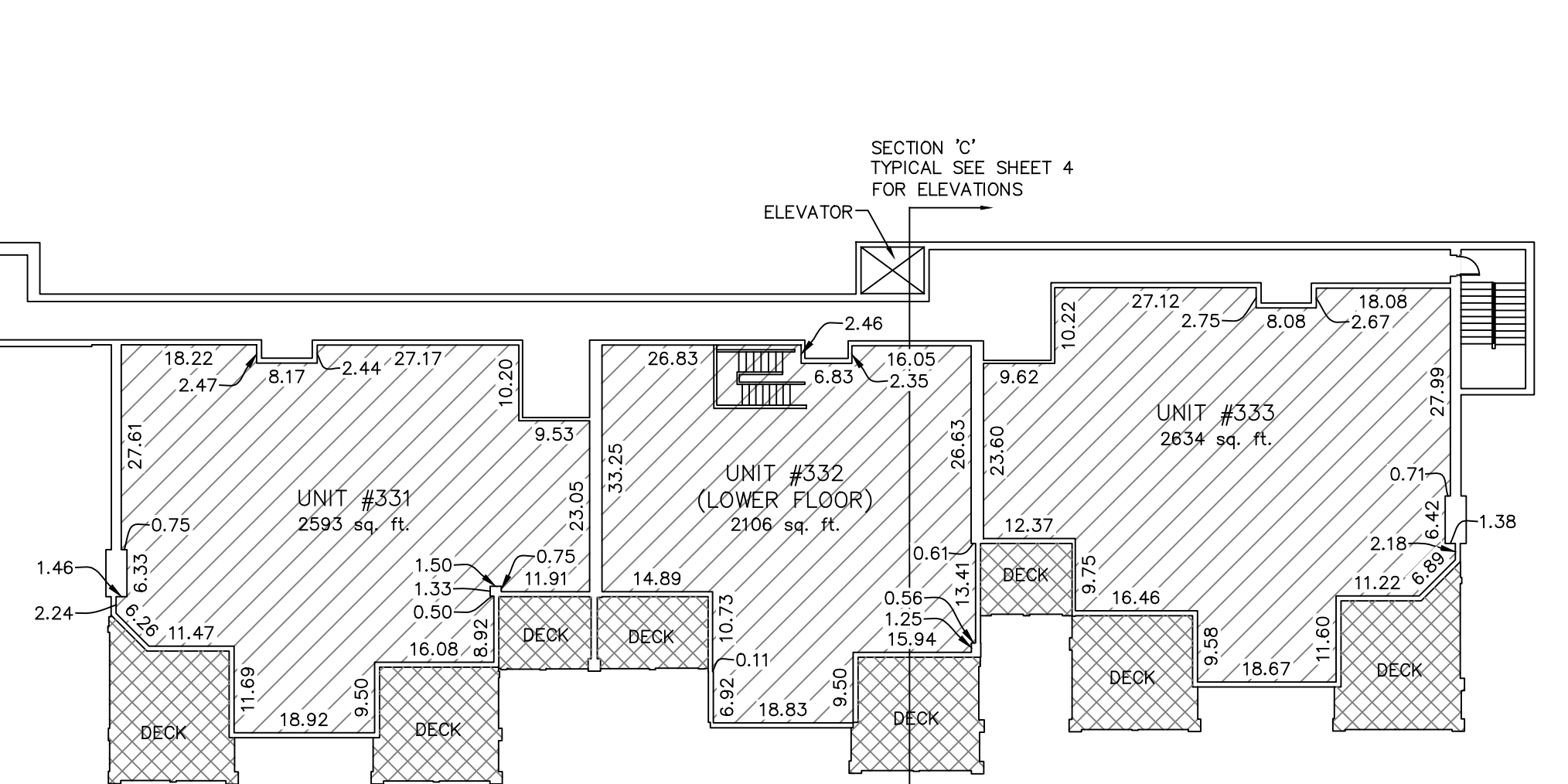
BUILDING 3 - LEVEL 7294



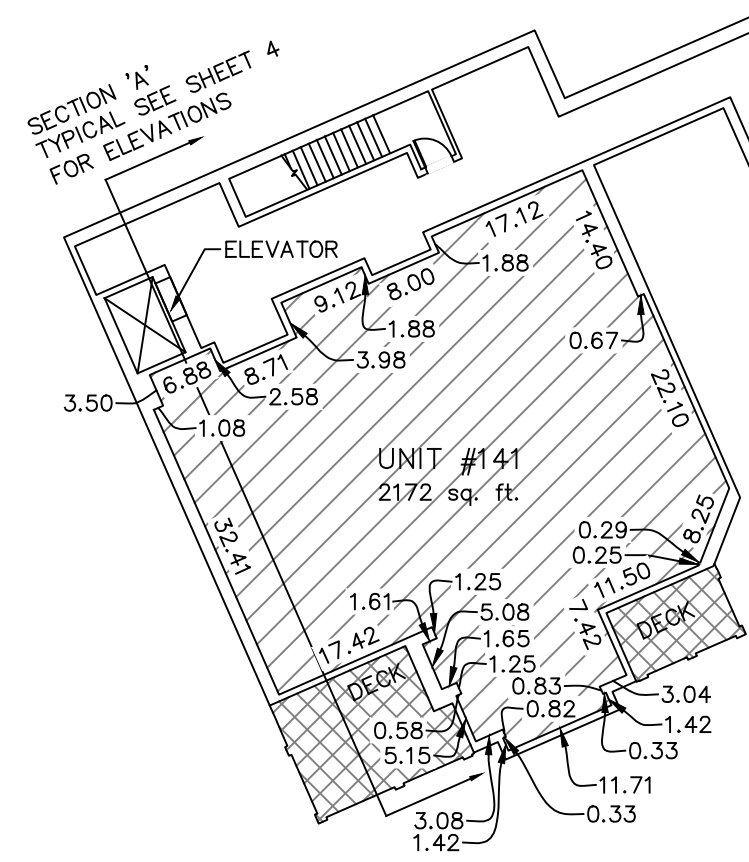
BUILDING 3 - LEVEL 7316



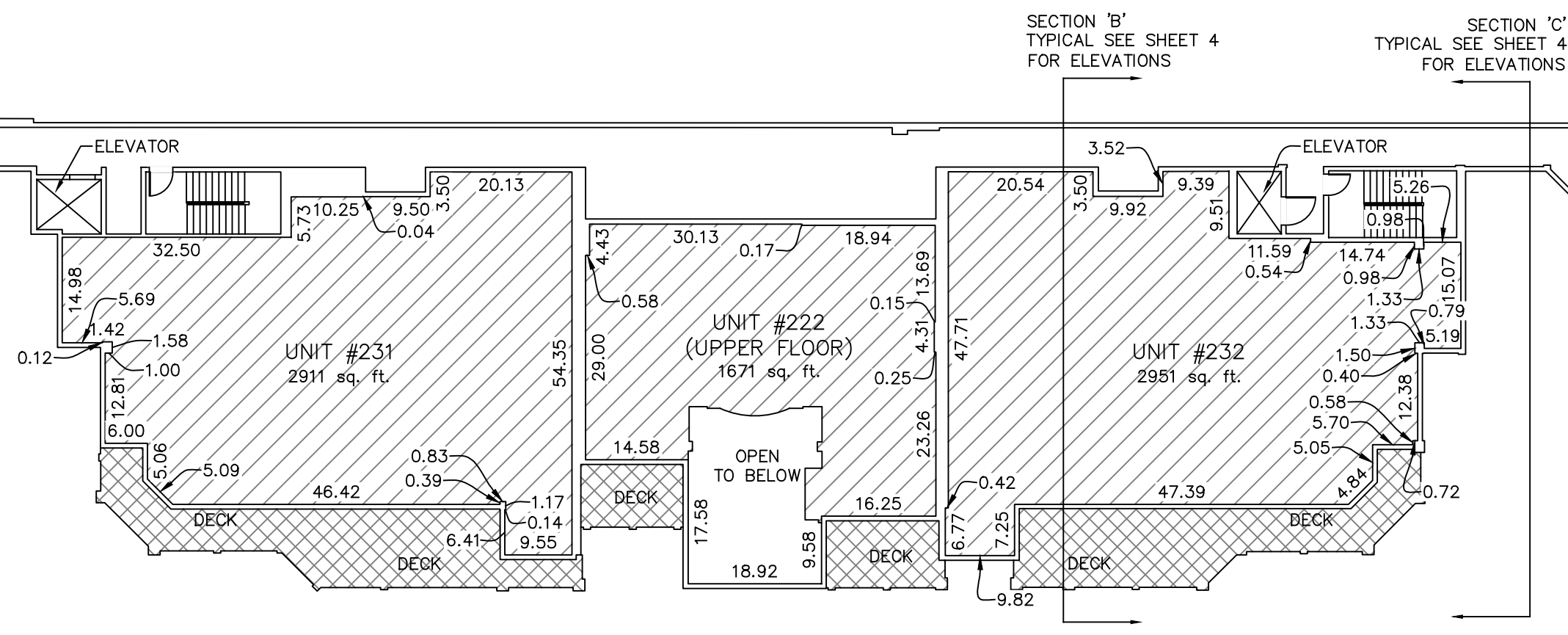
BUILDING 2 - LEVEL 7283



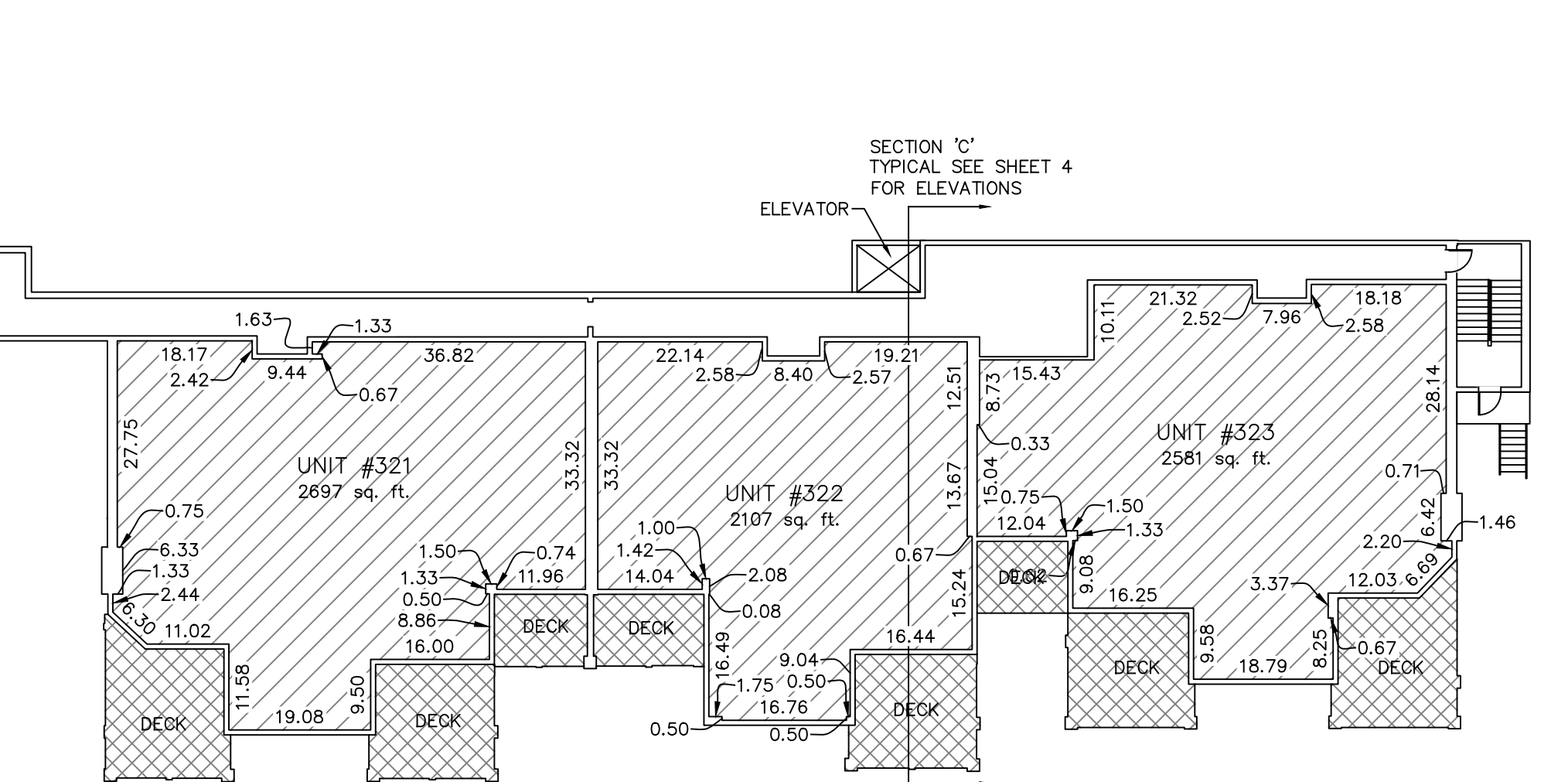
BUILDING 3 - LEVEL 7283



BUILDING 1 - LEVEL 7272



BUILDING 2 - LEVEL 7272



BUILDING 3 - LEVEL 7272

NOTE: ELEVATIONS SHOWN ARE TO UNFINISHED FLOOR SURFACES.

FIRST RESTATED BLACK DIAMOND PLAT

AMENDING THE COMMON AREAS
APPURTENANT TO UNIT 341 AND UNIT 352 AND CORRECTIONS
TO THE ORIGINAL PLAT PER AS-BUILT CONDITIONS
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

RECORDED

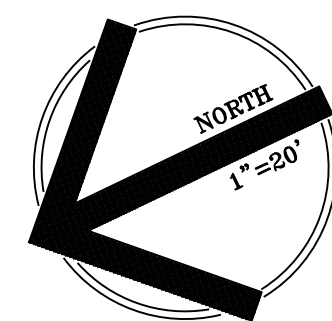
ENTRY NO. _____ BOOK _____ PAGE _____

STATE OF _____ COUNTY OF _____

DATE _____ TIME _____

RECORDED AND FILED AT THE REQUEST OF:

COUNTY RECORDER



LEGEND

- COMMON AREA (CA)
- LIMITED COMMON AREA (Limited Common Area)
- PRIVATE OWNERSHIP (PO)



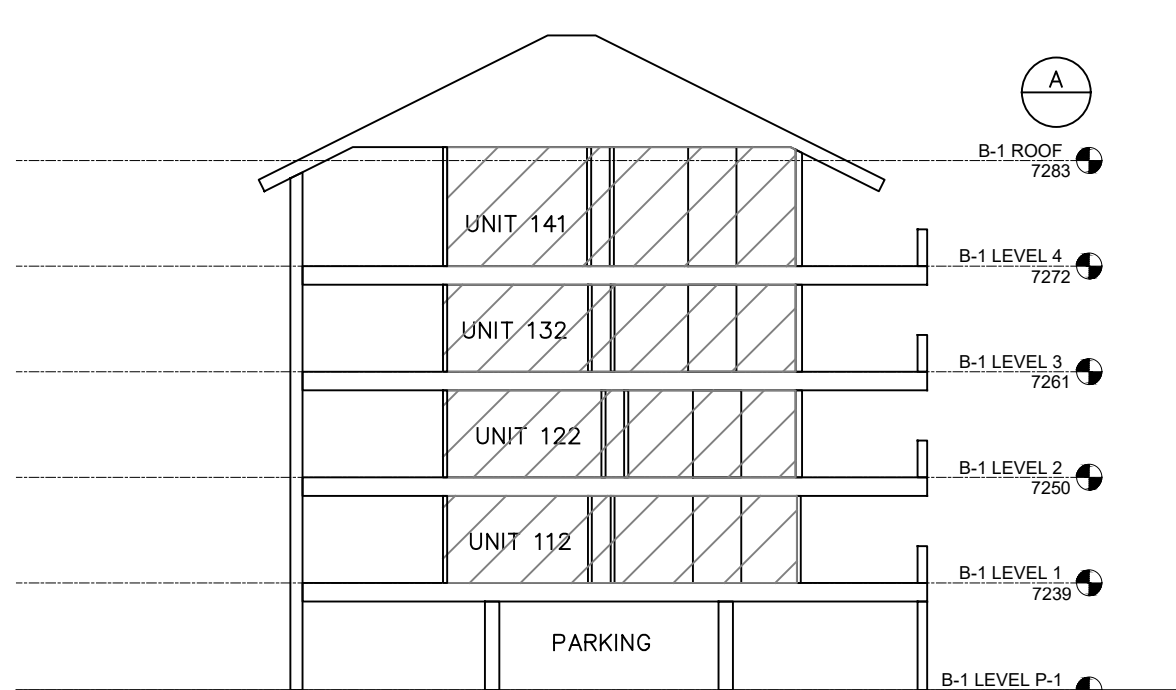
BUILDING 1 - WESTERLY



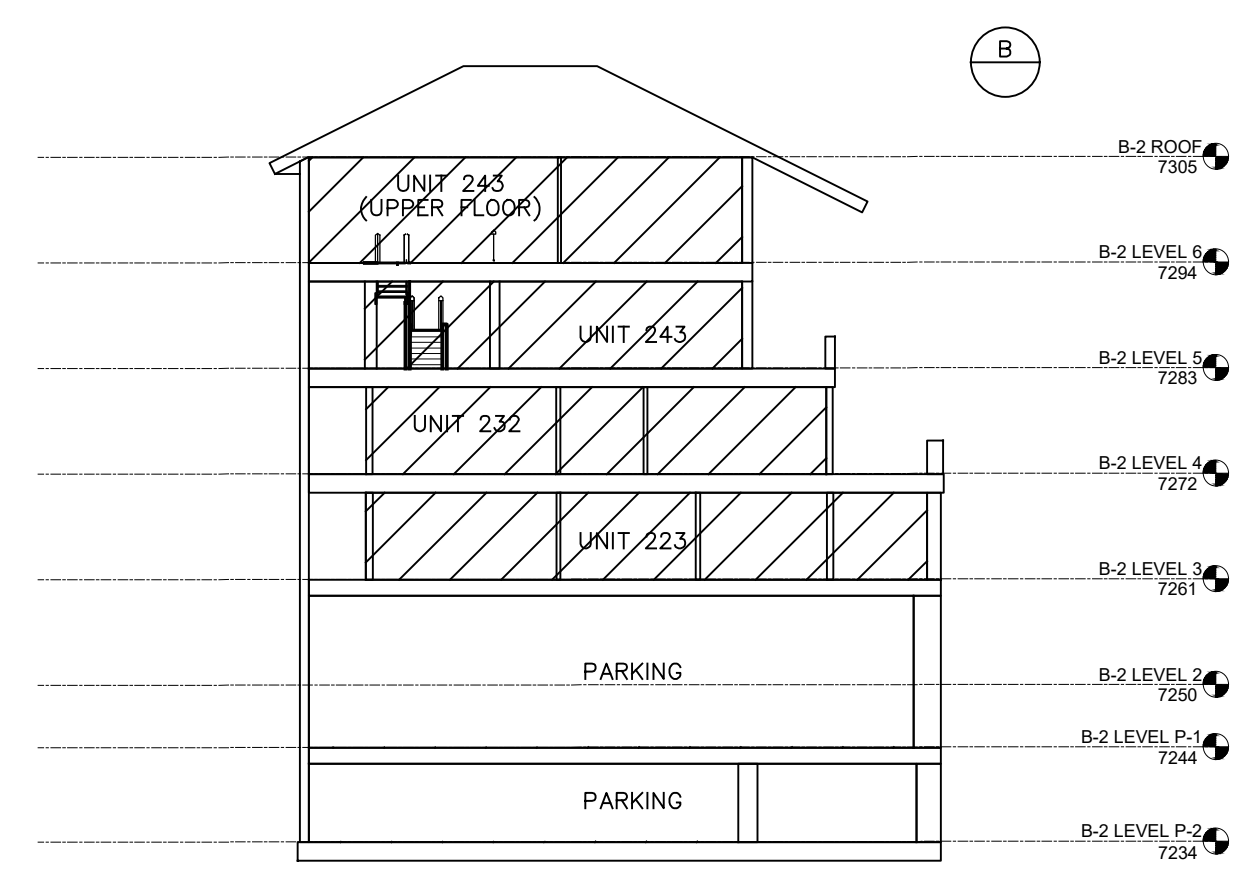
BUILDING 2 - WESTERLY



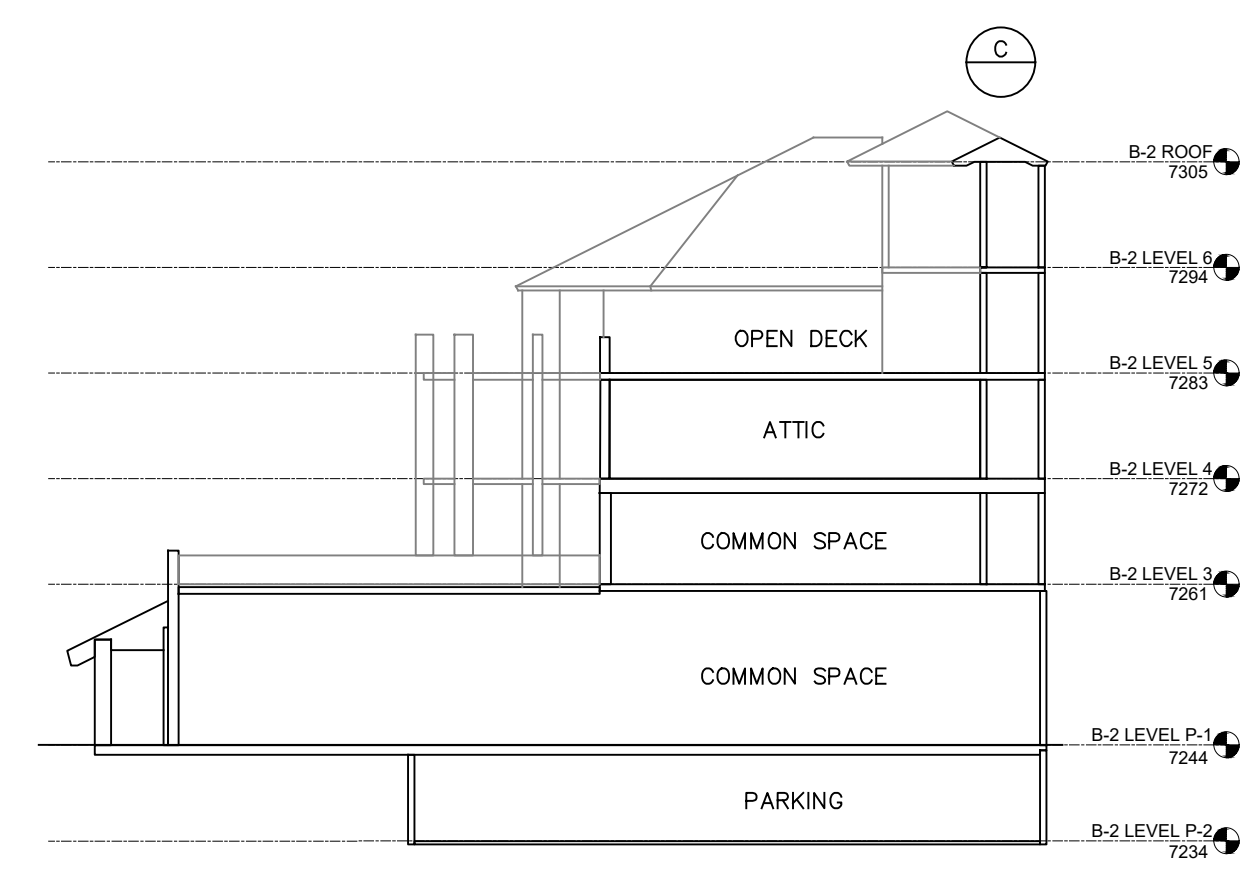
BUILDING 3 - WESTERLY



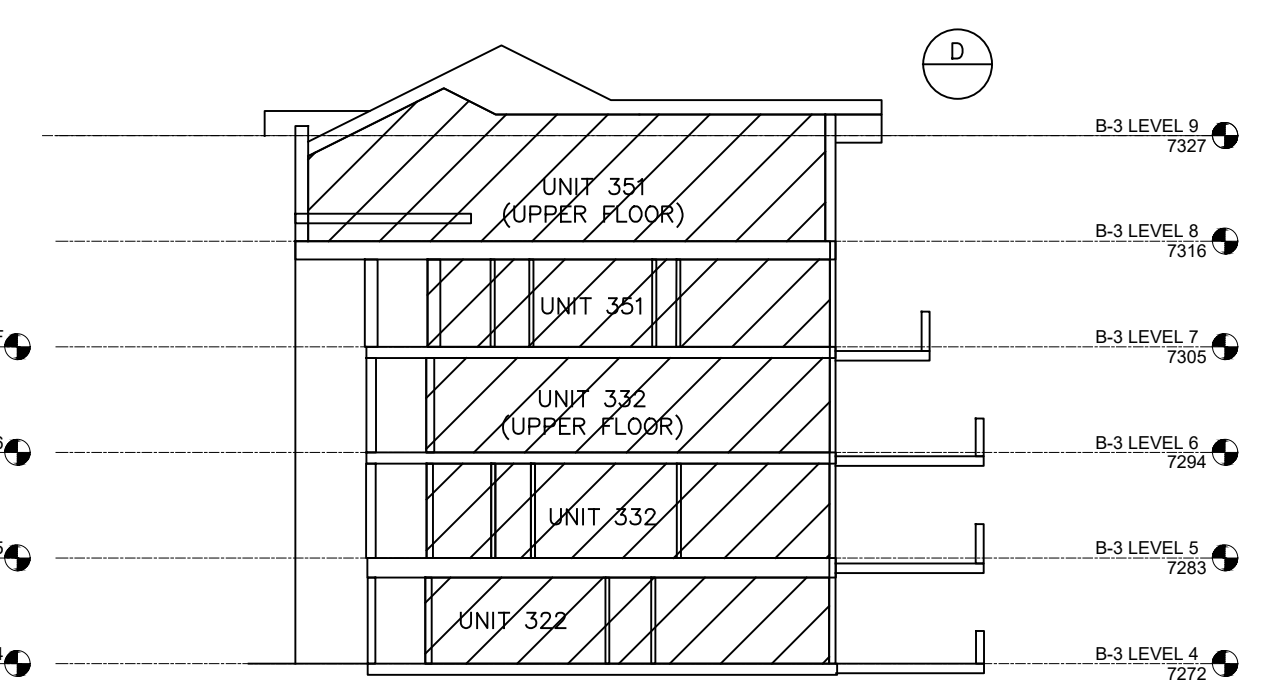
BUILDING 1



BUILDING 2



BUILDING 2



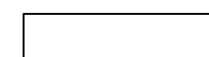

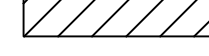
BUILDING 3

Unit Number	Lower Floor Sq Ft	Upper Floor Sq Ft	Total Sq Ft
Building 1			
111	2164		2164
112	2142		2142
121	2166		2166
122	2151		2151
131	2177		2177
132	2155		2155
141	2172		2172
Building 2			
211	2910		2910
221	2940		2940
222	2100	1671	3771
223	2947		2947
231	2911		2911
232	2951		2951
241	2287	1604	3891
242	2035	1885	3919
243	2278	1618	3896

Building 3	Lower Floor Sq Ft	Upper Floor Sq Ft	Total Sq Ft
311	2974		2974
321	2697		2697
322	2107		2107
323	2581		2581
331	2593		2593
332	2106	1627	3732
333	2634		2634
341	2704	2159	4863
342	2728		2728
351	2292	1835	4127
352	2740	2169	4909

NOTE: AVERAGE FLOOR TO CEILING HEIGHT IS 9'.
 NOTE: ELEVATIONS SHOWN ARE TO UNFINISHED FLOOR SURFACES.

LEGEND

-  COMMON AREA
-  LIMITED COMMON AREA
-  PRIVATE OWNERSHIP

FIRST RESTATED
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SHEET 4 OF 4

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DATE _____ TIME _____

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Jack Johnson Consulting

1910 PROSPECTOR AVENUE, SUITE 200
 PARK CITY, UTAH 84060
 (435) 645-9001