

Ordinance 10-37

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE COURCHEVEL CONDOMINIUMS RECORD OF SURVEY PLAT 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 amendments to convert to private area the common attic area above Units B301 and B303 of Building B and remove Building A from the plat; 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 13, 2010, 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 November 4, 2010, the City Council held a public hearing on the proposed amendments 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 amendments to the Courchevel Condominiums 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 Second 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 property is located at 2700 Deer Valley Drive East.
2. The property is subject to the Deer Valley Resort Tenth Amended and Restated Large Scale Master Planned Development.
3. The Courchevel Condominium record of survey plat was approved by the City Council on December 27, 1984 and recorded at Summit County on December 31, 1984.
4. The Courchevel Condominiums record of survey plat recorded 40 residential

condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.

5. November of 1989, an amended record of survey plat was approved and recorded increasing the number of residential condominium units to forty-one (41) (Exhibits B and C).
6. Two of the three (3) approved Courchevel buildings (Buildings B and C) were constructed beginning in 1984 and completed in 1988. Building A was not constructed. Currently there are 27 condominium units and 29 parking spaces. Each existing condominium unit contains 759 square feet for a total of 20,493 sf and a developed unit equivalent of 10.25 UE.
7. The Deer Valley Resort MPD assigned 20.5 UEs for the Courchevel parcel, under the unit equivalent formula. The MPD was amended in 2001 to transfer 7 UEs as 14,000 sf to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property. Of the 13.5 UEs, 10.25 are currently developed and 3.25 UE remain. There are not sufficient UEs remaining to construct Building A as shown on the plat.
8. On May 10, 2010, Courchevel Condominium owner's association voted to approve construction of additional floor area and the transfer of common space to private space for units B301 and B303. The only exterior changes proposed are the addition of windows on the north side of Building B.
9. On September 3, 2010, the City received a completed application for a condominium record of survey plat amendment requesting conversion to private area, of 608 square feet of common attic area above each of Units B301 and B303 (1,216 sf total). These units are located on the third floor of Building B.
10. The total proposed increase in residential floor area is 1,216 sf equating to a 0.61 UE increase to 10.86 UE total. This increase is allowed under the existing Deer Valley Resort, Tenth Amended and Restated Large Scale MPD (Deer Valley MPD). If the increase in residential floor area is approved 2.64 UE remain undeveloped.
11. Twenty-nine parking spaces exist in the parking structure. No additional parking is proposed. The expanded units comply with the current LMC requirement of 2 spaces for each of the amended units. The other units of 759 sf are existing non-conforming regarding parking.
12. There is undeveloped land on the property available for construction of additional off-street parking; however lack of parking for this property has not been an issue in the past. The property is located at the base area for Deer Valley Resort and on the Park City bus route. Given the relatively smaller unit size the existing parking situation is adequate.
13. The LMC allows the Planning Commission to reduce parking requirements within Master Planned Developments per Section 15-3-7 provided the base requirement is at least 8 parking spaces.

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, including the removal of Building A, prior to recordation of the plat.
2. The applicant will record the plat amendment 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 and the plat will be void.
3. All construction requires a Building Permit and approvals from the Building and Planning Departments.
4. Any future construction of units requires parking to be provided according to the Land Management Code requirements in effect at the time of the building permit.

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

PASSED AND ADOPTED this 4th day of November, 2010.

PARK CITY MUNICIPAL CORPORATION




Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:

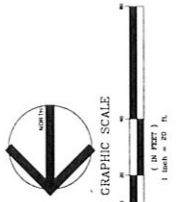


Mark D. Harrington, City Attorney

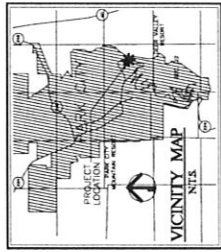


CONDOMINIUM PLAT COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED - A UTAH CONDOMINIUM PROJECT - SAY CORNER ROAD AND WINDSOR PARK CITY, SALT LAKE COUNTY, UTAH

A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE COUNTY, UTAH, BEING PART OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP.



- NOTES**
- ALL LOTS WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE COUNTY, UTAH, BEING PART OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, ARE HEREBY SET APART FOR THE PURPOSE OF BEING DEVELOPED AS A CONDOMINIUM PROJECT.
 - THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, ARE HEREBY SET APART FOR THE PURPOSE OF BEING DEVELOPED AS A CONDOMINIUM PROJECT.
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AREA TABULATIONS

UNIT 1003	AREA: 1,161.27 SF
UNIT 1004	AREA: 1,161.27 SF
UNIT 1005	AREA: 1,161.27 SF
UNIT 1006	AREA: 1,161.27 SF
UNIT 1007	AREA: 1,161.27 SF
UNIT 1008	AREA: 1,161.27 SF
UNIT 1009	AREA: 1,161.27 SF
UNIT 1010	AREA: 1,161.27 SF
UNIT 1011	AREA: 1,161.27 SF
UNIT 1012	AREA: 1,161.27 SF
UNIT 1013	AREA: 1,161.27 SF
UNIT 1014	AREA: 1,161.27 SF
UNIT 1015	AREA: 1,161.27 SF
UNIT 1016	AREA: 1,161.27 SF
UNIT 1017	AREA: 1,161.27 SF
UNIT 1018	AREA: 1,161.27 SF
UNIT 1019	AREA: 1,161.27 SF
UNIT 1020	AREA: 1,161.27 SF

HATCHING LEGEND

[Hatched pattern]	COMMON AREA
[Hatched pattern]	LIMITED COMMON AREA
[Hatched pattern]	PRIVATE AREA

SURVEYOR CERTIFICATE
I, _____, SURVEYOR, BEING A LICENSED PROFESSIONAL LAND SURVEYOR AND A MEMBER OF THE BOARD OF SURVEYORS OF THE STATE OF UTAH, HAVE BEEN EMPLOYED BY _____, OWNER OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, TO SURVEY THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, IN ACCORDANCE WITH CHAPTER 37A, UTAH CODE ANNOTATED, WHICH IS A PUBLIC ACT OF THE LEGISLATURE OF THE STATE OF UTAH, AS AMENDED TO DATE.

COURCHEVEL CONDOMINIUMS AT DEER VALLEY
RECORD NO. 19786
DATE _____

LEGAL DESCRIPTION
THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, ARE HEREBY SET APART FOR THE PURPOSE OF BEING DEVELOPED AS A CONDOMINIUM PROJECT.

OWNERS DEDICATION AND CONSENT - UNIT 101
I, _____, OWNER OF UNIT 101, HEREBY DEDICATE AND CONSENT TO THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, IN ACCORDANCE WITH CHAPTER 37A, UTAH CODE ANNOTATED, WHICH IS A PUBLIC ACT OF THE LEGISLATURE OF THE STATE OF UTAH, AS AMENDED TO DATE.

ACKNOWLEDGMENT
I, _____, OWNER OF UNIT 101, HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, AND I HEREBY CONSENT TO THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, IN ACCORDANCE WITH CHAPTER 37A, UTAH CODE ANNOTATED, WHICH IS A PUBLIC ACT OF THE LEGISLATURE OF THE STATE OF UTAH, AS AMENDED TO DATE.

OWNERS DEDICATION AND CONSENT TO RECORD - UNIT 101
I, _____, OWNER OF UNIT 101, HEREBY DEDICATE AND CONSENT TO THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AS SHOWN ON THE ATTACHED MAP, IN ACCORDANCE WITH CHAPTER 37A, UTAH CODE ANNOTATED, WHICH IS A PUBLIC ACT OF THE LEGISLATURE OF THE STATE OF UTAH, AS AMENDED TO DATE.

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Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
210 West 200th • Park City, Utah 84302
Tel: 435.633.8888 • Fax: 435.633.8889
E-mail: info@evergreen-eng.com

THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS DAY OF _____ A.D. 2010.

CITY ENGINEER _____ CITY ENGINEER _____

SNYDERVILLE BASIN W.R.D.
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS DAY OF _____ A.D. 2010.

BY _____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

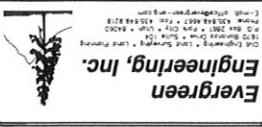
APPROVAL AS TO FORM
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF _____ A.D. 2010.

CITY ATTORNEY _____ CHAIRMAN _____

CITY COUNCIL APPROVAL
PRESENTED TO THE PARK CITY COUNCIL THIS DAY OF _____ A.D. 2010. AT THE TIME THIS RECORD OF SURVEY WAS APPROVED.

MAYOR _____ CITY RECORDER _____

RECORDED
COUNTY RECORDER _____

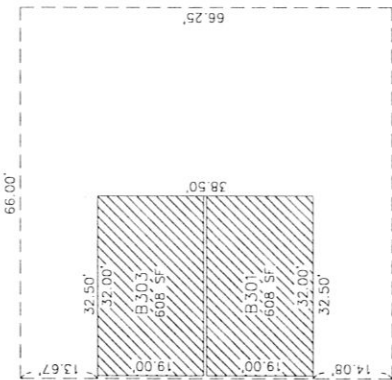


DATE	BY	COMMENTS



DESIGNED BY:
RICHARD CHAN
CHECKED BY:
SCOTT POWELL
DATE: 10/17/2013

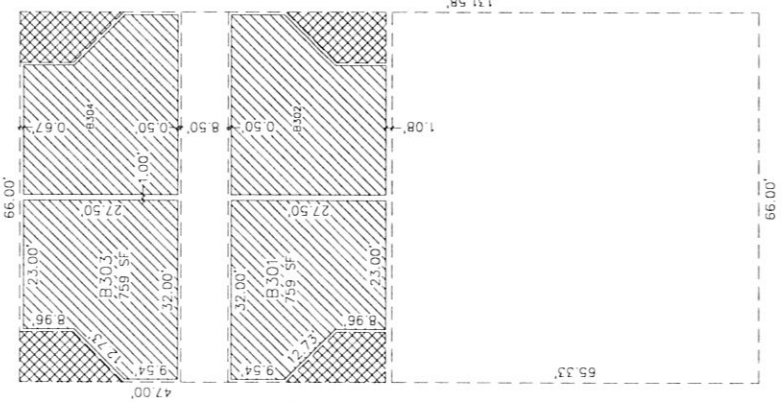
COURCHEVEL CONDOMINIUMS
AT DEER VALLEY
SECOND AMENDED
COMBINED-RS
RICHARD CHAN & SCOTT POWELL
SHEET 2 OF 2



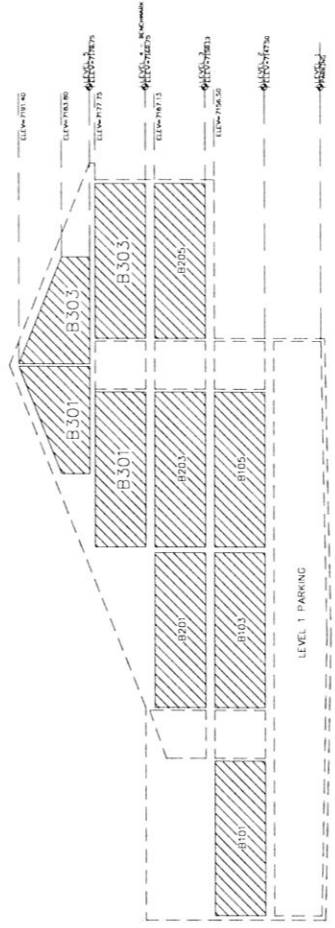
FLOOR PLAN - LEVEL 5
UNIT B301 / UNIT B303



HATCHING LEGEND
 COMMON AREA
 LIMITED COMMON AREA
 PRIVATE AREA



FLOOR PLAN - LEVEL 4
UNIT B301 / UNIT B303



SECTION -
B
BLDG. B



RECORDED
 NO. _____
 STATE OF _____
 RECORDED AT THE REQUEST OF _____
 DATE _____