

ORDINANCE NO. 10-35

**ORDINANCE APPROVING THE RETREAT ON DEER VALLEY DRIVE CONDOMINIUMS
RECORD OF SURVEY PLAT LOCATED AT
605/607 DEER VALLEY DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property located at 605/607 Deer Valley Drive have petitioned the City Council for approval of the Retreat on Deer Valley Drive Condominiums Record of Survey 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 September 22, 2010, to receive input on The Retreat on Deer Valley Drive Condominiums Record of Survey Plat;

WHEREAS, the Planning Commission, on September 22, 2010, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on October 14, 2010, to receive input on The Retreat on Deer Valley Drive Condominiums Record of Survey Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Retreat on Deer Valley Drive 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 Retreat on Deer Valley Drive Condominiums Record of Survey Plat 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 605/607 Deer Valley Drive.
2. The property is located in the Residential-Medium Density (RM) District.
3. The structure is a built duplex.
4. A duplex is an allowed use in the RM District.
5. The area of the lot is 7,176 square feet.
6. The existing conditions comply with required minimum setbacks.
7. Two (2) parking spaces are required for each unit.
8. Each unit has two (2) dedicated parking spaces within the site.
9. Unit 605 has 5,037.3 square feet of private area.
10. Unit 607 has 4,825.9 square feet of private area.
11. Shared entry area and open space are identified as common ownership.
12. There are existing non-compliances relating to access and parking, retaining walls, landscaping, and site clean up.
13. The findings within the Analysis section are incorporated within.

Conclusions of Law:

1. There is good cause for this condominium Record of Survey.
2. The Record of Survey Plat is consistent with the Park City Land Management Code and applicable State law regarding Condominium Record of Survey Plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey Plat.
4. Approval of the 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 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 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 CC&Rs shall include a tie breaker mechanism.
4. The applicant may expand the driveway in order to facilitate the required use of the driveway to a maximum of twenty seven feet (27').
5. The applicant shall work with the City Engineer to obtain encroachment agreements to build planter boxes along the front of the property on the City Right-of-Way behind the existing five foot (5') sidewalk. This work shall be completed as a condition precedent to plat recordation. Such encroachment agreement shall be recorded prior to plat recordation.
6. There must be a barrier between the platted lots and Deer Valley Drive. No parking shall take place in the driveway or access area on the property and no parking shall impede the view sight of Sunnyside (view distance triangle area).
7. The applicant will work with the City to receive the appropriate permits to build the approved retaining wall located in the rear of the structure. This work shall be complete as a condition precedent to plat recordation.
8. The applicant will submit a landscape plan. Excess remnant concrete throughout the site shall be removed. The work according to the approved landscape plan shall be complete as a condition precedent to plat recordation

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

PASSED AND ADOPTED this 14th day of October, 2010.

PARK CITY MUNICIPAL CORPORATION



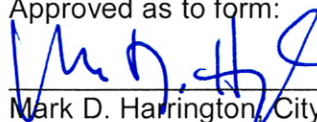
Mayor Dana Williams

Attest:



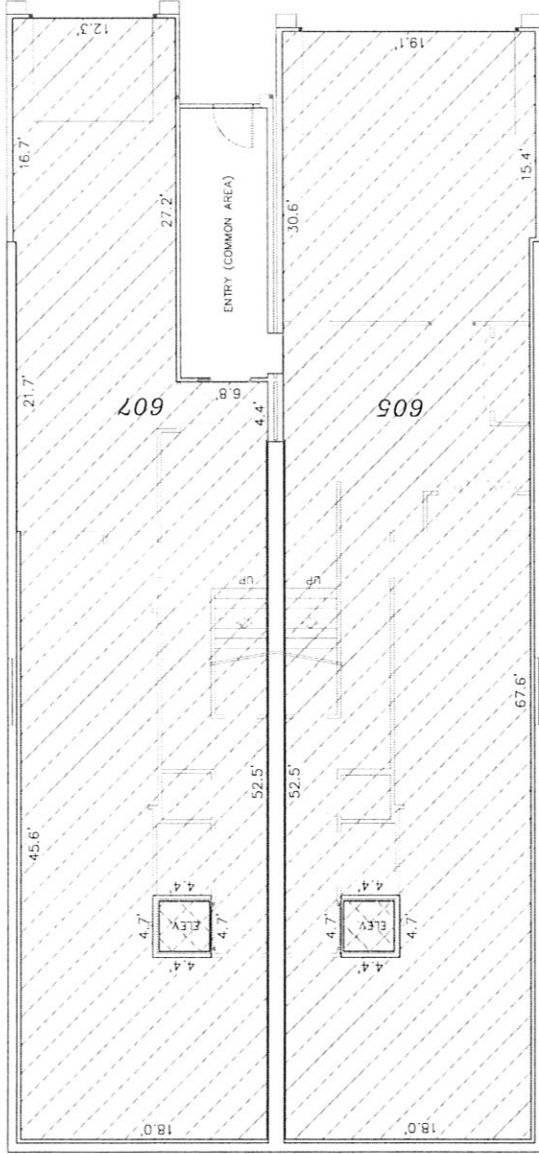
Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney





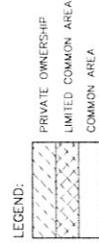
UNEXCAVATED AREA

UNEXCAVATED AREA



BASEMENT FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	1523.9 SF	7094.00
607	1363.5 SF	7094.00

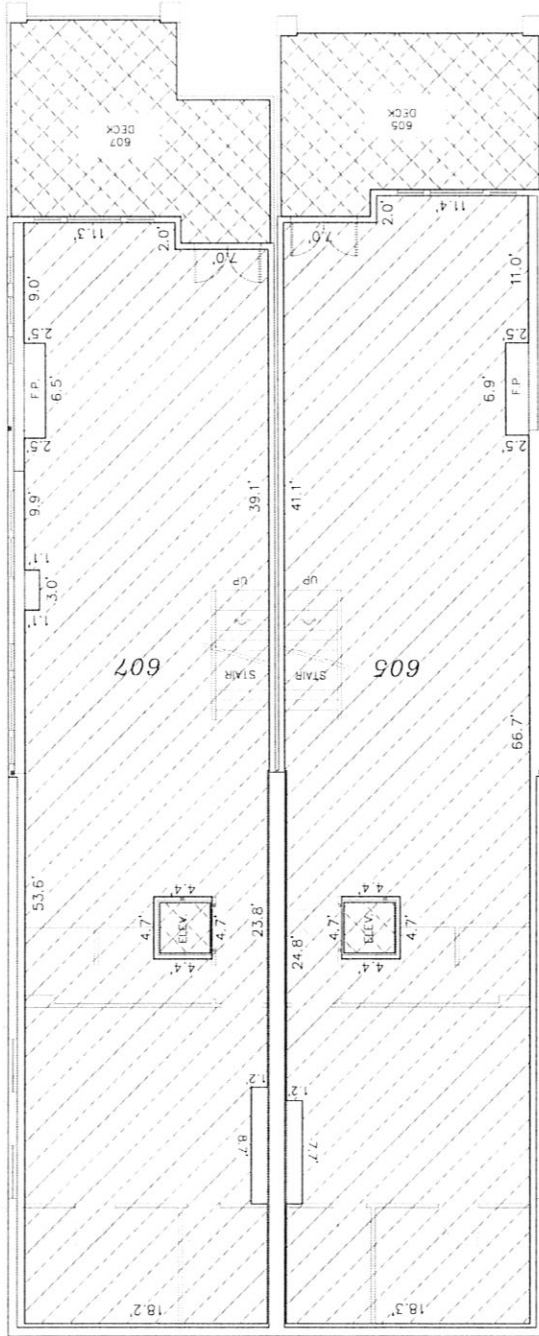


THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

CONDOMINIUM RECORD OF SURVEY PLAT
 A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST
 QUARTER OF SECTION 16, T14N, R10E, S14E, RANGE 10E,
 T14N, S14E, RANGE 10E AND MERIDIAN.

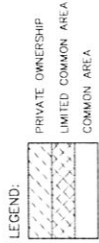
SHEET 2 OF 6

REVISIONS:
 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF
 DATE _____ TIME _____ BOOK _____ PAGE _____
 FILE _____ RECORD _____



MAIN LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	1486.6 SF	7103.15
607	1445.6 SF	7103.15



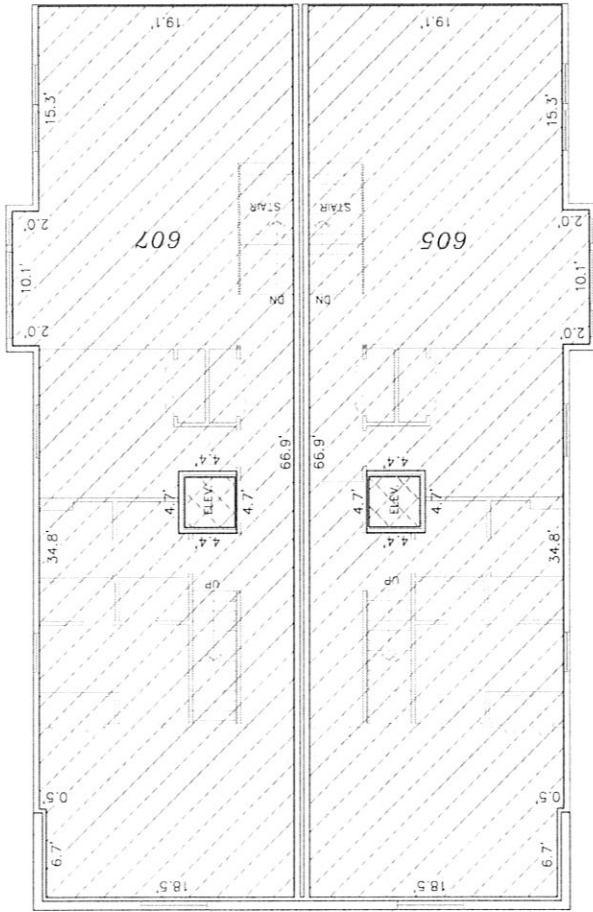
THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS
CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SACT LAKE BASIN AND NEIGHBOR.

RECORDED

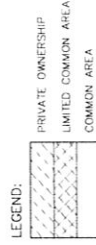
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DATE _____ TIME _____ BOOK _____ PAGE _____
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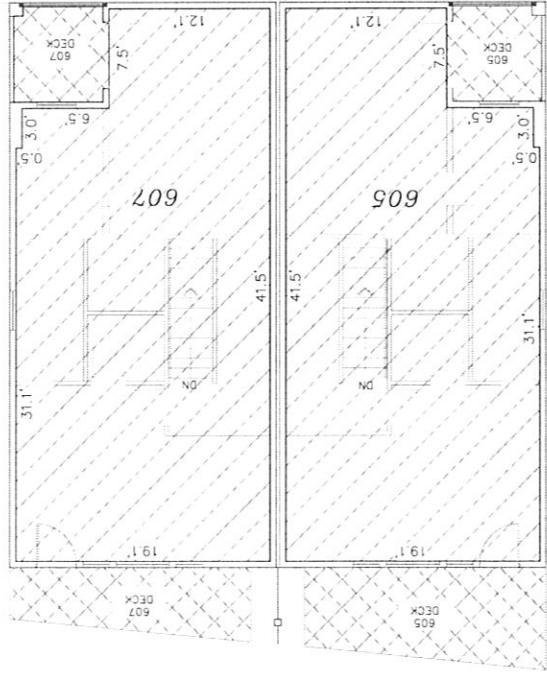
SECOND LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	1277.8 SF	7112.29
607	1277.8 SF	7112.29



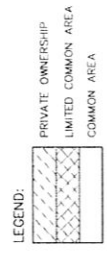
THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS
CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2, SOUTH, RANGE 4, CO. 3, S&T TWP. 15&N, R. 4&E, S&T.



THIRD LEVEL FLOOR PLAN

UNIT #	NET SF	ELEVATION
605	739.0 SF	7121.44
607	739.0 SF	7121.44



TOTAL NET SQUARE FOOTAGE

UNIT #	NET SQUARE FEET
605	5037.3 SF
607	4825.9 SF

SHEET 5 OF 6

THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS

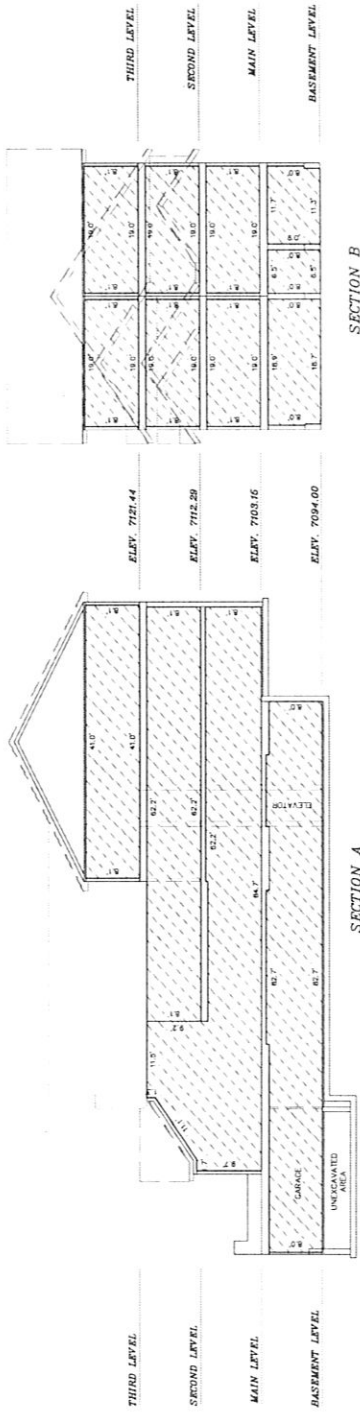
CONDOMINIUM RECORD OF SURVEY PLAT

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, T12N, R10E, S12E, SALT LAKE, UTAH AND ADJACENT

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STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF

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THE LOFTS ON DEER VALLEY DRIVE CONDOMINIUMS
 CONDOMINIUM RECORD OF SURVEY PLAT

SHEET 6 OF 6

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REGISTER OF

DATE _____ TIME _____ BOOK _____ PAGE _____
 FILE _____ RECORD _____

A CONDOMINIUM PROJECT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 16, T4N, 36E, R10E, SALT LAKE, UTAH AND MERIDIAN.