

AN ORDINANCE APPROVING THE COURCHEVEL CONDOMINIUM AT DEER VALLEY THIRD 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 amendments to convert to private area the common attic area above Unit B202; 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 13, 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 June 28, 2012, 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 Third Amended Courchevel Condominiums record of survey 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 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. Currently there are 27 condominium units and 29 parking spaces.
10. Each existing condominium unit contains 759 square feet, except for Units B301 and B303, which contain a total of 1,367 square feet for a grand total of 21,709 square feet and a developed unit equivalent (UE) of 10.86.
11. The property is subject to requirements and restrictions of the Deer Valley Resort 10th Amended and Restated Large Scale MPD.
12. The MPD originally allowed up to 20.5 UEs for the Courchevel parcel.
13. 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.
14. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet and the existing residential square footage for the 27 condominium units is 21,709 square feet.
15. On March 29, 2012 the City received a completed application for a third amendment to the Courchevel Condominiums at Deer Valley record of survey requesting conversion of 470 square feet of common attic area above Unit B202 to private area for an additional bedroom and bathroom.
16. Unit B202 is located on the second floor of Building B.
17. 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.
18. The only exterior change proposed is the addition of a window on the south side of Building B.
19. The proposed amendment is consistent with the purpose statements of the district.
20. Unit B202 would increase by 470 square feet from 759 square feet to 1,229 square feet.
21. The total proposed increase in residential floor area equates to 0.235 UE increase to 11.1 UE total.
22. The current Deer Valley MPD allows 13.5 UE for Courchevel Condominiums.

23. The building does not exceed the allowable 35' building height and there are no non-conforming setback issues.
24. All construction is proposed within the existing building envelope.
25. The current application also requests to add two (2) parking stalls in the existing garage.
26. Twenty-nine (29) parking spaces exist in the underground parking structure beneath the existing buildings.
27. The current number of units and the size of the enlarged units approved with the second amendment triggered a total of twenty-nine (29) parking spaces.
28. 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.
29. The current LMC requires one and half (1.5) spaces for each unit greater than 650 square feet and less than 1,000 square feet.
30. The existing development is currently short 12.5 parking spaces per the current Land Management Code (LMC).
31. Thirty (30) parking spaces will be required and thirty-one (31) spaces will exist with approval of this plat amendment and restriping of the garage.
32. 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 B202 can be provided within the parking structure.
33. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.
34. Given the relatively smaller unit size, it appears that the single parking space per unit is adequate.
35. The expanded unit would comply with the current 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, including the removal of Building A, prior to recordation of the plat.
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.

3. All construction requires a Building Permit and approvals from the Building and Planning Departments. No certificate of occupancy for the addition to Unit B202 shall be issued until this plat amendment is recorded.
4. All conditions of approval of the Deer Valley Resort 10th Amended and Restated Large Scale MPD and the Second Amended Courchevel Condominiums at Deer Valley shall continue to apply.

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

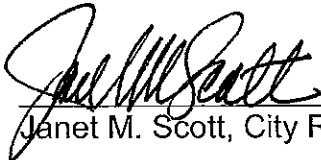
PASSED AND ADOPTED this 28th day of June, 2012.

PARK CITY MUNICIPAL CORPORATION

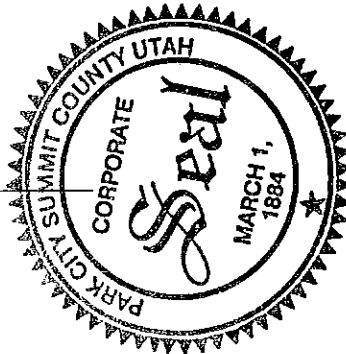


Dana Williams, MAYOR

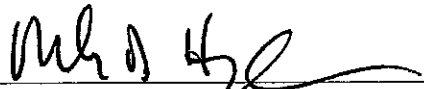
ATTEST:



Janet M. Scott, City Recorder



APPROVED AS TO FORM:



Mark D. Harrington, City Attorney

