

PARK CITY

1884

COUNCIL AGENDA REPORT

DATE: October 12, 1995
DEPARTMENT: Planning Department
AUTHOR: Peter Staks
TITLE: Deer lake Village Phase III Plat.
TYPE OF ITEM: Final Subdivision Plat.

SUMMARY RECOMMENDATIONS:

Recommend approval of the Deer Lake Village Phase III Final Subdivision Plat, subject to the Findings of Fact, Conditions of Approval, and Conclusions of Law as provided.

DESCRIPTION:

Project statistics:

Applicant: Deer Lake Development L.L.C.
Location: Along Queen Esther Drive, north of Queen Esther Village
Condos
Zoning: RD-MPD
Parcel Size: 5.25 Acres
Application: July 10, 1995

A.Topic.

The processing of a final subdivision plat and recommendation, for the third and final phase of the Deer Lake Village Project - an approved Planned Unit Development under the Deer Valley MPD.

B. Background.

The Planning Commission approved a sketch plat of fifty-one (51) units as a part of an overall planned unit development in May of 1989. The original Planned unit Development approval was for three phases, and under the Deer Valley Special Exception Permit.

A subsequent extension for Phase I platting was granted in 1991 and a final plat for phase I of the project was approved in September of 1994. A Phase II final plat was approved by the City Council June 22, 1995.

The first phase was for 6 buildings with 18 units in tri-plex arrangement. The second phase plat approval was for 4 additional buildings, also in tri-plex arrangement. This application is for the third and final phase of the project and provides for seven tri-plex buildings for a total of 21 units.

This plat, as submitted, is consistent with the original approved sketch plat. The units being constructed are identical tri-plex by tri-plex. Materials originally approved are cedar roofs, stone, horizontal wood siding, and some use of stucco.

Parking arrangements and layout were all approved with the original Planned Unit Development. The parking layout includes 7 spaces for each tri-plex. Five of those spaces are garage type (two units have 2-car garages and the third has a one-car garage), and two of the spaces are surface parking.

Access to all of the units comes from a new private drive that effectively parallels Queen Esther Drive. This drive will be completed with Phase III construction, thereby eliminating the need for a temporary turn around and dead end street. Permanent storm drainage improvements are also to be completed with the completion of Phase III.

The Planning Commission held a public hearing regarding the Phase III plat on September 27, 1995 and recommended the plat for favorable City Council consideration.

C. Analysis

The Staff finds that the phase III plans are consistent with the original approvals, and all units will be constructed of the same materials as the phase I & II units.

With Phase II plat approval there was a requirement that lakeside landscaping and trails be completed prior to a certificate of occupancy issued to any phase II unit. At the time of this writing, there has been evidence that some of the trails and landscaping has begun, yet substantial items such as pumping equipment installation, irrigation and tree planting have not begun. It is therefore staff's recommendation that the Phase III Plat be approved but that building permits for phase three units be withheld until these Phase II obligations are completed.

This condition would allow for the construction of infrastructure, especially road completion, and drainage improvement construction, along with the prior obligation of landscaping and trails, which would be consistent with beneficial site improvements.

D. Department Review.

This project has been through the city staff inter-departmental review.

E. ALTERNATIVES

A. Modify the conditions of approval as suggested.

B. Approve the Final Subdivision Plat with the Conditions of Approval as provided.

F. RECOMMENDATION:

The staff recommends City Council approval of the Deer Lake Village Phase III, to the City Council, with the Findings of Fact, Conditions of Approval, and Conclusion of Law as provided.

FINDINGS OF FACT:

- 1. The Phase III improvements will require continued financial security to be extended from that already posted by the developer .**
- 2. In the interest of neighborhood construction mitigation, construction traffic should be directed to main roads and not through the subdivisions.**
- 3. Final construction plans require review and approval by the City Engineer.**
- 4. Final sewer construction plans require review by the Snyderville Basin Improvement District.**

5. The developer has agreed that the internal roads will be private and that the Homeowners Association will maintain the landscaping, roads and lake areas. Also no basements will be approved due to potential seasonally high groundwater.
6. The developer has not requested any variances.
7. The RD district heights are 28 feet.
8. The developer proposes that all units have the same exterior finishes.
9. The developer proposes that all units in Phase III are a part of the Conditions Covenants and Restrictions.
10. The sequencing of Phases and respective conditions and obligations, requires attention as the project moves through it's construction. Previously approved conditions should be substantially complete before new buildings are begun.

CONDITIONS OF APPROVAL:

1. A financial security shall remain posted to cover the costs of public improvements and landscaping.
2. To the extent possible, the developer shall prevent construction traffic from passing through existing subdivisions.
3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water and road construction plans.
4. The Snyderville Basin Sewer Improvemnet District shall review and approve the sewer plans.
5. The plat shall provide clear notation that:
 - a.) The roads are not public roads and full maintenance of the roads, landscaping and lake are the responsibility of the Homeowners Association.
 - b.) No basements shall be allowed due to high ground water.
6. All Park City Municipal Corporation Standard Project Review Requirements shall apply.
7. The building heights shall conform to the 28 ft. height limits as per the RD zone.

8. All units shall be constructed of the same materials and designs as the original Phase I units, and should the applicant wish to make changes of any exterior materials or conditions, there shall be approval by the Community Development Department prior to construction or application of such materials.

9. Prior to, or concurrent with, plat recordation, evidence of filing of the Conditions, Covenants, and Restrictions for this phase shall be provided to the City Attorney.

10. No building permit for any residence shall be issued for any Phase III unit until project trails are completed and all landscaping around the lake along with the pumping and irrigation systems around the lake be completed. Determination of substantial compliance with this condition shall rest with the Community Development Department.

11. Prior to plat recordation, the City engineer and City Attorney shall review and approve the plat.

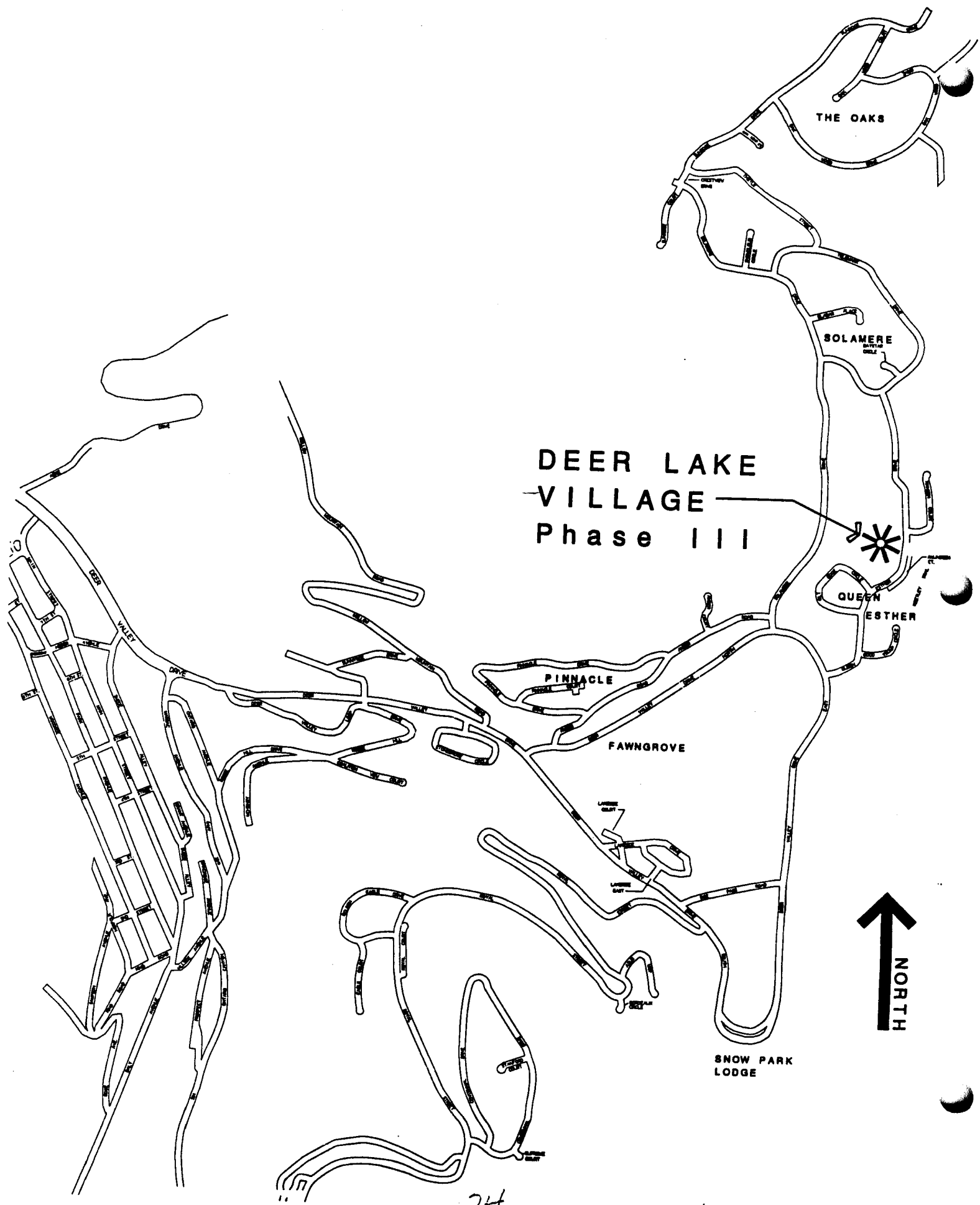
CONCLUSIONS OF LAW:

1. There is good cause for the approval of this plat.

2. Neither the public nor any person will be materially injured by the proposed plat approval.

EXHIBITS

Exhibits: Location Map
 Phasing plan
 Phase III Plat



DEER LAKE
VILLAGE
Phase III



Ordinance No. 95-

**AN ORDINANCE APPROVING THE DEER LAKE VILLAGE - PHASE III
FINAL SUBDIVISION PLAT
PARK CITY, UTAH**

WHEREAS, the owners of the property known as Deer Lake Village Planned Unit Development have petitioned the Planning Commission for approval of a final subdivision plat; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, on September 27, 1995 the Planning Commission held a public hearing and approved the final plat attached hereto as Exhibit A; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final plat, known as the Deer Lake Village - Phase III Subdivision plat;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the subdivision plat and that neither the public nor any person will be materially injured by the proposed plat. The subdivision plat is in conformance with the Land Management Code.

SECTION 2. PLAT APPROVAL. The Deer Lake Village - Phase III Subdivision plat, is approved as shown on the attached Exhibit A with the following conditions:

1. A financial security shall remain posted to cover the costs of public improvements and landscaping.
2. To the extent possible, the developer shall prevent construction traffic from passing through existing subdivisions.
3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water and road construction plans.
4. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans.
5. The plat shall provide clear notation that:
 - a.) The roads are not public roads and full maintenance of the roads and lake are the responsibility of the Homeowners Association.
 - b.) No basements shall be allowed due to high ground water.
6. All Park City Municipal Corporation Standard Project Review Requirements shall apply.

7. The building height of all structures shall conform to the 28 ft. limits as per the RD zone.

8. All structures shall be constructed of the same materials and designs as the Phase 1 units, and should the applicant wish to make changes of any exterior materials or conditions, there shall be approval by the Community Development Department prior to construction application of such materials.

9. Prior to, or concurrent with, plat recordation, evidence of filing of the Conditions, Covenants and Restrictions for this phase shall be provided to the City Attorney.

10. Prior to plat recording, the City Attorney and City Engineer shall review and approve the plat.

11. No building permit for any residence shall be issued for any Phase III unit until project trails are completed and all landscaping around the lake along with the pumping and irrigation systems around the lake are completed. Determination of substantial compliance with this condition shall rest with the Community Development Department.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 19th day of October, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

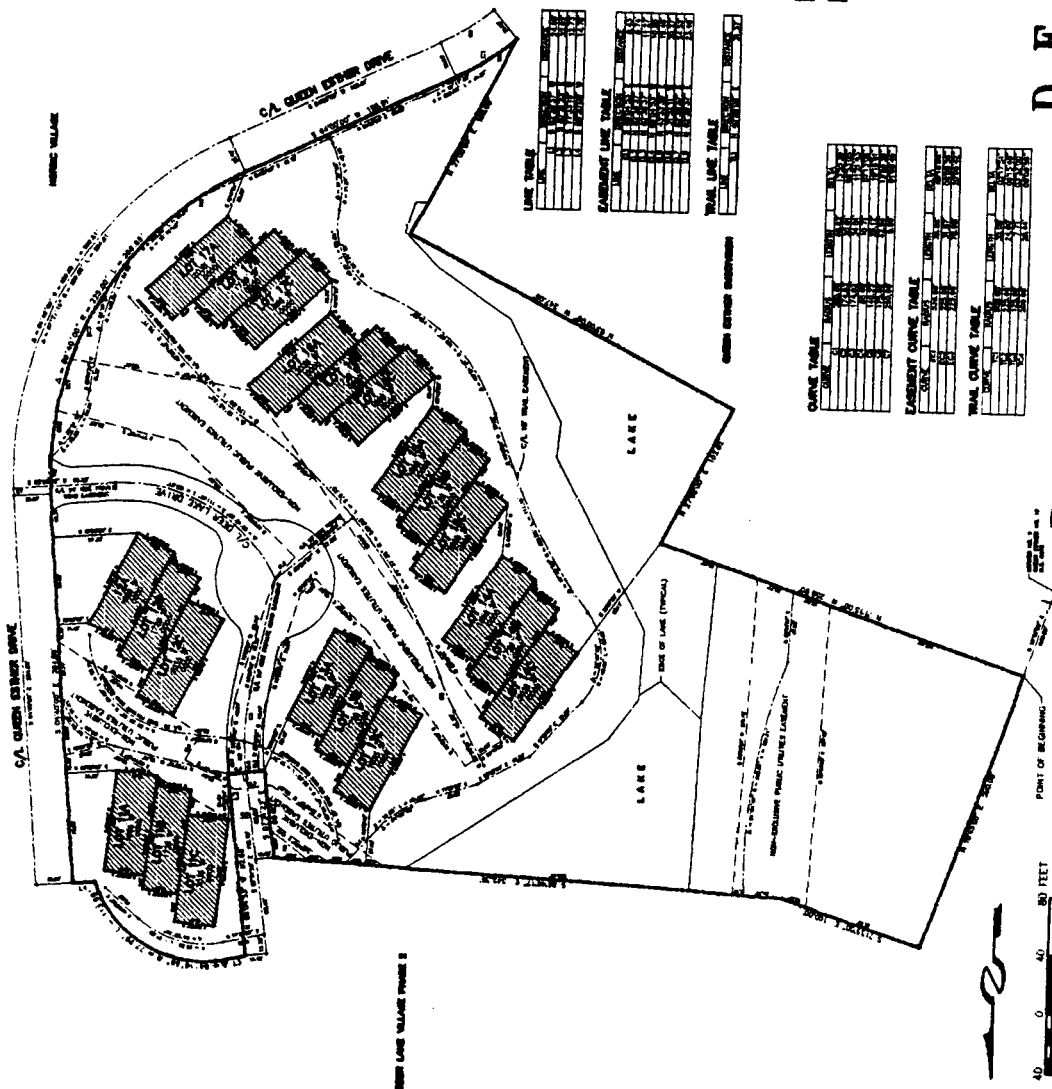
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

EXHIBIT A



OWNER'S DEDICATION AND CONSENT TO RECORD

Executed this _____ day of _____, 1995.
 Dear Lake Development, LLC

F. Lynn Padon, Manager

UNKNOWN SUBJECT

STATE OF UTAH) ss.

On this _____ day of _____, 1995, personally appeared before me, the undersigned Notary Public, in and for said State and County, P. Lynn Pugh, who after being duly sworn, acknowledged to me that he is the Manager of Deer Lake Development, L.L.C., a Limited Liability Company, that he signed the foregoing Owner's Consent to Record on behalf of said Limited Liability Company.

Notary Public
Residing at:

CONCLUSIONS

- [illegible]

CONCLUSION

I

240J INDICATES STREET ADDRESS ON DEER LAKE DRIVE

0 INDICATES PROPERTY CORNERS TO BE STAKED

DEER LAKE VILLAGE

AN EXPANDABLE PLANNED UNIT DEVELOPMENT SUBDIVISION
 LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
 SALT LAKE BASIN AND MERRION, PARK CITY, SALT COUNTY, UTAH
 Recorded concurrently herewith is a Replatment of Community, Condominium, and Restricted
 of Deer Lake Village Phase 2, An Expandable Planned Unit Development Subdivision.

DEER LAKE DRIVE IS A PRIVATE ROAD AND IS INTENDED ALWAYS TO REMAIN A PRIVATE ROAD. MAINTENANCE COST WILL BE BORNE BY THE DEER LAKE VILLAGE OWNERS ASSOCIATION.

P.O. BOX 3444 2132 MAIN STREET SALT LAKE CITY, UTAH 84106 (801) 536-2427		S.S.L.D. BY _____ CHAIRMAN		PLANNING COMMISSION REVIEWED FOR CONFORMANCE TO SALT LAKE CITY ZONING ORDINANCES AND CITY ENGINEERING STANDARDS ON _____ DATE OF _____, 1995 A.D.		ENGINEERS CERTIFICATE APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 1995 A.D. DATE OF MY OFFICE THIS _____ DAY OF _____, 1995 A.D.		APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY		CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS SUBMITTED BY PARK CITY MAP CORP. ON _____, 1995 A.D. BY _____ PARK CITY RECORDER		COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____, 1995 A.D. BY _____ MAYOR		RECORDED STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ BOOK _____ PAGE _____ DATE _____ FILE _____ RECORDED _____		PAGE 1 OF 1	
REMITTANCE COST WILL BE BORNE BY THE DEER LAKE VILLAGE OWNERS ASSOCIATION.																	

