



Planning Commission Staff Report

Subject: Silver Bird Condominiums at Deer Valley Third Amendment
Project #: PL-21-04801
Author: Alexandra Ananth, Sr. Planner
Date: June 9, 2021
Type of Item: Administrative – Plat Amendment

Summary Recommendation

Staff recommends the Planning Commission 1) review the requested Plat Amendment, 2) conduct a public hearing, and 3) consider forwarding a positive recommendation for City Council's consideration on June 24, 2021.

Description

Applicant: John and Jodene Wright, represented by Michael Johnston, Summit Engineering Group
Location: 7374 Silver Bird Drive, Unit 26
Zoning: Residential Development, Deer Valley MPD (RD, DVMPD)
Adjacent Land Uses: Residential, Deer Valley Resort
Reasons for Review: Plat Amendments require Planning Commission review and recommendation and City Council review and action

Executive Summary

The applicant is requesting to amend the existing Silver Bird Condominiums plat for Unit 26 only. The purpose of this condo plat amendment is to demolish an existing deck and build a new expanded deck and patio in its place. The HOA has approved this proposed plat amendment.

Background

The property is located at 7374 Silver Bird Drive in the Residential Development (RD) District. The Silver Bird Condominiums were approved in 1982 for six (6) units.

The Silver Bird Condominium Plat was approved by City Council in 1982 (Exhibit B) and has been amended two times already.

1. In 2014 Ordinance 14-43 converted existing limited common area deck space into private area for Units 25-30. The amendment also extended existing common area deck space to private for Units 27-30. Additionally, this plat amendment allowed for the enclosure of existing hallways on level 1 and converts them from common area into private space for units 25 and 29.
2. In 2016 Ordinance 16-47 expanded the private space of Unit 29 only (Exhibit C)

The Silver Bird Condominiums are located off Royal Street and are subject to the Deer Valley MPD (DV MPD), which allows for 6 Units in the Silver Lake Community.

The proposed amendment is for an unenclosed deck and patio only and does not

change the number of residential units or require additional parking. Open Space for the site will decrease from 75% to 74%, more than the required 60%

The purpose of the Residential Development RD District is to:

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- C. allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types.

Analysis

The applicant is proposing to remove an existing deck and rebuild an expanded deck and patio, which will add to their private space. Decks are prohibited from being enclosed and converted to interior space. The expansion of private deck space has been done before in this condominium development in both the First and Second Amendments in 2014 and 2016 (Exhibit C).

The patio and new deck meet all setback requirements and the HOA has approved the proposed change (Exhibit D).

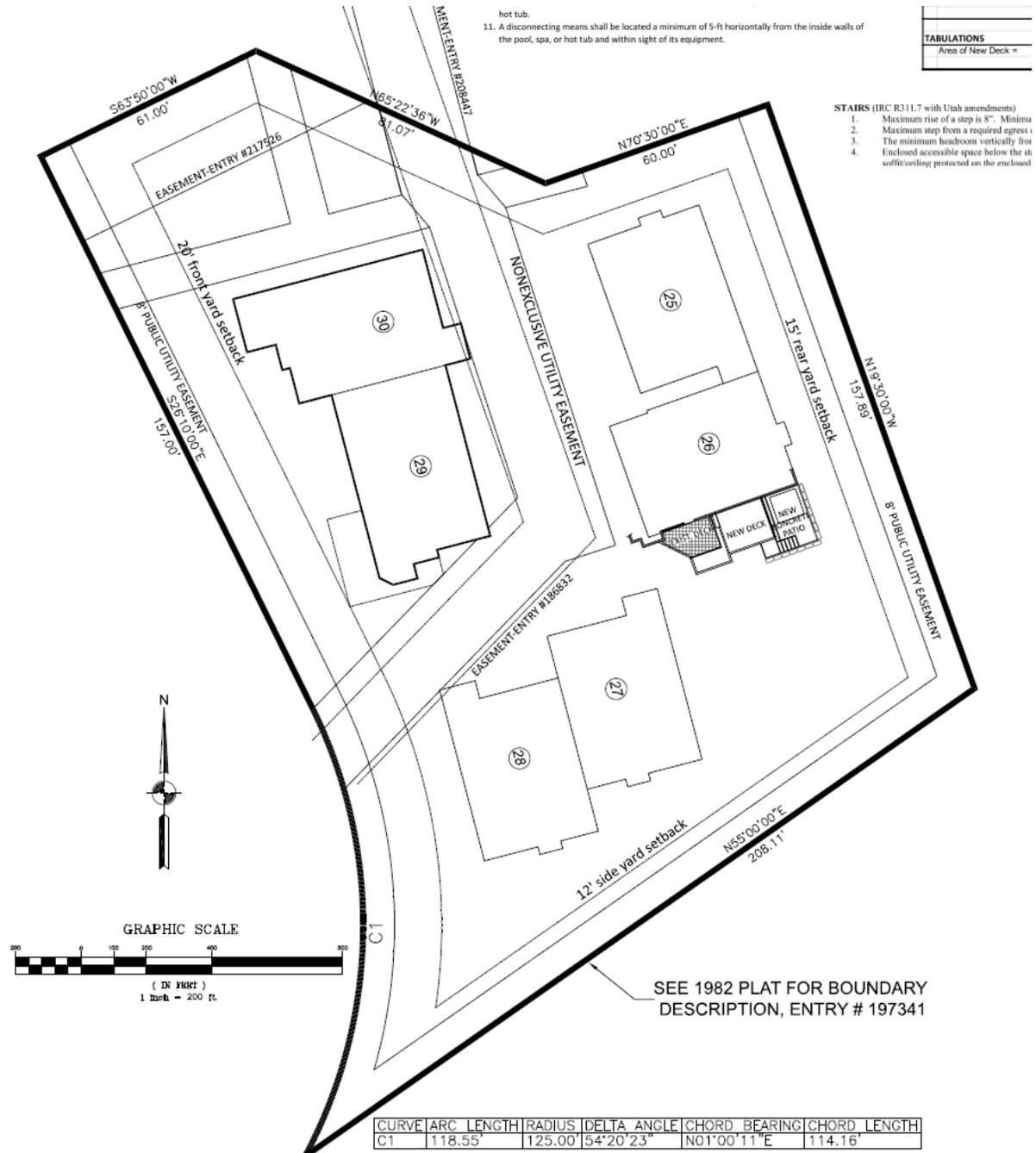


Figure 1 – Proposed deck and patio expansion, Unit 26

Notice

On May 26, 2021, the property was posted, and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and on the Utah Public Notice website on May 26, 2021.

Public Input

Staff did not receive any public input prior to the publication of this Staff Report.

Alternatives

- Planning Commission may forward a positive recommendation to City Council for the Plat Amendment, as conditioned or amended, or
- Planning Commission may forward a negative recommendation to City Council for the Plat Amendment, and direct staff to make Findings for this decision, or
- Planning Commission may continue the item to a date certain.

Exhibits

Exhibit A – Draft Ordinance

Exhibit B – 1982 Silver Bird Condominiums ROS

Exhibit C – Silver Bird Condominiums First and Second Amendments

Exhibit D – Silver Bird Condominiums Proposed Third Amendment Amending Unit 26 and HOA Approval Letter