

Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for the Summit at Powder Mountain Phase 1 PRUD, Amendment

3. The request will amend the previous approved site plans for the Horizon Neighborhood at Powder Mountain and Village Nest at Powder Mountain. The amendment to the PRUD will increase the overall units in the Summit at Powder Mountain PRUD from 73 units to 77 units and will add one lodge to the Horizon Neighborhood. The amendment will also include another garage structure within the Village Nest @ Powder Mountain PRUD. The

remaining PRUD area will remain unchanged.

Type of Decision: Administrative

Agenda Date: Tuesday, August 01, 2017

Applicant: Summit Mountain Holding Group, LLC

File Number: CUP 2017-09

Property Information

Approximate Address: Powder Mountain Ski Resort

Project Area: 15.6 Acres (77 Nest Units and two Lodges)

Zoning: Ogden Valley Destination and Recreation Resort Zone DRR-1

Existing Land Use: PRUD **Proposed Land Use:** PRUD

Parcel ID: All of Summit Eden Ridge Nests PRUD Amendment 1 (Entry# 2672949), All of Village Nests

at Powder Mountain (Entry# 27777000), All of Horizon Neighborhood at Powder Mountain

PRUD (Entry# 2826293, 23-144-0001 and 23-130-0043

Township, Range, Section: T7N, R2E, Sections 5, 6, 7 & 8

Adjacent Land Use

North: Ski Resort/Resort Development South: Ski Resort/Resort Development East: Ski Resort/Resort Development West: Ski Resort/Resort Development

Staff Information

Report Presenter: Ronda Kippen

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Report Reviewer: RG

Applicable Ordinances

Title 101, Chapter 1 General Provisions, Section 7, Definitions

- Title 104, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 5 Planned Residential Unit Development

Development History

- Summit at Powder Mountain Phase 1 is an approved PRUD, consisting of 73 units, two lodges and approximately 14 with approximately 10 acres identified as "Open Space" (see Exhibit A for the exiting PRUD boundary).
- Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests received
 preliminary subdivision approval in conjunction with the County Commission's approval of the Summit at Powder
 Mountain PRUD on April 9, 2013 which was part of the original PRUD for 154 units in the Summit Eden
 Development.
- An amendment to the PRUD to address minor design edits was heard and received a positive recommendation from the Ogden Valley Planning Commission on March 19, 2013 and received a final approval by the Weber County Commission on Tuesday, July 9, 2013.

- The Summit Eden Phases 1A through 1D, Summit Eden Ridge Nests and Summit Eden Village Nests final subdivision application were heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013. The Weber County Commission granted final approval on January 21, 2014.
- The dedication plat for the Summit Eden Ridge Nests PRUD was recorded on January 23, 2014 and the dedication plats for Summit Eden Phases 1A through 1D were recorded on January 27, 2014.
- A time extension was granted by the Weber County Planning Director on October 16, 2014 for the Summit Eden Village Nests and was later reinstated as the Village Nests at Powder Mountain on December 29, 2015.
- Village Nests at Powder Mountain received final approval on February 2, 2016 and was recorded on February 5, 2016 as the Village Nests at Powder Mountain, a condominium plat.
- Summit Mountain Holding Group, LLC petitioned Weber County to rezone approximately 6,198 acres from the CVR-1, FV-3 and F-40 zones to the DRR-1 zone to enable them to proceed with their development in a manner that would be consistent with the proposed Master Plan that was presented to Weber County as part of the rezone application (see Exhibit B for the Conceptual Land Use Plan). The petition to rezone the development to the DRR-1 zone was heard and approved on January 13, 2015 by the Weber County Commission after receiving a unanimous recommendation for approval from the Ogden Valley Planning Commission on October 28, 2014. Weber County entered into Zoning Development Agreement Contract # C2015-6 and the contract was recorded on January 14, 2015 as Entry# 2717835.
- The applicant petitioned Weber County to amend certain areas within the Uniform Land Use Code of Weber County (LUC) to allow for some various resort development standards. The petition to amend the LUC was heard and approved by the Weber County Commission on May 24, 2016 as Ordinance 2016-4.
- An amendment to reduced the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres (see Exhibit C for the application and narrative) after holding a public meeting with the Ogden Valley Planning Commission on July 5, 2016 and receiving a unanimous approval from the Weber County Commission on July 19, 2016. The areas to remain under the existing Summit at Powder Mountain Phase 1 PRUD will be three of the previously approved and platted development areas and one future development area (see Exhibit D). The approved and platted developments to remain under the PRUD are the Summit Eden Ridge Nest PRUD, a 15 unit "Nest" development and the Village Nests at Powder Mountain, a 20 unit condominium development and the Horizon Neighborhood at Powder Mountain PRUD, a 26 unit "Nest" development. The future phase of the PRUD will be Spring Park at Powder Mountain, which has received conceptual approval as Lot 76 in the existing PRUD for a 12 unit "Nest" development and a lodge.
- The remaining approved development areas have been recorded as Summit Eden Phases 1A, 1B, 1C & 1D will be governed by approved Zoning Development Agreement and the LUC.
- The Summit at Powder Mountain PRUD Amendment 1 received a unanimous positive recommendation after being heard and reviewed by the Ogden Valley Planning Commission on July 25, 2017.

Background and Summary

The Planning Division staff has reviewed the proposed amendment against the current LUC, the previous PRUD and Zoning Development Agreement Master Plan. Staff supports the request to increase the "Horizon Neighborhood at Powder Mountain PRUD" as well as the "Village Nest at Powder Mountain PRUD" development areas.

The Horizon Neighborhood at Powder Mountain was approved as a 26 unit development with shared parking structures on 5.43 acres. The original Horizon Neighborhood at Powder Mountain PRUD dedicated 83% of the area as open space when recorded on November 14, 2016. The proposed amendment to the PRUD will allow for Horizon at Powder Mountain development area to increase in size to include 30 units, four garage structures and one lodge on a total development area of 6.31 acres. The proposal includes dedicating 4.96 acres of the 6.31 acres in The Horizon at Powder Mountain (78%) as open space.

The Village Nest at Powder Mountain was approved as a 20 unit development with two shared parking structures on 1.38 acres with 1.04 acres (75%) of the development area dedicated as open space. The proposed amendment for the Village Nest at Powder Mountain PRUD will increase the site area to 2.06 acres and dedicated 1.06 acres (51%) of the 2.06 acres as open space. The Village Nests at Powder Mountain PRUD will not increase in habitable units but an additional garage structure for a total of three garage structures will be part of the development.

All other areas within the Summit at Powder Mountain PRUD Amendment will remain unchanged. The total PRUD size will be increased from 14 acres with 10.67 acres (76%) as dedicated open space to 15.6 acres and 10.28 acres (66%) will be dedicated open space.

The application has been reviewed against the required information as outlined in the LUC §108-5 for consideration and approval of the proposed amendment to the PRUD. Planned Residential Unit Developments are listed as a "Conditional Use" in the LUC and should be approved as long as any harmful impacts can be mitigated. The LUC already specifies certain standards necessary for mitigation of harmful impacts to which the proposal must adhere. To ensure that the natural environment is preserved to the greatest possible extent, the County Commission, subject to the reviews and recommendations of the required public agencies, must review and approve the general site and architectural design of the building, the layout of the parking areas and the landscaping.

Analysis

<u>General Plan:</u> The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related areas.

<u>Zoning:</u> The subject property is located in the Ogden Valley Destination and Recreation Resort Zone more particularly described as the DRR-1 zone. The purpose and intent of the DRR-1 zone is identified in the LUC §104-29-1 as:

"The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts that lie within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land."

<u>Lot area, frontage/width and yard regulations</u>: The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential dwelling. The following development standards are applicable for a standard single family building permit:

Front yard setback: 0 feet
Side yard setback: 5 feet
Rear yard setback: 10 feet
Average building height: 35 feet

A lodge is being proposed to be located on the east side of The Horizon Neighborhood at Powder Mountain development. The lodge will be an amenity for the residents in the Horizon Neighborhood at Powder Mountain PRUD. Prior to receiving land use approval for the Horizon Lodge, the applicant will need to submit plans for review and approval per LUC§108-1-2(a) which requires "Design Review" of all applications for building permits including but not limited to recreation resort uses, businesses and commercial structures. The review will include the considerations relating to the building location, major exterior elevations, building materials, and color schemes, landscaping, screening and parking for all site development. The Planning Director may review and approve structures located above 6,200 feet above sea level with a total footprint of less than 75,000 square feet.

The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for multi-family, commercial or mixed use structures. The following development standards will be reviewed upon submittal for the design review and building permit of the future lodge:

Front yard setback: 0 feet
Side yard setback: 0 feet
Rear yard setback: 0 feet
Average building height: 75 feet

The applicant has provided conceptual renderings and an amendment to the site layouts for the Horizon Neighborhood at Powder Mountain (see Exhibit E for site layout for Horizon Neighborhood at Powder and Village Nest at Powder Mountain development). The proposed lot configuration meets the area and width standards in the DRR-1 Zone. The proposal is in conformance with previous approvals and updates to the PRUD and the Zoning Development Agreement.

<u>Natural Hazards Overlay Zone:</u> The proposed subdivision is located in a Zone "D" as determined by FEMA to be an area of undetermined flood hazards. Areas designated as Zone "D" are typically areas in which no analysis of flood hazards has been conducted.

The Horizon Neighborhood at Powder Mountain and the Village Nests at Powder Mountain are located within some potential geologic hazardous units per the UGS published Ogden 30 x 60 Quadrangle map. All site development will need to adhere to the recommendations of any reports and a "Natural Hazards Disclosure" document will be required to be recorded prior to receiving final occupancy to provide adequate notice of any geotechnical and geological recommendations to future property owners.

<u>Culinary water and sanitary sewage disposal:</u> An updated "Feasibility Letter" has been provided to ensure the additional units will be serviced by the Powder Mountain Water and Sewer District. Proof of a connect fee from Powder Mountain Water and Sewer District will be required to be submitted prior to receiving a building permit from Weber County.

<u>Review Agencies</u>: The Weber Fire District and the Weber Surveyor's Office have reviewed and have made recommendations that will need to be addressed as part of the Horizon Neighborhood at Powder Mountain PRUD, Amendment 1 subdivision approval process. To date, the Weber County Engineering Division has not reviewed the application. A condition of approval has been included to ensure that all applicable review agencies requirements will be met prior to recording any future subdivisions within the amended PRUD.

The Weber Fire District and the Weber Surveyor's Office have reviewed and approved the proposal for the Village Nests at Powder Mountain. The Weber County Engineer's has comments that will need to be addressed prior to recording any future subdivisions within the amended PRUD.

Additional design standards and requirements: The infrastructure has been installed throughout the Summit at Powder Mountain Phase 1 PRUD. Additional design criteria and landscaping designs have not been submitted for review primarily due to the conceptual nature of the proposed amendment and the desire to maintain as much native vegetation as possible to preserve the stability of the hillsides and limit the areas of disturbance. There may be additional site preparation in conjunction with an approved building permit. The proposal does not require the realignment of or the creation of a new street system. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Planning Commission Recommendation

The Ogden Valley Planning Commission recommends approval for the Summit at Powder Mountain Phase 1 PRUD, Amendment 3. The request will amend the previous approved site plans for the Horizon Neighborhood at Powder Mountain and Village Nest at Powder Mountain. The amendment to the PRUD will increase the overall units in the Summit at Powder Mountain PRUD from 73 units to 77 units and will add one additional garage and one lodge to the Horizon Neighborhood. The amendment will also include another garage structure within the Village Nest @ Powder Mountain PRUD. The remaining PRUD area will remain unchanged. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A detailed material list of the proposed exterior building materials or material boards will be required for review and approval during the design review process.

This recommendation is based on the following findings:

- 1. The proposed subdivision conforms to the Ogden Valley General Plan.
- 2. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
- 3. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
- 4. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

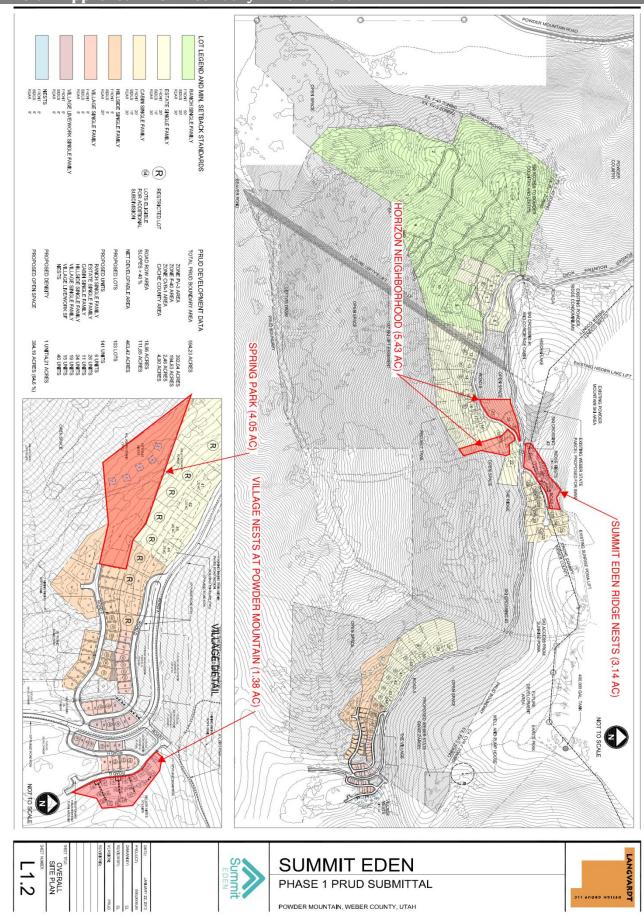
Exhibits

- A. The approved PRUD boundary
- B. The ZDA Conceptual Land Use Plan
- C. Application/Narrative
- D. Amended PRUD boundary
- E. Site layout for the Horizon Neighborhood and Village Nest amended development

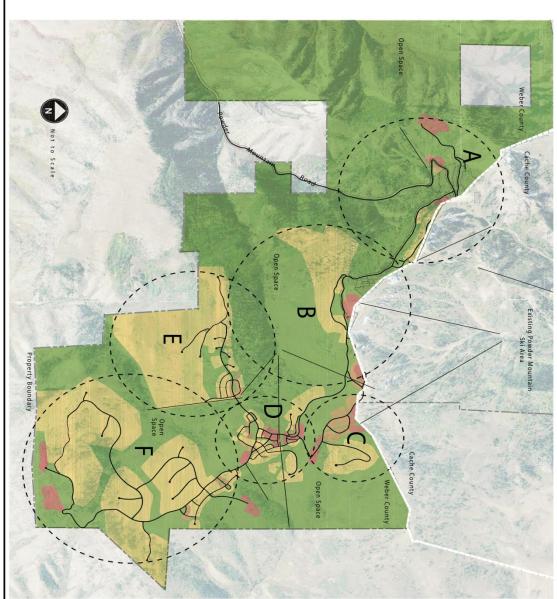
Location Map 1



Exhibit A-Approved PRUD Boundary-Amendment 2



Overall Land Use Plan



The Overall Land Use Plan depicts general areas for development within the proposed Rezone boundary. These areas indicate general land use areas and roadway circulation proposed.

Each development area identified is represented in greater detail within this Rezone Application.

DEVELOPMENT AREAS

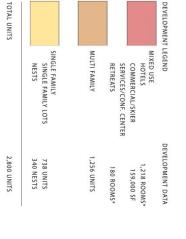
A - Mid-Mountain

B - The Ridge

C - Earl's Village D - Summit Village

E - Gertsen

F - The Meadow



* HOTEL AND RETREAT ROOMS EQUAL .33 UNITS EACH FOR DENSITY CALCULATIONS

Wel	ber County Cond	litional Use Permit	Application	
Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401				
Date Submitted / Completed	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)	
Property Owner Contact I	nformation			
Name of Property Owner(s) SMHG PHASE I LLC		Mailing Address of Propert 3632 N. WOLF CREEK DRIV	Mailing Address of Property Owner(s) 3632 N. WOLF CREEK DRIVE, EDEN, UT 84310	
Phone 435-640-7002	Fax N/A			
Email Address (required) JW@SUMMIT.CO			Preferred Method of Written Correspondence Email Fax Mail	
Authorized Representativ	ve Contact Information			
Name of Person Authorized to Represent the Property Owner(s) RICK EVERSON		Mailing Address of Author 5200 S. HIGHLAND DR #10	Mailing Address of Authorized Person 5200 S. HIGHLAND DR #101, SLC, UT 84117	
Phone 801-897-4880	Fax N/A			
Email Address RICK@WATTSENTERPRISES.COM		Preferred Method of Writte	Preferred Method of Written Correspondence Email Fax Mail	
Property Information				
Project Name SUMMIT AT POWDER MOUNTAIN PHASE 1 PRUD		Total Acreage 14.88	Current Zoning DRR-1	
Approximate Address POWDER MOUNTAIN RESORT		NEIGHBORHOOD AT POWE	Land Serial Number(s) ALL OF VILLAGE NESTS AT POWDER MOUNTAIN, ALL OF HORIZON NEIGHBORHOOD AT POWDER MOUNTAIN, ALL OF SUMMIT EDEN RIDGE NESTS AT POWDER MONTAIN, 23-144-0001, AND 23-130-0043	
Proposed Use SINGLE FAMILY RESIDENTIAL				
LAND. ON JULY 19, 2016 THE COU IDENTIFIED THE FOLLOWING PROJ SUMMIT EDEN RIDGE NESTS, 15 UN	NTY COMMISSION APPROVED CUP ECTS TO BE INCLUDED; NTS, 3.14 ACRES TOTAL, 2.69 ACRES	2016-13 WHICH AMENDED THE ORIGII 5 OPEN SPACE (86%)	ASE 1 PRUD) WHICH INCLUDED 594.23 ACRES OF HAL PRUD AND SHRUNK IT DOWN TO 14 ACRES AND	
HORIZON NEIGHBORHOOD AT PO	NTAIN, 20 UNITS, 1,38 ACRES TOTAL WDER MOUNTAIN, 26 UNITS, 5.43 A AIN, 12 UNITS, 4.05 ACRES TOTAL, 1	ACRES TOTAL, 4.51 ACRES OPEN SPACE	(83%)	
THIS CUP IS TO AMEND THE PRUD, SPECIFICALLY HORIZON NEIGHBORHOOD TO INCREASE THE NUMBER OF UNITS TO 30, WITH 6.31 ACRES TOTAL AND 4.96 ACRES OPEN SPACE. WE ARE ALSO REQUESTING TO INCREASE THE SIZE OF THE VILLAGE NEST PROJECT TO 2.06 ACRES WITH 1.06 ACRES OF OPEN SPACE, KEEPING THE SAME NUMBER OF UNITS.				
THIS CHANGE WOULD INCREASE THE TOTAL PRUD SIZE TO 15.6 ACRES TOTAL AND 10.8 ACRES OF OPEN SPACE (69%). IT WOULD ALSO INCREASE THE TOTAL NUMBER OF UNITS FROM 73 TO 77 (A 5% DENSITY INCREASE).				

Exhibit D-Proposed PRUD Boundary-Amendment 3

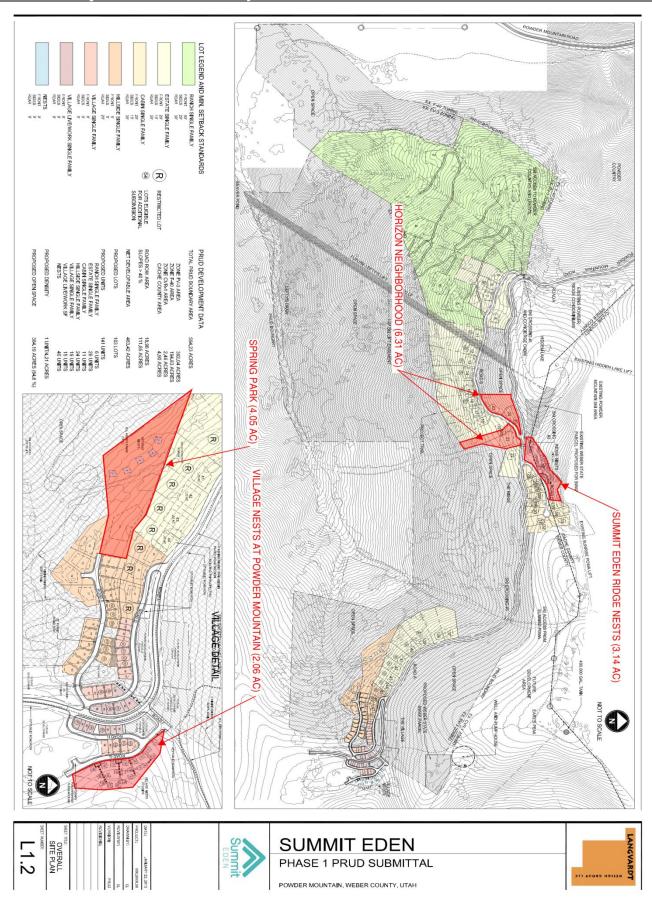


Exhibit E-Site layout for the Horizon Neighborhood at Powder Mountain PRUD Amendment 1

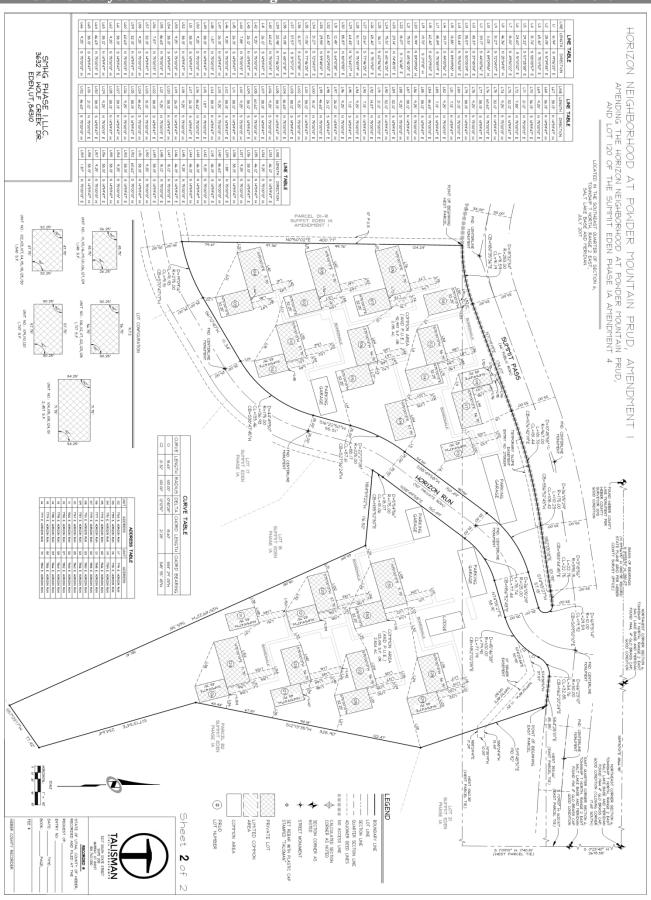


Exhibit E-Site layout for the Village Nests at Powder Mountain PRUD ADDRESS TABLE SMHG PHASE I,LLC. 3632 N. WOLF CREEK DR. EDEN,UT,84310 NORTHHEST CORNER SECTION 6, TOWNSHIP 7 NORTH, RANKE 2 EAST SALT LAKE BASE AND PERIDIAN FOUND GLO 1944, 4" BRASS CAP FOUND GLO GOOD CONDITION VILLAGE NESTS EAST AT POWDER MOUNTAIN-PRUD SEAG TIMMUR (WOM SIJBUG) VACATING AND REPLACING VILLAGE NESTS AT POWDER MOUNTAIN CONDOMINIUMS SMHG LANDCO LLC, PARCEL® 23-012-014 SMHG LANDCO LLC, PARCEL# 23-012-0149 30.00 4 BOUNDARY LINE LOT LINE SECTION LINE OUARTER SECTION LINE ADJOINER DEED LINES CALCULATED SECTION CORNER AS NOTED SET REBAR WITH PLASTIC CAP STAMPED "NOLITE ASSOC." SECTION CORNER AS NOTED EXISTING EASEMENTS TO BE VACATED BY SEPARATICLY RECORDED TERMINATION AGREEMENT. THESE EASEMENTS THILL BE REMOVED PRIOR TO RECORDING AND ARE ONLY SHOWN AT THIS TIME FOR REVIEW. STREET MONUMNET LIMITED COMMON AREA PRIVATE LOT EASEMENT PER SUPPINT EDEN ID, APENOMENT, THAT IS NO MEDIED AND IS TO BE VACATED ORDING THIS PAIT. THESE NITS WILL BE REMOVED PRIOR TO NITS WILL BE REMOVED PRIOR TO NITS AND ARE ONLY SHOWN AT THIS REPUEN Sheet 2 of RECORDED # STATE OF UTAH, COUNTY OF WEBER RECORDED AND FILED AT THE TALISMAN CIVIL CONSULTANTS S217 SOUTH STATE STREET SURE 200 MARKAY, UT 8407 801,743,1300