



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action for the final plat approval of Summit Eden Phase 1C Amendment 7, an eight lot subdivision.
Type of Decision:	Administrative
Agenda Date:	Tuesday, May 22, 2018
Applicant:	SMHG Phase 1, LLC
Authorized Representative:	Rick Everson
File Number:	UVS041218

Property Information

Approximate Address:	8450 E. Copper Crest, Eden, Ut
Project Area:	0.72 acres
Zoning:	Ogden Valley Destination and Recreation Resort Zone (DRR-1)
Existing Land Use:	Ski Resort
Proposed Land Use:	Resort Development
Parcel ID:	23-146-0001
Township, Range, Section:	T7N, R2E, Section 8

Adjacent Land Use

North:	Ski Resort	South:	Ski Resort
East:	Ski Resort	West:	Ski Resort

Staff Information

Report Presenter:	Ronda Kippen rkippen@co.weber.ut.us 801-399-8768
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, Natural Hazards Areas

Development History

- Summit Eden Phase 1C received preliminary subdivision approval in conjunction with the County Commission's approval of the Summit at Powder Mountain PRUD on April 9, 2013 with subsequent amendments on July 9, 2013
- Summit Eden Phase 1C final subdivision was heard and received a positive recommendation by the Ogden Valley Planning Commission on October 22, 2013 and received final approval by the Weber County Commission on January 21, 2014
- 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.
- Summit Eden Phase 1C Amendment 1, amending lot lines between Lot 57A & Open Space Parcel G Administratively Approved on June 24, 2015
- Summit Eden Phase 1C Amendment 2, combining Lots 87-95 and Open Space Parcel M into Develop Parcel D2 Administratively Approved on July 10, 2015

- 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.
- Summit Eden Phase 1C Amendment 3, combining Parcel E with a remnant parcel that was not included in the original development to create Development Parcel D8 Administratively Approved on July 12, 2016
- An amendment to reduce 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.
- Summit Eden Phase 1C Amendment 4, consisting of 19 lots and four open space parcels was heard and approved by the Weber County Commission on January 31, 2017 after receiving a positive recommendation from the Ogden Valley Planning Commission.
- Summit Eden Phase 1C Amendment 5, creating "Parcel A" and reducing the size of open space "Parcel J", was heard and received administrative approval by the Planning Director in a public meeting held on August 16, 2017.
- Summit Eden Phase 1C Amendment 6, removing the designated building envelope from lot 44R, was heard and received administrative approval by the Planning Director in a public meeting held on March 28, 2018.

Background and Summary

The Planning Division recommends final approval of the Summit Eden Phase 1C Amendment 7, consisting of eight lots and one open space parcel (see Exhibit A for the proposed amendment). The original Summit Eden Phase 1C consisted of 64 lots and 8 open space parcels (see Exhibit B for the recorded Summit Eden Phase 1C Subdivision plat). The applicant would like to amend development Parcel D8 to create eight lots and one open space parcel between the public right of way known as Summit Pass and a private road identified as Copper Crest. Access to the lots will be gained from Copper Crest and will be restricted from Summit Pass.

The Uniform Land Use Code of Weber County (LUC) §101-1-7 identifies a subdivision amendment as a “Small Subdivision” and can be administratively approved by the Planning Director as long as the amendment consists of five or fewer lots; however, based on the amount of lots the proposed amendment is being forwarded for consideration and approval by the County Commission after receiving a recommendation from the Planning Commission per the approval process outlined in LUC §106-1-8. The proposed subdivision amendment and lot configuration is in conformance with the current zoning and the Zoning Development Agreement Master Plan as well as the applicable subdivision requirements as required in the LUC.

Analysis

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

Zoning: 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.”

As part of the subdivision process, the proposal has been reviewed against the current subdivision ordinance in LUC Chapter 106 and the standards in the DRR-1 zone in LUC Chapter 104 Title 29. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. It appears that the proposed subdivision is in conformance with county code. The following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations:

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 structures. The proposed amendment will create eight lots with access and frontage along a private road identified as Copper Crest and a public road known as Summit Pass. A “No Access Line” has been placed along the northern boundary and Summit Pass to ensure the lots are accessed from Copper Crest. The proposed lots range in size from 2,265 square feet to 3,354 square feet. The lots range in width from 36.39 feet to 48.09 feet. The open space parcel is 7,274 square feet. These lots will be developed as “Nest” units. The following development standards will be reviewed upon submittal for land use approval for a single family dwelling unit:

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

Based on the proposed lot configuration, the proposed lots meet the minimum lot area and minimum lot width requirement per LUC §104-29-2(h).

Natural Hazards Areas: 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.

Geotechnical and geologic hazard investigations have taken place by IGES for the proposed subdivision in accordance with the Natural Hazard Areas as outlined in LUC Chapter 108 Title 22. The site specific investigation for the proposed Lots 144R-151 are in the IGES report Project # 01628-020 dated January 20, 2017. This report states that “The West Village Sliver project area does not appear to have major geological hazards that would adversely affect the development as currently proposed.” Specific recommendations have been made for the development of the West Village Sliver Summit Powder Mountain Resort site and it is recommended that IGES staff is onsite to verify compliance with the recommendations.

A condition of approval that a “Natural Hazards Disclosure” document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

Culinary water and sanitary sewage disposal: Culinary water and sewer service are provided by Powder Mountain Water and Sewer Improvement District.

Review Agencies: The Weber County Surveyor’s Office has reviewed the proposal and the applicant has addressed the areas of concern. The Weber County Engineering Division and Weber Fire District have reviewed and approved the proposal.

Additional design standards and requirements: There may be additional site preparation in conjunction with an approved building permit. The proposed subdivision 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.

Tax clearance: The 2017 property taxes are delinquent. The 2018 property taxes will be due in full on November 1, 2018. The 2017 taxes will need to be paid in full prior to recording the subdivision mylar.

Public Notice: The required noticing for the final subdivision plat approval has been mailed to all property owners of record within 500 feet of the subject property regarding the proposed subdivision per noticing requirements outlined in LUC §106-1-6(b).

Staff Recommendation

Staff recommends final approval of the Summit Eden Phase 1C Amendment 7, consisting of eight lots and one open space parcel. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

1. A geologist and geotechnical engineer are onsite during development to ensure that their recommendations are adhered to.
2. A “Natural Hazards Disclosure” document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.
3. The 2017 property taxes must be paid in full prior to recording the subdivision mylar.

This recommendation is based on the following findings:

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

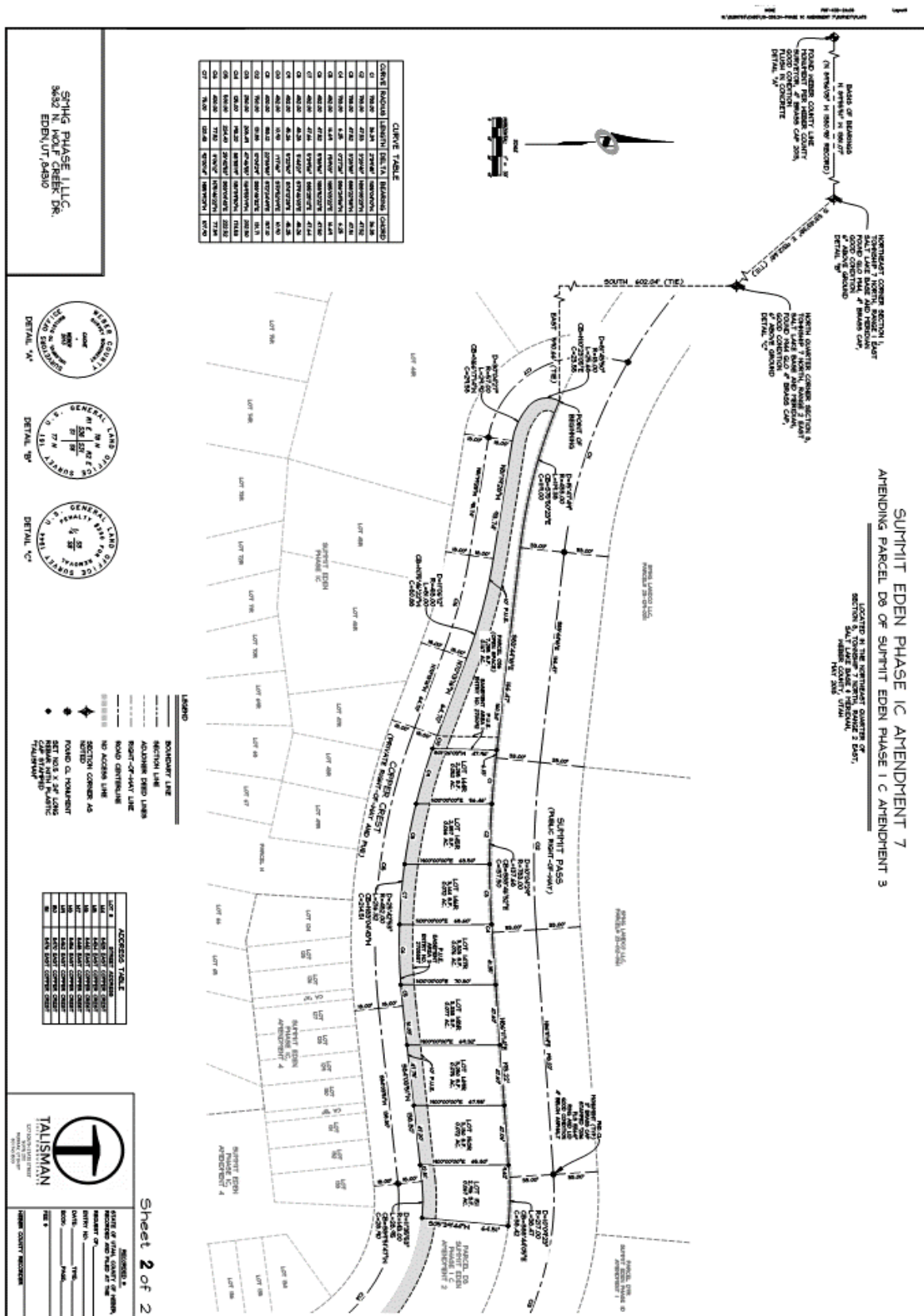
Exhibits

- A. Proposed Summit Eden Phase 1C Amendment 7
- B. Recorded Summit Eden Phase 1C Subdivision Plat

Location Map 1



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RICHARD H. TELLER
INDEPENDENT LAND SURVEYOR
FIRM CERTIFICATE NO. 19848





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**SUPPIT EDEN PHASE IC
COVER SHEET, SIGNATURES, & VICINITY MAP**
LOCATED IN THE NORTH & SOUTHWEST AND THE NORTH /2 OF
SECTION 4 OF TOWNSHIP 1 NORTH, RANGE 3 EAST, SALT LAKE
BASE AND MERIDIAN, HERRON COUNTY, UTAH

CATED IN THE SOUTH 1/2 OF SECTION 5, AND THE NORTH 1/2 OF SECTION 4.

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PLAT NOTES (CONT.)

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THE PERSONS WHOSE NAMES ARE PRINTED ON THIS CARD ARE
ELIGIBLE TO VOTE, WHETHER OR NOT RESIDENTS OF THE POLITICAL DISTRICT.

NAME OF VOTER _____

RESIDING IN _____

DATE OF BIRTH _____

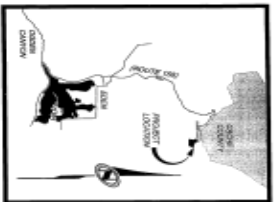
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<p>REALTOR® <i>John J. Pappas</i> My Commission Expires: <i>1/1/14</i> My Commission is: <i>3.00%</i> My Office is: <i>1000</i></p>	<p>REALTOR® <i>John J. Pappas</i> My Commission Expires: <i>1/1/14</i> My Commission is: <i>3.00%</i> My Office is: <i>1000</i></p>
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1-THIS BUREAU SUBMITTED THE ABOVE INFORMATION TO THE FBI ON 11/1/78, AND REQUESTED AS SHOWN

THE BOUND DESCRIBED FOR THIS PLAT STARTS FROM A POINT BETWEEN THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASIN AND NEWMAN AND A HATCH HILLER COUNTY LINE PROCEEDING WEST BY THE HILLER COUNTY SURVEYOR'S OFFICE. TWO DAYS DIFFERS WITH OTHER COUNTY SURVEYORS' DATA BEING SET FORTH AS SHOWN ON COUNTY MAP PRELIMINARY RECORDED PLAT BOOK 76, PAGE 14.

STROB PRADE I LLC ("STROB PRADE")
DOES HEREBY SET ASIDE
SUCH INTEREST, SUBJECT TO ALL
OTHERS, IN THE AT MORTGAGE.

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I, DAVID L. HANCOCK, PRESIDENT, HAVE DESIGNATED THIS PAYEE DESIGNATION AS OF THE
 DATE OF 2/24/2014 2014.
 BY: MTS
 NAME: ELIOTT HANCOCK
 TITLE: MANAGER

DR. _____
NAME: GILBERT VINCENT PALMS
TITLE: FOUNDER

004963
LABORATORY _____

UNIT

Sheet 1 of 6

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NOTICE: VERTICAL PRINTING IS REQUIRED FOR ALL DOCUMENTS SUBMITTED TO THE COURT.

STANDARD 1

STATE OF NEW YORK
COUNTY OF NEW YORK
IN SENATE SENATE BILL
SENATE NO. 2017/15
SENATE NO. 2017/15
SENATE NO. 2017/15

APPROVED AND ACCEPTED BY THE COMMISSIONERS OF
 ALBANY COUNTY, NEW YORK
 THIS 21 DAY OF January 1974
 John Strohm
 Peter A. Dondan
 ALBANY COUNTY COMMISSIONERS
 BOOK 12 PAGE 80
 247-60
 FILE 3
 1 Special Receiver
 ALBANY COUNTY RECORDER
 75-3



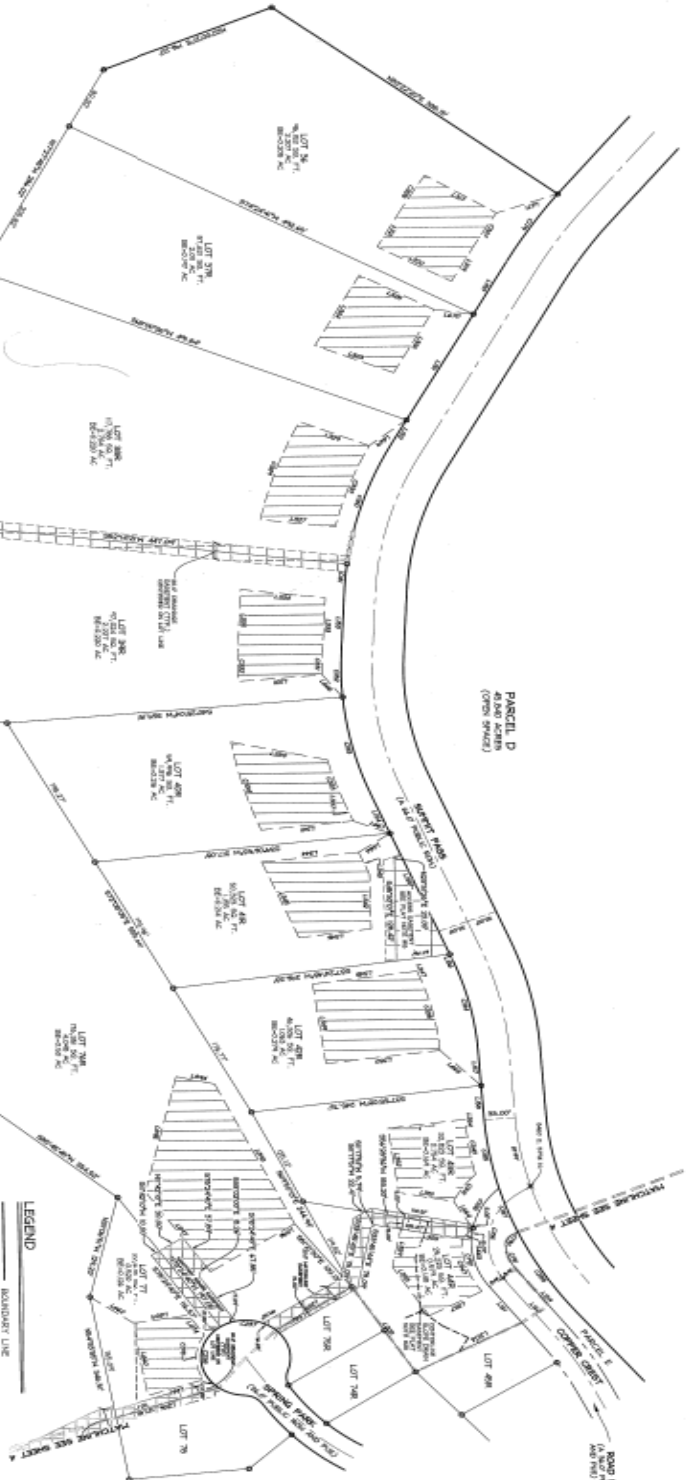
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SUMMIT EDEN PHASE 1C
 LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND THE NORTH 1/2 OF
 SECTION 6, T. 7N. R. 26E. ALPINE, HENDERSON COUNTY, UTAH
 JANUARY 2014

LOT #	STREET ADDRESS
36	ROAD 8 SUMMIT PARK
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77	ROAD 8 SUMMIT PARK

SUMMIT EDEN PHASE 1C
 LOTS 36-44R, 76, & 77.

LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND
 THE NORTH 1/2 SECTION 6 OF
 TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE
 BASE AND MERIDIAN, HENDERSON COUNTY, UTAH



LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- COUNTY LINE
- ADJACENT CROWN LANDS
- AREA TIE LINES
- SLOPE BREAK INDICATOR
- DISTURBED OR NO ACCESS LINE
- PAVEMENT LINE
- CALCULATED SECTION CORNER AS NOTED
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- STREET MONUMENT
- SET OF 4" x 8" BEAMS WITH 2" x 4" x 8" BRACKET
- SET OF 4" x 8" BEAMS WITH 2" x 4" x 8" BRACKET
- BUILDING INVALUABLE
- EXISTENT

Sheet 3 of 6

NVS
 NORTH VERIFICATION SERVICE
 1000 N. 1000 E. SUITE 100
 OGDEN, UT 84403
 (801) 466-1000
 www.nvs-utah.com

DATE: 01/15/14
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 CHECKED BY: JLS
 APPROVED BY: JLS

PROJECT: SUMMIT EDEN PHASE 1C
 SHEET: 3 OF 6

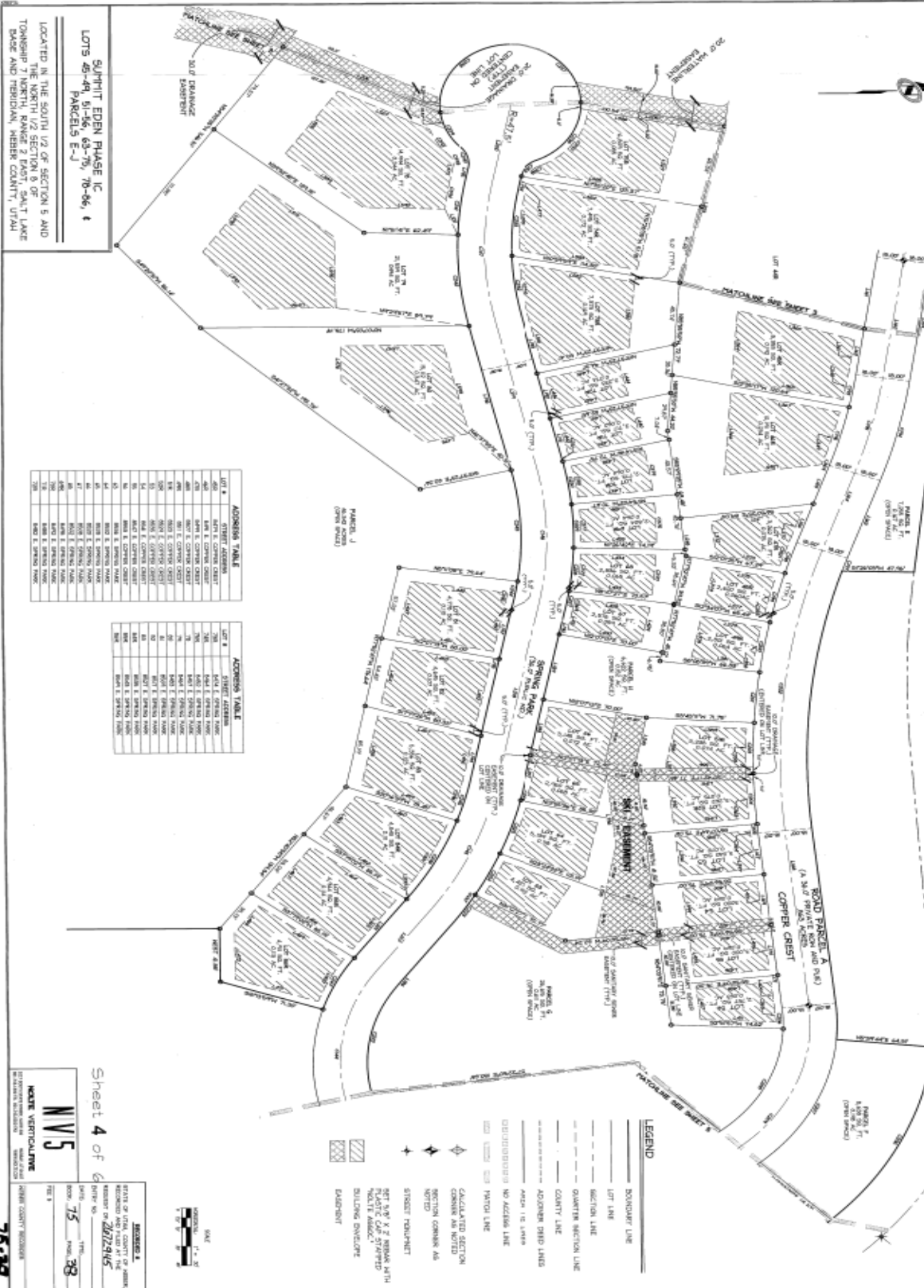
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SUMMIT EDEN PHASE 1C

LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND THE NORTH 1/2 OF SECTION 6, T. 7N, R. 2E, 46N, WEBER COUNTY, UTAH

JANUARY 2014

SUMMIT PHASE 1C (A 367 PARCEL ROW)



SUMMIT EDEN PHASE 1C
LOTS 45-49, 51-56, 63-79, 78-86, &
PARCELS E-J

LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND
THE NORTH 1/2 OF SECTION 6 OF T. 7N, R. 2E, 46N,
WEBER COUNTY, UTAH

LOT #	OWNER
45	DAVE E. CANTRELL
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Sheet 4 of 6

NVS

NOTICE: VERTICAL CURVE

DATE: 1/15/14

BY: 75

75-38

REVISIONS:

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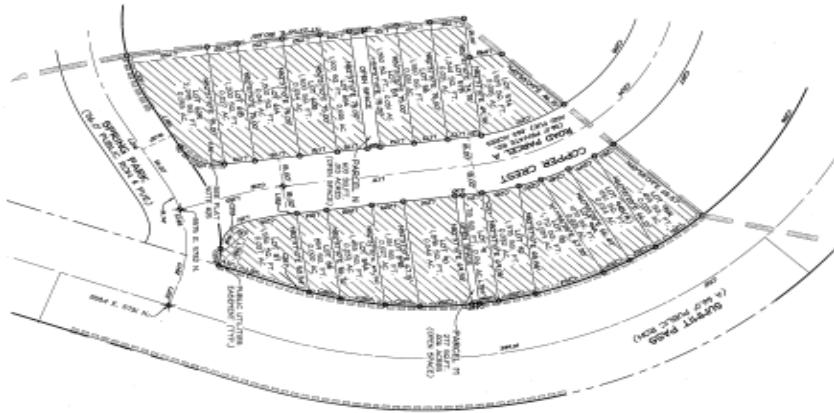
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63-59

SUMMIT EDEN PHASE 1C
 LOCATED IN THE SOUTH 1/2 OF SECTIONS 8 AND THE NORTH 1/2 OF
 SECTION 9, T. 7 N., R. 22 E., SUB. 1, NEENAH COUNTY, UTAH
 JANUARY 2014



LEGEND

- BOUNDARY LINE
- LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- COUNTY LINE
- ADJACENT DEED LINES
- AREA TIE LINES
- CALCULATED SECTION CORNER AS NOTED
- SECTION CORNER AS NOTED
- SURVEY POINTS
- 1/4" 6" X 8" 2" SQUARE WITH PLASTIC CAP, SURVEYED TO DATE
- BUREAU OF LAND MANAGEMENT
- EASEMENT

LOT #	STREET ADDRESS
1	101 N. 1000 E.
2	102 N. 1000 E.
3	103 N. 1000 E.
4	104 N. 1000 E.
5	105 N. 1000 E.
6	106 N. 1000 E.
7	107 N. 1000 E.
8	108 N. 1000 E.
9	109 N. 1000 E.
10	110 N. 1000 E.
11	111 N. 1000 E.
12	112 N. 1000 E.
13	113 N. 1000 E.
14	114 N. 1000 E.
15	115 N. 1000 E.
16	116 N. 1000 E.
17	117 N. 1000 E.
18	118 N. 1000 E.
19	119 N. 1000 E.
20	120 N. 1000 E.
21	121 N. 1000 E.
22	122 N. 1000 E.
23	123 N. 1000 E.
24	124 N. 1000 E.
25	125 N. 1000 E.
26	126 N. 1000 E.
27	127 N. 1000 E.
28	128 N. 1000 E.
29	129 N. 1000 E.
30	130 N. 1000 E.
31	131 N. 1000 E.
32	132 N. 1000 E.
33	133 N. 1000 E.
34	134 N. 1000 E.
35	135 N. 1000 E.
36	136 N. 1000 E.
37	137 N. 1000 E.
38	138 N. 1000 E.
39	139 N. 1000 E.
40	140 N. 1000 E.
41	141 N. 1000 E.
42	142 N. 1000 E.
43	143 N. 1000 E.
44	144 N. 1000 E.
45	145 N. 1000 E.
46	146 N. 1000 E.
47	147 N. 1000 E.
48	148 N. 1000 E.
49	149 N. 1000 E.
50	150 N. 1000 E.



SUMMIT EDEN PHASE 1C
 LOTS 57A-62, 67-68 & PARCEL M & N
 ADDRESS TABLES

LOCATED IN THE SOUTH 1/2 OF SECTION 8 AND
 THE NORTH 1/2 OF SECTION 9 OF
 TOWNSHIP 7 NORTH, RANGE 22 EAST, SUBSECTION 1
 BASE AND MERIDIAN, NEENAH COUNTY, UTAH

Sheet 5 of 6
 NV5

NEENAH VERTICAL CURVE
 100' VERTICAL CURVE
 100' VERTICAL CURVE
 100' VERTICAL CURVE

NEENAH COUNTY RECORDS
 76-39

LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND
THE NORTH 1/2 SECTION 8 OF
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE
BASE AND MERIDIAN, WEBER COUNTY, UTAH

SUMMIT EDEN PHASE IC
LINE & CURVE TABLES

LOCATED IN THE SOUTH 1/2 OF SECTION 5 AND
THE NORTH 1/2 SECTION 8 OF
TOWNSHIP 7 NORTH, RANGE 2 EAST, SALT LAKE
BASE AND MERIDIAN, WEBER COUNTY, UTAH

[illegible]

Sheet 6 of 6

NY 5

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