



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Consideration and action on a request for the preliminary subdivision approval of Overlook at Powder Mountain Subdivision, a multi-phased, 56 lot development located within the approved Powder Mountain Resort.
<b>Application Type:</b>	Administrative
<b>Agenda Date:</b>	Tuesday, December 04, 2018
<b>Applicant:</b>	SMHG, LLC
<b>Authorized Agent:</b>	Rick Everson
<b>File Number:</b>	UVO050118

### Property Information

<b>Approximate Address:</b>	8465 E Copper Crest
<b>Project Area:</b>	111.797 Acres
<b>Zoning:</b>	DRR-1
<b>Existing Land Use:</b>	Resort
<b>Proposed Land Use:</b>	Resort
<b>Parcel ID:</b>	23-012-0167, 23-012-0014, 23-012-0132
<b>Township, Range, Section:</b>	T7N, R2E, Sections 5 and 8

### Adjacent Land Use

<b>North:</b>	Ski Resort/Resort Development	<b>South:</b>	Ski Resort/Resort Development
<b>East:</b>	Ski Resort/Resort Development	<b>West:</b>	Ski Resort/Resort Development

### Adjacent Land Use

<b>Report Presenter:</b>	<b>Ronda Kippen</b> rkippen@co.weber.ut.us 801-399-8768
<b>Report Reviewer:</b>	<b>Steve Burton</b>

## 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 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. 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.

## Background and Summary

The Planning Division recommends preliminary subdivision approval of Overlook, a multi phased development, with a total of 56 lots (see Exhibit A for the preliminary plat). Overlook will be accessed off of an existing stub road known as Meridian Avenue which will extend through the north western end of the subdivision. The street system throughout the subdivision will be private right of ways and these private right of ways will serve as public utility easements for the required infrastructure for the development. The three phased development will have lots that range in size from 8,872 square feet to 3,325 square feet and all lots will gain access from the private right of way/street system within the development. The

applicant has submitted the required information as outlined in the Uniform Land Use Code of Weber County (LUC) §106-1-5 for consideration and approval of the proposed subdivision.

As part of the preliminary subdivision requirements, the subdivision review process and approval procedure, the proposal has been reviewed against the current preliminary subdivision ordinance and the standards of the DRR-1 zone. The proposed subdivision and lot configuration are in conformance with the current zoning and the Zoning Development Agreement Conceptual Land Use Plan (see Exhibit B for the ZDA Concept Plan) as well as the applicable subdivision requirements as required in the LUC. The proposed development has also been reviewed by all reviewing agencies. Based on these reviews, the application has met or will conditionally meet all of the requirements for preliminary approval. The following is staff's analysis of the proposed preliminary subdivision.

## 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, with the recommended conditions, 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 development will create 56 lots with access and frontage along private right of ways identified as Meridian Avenue, Overlook Drive, Overlook Ridge. The proposed lots range in size from 8,872 square feet to 3,325 square feet. The lots range in width from 45 feet to 85 feet. 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 "X" as determined by FEMA to be within the 500-year floodplain. Areas designated as Zone "X" are typically areas in which no analysis of flood hazards have 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 1 through 56 are in the IGES report Project # 01628-027 dated November 9, 2018. Specific recommendations have been made for the development of the Overlook site and it is being made a condition of approval that IGES staff is onsite to verify compliance with the recommendations and a verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.

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. A “Capacity Assessment Letter” and a construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the County Commission.

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

Additional design standards and requirements: There may be additional site preparation in conjunction with each approved building permit. The proposed subdivision does require the creation of a new street system. A temporary turn around easement must located at the end of all temporary stubbed streets. Staff recommends adding language to be placed on the final plat that will vacate the easements upon recording the future phases. The applicant will be required to provide a cash escrow to be held by Weber County for the applicable improvements within the subdivision. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Public Notice: The required noticing for the preliminary 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 preliminary subdivision approval of Overlook, a three phased 56 lot development located within the approved Powder Mountain Resort. 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. A verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.
2. A “Capacity Assessment Letter” and a construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the Planning Commission and County Commission.
3. A note on the final subdivision plat and a separate “Natural Hazards Disclosure” document will be required to be recorded to provide notice of any recommendations to future property owners regarding the geotechnical and geologic report prepared by IGES dated November 9, 2018, identified as Project #01628-027.
4. A temporary turn around easement must located at the end of all temporary stubbed streets.

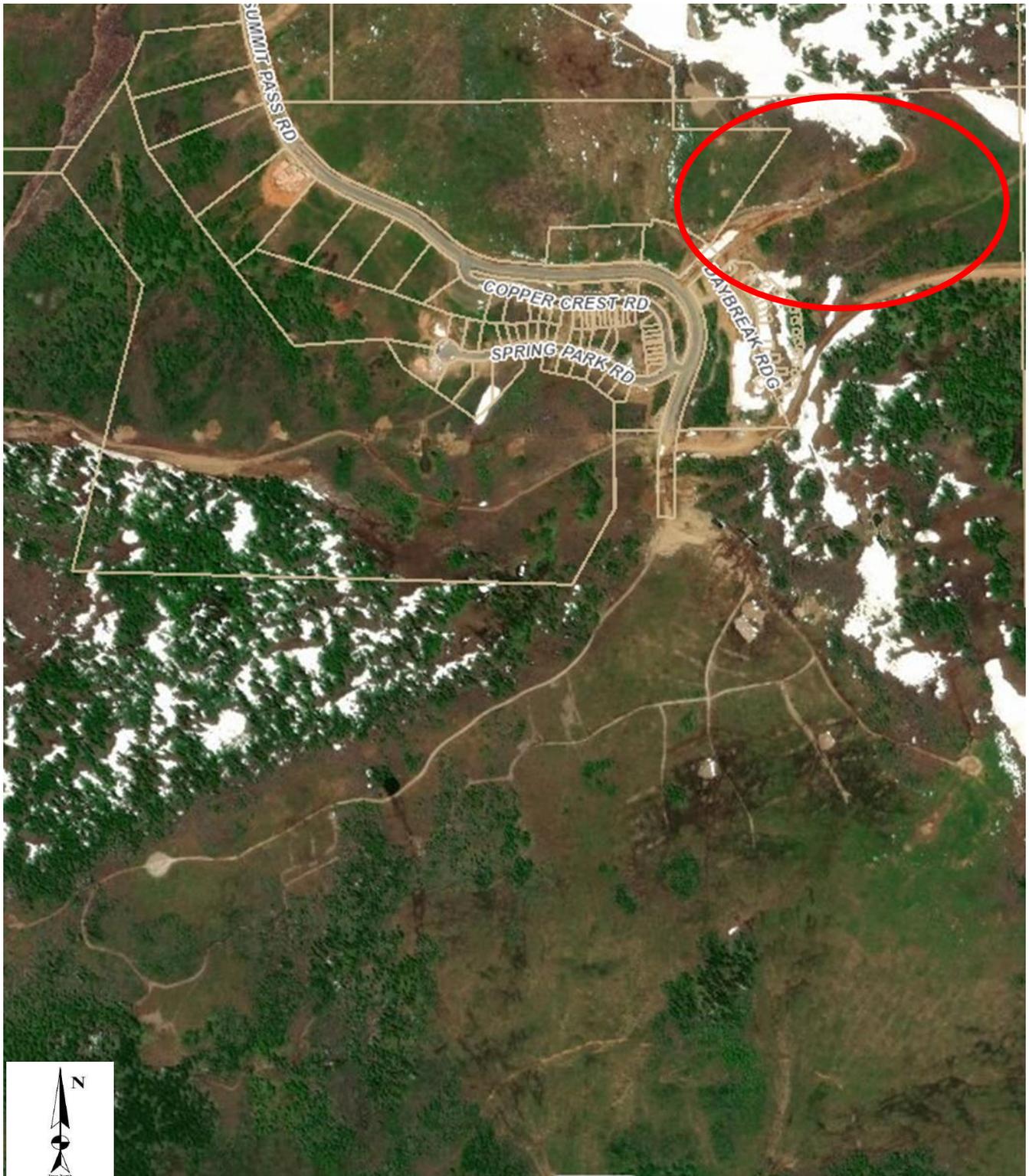
This recommendation is based on the following findings:

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.
5. The proposed master planned development is in conformance with the approved Zoning Development Master Plan.

## Exhibits

- A. Overlook Preliminary Plat
- B. Zoning Development Agreement Conceptual Map

Location Map

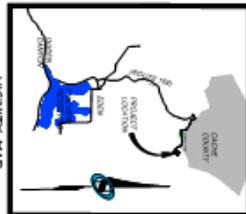


SCALE: AS SHOWN  
 DATE: 10/15/2014  
 SHEET NO: 1  
 PROJECT: OVERLOOK AT POWDER MOUNTAIN PRELIMINARY PLAT

**PLAT NOTES:**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,  
 TOWNSHIP 36N, RANGE 107E, SHERIDAN COUNTY, WYOMING.  
 AS SHOWN ON THE PLAT.

**OVERLOOK AT POWDER MOUNTAIN  
 PRELIMINARY PLAT**



VICINITY MAP  
 N.T.S.

**OWNER'S DEDICATION:**

THE PLAT IS A DEDICATION OF THE RIGHTS RESERVED UNDER THE PLAT TO ALL OF THE APPLICABLE RIGHTS AND INTERESTS SET FORTH IN THE PLAT INSTRUMENTS AND TO BE HELD IN TRUST FOR THE PUBLIC USE AND ENJOYMENT OF THE PLAT AREA. THE DEDICATION IS MADE BY THE PLAT INSTRUMENTS AND IS NOT SUBJECT TO ANY OTHER RIGHTS OR INTERESTS. THE DEDICATION IS MADE FOR THE PUBLIC USE AND ENJOYMENT OF THE PLAT AREA AND IS NOT SUBJECT TO ANY OTHER RIGHTS OR INTERESTS. THE DEDICATION IS MADE FOR THE PUBLIC USE AND ENJOYMENT OF THE PLAT AREA AND IS NOT SUBJECT TO ANY OTHER RIGHTS OR INTERESTS.

**ACKNOWLEDGEMENT:**

I, the undersigned, acknowledge and certify that the dedication of the rights reserved under the plat is a valid and binding dedication of the rights reserved under the plat to the public use and enjoyment of the plat area. I, the undersigned, acknowledge and certify that the dedication of the rights reserved under the plat is a valid and binding dedication of the rights reserved under the plat to the public use and enjoyment of the plat area.

**LIEN HOLDER'S CONSENT:**

I, the undersigned, acknowledge and certify that the dedication of the rights reserved under the plat is a valid and binding dedication of the rights reserved under the plat to the public use and enjoyment of the plat area. I, the undersigned, acknowledge and certify that the dedication of the rights reserved under the plat is a valid and binding dedication of the rights reserved under the plat to the public use and enjoyment of the plat area.

**SURVEYOR'S NARRATIVE:**

The purpose of this survey and plat is to dedicate the interests of land to the public use and enjoyment of the plat area. The survey was conducted in accordance with the provisions of the Wyoming Statutes and the rules of the Board of Land Surveyors. The survey was conducted in accordance with the provisions of the Wyoming Statutes and the rules of the Board of Land Surveyors.

**SURVEYOR'S CERTIFICATE:**

I, the undersigned, certify that the survey and plat are correct and true to the best of my knowledge and belief. I, the undersigned, certify that the survey and plat are correct and true to the best of my knowledge and belief. I, the undersigned, certify that the survey and plat are correct and true to the best of my knowledge and belief.

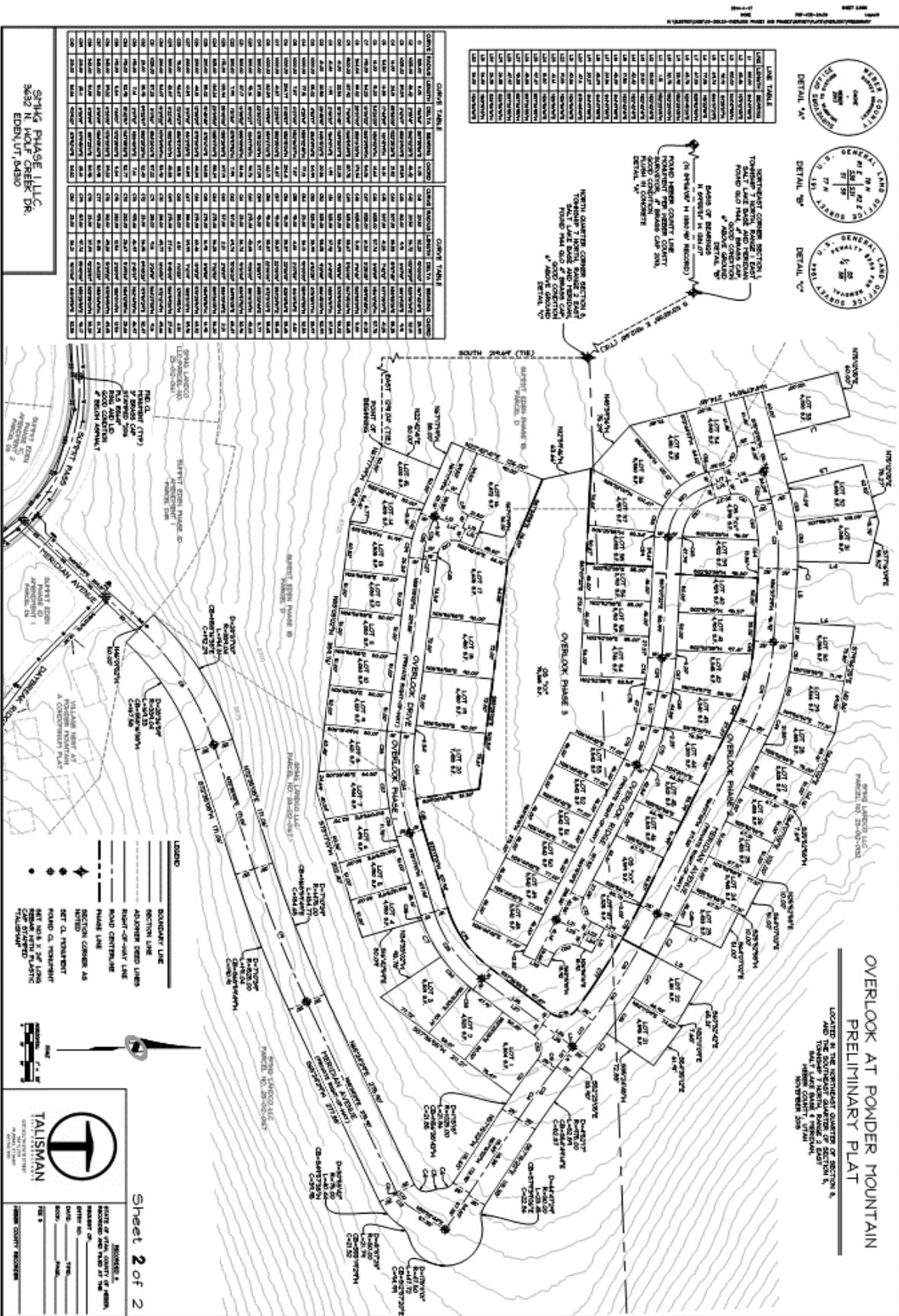
**LEGAL DESCRIPTION:**

The legal description of the land is as follows: The land is located in the northeast quarter of section 16, township 36N, range 107E, Sheridan County, Wyoming. The land is located in the northeast quarter of section 16, township 36N, range 107E, Sheridan County, Wyoming. The land is located in the northeast quarter of section 16, township 36N, range 107E, Sheridan County, Wyoming.

<b>OWNER:</b> SHING PHASE I, LLC 3632 N. WOLF CREEK DR. EDEN, UT 84301	<b>SHED COUNTY REGISTER:</b> I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.	<b>SHED COUNTY REGISTER:</b> I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.	<b>SHED COUNTY REGISTER:</b> I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.	<b>SHED COUNTY REGISTER:</b> I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.	<b>SHED COUNTY REGISTER:</b> I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.	<b>SHED COUNTY REGISTER:</b> I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE REVIEWED THE PLANNING, DESIGN AND OTHER INFORMATION ASSOCIATED WITH THIS DEDICATION PLAT AND FIND IT TO BE CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
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**TALISMAN**  
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# Exhibit A-Overlook Preliminary Plat



# Overall Master Plan



The Overall Master Plan depicts conceptual development patterns and connectivity within the proposed Rezone boundary. These areas identify the general development massing, open spaces, recreational components and pedestrian and roadway circulation proposed.

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

- DEVELOPMENT AREAS
- A - Mid-Mountain
  - B - The Ridge
  - C - Earl's Village
  - D - Summit Village
  - E - Gertsen
  - F - The Meadow