



Weber County Planning Division

August 12, 2014

Mr. Paul Strange
3632 North Wolf Creek Drive
Eden, Utah 84310

Subject: DRR-1 rezone and review for application completeness.

Dear Mr. Strange,

As you may recall, the Weber County Planning Division sent you communications on June 26th and July 29th, 2014; both times attempting to inform you that your application, to amend the County's zoning map, is incomplete. According to Section 17-27a-509.5 of Utah State Code, an applicant is able to request a written determination as to whether their application is either complete or deficient with respect to specific application requirements. You have not requested this information but as a courtesy, the Planning Division is reaching out to make certain that you know that we are doing everything that we can to process your rezone application with the information that we have.

The following is a list of information that is still in need:

1. Water and wastewater feasibility letters as required in Section 102-5-4(b)(4) of the Weber County Land Use Code (LUC). Although we appreciate the explanations that have been provided, these letters need to be written by the entity that will serve the development.
2. An electric power feasibility letter as required in Section 102-5-4(c) of the LUC. If you prefer, we can use a comment that was posted by Rocky Mountain Power (on Miradi) as your feasibility letter.
3. A Letter of feasibility, from the Weber County Sheriff's Office.
4. An answer to question #4 in the County's rezone chapter. This question can be found in Section 102-5-4(b)(6) of the LUC. If this comment has been addressed in the latest revision of the master plan booklet, please provide a page and paragraph number.
5. According to Powder Mountain Agency Review Committee meeting minutes, dated October 21, 2013, Powder Mountain representatives committed to provide Weber County with a second access road study along with any DRR-1 rezone application. This study has not been submitted.

If we can be of any assistance, please let us know.

Sincerely,


Scott Mendoza, Planner
Weber County Planning Division

Enc.
cc: MB, SW



Weber County Planning Division

Date: June 26, 2014

To: Paul Strange

Cc: Commissioner Bell, Sean Wilkinson, Russ Watts

From: Scott Mendoza
Ext. 8769

Subject: Powder Mountain's DRR1 Application Submittal Review

Paul,

Below you will find a list of information and/or materials that are (required by the County's Code and) missing from Powder Mountain's rezoning application:

1. Two large (24"x36") hardcopy prints of the overall conceptual master plan and each development area's individual master plan and illustrative plan. This is required in Section 102-5-5.
2. Seven (11"x17") hardcopy prints of the conceptual master plan as required in Section 102-5-5. Instead of producing seven copies of the conceptual plan, it could help to expedite the review process by providing us with 10 hardcopies of Powder Mountain's DRR1 Application Booklet.
3. An answer to question #4 in the County's rezoning chapter. This question can be found in Section 102-5-4(b)(6).
4. A Cost Benefit Analysis as required by 102-5-4(c) and defined in Section 101-1-7.
5. A Recreation Facilities Plan has been submitted; however, it does not include a phasing schedule or orientation (i.e., public or private use facility). This information is required due to the Plan's definition which is found in Section 101-1-7.
6. Water and wastewater feasibility letters as required in Section 102-5-4(b)(4).
7. Electric power feasibility letter as required in Section 102-5-4(c).
8. All maps of resort boundary must be updated to show all out-parcels e.g., Powder 11 Subdivision, Powder Mountain Village, Powder Mountain West Phase 1-4, Powder Ridge Condominium, etc. As of right now it appears as though your request includes all of these other properties that SMHG does not own.
9. An Emergency Services Plan as required in Section 102-5-4(c) and defined in Section 101-1-7. Letters of feasibility, from the Weber Fire District and the Weber County Sheriff are also required.

The questions/statements below are requests/points that need to be communicated to the applicant:

1. Is it possible to provide an approximate number or a number range for the units in each development area? It will be very helpful to provide scale and perspective to the Ogden Valley Planning Commission.
2. The variances that have been requested on page 16, of the Master Plan Booklet, cannot be granted by the Land Use Authority i.e., Ogden Valley Planning Commission or County Commission.



Weber County Planning Division

Date: July 29, 2014

To: Paul Strange

Cc: Commissioner Bell, Sean Wilkinson, Russ Watts

From: Scott Mendoza
(801)399-8769

Subject: Planning Division Comments for the Powder Mountain's DRR1 (Rezone) Application.

Paul,

The Planning Division staff is reviewing Powder Mountain's DRR1 rezone application and has prepared an early list of items for us to discuss at your earliest convenience. We will provide other review agency comments as soon as they become available.

Comments provided as of July 29th, 2014:

Application Submittals:

1. The rezone application is still in need of water and wastewater feasibility letters as required in Section 102-5-4(b)(4) of the Weber County Land Use Code (LUC). Although we appreciate the explanations that have been provided, these letters need to be written by the entity that will serve the development.
2. The rezone application is still in need of an electric power feasibility letter as required in Section 102-5-4(c) of the LUC. If you prefer, we can use a comment that was posted by Rocky Mountain Power (on Miradi) as your feasibility letter.
3. The rezone application is still in need of a Letter of feasibility, from the Weber County Sheriff's Office.
4. The application is still in need of an answer to question #4 in the County's rezone chapter. This question can be found in Section 102-5-4(b)(6) of the LUC. If this comment has been addressed in the latest revision of the master plan booklet, please provide a page and paragraph number.
5. The Benefit Analysis, submitted with Powder Mountain's DRR1 Zone application, is based on 1,000 dwelling units and 290,000 sq. ft. of commercial space. The rezone application proposes 2,800 dwelling units and less than 190,000 sq. ft. (as shown on each village master plan and the Workforce Housing Plan) of commercial space. The master plan and supporting materials should be consistent.
6. According to Powder Mountain Agency Review Committee meeting minutes, dated October 21, 2013, Powder Mountain representatives committed to provide Weber County with a 2nd access road study along with any DRR1 rezone application. This study has not been submitted.

Master Plan:

7. The access to the Sundown "boutique" hotel and other residences utilizes a private road through the Powder Mountain West Subdivision. Does Powder Mountain have permission to use that road as an access?
8. The commercial area and "boutique" hotel located in the saddle, north of the top terminal of the existing Sundown chairlift, appears to be on a ridge that is visible from Eden, Liberty, and the North Fork Park. To



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guarantee a dark night sky for residents and because North Fork Park is currently in the process of acquiring a “dark-sky” accreditation, this location may need to be further studied.

9. The resort boundary, shown in the master plan booklet, appears to include property that does not belong to Powder Mountain. This property is along the Powder Mountain Road, in the south westerly most area of the project.
10. On page 43 of the Powder Mountain master plan booklet, the project acknowledges that there will be “employees generated due to development in Cache County”. What are development plans for the Cache County side of the development?
11. Please provide a conceptual plan that shows all of (the previously recorded) Phase 1 and any previous road dedications.
12. The easterly most “point” of The Meadows development area may need a 200 foot buffer where no buffer is currently shown. Please check all development areas for compliance with the DRR1 buffer requirements.
13. On page 17, the master plan booklet discusses requirements for “green building practices” that are a part of Powder Mountain’s design guidelines. Also, in Section 5.4 of Zoning Development Agreement #C2012-212, Powder Mountain has agreed to incorporate principles of sustainability into the development. Are these principles and guidelines available for review and have they been implemented into Phase 1? If not, when and how will these guidelines be implemented?
14. On page 30 of the Powder Mountain master plan booklet, the plan shows a chairlift and ski terrain across the project’s easterly most boundary, into State lands. Has this plan been discussed with the State of Utah?
15. On page 43 of the Powder Mountain master plan booklet, the plan states that the resort’s high elevation and unpredictable weather make the Ogden Valley and Ogden City more suitable places for resort employees to live. This can be thought of as contradictory i.e., Powder Mountain is suitable for residents but not for working residents. Typically, there are other reasons (e.g., trip generation due to lack of daily needs or services, etc.) to house employees off-site.

Zoning Development Agreement (#C2012-212):

16. The Agreement between Weber County and Powder Mountain describes a resort boundary containing 4,297 acres and 2,800 development units. The current Powder Mountain rezone application shows approximately 6,300 acres and master plans for the same number (2,800) of units. Is it Powder Mountain’s intent to forgo any potential development rights associated with the additional (potentially developable) 2,000 acres?
17. Section 8.1 of the Agreement states that Powder Mountain will record a reinvestment fee covenant on the resort property. Has this taken place?