



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for the final plat approval of Summit Eden Ridge Nests-PRUD Amendment 1

Type of Decision: Administrative

Agenda Date: Tuesday, February 09, 2016

Applicant: SMHG Phase 1, LLC

File Number: UVS101315A

Property Information

Approximate Address: Summit Eden Ridge Nests-Powder Mountain

Project Area: 3.137 Acre (15 Nest Units)

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

Existing Land Use: Ski Resort

Proposed Land Use: Resort Development

Parcel ID: Weber County: 23-132-0001, 23-132-0002, 23-132-0003, 23-132-0004, 23-132-0005, 23-132-0006 & 23-132-0007
Cache County: 16-111-0007, 16-111-0008, 16-111-0009, 16-111-0010, 16-111-0011, 16-111-0012, 16-111-0013, 16-111-0014, 16-111-0015 & 16-111-COMM

Township, Range, Section: T7N, R2E, Section 5 & 6

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: SM

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

Summary

The applicant has submitted an application to amend the Summit Eden Ridge Nests PRUD subdivision plat to slightly modify the configuration of the 15 individual units and add limited common area around each individual unit to enable the owners of one or more of the units some additional uses as detailed in Plat Note# 5 (see Exhibit A for the proposed amendment). The subdivision will maintain common area within the boundary of the subdivision with a blanket public utility easement across both the limited common and common areas. An "open space conservation" parcel is being proposed as part of the amendment to permanently preserve the scenic qualities and natural buffers between the subdivision and the adjacent Lot 34R in the Summit Eden Phase 1B Subdivision. The open space conservation parcel will be owned and maintained by the applicant per Note# 21 on the proposed subdivision plat amendment. The proposed subdivision amendment will amend in its entirety, restate, supersede and replace the Summit Eden Ridge Nests PRUD subdivision plat that was recorded in the official records of Weber County as Entry# 2672949 on January 23, 2014.

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. The proposed amendment exceeds the lots that can be administratively approved; therefore, the request for consideration and action is being forwarded to County Commission for final approval after receiving a positive recommendation from the Ogden Valley Planning Commission on January 26, 2016 (see Exhibit B for the OVPC draft minutes) per the approval process outlined in LUC §106-1-8.

Background

Summit Eden Ridge Nests-PRUD Amendment 1 is a subdivision consisting of 15 “Nest Units” (see Exhibit A). The previously approved and recorded Summit Eden Phase 1B Subdivision identified “Development Parcel B” which was further developed as Summit Eden Ridge Nests PRUD (see Exhibit C for the recorded Summit Eden Phase 1B Subdivision plat and Exhibit D for the recorded Summit Eden Ridge Nests-PRUD). Summit Eden Ridge Nests received preliminary subdivision approval in conjunction with the County Commission’s approval of the Summit at Powder Mountain PRUD on April 9, 2013 with a subsequent amendment on July 9, 2013. The Summit Eden Ridge Nests-PRUD 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 (see Exhibit E for the PC and CC minutes).

The proposed subdivision amendment and lot configuration is in conformance with the approved PRUD, current zoning and the Zoning Development Agreement Master Plan (see Exhibit F) as well as the applicable subdivision requirements as required in the LUC. The following is staff’s analysis of the proposed subdivision amendment.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by encouraging development within the existing resort-related 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 §106, the approved PRUD and the standards in the DRR-1 zone in LUC §104-29. The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. The proposed subdivision is in conformance with county code and the following is a brief synopsis of the review criteria and conformance with the LUC.

Lot area, frontage/width and yard regulations: In order to allow for the reduced lot size and the private ownership of the units, the Summit Eden Ridge Nests was developed as a PRUD. Private ownership is limited to the actual footprint of each lot/unit with limited common area around the individual unit; the remainder of Development Parcel B is designated as common area and an open space conservation parcel. This phase consists of one Development Parcel (previously “Development Parcel B”) with 15 “Nest Units.”

Nine of the units are in Cache County and fall under the provisions of the inter-local agreement which allows Weber County to act as the Land Use Authority for the units in Cache County. The area within Weber County is zoned DRR-1 and was approved for this type of development in the PRUD approval. The landscaping plans for the common area were approved with the PRUD. All of the units have the same basic floor plan and footprint with minor variations. The building elevations comply with the architectural renderings approved with the PRUD.

Access is gained from Heartwood Drive (a private road) to the parking lot for the Summit Eden Ridge Nests-PRUD. The parking lot has 16 spaces with one space designated as ADA accessible. Typically dwelling units have two spaces

each, but an exception for one space each was approved with the PRUD. Pathways for the overall Powder Mountain development were approved with the PRUD.

Flood Plain: 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.

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 Engineering Division and the Weber County Surveyor’s Office have reviewed the proposal and the applicant has addressed the areas of concern with final approval forthcoming. The Weber Fire District has reviewed and approved the proposal. The conditions of approval and review agency comments from the PRUD remain in effect (see Exhibit G), in addition to the review agency comments specific to this phase.

Additional design standards and requirements: Pathways for the overall Powder Mountain development were approved with the PRUD. As part of the PRUD approval, units to be used for timeshares or nightly rentals must be shown. The designation has been approved by the Planning and County Commission and was noted on the original dedication plat as Note #18 and will remain in effect as indicated in the proposed plat amendment notes.

Tax clearance: The 2015 property taxes have been paid in full. The 2016 property taxes will be due in full on November 1, 2016.

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).

Summary of County Commission Considerations

- Does this subdivision meet the requirements of applicable County Land Use Codes?
- Does this subdivision comply with the applicable PRUD approvals?
- Does this subdivision comply with the applicable Zoning Development Agreement Master Plan approval?

Planning Commission Recommendation

The Ogden Valley Planning Commission recommends final plat approval of Summit Eden Ridge Nests-PRUD Amendment 1, a PRUD Subdivision consisting of 15 “Nest Units” as part of the previously approved Master PRUD. This recommendation for approval is subject to following conditions:

1. Requirements of the Weber County Engineering Division.
2. Requirements of the Weber-Morgan Health Department.
3. Requirements of the Weber Fire District.
4. Requirements of the Weber County Surveyor’s Office.
5. Requirements of the Weber County Recorder.

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.

Staff Recommendation

The Planning Division has forwarded a positive recommendation for final plat approval of Summit Eden Ridge Nests-PRUD Amendment 1, a PRUD subdivision consisting of 15 “Nest Units” as part of the previously approved Master PRUD and is subject to all of the Planning Commission’s conditions of approval and includes the following additional condition:

1. The approved final plat will be recorded in Cache County and a copy of the recorded plat will be provided to the Planning Division.

Exhibits

- A. Proposed Summit Eden Ridge Nests-PRUD Amendment1
- B. Draft Minutes from PC meeting January 26, 2016
- C. Recorded Summit Eden Phase 1B Subdivision Plat
- D. Recorded Summit Eden Ridge Nests-PRUD
- E. Minutes from the Oct 22, 2013 PC meeting and Jan 21, 2014 CC meeting
- F. PRUD site plan and Zoning Development Master Plan showing Ridge Nests
- G. List of PRUD conditions of approval

Location Map 1



Location Map 2

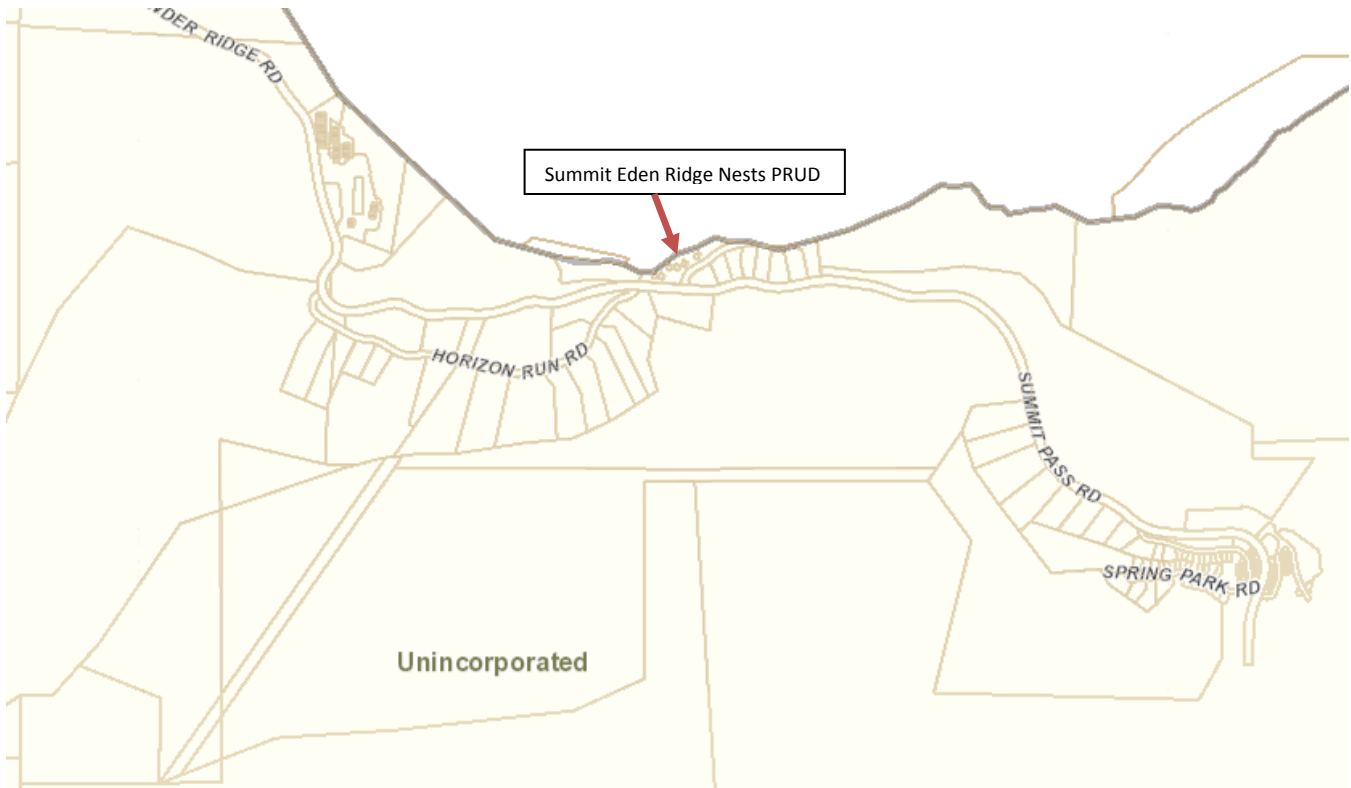


Exhibit B-PC January 26, 2016 Draft Minutes

Minutes of the Ogden Valley Planning Commission Regular meeting January 26, 2016, in the Weber County Commission Chambers, commencing at 5:00 p.m.

Present: Laura Warburton, Chair; Jami Taylor, John Howell, Greg Graves, Kevin Parson, Will Haymond,

Absent/Excused: Stephen Waldrip

Staff Present: Rick Grover, Planning Director; Jim Gentry, Principal Planner; Scott Mendozak, Principal Planner; Ronda Kippen, Planner I; Ben Hatfield, Planner; Courtlan Erickson, Legal Counsel; Kary Serrano, Secretary, Iris Hennon, Code Enforcement Officer

**Pledge of Allegiance*

1. Consent Agenda:

1.1. UVH120415: Consideration and action for approval on Holly Subdivision; a 4-lot cluster subdivision that is using a Private Right-of-Way for two lots and an access easement for two lots at approximately 800 N 7800 E in the Agricultural Valley 3 (AV-3) Zone. (MaryAnn Holley, Applicant)

1.2. UVS101315A: Consideration and action for the final plat approval of Summit Eden Ridge Nests – PRUD Amendment 1 located at Summit Eden Ridge Nests – Powder Mountain in the Ogden Valley Destination and Recreation Resort 1 (DRR-1) Zone. (SMHG Phase 1 LLC, Applicant)

1.3. UVS101315B: Consideration and action for the final plat approval of Summit Eden Phase 1D – Amendment 1 located at Summit Eden Ridge Nests – Powder Mountain in the Ogden Valley Destination and Recreation Resort 1 (DRR-1) Zone. (SMHG Phase 1 LLC, Applicant)

MOTION: Commissioner Parson moved to approve consent agenda items UVH120415, UVS101315A, and UVS101315B. Commissioner Graves seconded. A vote was taken with Commissioner's Taylor, Graves, Parson, Haymond, Howell, and Chair Warburton voting aye. Motion Carried (6-0).

Director Grover said on the consent agenda in 1.3., this needs to be changed from A to an B and Summit Eden Ridge Nests needs to be changed to Summit Eden Phase 1d, Summit Pass.

Chair Warburton asked if it would be appropriate to say that they amend this to the amended agenda or does this need to be restated. Courtland Erickson, Legal Counsel said that this could be considered to be corrected amendment to what was already done.

CORRECTIONS: Chair Warburton moved to change 1.3., to reflect the wording in the amended agenda of January 26, 2016 as per the Director's observation. A vote was taken with Commissioner's Taylor, Graves, Parson, Haymond, Howell, and Chair Warburton voting aye. Motion Carried (6-0).

Exhibit C-Summit Eden Phase 1B Subdivision

66-92

LINE TABLE	LINE TABLE
LINE LENGTH DIRECTION	LINE LENGTH DIRECTION
L1 75.00' S 74.073° M	L21 75.00' S 74.073° M
L2 70.52' S 80.719° M	L22 70.54' S 87.977° M
L3 17.02' S 87.972° M	L23 81.02' N 47.933° M
L4 14.40' N 83.842° M	L24 13.52' N 24.753° M
L5 26.98' N 69.273° M	L25 19.34' N 87.742° M
L6 78.09' N 62.922° M	L26 26.09' N 84.022° M
L7 31.59' N 62.022° M	L27 28.36' N 87.242° M
L8 13.84' N 82.922° M	L28 28.36' N 87.242° M
L9 8.02' N 47.933° M	L29 78.30' N 82.922° M
L10 13.84' N 82.922° M	L30 16.47' N 87.418° M
L11 8.02' N 47.933° M	
L12 13.84' N 82.922° M	
L13 13.84' N 82.922° M	
L14 24.00' N 82.922° M	
L15 14.17' N 78.718° E	
L16 46.41' N 74.718° M	
L17 103.40' S 72.441° M	
L18 217.43' S 84.772° M	
L19 105.44' S 82.922° E	
L20 24.00' N 82.773° M	

CURVE LENGTH	RADIUS	DELTA	LONG CHORD	LENGTH
C1 81.02'	465.00'	37.033°	N 47.933° M	248.53'
C2 81.02'	465.00'	37.033°	N 87.977° M	103.19'
C3 13.52'	510.00'	3.975°	N 24.753° M	223.27'
C4 13.52'	510.00'	3.975°	N 87.977° M	183.41'
C5 19.34'	433.00'	17.892°	N 87.742° M	183.41'
C6 19.34'	433.00'	17.892°	N 47.933° M	183.41'
C7 26.09'	347.00'	24.033°	N 84.022° M	183.41'
C8 26.09'	347.00'	24.033°	N 19.341° M	183.41'
C9 28.36'	433.00'	17.892°	N 87.242° M	183.41'
C10 28.36'	433.00'	17.892°	N 87.242° M	183.41'
C11 78.30'	277.00'	27.763°	N 82.922° M	102.80'
C12 16.47'	833.00'	1.273°	N 87.418° M	164.67'
C13 16.47'	833.00'	1.273°	N 87.418° M	164.67'
C14 14.17'	533.00'	6.907°	S 74.073° M	183.41'
C15 14.17'	533.00'	6.907°	S 80.719° M	183.41'
C16 46.41'	347.00'	32.494°	S 80.719° M	183.41'
C17 103.40'	234.00'	27.237°	S 82.922° M	87.17'
C18 217.43'	299.00'	7.934°	S 82.922° M	87.17'
C19 105.44'	500.00'	27.933°	N 74.073° M	106.90'
C20 24.00'	500.00'	27.933°	N 74.073° M	106.90'

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C28 26.09'	347.00'	24.033°	N 19.341° M	183.41'
C29 28.36'	433.00'	17.892°	N 87.242° M	183.41'
C30 28.36'	433.00'	17.892°	N 87.242° M	183.41'
C31 78.30'	277.00'	27.763°	N 82.922° M	102.80'
C32 16.47'	833.00'	1.273°	N 87.418° M	164.67'
C33 16.47'	833.00'	1.273°	N 87.418° M	164.67'
C34 14.17'	533.00'	6.907°	S 74.073° M	183.41'
C35 14.17'	533.00'	6.907°	S 80.719° M	183.41'
C36 46.41'	347.00'	32.494°	S 80.719° M	183.41'
C37 103.40'	234.00'	27.237°	S 82.922° M	87.17'
C38 217.43'	299.00'	7.934°	S 82.922° M	87.17'
C39 105.44'	500.00'	27.933°	N 74.073° M	106.90'
C40 24.00'	500.00'	27.933°	N 74.073° M	106.90'

LINE	LENGTH	DIRECTION
L1	75.00'	S 74.073° M
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L14	24.00'	N 82.922° M
L15	14.17'	N 78.718° E
L16	46.41'	N 74.718° M
L17	103.40'	S 72.441° M
L18	217.43'	S 84.772° M
L19	105.44'	S 82.922° E
L20	24.00'	N 82.773° M

ADJACENT OWNER: SUMMIT MOUNTAIN HOLDING GROUP, L.L.C. 23-015-0022

SUMMIT EDEN PHASE 1B
 BOUNDARY AND PARCEL D

LOCATED IN THE SOUTH 1/4 OF SECTION 5,
 SOUTHEAST 1/4 OF SECTION 6 AND
 TOWNSHIP NORTH, RANGE 2 EAST, SALT LAKE
 BASE AND MERIDIAN, WEBER COUNTY, UTAH

SUMMIT EDEN PHASE 1B
 BOUNDARY AND PARCEL D

LOCATED IN THE SOUTH 1/4 OF SECTION 5,
 SOUTHEAST 1/4 OF SECTION 6 AND
 TOWNSHIP NORTH, RANGE 2 EAST, SALT LAKE
 BASE AND MERIDIAN, WEBER COUNTY, UTAH

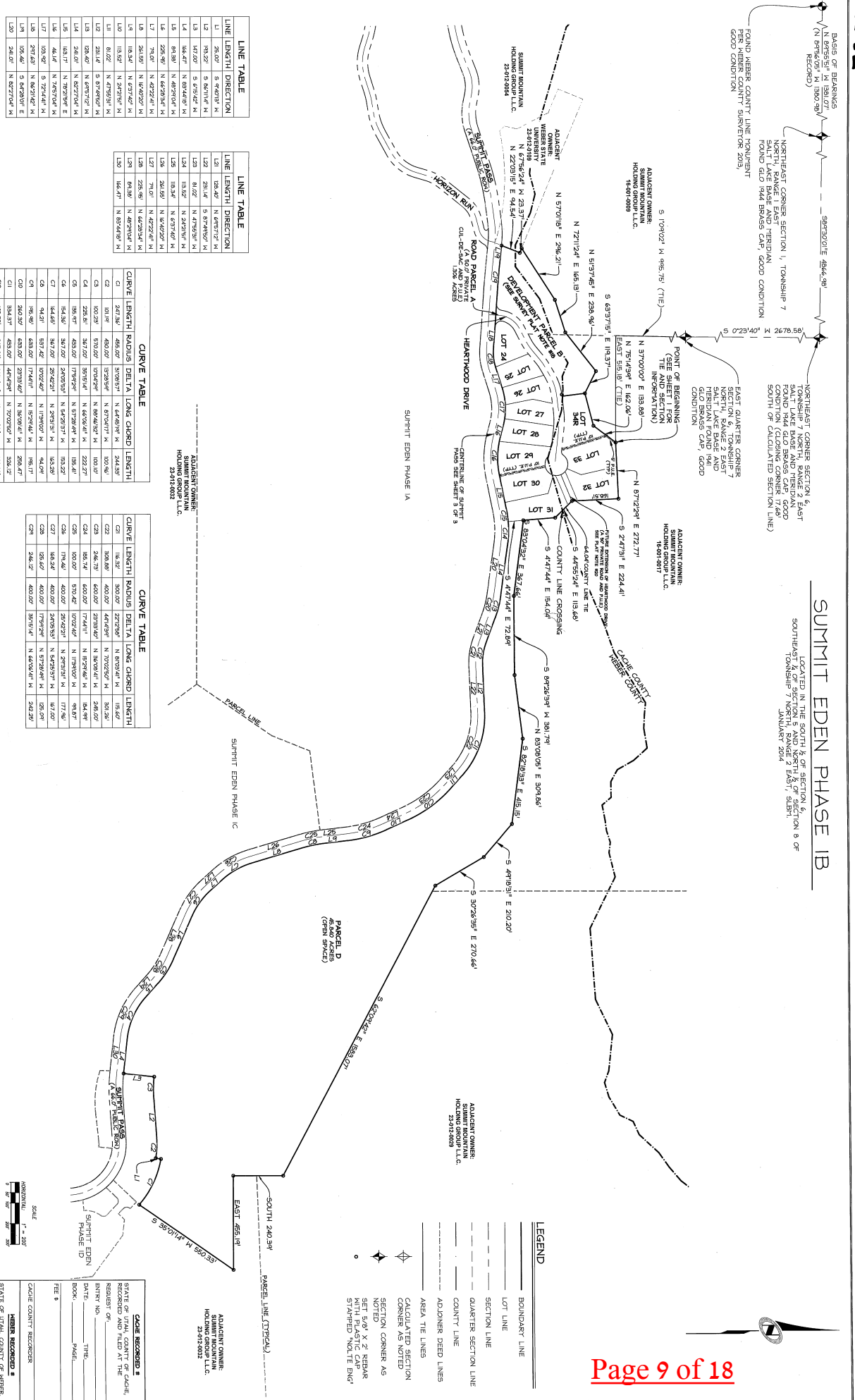
SUMMIT EDEN PHASE 1B
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LOCATED IN THE SOUTH 1/4 OF SECTION 5,
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 BASE AND MERIDIAN, WEBER COUNTY, UTAH

SUMMIT EDEN PHASE 1B
 BOUNDARY AND PARCEL D

LOCATED IN THE SOUTH 1/4 OF SECTION 5,
 SOUTHEAST 1/4 OF SECTION 6 AND
 TOWNSHIP NORTH, RANGE 2 EAST, SALT LAKE
 BASE AND MERIDIAN, WEBER COUNTY, UTAH

ADJACENT OWNER: SUMMIT MOUNTAIN HOLDING GROUP, L.L.C. 23-015-0022



Sheet 2 of 3

DATE: 11/14/24

SCALE: 1" = 200'

STATE OF UTAH, COUNTY OF WEBER, RESISTED BY: 21612944

DATE: 11/14/24

BOOK: 75 PAGE: 33

FEE \$

WEBER COUNTY RECORDERS

76-33

Exhibit E-OVPC Minutes

Minutes of the Ogden Valley Commission Regular Meeting held October 22, 2013, in the Weber County Commission Chambers, 1st Floor, commencing at 5:00 p.m.

Present: Pen Hollist, Chair; Ann Miller; Laura Warburton, John Howell, Kevin Parson

Absent/Excused: Greg Graves; Dennis Montgomery

Staff Present: Rob Scott, Planning Director; Sean Wilkinson, Planner; Chris Allred, Legal Counsel;
Kary Serrano, Secretary

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- **Pledge of Allegiance**
 - **Roll Call:** Chair Hollist stated that Dennis Montgomery resigned, Greg Graves was excused, and all others are present.
 - 1. **Minutes:**
 - 1.1. Approval of the August 8, 2013 and September 24, 2013 meeting minutes

MOTION: Chair Hollist declared the meeting minutes of August 8, 2013 and September 24, 2013 approved as written.

Chair Hollist asked if any Planning Commissioners had any conflicts of interest or ex parte communications to declare for any of the items. There were no conflicts of interest or ex parte communications reported.

2. Petitions, Applications and Public Hearings:

2.1. Administrative Items

a. New Business:

1. **UVS9241A:** Consideration and action on final approval of Summit at Powder Mountain Phase 1A located at Powder Mountain Ski Resort within the Forest Valley-3 Zone (FV-3), Forest-40 Zone (F-40) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson reviewed the staff report and mentioned that there will be a potential change in the future to this phase. The restricted lots had to be rechecked for accuracy and staff recommends approval of the current 24 lot proposal. If there are changes, the amendments will come back to the Planning Commission for an amendment. The potential change will consist of Lots 1-4, 9, and 10 being separated as Phase 1E due to access concerns, and extra engineering work that is necessary. Any approval tonight is subject to the requirements of the County Engineering Division, Weber Fire District, Weber County Surveyor, and any other agency reviews. This phase will not go to the County Commission for final approval until all review agencies have granted approval.

Eric Langvardt, Langvardt Design Group, said that he didn't have anything new and as staff has indicated the access on Lots 1-4, 9-10 need to be studied further so they can most sensibly place the access on the land. They need to clarify with their engineers with the restricted lot issue but everything else is as it was in the PRUD submittals.

MOTION: Commissioner Howell moved to recommend to the County Commission approval of UVS9241A subject to staff and other agencies listed in the staff report and in conformance with the General Plan and County Ordinance to include the corrections on Exhibit A, Sheets 2, 3 and 4. Commissioner Parson seconded.

FRIENDLY AMENDMENT: Commissioner Warburton recommended that the County receives clear information on the topographies so they can identify which lots are restricted and which are not.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared that the motion carried (5-0).

2. **UVS9241B:** Consideration and action on final approval of Summit at Powder Mountain Phase 1B located at Powder Mountain Ski Resort within the Commercial Valley Resort Recreation-1 Zone (CVR-1), Forest Valley-3 Zone (FV-3) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson said Phase 1B consists of Lots 24 through what was Lot 35. Lot 35 is now Developable Parcel B, where the 15 nest units are located. Those 15 nest units are located on this parcel and the others are lots for single family dwellings. Phase 1B is the smallest phase but it does have quite a large area for open space further down into the development. Phase 1B is also split by the county line and is located in both Weber and Cache County. There is an Interlocal Agreement that was signed by both counties and Weber County has been designated as the Land Use Authority for the Cache County land.

Sean Wilkinson said these lots were identified as cabin single family lots except for the nest units on Development Parcel B, and the setbacks and height requirements were specified in the PRUD approval. Lots 24-41 all have frontage on two roads. There is the main public road (Summit Pass) and there is Heart Wood Drive which is a private road. A no access line designation is required on Summit Pass. Any approval is subject to the review agency requirements and staff is recommending approval of this phase.

Kimbal Wheatley, who resides in Huntsville, said this is the first development where the impact of the units resides in Weber County and the taxes belong to another county. He asked if the units in Cache County are in addition to the units approved in Weber County. Chair Hollist stated that the units in Cache County count against the 154 that are approved. The only thing that happens here is Lots 32, 33, & 34 will pay their taxes to Cache County. They are not bonus lots because they appear in another county.

Commissioner Howell asked how much property is in Cache County and Russ Watts, Development Director for Summit, said there are about 3,700 acres in Cache County, which is mostly ski terrain.

MOTION: Commissioner Parson moved to recommend to the County Commission approval of UVS9241B subject to all review agency requirements and conditions of approval in the staff report, based on its compliance with applicable land use codes. Commissioner Warburton seconded.

VOTE: A vote was taken with all members voting aye and Chair Hollist declared that the motion carried (5-0).

3. UVS9241C: Consideration and action on final approval of Summit at Powder Mountain Phase 1C located at Powder Mountain Ski Resort within the Forest Valley-3 Zone (FV-3) (Summit Mountain Holding Group LLC, Applicant)

Sean Wilkinson reviewed the staff report and said this phase has several lots with potential frontage on two roads so they will need no access lines to clarify where the access will actually come from. In addition, the lots closer to the village have no setbacks on side property lines and are very narrow lots some as small as 17-18 feet wide. Parking standards are a problem for these lots and the parking variance that was granted as part of the PRUD was for the nest units. Where these are single family dwellings, each one is required to have two side by side parking stalls. During that PRUD approval the developers stated they would be able to meet that requirement except for the nest units. On some of these lots it is impossible to meet this requirement because the lots are too narrow.

Sean Wilkinson said there are these options for parking; 1. Require the lot width to increase to accommodate side by side parking. 2. Adjust the number of side by side spaces, by allowing tandem back-to-back parking spaces. 3. Reduce the number of required parking spaces from two to one. Approval is subject to the requirements the Engineering Division, Fire District, Water and Sewer District, and other review agencies. This phase will not go to the County Commission until all the agency requirements have been satisfied.

Chair Hollist asked about access involving Lots 42 and 41; Sean Wilkinson replied this is an access exception for Lot 42 through Lot 41. That is part of the access exception application that has already been submitted.

Eric Langvardt said he wanted to address the parking issue. They would like to explore the opportunity to adjust the parking stalls whether they allow for a narrower stall or do two of them side by side. Their smallest lots are 18 feet and have 16 foot doors for two small cars. They do think it's less of a size issue on these lots and would ask for either a reduced side by side or a tandem allowance because on some of these lots tandem parking works better.

**MINUTES
OF THE BOARD OF COMMISSIONERS OF WEBER COUNTY**

Tuesday, January 21, 2014 - 10:00 a.m.
Commission Chambers, 2380 Washington Blvd., Ogden, Utah

In accordance with the requirements of Utah Code Annotated Section 52-4-7(1)(d), the County Clerk records in the minutes the names of all citizens who appear and speak at a County Commission meeting and the substance "in brief" of their comments. Such statements may include opinion or unreported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.

COMMISSIONERS: Kerry W. Gibson, Chair, Jan M. Zogmaister and Matthew G Bell.

OTHERS PRESENT: Ricky D. Hatch, County Clerk/Auditor; David C. Wilson, Deputy County Attorney; Fátima Fernelius, of the Clerk/Auditor's Office, took minutes.

A. WELCOME – Chair Gibson

B. PLEDGE OF ALLEGIANCE – Deputy Ray Day

C. THOUGHT OF THE DAY – Commissioner Bell

D. CONSENT ITEMS:

1. Purchase Orders for \$1,367,920.56
2. Warrants #305551- #305757 for \$1,433,915.96
3. Minutes for the meetings held on January 7 and 14, 2014
4. New business licenses
5. New beer licenses
6. Retirement Agreement with Ann M. Stark – Contract C2014-11

Commissioner Bell moved to approve the consent items; Commissioner Zogmaister seconded, all voting aye.

E. ACTION ITEMS:

1. FIRST READING OF FEE ORDINANCE AMENDMENTS RELATING TO THE SOLID WASTE DIVISION OF THE WEBER COUNTY OPERATIONS DEPARTMENT

Gary Laird, of the County Solid Waste Division, presented changes to the transfer station tipping fee (increasing to \$32/ton from \$30/ton) and the demolition and construction waste tipping fee (decreasing to \$26/ton from \$30/ton). No price change has occurred in seven years. He noted that they have seen a decrease in waste for the last several years at the Transfer Station. The commissioners noted that a lot of related discussion has occurred recently, including at a WACOG meeting. The changes take effect July 1, 2014.

Commissioner Zogmaister moved to approve the first reading of the fee ordinance amendments relating to the Solid Waste Division of the County Operations Department; Commissioner Bell seconded, all voting aye.

2. CONTRACT WITH WHITAKER CONSTRUCTION FOR THE OGDEN BAY WATERFOWL MANAGEMENT AREA PROJECT AS PART OF THE WEBER EMERGENCY WATERSHED PROTECTION PROJECT – CONTRACT C2014-12

Jared Andersen, County Engineer, stated that the county went through a qualification bid process on awarding this contract. The selection committee unanimously selected Whitaker Construction.

Commissioner Bell moved to approve Contract C2014-12 with Whitaker Construction for the Ogden Bay Waterfowl Management Area project as part of the Weber Emergency Watershed Protection Project; Commissioner Zogmaister seconded. Commissioners Bell and Commissioner Zogmaister voted aye and Chair Gibson voted nay.

3. FIRST AMENDMENT TO THE CITYWATCH ONLINE SERVICE AGREEMENT EXTENDING OUR CURRENT CONTRACT WITH CITYWATCH FOR ANOTHER YEAR – CONTRACT C2014-13

Lance Peterson, of County Emergency Management, noted that for the past three years the county has had an emergency alert notification computer program service through CityWatch. This renews the contract for one more year at the same price of the past contract. The \$66,000 is 100% reimbursable through a Homeland Security grant.

Exhibit E-County Commission Minutes

Commissioner Bell moved to approve Contract C2014-13, first amendment to the CityWatch Online Service Agreement extending our current contract with CityWatch for another year; Commissioner Zogmaister seconded, all voting aye.

4. **CONTRACT WITH PING4ALERTS INC., TO PROVIDE WIDER AREA EMERGENCY NOTIFICATIONS VIA CELL PHONE – CONTRACT C2014-14**

Lance Peterson, of County Emergency Management, presented this license agreement for \$20,001 through 12/31/2015 with two extensions for a \$20,000 total. He noted that alerts can now be sent to geographic areas.

Commissioner Bell moved to approve Contract C2014-14 with Ping4Alerts Inc., to provide wider area emergency notifications via cell phone; Commissioner Zogmaister seconded, all voting aye.

5. **SITE DEVELOPMENT AGREEMENT FOR \$2,475.00 FOR REMOVAL OF THE TEMPORARY TRAILER AND LANDSCAPING AT WOLF MOUNTAIN (NOW KNOWN AS SKYLINE MOUNTAIN BASE) – CONTRACT C2014-15**

Sean Wilkinson, County Planning Division Director, noted that Wolf Mountain is undergoing some changes, including a name change and updates to their site plan. The temporary trailer had been approved for up to five years and the associated landscaping was never installed. The developers have put up a financial guarantee for the removal of the trailer and the four 6 ft. pine trees in pots.

Commissioner Zogmaister moved to approve Contract C2014-15, Site Development Agreement for \$2,475.00 for the removal of the temporary trailer and landscaping at Wolf Mountain/Skyline Mountain Base; Commissioner Bell seconded, all voting aye.

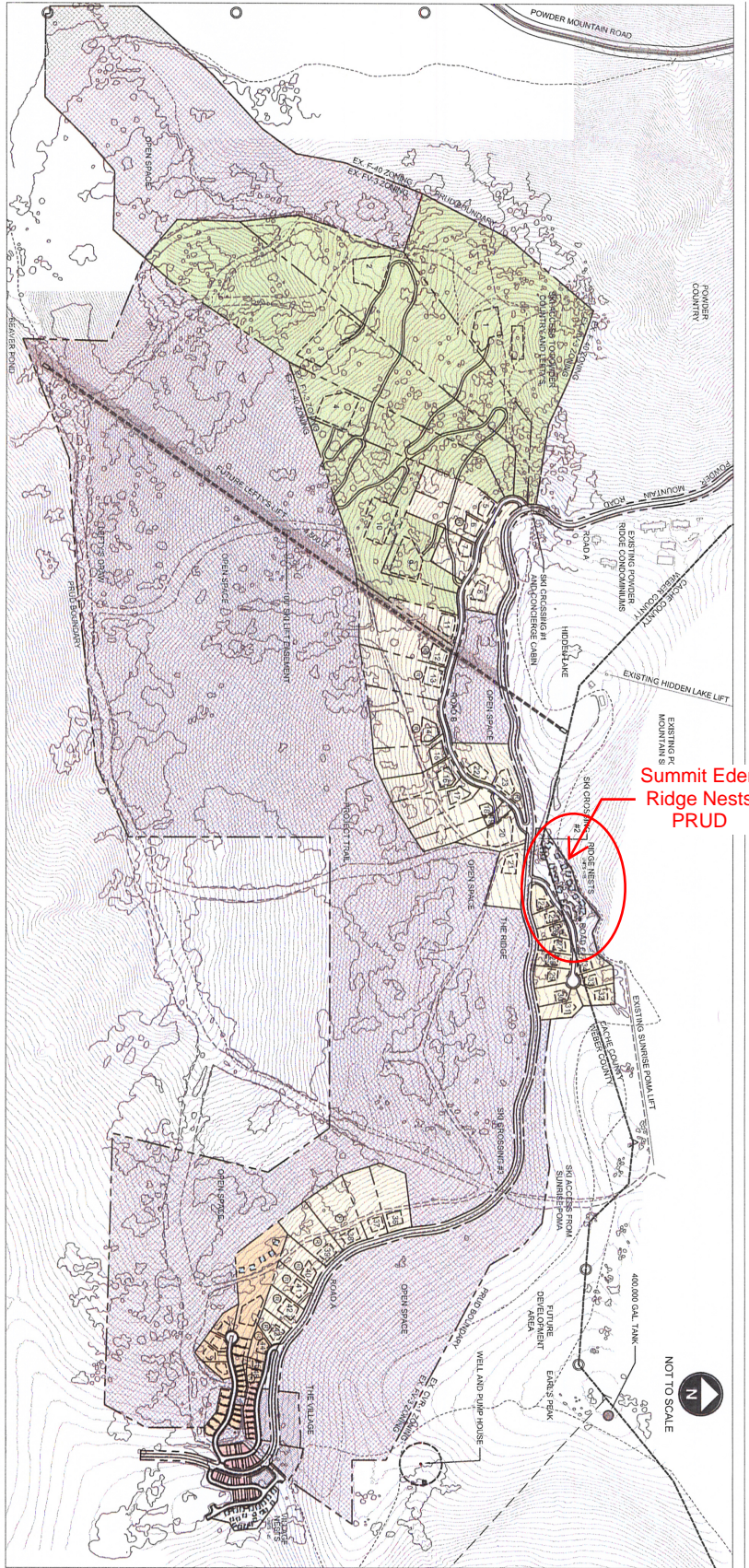
6. **FINAL APPROVAL OF SUMMIT EDEN PHASES 1A, 1B, 1C, 1D, SUMMIT EDEN RIDGE NESTS –P.R.U.D., SUMMIT EDEN VILLAGE NESTS CONDOMINIUMS AND THE ROAD DEDICATION PLAT FOR SUMMIT PASS AND SPRING PARK**

Sean Wilkinson, County Planning Division Director, showed an area map. He said that these subdivision and road dedication plats for the development at Powder Mountain are complete. All the agency reviews have come back favorable, all necessary changes have been made, and the Mylar plats have been signed by the County Surveyor's Office.

In 2013 the P.R.U.D. was approved for 154 units at Powder Mountain. These phases encompass 148 of those 154 units. Six units that were in the very first phase are not being developed at this time. All P.R.U.D. and Planning Commission conditions have been addressed. The Utah Division of Drinking Water has granted plan approval of the Hidden Lake Well, construction has begun on the water tank, and Summit has filed for annexation into the Powder Mountain Water & Sewer District. The Powder Mountain District engineer has concluded his plan review and is waiting for the District Board to authorize the release of the approval letters for the upgrade of the sewer system. There are approximately 40 documents (easements, agreement, conveyances, etc.) associated with this subdivision. Some of those are still under review but will be completed and recorded at the same time as all of the plats.

Almost all of the improvement costs for the subdivision are currently in escrow but there is a shortage of approximately \$233,866.94, based on cost estimates submitted by Summit. This amount will have to be provided before all the plats can be recorded. There are only two public roads (Summit Pass and Spring Park) and construction began last year. Commissioner Bell said that this is a major milestone for this project. He noted that most county departments have been involved with it, and that county staff has put in thousands of hours into this project, which has been scrutinized from many angles, and that it is difficult for the public to grasp and see all the work that has been done. Commissioner Zogmaister echoed Commission Bell's comments about the time, effort and expertise that have been put into this project and stated that the public will see an excellent product that comes from all parties.

Tom Jolley, Executive Vice President/General Counsel for Summit Mountain Holding Group, on behalf of the developer sincerely thanked the commissioners and county staff for the thousands of hours stating that it represents a major milestone for the development. They are grateful to all county staff for the enormous amount of work. He had the signed documents by the developer that included changes requested by the County Attorney and Surveyor's Offices.



Summit Eden Ridge Nests PRUD

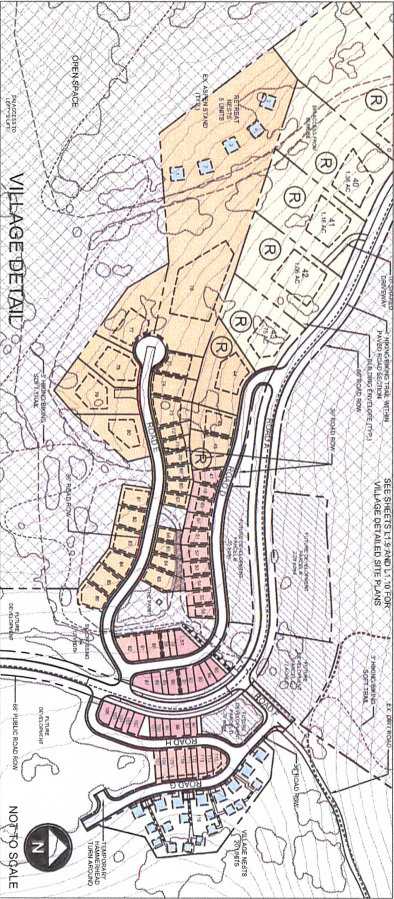
LOT LEGEND AND MIN. SETBACK STANDARDS

	RANCH SINGLE FAMILY	FRONT 50'
	ESTATE SINGLE FAMILY	FRONT 20'
	CABIN SINGLE FAMILY	FRONT 20'
	HILL SIDE SINGLE FAMILY	FRONT 20'
	VILLAGE SINGLE FAMILY	FRONT 20'
	VILLAGE LIVENWORK SINGLE FAMILY	FRONT 20'
	NESTS	FRONT 20'

(R) RESTRICTED LOT

PRUD DEVELOPMENT DATA

TOTAL PRUD BOUNDARY AREA	594.23 ACRES
ZONE P-V-3 AREA	392.04 ACRES
ZONE F-40 AREA	194.83 ACRES
ZONE ON-AREA	4.46 ACRES
ZONE COUNTY AREA	4.96 ACRES
ROAD ROW AREA	18.86 ACRES
NET DEVELOPABLE AREA	111.85 ACRES
NET DEVELOPABLE AREA SLOPES > 40%	483.42 ACRES
PROPOSED LOTS	116 LOTS
PROPOSED UNITS	154 UNITS
RANCH SINGLE FAMILY	6 UNITS
ESTATE SINGLE FAMILY	25 UNITS
CABIN SINGLE FAMILY	11 UNITS
VILLAGE SINGLE FAMILY	24 UNITS
VILLAGE LIVENWORK SF	21 UNITS
NESTS	40 UNITS
PROPOSED DENSITY	1 UNIT/3.85 ACRES
PROPOSED OPEN SPACE	384.19 ACRES (64.8%)



SUMMIT EDEN
PHASE 1 PRUD SUBMITTAL

POWDER MOUNTAIN, WEBER COUNTY, UTAH

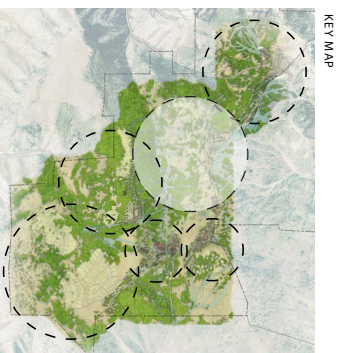


DATE:	MARCH 18, 2013
PROJECT:	060300000
DRAWN BY:	EL
REVIEW BY:	EL
VERSION:	PRUD
REVISIONS:	
SHEET TITLE:	OVERALL SITE PLAN
SHEET NUMBER:	L12

Exhibit F-Zoning Development Master Plan



Placement of development within the Ridge area has been sensitive to the existing ski experience at Powder Mountain with future hotels and multi-family units designed to be within ski access to the existing mountain while maintaining the existing ski accesses. Single family units have been located on the mountain within existing tree massing to provide visual and physical protection as well as to maintain those important open meadow and hillsides for the remainder of the Resort.



KEY MAP

Exhibit G-Master PRUD Conditions of Approval

Findings, Conditions, and Requirements from the April 9, 2013 Staff Report to the Weber County Commission for the Summit at Powder Mountain PRUD

Conditions of Approval

The following items must be addressed prior to final subdivision approval:

- Requirements of the Weber County Engineering Division
- Requirements of the Weber Fire District
- Requirements of the Weber-Morgan Health Department
- Requirements of the Weber County Building Inspection Division
- Requirements of the State Division of Drinking Water and Division of Water Quality
- Requirements of Powder Mountain Water and Sewer Improvement District including updated sewer and culinary water feasibility letters
- Sewer capacity assessment letter verifying adequate sewer capacity for the PRUD
- Requirements of the zoning development agreement
- All development parcels must be brought under the same taxing districts
- All delinquent taxes on development parcels must be paid
- Compliance with all applicable county ordinances whether listed in this staff report or not
- Approval of the Cache County units subject to the interlocal agreement or county line adjustment being completed prior to final subdivision approval
- Compliance with Chapter 36-B (Hillside Review) lot size tables

Ogden Valley Planning Commission Recommendation

The OVPC unanimously recommended approval of this PRUD on March 19, 2013 subject to several conditions and requirements. The OVPC included the following findings, conditions, and requirements in its recommendation for approval:

OVPC Findings:

- The architectural design of the proposed housing units is acceptable and complies with the PRUD criteria of Chapter 22-D.
- Accessory buildings are not proposed for any of the single-family dwelling lots.
- The landscape plans for the village and nest areas are sufficient and comply with applicable ordinance requirements.
- The units in Cache County are approved subject to an interlocal agreement with Cache County.
- The trails master plan is acceptable subject to the developers providing access and connections to existing trails on the Weber Pathways Ogden Valley Master Plan.
- The road pattern and public/private designations are adequate; however a road maintenance agreement between the developers and Weber County is required.
- Alternative road design elements will require a variance to the Weber County Subdivision Ordinance from the County Commission.
- A secondary access road in Cache County is required.
- The Access Exception application is approved subject to meeting design requirements.
- The restricted lots meet applicable standards.
- The zoning development agreement has been complied with, but the real estate transfer fee must remain at 1.5%.
- Delinquent property taxes on property within the PRUD boundary must be paid prior to final subdivision approval from the County Commission.
- Certification is required from the Summit Eden Design Review Board that each house plan submitted for a building permit complies with their Design Guidelines and the PRUD approval.
- The site plan with 116 lots and 154 units is approved.
- PRUD variations of the FV-3 zoning requirements for lot size, setback, and building heights are approved.
- Time share/nightly rental units shall be designated on the site plan.
- The conference center on Lot 76 is approved as a non-residential accessory use.
- Parking space adjustments from two spaces to one space are allowed for the nest units.
- The conditions of approval in the staff report must be complied with.