

# Staff Report to the Planning Director for Administrative Review

Weber County Planning Division

#### **Synopsis**

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Application Information Application Request:	Consideration and action for a design review for the Orr-Powdercat Townhomes located in					
Application Request:						
Type of Desision	the Summit Eden Phase 1C.					
Type of Decision:	Administrative					
Applicant: File Number:	Tyler Orr		T.			
File Number:	DR 2017-08		The second second second second			
Property Information			The Tell American Street			
Approximate Address:	8443-8477 East Copper Crest Road Ede	n, UT	A CONTRACTOR OF A CONTRACTOR O			
Project Area:	9,909 square feet		WINDING IN A LOW PRAY			
Zoning:	DRR-1		A DESCRIPTION OF A DESC			
Existing Land Use:	Ski Resort					
Proposed Land Use:	Townhomes					
Parcel ID:	23-150-0001, 23-150-0002, 23-150-000	)3, 23-	150-0004, 23-150-0005, 23-150-0006			
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### Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 29 Ogden Valley Destination and Recreation Resort Zone (DRR-1)
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 2 Ogden Valley Architectural, Landscape and Screening Design Standards
- Title 108, Chapter 8 Parking and Loading Space, Vehicle Traffic and Access Regulations
- Title 108, Chapter 22 Natural Hazard Areas

### **Development History**

- 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.
- 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. 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.
- Summit Eden Phase 1C Amendment 1, amending lot lines between Lot 57A & Open Space Parcel G was 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 was Administratively approved on July 10, 2015
- An amendment to reduce the overlaying PRUD footprint from the original 594.23 acres to approximately 14 acres 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. 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 3, combining Parcel E with a remnant parcel that was not included in the original development to create Development Parcel D8, was Administratively approved on July 12, 2016
- Summit Eden Phase 1C Amendment 4, creating/amending 19 lots and four open space parcels known as Copper Crest East and Copper Crest West Townhomes lots was heard and approved by the Weber County Commission on January 31, 2017 after receiving a unanimous positive recommendation from the Ogden Valley Planning Commission on January 24, 2017.

#### **Summary and Background**

The Planning Division staff recommends approval of a design review for the Orr-Powdercat Townhomes, a multifamily townhome project, located within the approved Summit Eden Phase 1C Amendment 4. The proposed townhome project is being processed as a 10-plex located at approximately 8443-8477 East Copper Crest Road. A design review is required for all multi-family structure (over eight dwellings) and is being processed as an administratively review due to the approval procedures in LUC §108-1-2 which allows for the planning director to review and approve applications for design review in the Ogden Valley Destination and Recreation Resort Zone if the structure is located above 6,200 feet above sea level with a total footprint of 75,000 square feet or less. The application shall be approved after meeting the requirements of all applicable ordinances and the intent of the applicable master plan.

The applicant would like to move forward with the construction of the 10-plex townhome project and has submitted the required information as outlined in the LUC §108-1-2 for consideration and approval of the design review. The proposed structure is in conformance with the current zoning and the Zoning Development Agreement Master Plan as well as the applicable requirements in the LUC, based on the recommended conditions listed in this staff report. The following is staff's analysis of the 10-plex townhomes design review.

#### 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 multi-family, commercial or mixed use structures. The following development standards have been reviewed as part of the submittal for the design review:

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

The applicant has provided the required material to facilitate a thorough design review of the proposed project including a site plan (see Exhibit A), the architectural renderings and building elevations (see Exhibit B), a landscape plan (see Exhibit C) and the utility, grading and erosion control plans (see Exhibit D). The proposed lot configuration meets the area and width standards in the DRR-1 Zone. The proposal is in conformance with the LUC and the Zoning Development Agreement.

<u>Design Review</u>: The proposed multi-family structures of eight or more dwelling units mandates a design review as outlined in the LUC §108-1 to ensure that the general layout and appearance of the development shall not impair the orderly and harmonious development of the neighborhood nor impair investment in and occupation of the neighborhood. As part of this review, specific standards shall be considered per the review and approval process as outlined in LUC §108-1-4. The standards for consideration are as follows:

1) Considerations relating to traffic safety and traffic congestion. The proposal includes construction drawings for the Powdercat Townhomes. Access to the development will be gained from Copper Crest Road, a private road that has been installed (see Exhibit A). The Ogden Valley Planning Commission has modified the parking standards for the townhomes as permitted in LUC §108-8-5 and the townhomes have been designed to provide adequate parking as determined by the planning commission of one parking stall per unit. The construction of the townhomes is not anticipated to create any neither traffic hazards nor traffic congestion along Copper Crest Road.

2) Considerations relating to outdoor advertising. The applicant has not proposed any signage or outdoor advertising as part of the application. If the developer would like to have any signage within the development, a signage plan will need to be submitted for review and approval prior to installation of any signage outside of the typical required traffic signs.

3) Considerations relating to landscaping, screening and buffering. The applicant has been able to adequately address the minimum requirements of the Design Review as outlined in LUC §108-1-4(3) and the Ogden Valley Architectural, Landscape and Screening Design Standards as outlined in LUC §108-2-5 and §108-2-9 by providing detailed plans that reflect 38.2% of the project site as landscaped (see Exhibit C).

4) Considerations relating to buildings and site layout. The low profile of the structure minimizes obstructions to views from uphill sites. The building and site layout has been reviewed against the design criteria of the current zoning in the LUC §104-29, the Design Review in the LUC §108-1, and the Ogden Valley Architectural, Landscape and Screening Design Standards in the LUC §108-2-4. The proposal is a 10-plex townhome development that is approximately 9,909 square feet with three common area parcels that will be covered by a common roof line to connect the individual units as one structure

The proposed building has an exterior finish consisting of predominantly natural, muted earth tone colors of wood siding with rusty "Corten" steel, which is defined as a "weathered steel" and a weathered metal roof (see Exhibit B). The metal roof and windows must be non-reflective which has been noted on the construction plans to ensure that this area of the code is upheld.

All exterior lighting shall adhere to LUC §108-16-5 and be adequately shielded. A condition of approval is recommended for the proposed structure that all proposed lighting must be reviewed and approved by the Ogden Valley Starry Nights to ensure the proposal meets the requirements of LUC §108-16. If it is felt that additional measures need to be taken to ensure adequate protection of the night sky, a condition of approval will need to be added.

As part of the design review, the applicant has provided a detailed legend that shows the average building height of each townhome (see Exhibit B). The building heights range from 32'3" to 35'0". The structure falls below the allowed building height of 75 feet in the DRR-1 zone and as defined in the LUC §101-1-7 as:

"Building, height of: The term "height of building" means the vertical distance from the average of the highest natural grade and the lowest natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of the ridge of a pitch or hip roof."

The building and site layout have been reviewed against the design criteria of the DRR-1 Zone in the LUC §104-29, the Design Review in the LUC §108-1, and the Ogden Valley Architectural, Landscape and Screening Design Standards in the LUC §108-2-4. It appears that the proposal meets the minimum requirements of the applicable areas of the Uniform Land Use Code of Weber County.

5) Considerations relating to utility easements, drainage, and other engineering questions. The applicant has provided civil engineered drawings that identify the existing and proposed topography, contour lines, utilities, easements and drainage (see Exhibit D). The applicant will need to adhere to all conditions of the Engineering Division including but not limited to easements and utilities to and through the property, site improvements and storm water drainage.

6) Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval. 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. The proposed 10-plex townhome development is in compliance with the adopted Zoning Development Agreement.

<u>Natural Hazards Areas</u>: The proposed PRUD 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 have been conducted.

The proposed location of the development is located within a potential geologic hazard area. The applicant has provided both a Geotechnical and Geologic Hazards Investigation report that has been performed by IGES. The report is dated January 16, 2017 and the project number is 01628-022. The report is on record with the Weber County Planning Division for public review. The applicant will be required to adhere to all geologic and geotechnical requirements during the construction of the multifamily 10-plex townhome.

<u>Culinary water, irrigation water and sanitary sewage disposal</u>: The applicant has provided a feasibility letter from the Powder Mountain Water and Sewer District for the culinary and sanitary sewer.

<u>Review Agencies</u>: The Engineering Division and Weber Fire District have reviewed the proposal and have provided the applicant with the additional items that will be required during the building permit process. The Ogden Starry Nights have not completed a review to date. A condition of approval has been made part of staff's recommendations to ensure that any conditions of the applicable reviewing agencies are strictly adhered to.

Tax clearance: The 2016 property taxes have been paid in full. The 2017 property taxes will be due in full on November 1, 2017.

#### Staff Recommendation

Staff recommends approval of a design review for the Orr-Powdercat Townhomes, a multifamily 10-plex townhome project, located within the approved Summit Eden Phase 1C Amendment 4. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. If the developer would like to have any signage for the townhome development, a signage plan will need to be submitted for review and approval prior to installation of any signage outside of the typical required traffic signs.

- 2. All exterior lighting must be reviewed and approved by the Ogden Valley Starry Nights to ensure the proposal meets the requirements of LUC §108-16.
- 3. The metal roof and windows must be non-reflective material.
- 4. The applicant will be required to adhere to all geologic and geotechnical requirements during the construction of the townhomes.

This recommendation is based on the following findings:

- 1. The proposal conforms to the Ogden Valley General Plan.
- 2. With the recommended conditions, the proposal complies with the applicable County ordinances.
- 3. The building uses, locations, lot area, width, yard, height and coverage regulations proposed are acceptable as shown on the proposed plans.
- 4. The proposal is in conformance with the approved Zoning Development Master Planned.
- 5. The proposal will not be detrimental to the public health, safety, or welfare.
- 6. The proposal will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

#### **Administrative Approval**

Administrative approval of a design review for the Orr-Powdercat Townhomes, a multifamily 10-plex townhome project, located within the approved Summit Eden Phase 1C Amendment 4, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: **Rick Grover** 

Weber County Planning Director

## Exhibits

- A. Site Plan
- B. Architectural Renderings and Building Elevations
- C. Landscape Plans
- D. Utility, Grading and Erosion Control Plans

### **Location Map**



# **Exhibit A-Site Plan**



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# Exhibit B-Architectural Renderings





## **Exhibit B-Building Elevations**



# Exhibit C-Landscaping Plans



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# **Exhibit D- Utility Plans**



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