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| **WC Logo.emf** | **Staff Report to the Weber County Commission**  *Weber County Planning Division* |
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****Synopsis****

****Application Information****

**Application Request:** Consideration and action on a request to amend and renew expired Wolf Creek Zoning Development Agreements, previously approved as Contracts #2012-230 and #2013-287, which affect The Ridge Townhomes development parcel which is located at approximately 5200 E Moose Hollow Drive. The request is that Weber County consider renewing the Agreements and extend the project completion date (5 years) to March 1, 2022 for the Ridge Townhomes development only.

**Application Type: Legislative**

**Agenda Date: Tuesday, May 09, 2017**

**Applicant:** Ridge Development Corporation

**Authorized Representative:** Eric Householder

**File Number:** ZDA 2017-01

****Property Information****

**Approximate Address:** Wolf Creek Resort, Eden Utah

****Staff Information****

**Report Presenter:** Scott Mendoza

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801-399-8769

**Report Reviewer:** RG

Summary

The applicant is requesting that Weber County renew and amend expired Wolf Creek Zoning Development Agreements (ZDA) that were previously approved as Contracts #2012-230 and #2013-287. More specifically, and because the Agreements expired on March 1st, 2017 and involve two different development projects (The Ridge Townhomes and Eagles Landing), the applicant is asking that the County renew the Agreements, extend the project completion date (5 years) through February 2022, and break apart the two involved development projects by entering into a superseding and separate agreement with the Townhomes project only. See Exhibit A for the applicant’s request letter. See Exhibit B for the applicant’s architectural representations and concept development site plan showing The Ridge Townhomes parcel only. See Exhibit C for the original Zoning Development Agreement approved as Contract #2012-230. See Exhibit D for a subsequent Zoning Development Agreement (amending Contract #2012-230 by updating the concept plan and architecture for The Townhomes parcel only) approved as Contract #2013-287. See Exhibit F for the new proposed zoning development agreement.

Background

Wolf Creek Resort has been a Master Planned Resort Community since the early 1980’s. In October of 2002, the developer of Wolf Creek Resort petitioned the County to rezone certain development areas, within the resort, and amend the original master plan and agreement. The 2002 Wolf Creek master plan amendment was approved as Contract# C2002-139 and recorded with the Weber County Recorder’s Office as Entry# 1883524.

In December of 2002, the developer of The Ridge Townhomes parcel and Eagles Landing parcel (sole owner and one parcel at the time) petitioned the County to rezone the subject property from AV-3 to RE-15 and O-1. The reason for the rezone was to allow a (9-hole) golf course and cluster subdivision consisting of approximately 106 (single-family) homesites. The density associated with the 106 homesites was the subject of legal action taken against the County. The County, in an effort to avoid litigation, agreed to allow a project density of one homesite for every one and one-half acres as opposed to one homesite for every three acres. This density was agreed to in a Consent Agreement approved as Contract# C2002-22. The 2002 rezone request was approved as Contract# C2002-169 and recorded with the Weber County Recorder’s Office as Entry# 1899165.

Approximately 4 years later, the developer of Wolf Creek Resort and the developer of Eagles Landing requested that the County consider approving an amendment to the overall (2002) Resort master plan that integrated Eagles Landing (106 single-family dwellings) into the Resort and added 24 two-family dwelling to the Eagles Landing area. The density associated with the 24 two-family dwellings was not related to the previous legal action taken against the County and is not a part of Consent Agreement C2002-22. Also, at this time, some zoning was changed from RE-15 and O-1 to FR-3 (to allow The Ridge Townhomes parcel) and a different configuration of RE-15 and 0-1 zoning was approved. This request was approved as Contract# C2006-62 and recorded with the Weber County Recorder’s Office as Entry# 2184604. Later in May of 2006, the Eagles Landing cluster subdivision was submitted for preliminary approval and final approval of Phase 1. Phase 1, consisting of 10 residential lots, was recorded on May 3rd, 2007.

In 2009, the Weber County Commission approved an agreement to extend temporary development rights associated with the previously executed Consent Agreement that granted the developer of the Eagles Landing property, rights to develop the subject property at a density based on one unit per one and one-half acres. The original Consent Agreement was approved as Contract# C2002-22 and the extension to that Agreement (extending the agreed upon basis for density until February 2017) was approved as Contract# 2009-20. Contract# 2009-20 and its allowance for additional density was set to expire on February 4th, 2017.

In 2012, the developers (now two owners at this time) of the Ridge Townhomes parcel and the Eagles Landing parcel requested that the County consider an extension of the previously approved Zoning Development Agreement, approved as Contract# C2006-62 and set to expire on May 30th, 2011. This request was approved as Contract# C2012-230 and recorded with the Weber County Recorder’s Office as Entry# 2610607. Contract# 2012-230 was set to expire on February 11th, 2017.

In 2013, the developer of the Ridge Townhomes parcel requested that Weber County consider approving an amendment to the previously approved Zoning Development Agreement, approved as Contract# C2012-230 and recorded with the Weber County Recorder’s Office as Entry# 2610607. The proposal was to amend the Agreement by constructing 4-plexes rather than two-family dwellings, reducing the number of structures from 24 to 12, and changing the architectural design from a traditional timber frame to a more modern, horizontal roof-line style. This request was approved as Contract# 2013-287 and recorded with the Weber County Recorder’s Office as Entry# 2667670. Contract# 2013-287 was set to expire (keeping the expiration date established by Contract# 2012-230) on the last day of February, 2017. Also, the conditional use permit for the townhome development, associated with Contract# C2012-230 and Contract# C2013-287, was approved on November 20th, 2013. The Ridge Townhomes - Phases 1 and 2 dedication plats - were recorded on September 23rd, 2014 and November 19th, 2015, respectively. See Exhibit E for The Ridge Townhomes Phase 2 dedication plat showing the recording of phases 1 and 2.

Conformance to the General Plan

Based on staff’s analysis, the proposal conforms to the Ogden Valley General Plan by:

* Encouraging development within existing resort areas. *(The 2016 Ogden Valley General Plan, Chapter 3, Land Use, page 16 and Map 6)*.
* Encouraging residential development projects to incorporate a mix of housing types. *(The 2016 Ogden Valley General Plan, Chapter 4, Rural Residential Development and Housing, page 20)*.
* Acknowledging that Ogden Valley *“Residents support housing near villages and commercial areas and in commercial areas in mixed-use developments.”* *(The 2016 Ogden Valley General Plan, Chapter 5, Commercial Development, page 24).*

Summary of Suggested Considerations

The following questions may be considered regarding the request to amend the Zoning Development Agreements that were previously approved as Contracts C2012-230 and C2013-287:

* Does the existing “Conceptual Development Plan” still correspond with the vision of the Wolf Creek Resort area and Ogden Valley General Plan?
* Does extending the completion date to March 1st, 2022 meet the County’s development expectations?
* Will separating The Ridge Townhomes project from the Eagles Landing project promote the County’s ability to administer the development agreement?
* Does the proposal promote public health, safety and welfare?

Ogden Valley Planning Commission Recommendation

* The Ogden Valley Planning Commission, after holding a public meeting on May 2, 2017, has unanimously approved and recommended that the Weber County Commission approve the petitioner’s request as described in the Staff Recommendation below.

Staff Recommendation

The Planning Division recommends approval of the request to amend the expired Wolf Creek Zoning Development Agreements that were previously approved as Contract# C2012-230 and Contract# C2013-287. More specifically, the staff recommendation is to renew and consolidate the Agreements into one agreement, break apart The Ridge Townhomes and Eagles Landing projects by entering into a superseding and separate agreement with The Ridge Townhomes project only, and extend The Ridge Townhomes project completion date (5 years) to March 1, 2022. This recommendation is based on the following findings and conditions as listed below:

FINDINGS

1. The developer has, in good faith, completed a substantial percentage of the overall Ridge Townhomes project. Substantial completion has been demonstrated by; recording two phases (which accounts for approximately 40% of the entire project); preparing to record Phase 3 (which accounts for 12 units and a pool house/amenity) within the next 4-6 weeks; and has completed construction and has obtained “final occupancy” for 16 units or 33% of the total number of project units.
2. The amendment and renewal will promote public health, safety, and welfare by guaranteeing that a secondary access is provided for the greater Wolf Creek Resort community residents.
3. The amendment will not negatively impact the general area or surrounding properties and uses.
4. Separating the Ridge Townhomes project from the Eagles Landing project will assist the County in its efforts to administer the development agreement.

CONDITION(S)

1. To enhance public safety, the developer will complete construction of Moose Hollow Drive, within The Ridge Townhome project’s overall boundary, by October 1st, 2018.

Exhibits

1. Applicant’s request letter.
2. Proposed concept development site plan and architectural representations for The Ridge Townhomes project only.
3. Previously approved Zoning Development Agreement Contract# C2012-230.
4. Previously approved Zoning Development Agreement Contract# C2013-287.
5. The Ridge Townhomes Phase 2 dedication plat showing the recordation of Phases 1 and 2.
6. New and proposed Zoning Development Agreement.

Vicinity Map



