



# Staff Report to the Weber County Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Consideration and action for approval of the conditional use request for the Fairways at Wolf Creek PRUD Amendment 3. The amendment will reduce the density in the multi-phased PRUD from 99 units to 90 units and amend the layout of the previously approved preliminary subdivision plan.

**Type of Decision:** Administrative

**Agenda Date:** Tuesday, January 02, 2018

**Applicant:** Fairways @ Wolf Creek, LLC

**File Number:** CUP 2017-19

### Property Information

**Approximate Address:** 4200 North Sunrise Drive

**Project Area:** 15.8 acres in Phases 4&5

**Zoning:** FR-3

**Existing Land Use:** Vacant

**Proposed Land Use:** Residential

**Parcel ID:** 22-017-0017

**Township, Range, Section:** T7N, R1E, Section 22

### Adjacent Land Use

<b>North:</b> Residential	<b>South:</b> Residential
<b>East:</b> Residential	<b>West:</b> Residential

### Staff Information

**Report Presenter:** Ronda Kippen  
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## Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Zones, Chapter 17 Forest Residential Zones (FR-3)
- Title 104, Zones, Chapter 28 Ogden Valley Sensitive Lands Overlay Districts
- Title 106, Subdivisions, Chapter 1-8 as applicable
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 2 Ogden Valley Architectural, Landscape and Screening Design Standards
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 5 Planned Residential Unit Development
- Title 108, Chapter 8 Parking and Loading Space, Vehicle Traffic and Access Regulations
- Title 10, Chapter 27 Natural Hazards Areas

## Development History

- The Fairways at Wolf Creek PRUD received conditional use approval by the County Commission on April 24, 2004 after receiving a positive recommendation from the Ogden Valley Planning Commission which heard and considered the proposal for 118 dwelling units and two duplex units (for an overall of 122 units) on February 17, 2004 and March 16, 2004.
- The Fairways at Wolf Creek PRUD Amendment 1 received conditional use approval by the County Commission on October 9, 2007 after receiving a positive recommendation for the club house redesign that was heard and approved by the Ogden Valley Planning Commission on September 25, 2007.
- The Fairways at Wolf Creek CUP Amendment 2 including the preliminary subdivision plan was approved by the County Commission on July 18, 2017 after receiving a positive recommendation from the Ogden Valley Planning Commission on June 27, 2017.

## Summary

The Ogden Valley Planning Commission, after taking public comment and reviewing the proposal, recommends approval of the request to amend a previously approved conditional use for the Fairways at Wolf Creek PRUD. The amendment will reduce the density from 99 units to 90 units in the existing multi-phased PRUD (see Exhibit A). The PRUD amendment is necessary to receive approval before the developer can move forward with the final subdivision application for the Fairways at Wolf Creek PRUD for Phases 4 & 5.

The architectural style of the homes in Phases 4 & 5 will be similar to the designs in previous phases; however, the homes in Phases 4 & 5 will be larger; therefore, the lots in Phases 4 & 5 will need to be increased in size from earlier designs to facilitate the desired size of the future homes (see Exhibit A). The developer will provide and care for the amenities and common areas within the development. The developer is planning on improving the future Fairways Drive so that it may be utilized as the main entrance to Phases 4 & 5 as well as working in the future with the surrounding property owners/developers and the County as the need becomes necessary for the road connection from Fairways Drive to 4100 North. This connection will allow the residences of the Ogden Valley an alternative access out of the Valley.

Fairways at Wolf Creek PRUD Amendment 3 is a formal request together with the request to amend the Wolf Creek Zoning Development Agreement to reduce the density in the Fairways at Wolf Creek PRUD from 99 units to 90 units. If approved, the developer will be able to increase the lot and homes sizes in the Fairways at Wolf Creek Phases 4 & 5. Conditional use permits should be approved as long as any detrimental effects can be mitigated. The Uniform Land Use Code of Weber County, Utah (LUC) already specifies certain standards necessary for mitigation of detrimental effects to which the proposal must adhere. To ensure that the natural environment is preserved to the greatest possible extent, the County Commission, subject to the reviews and recommendations of the required public agencies, must review and approve the general site and architectural design of the building, the layout of the parking areas, and the landscaping. The following is staff's analysis of the proposed PRUD as a conditional use, design review and preliminary subdivision.

## 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 Forest Residential Zone more particularly described as the FR-3 zone. The purpose and intent of the FR-3 zone is identified in the LUC §104-17-1 as:

*"The purpose in establishing the Forest Residential, FR-3 zone is to provide for medium density residential uses of apartment clusters or condo-tels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts."*

**Lot area, frontage/width and yard regulations:** The purpose and intent of a Planned Residential Unit Development (PRUD) is intended to "allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas." The site development standards for the FR-3 zone require a minimum lot area of 6,000 sq. ft. The proposed PRUD utilizes the allowed flexibility to create a neighborhood with varying lot sizes and varying lot widths. The final subdivision plat will need to include the following minimum yard setbacks:

- Front Yard: 15 feet
- Side Yard: 10 feet
- Rear Yard: 15 feet
- Side Facing Street (corner lot): 15 feet

Based on the allowed flexibility of a PRUD, the proposed layout, lot configuration and lot size are acceptable. Staff recommends a "No Access" note and a "No Access Line" to be placed along the northern property lines of Lots 14, 15 & 16 due to these lots abutting a future right of way parcel owned by Fairways at Wolf Creek, LLC (Parcel# 22-017-0012) to ensure that the lots are accessed from Fairways Trail, a public right of way. This condition will restrict access per LUC §106-2-4(c) which prohibits interior lots from having frontage on two streets except where unusual conditions make other design(s) undesirable. A condition of approval has been added to the planning commission's recommendations to ensure the final subdivision plat is submitted with the required "No Access" note and a "No Access Line" that will need to be placed along the northern property lines of Lots 14, 15 & 16 on the plat.

Common Area: The general requirements for a PRUD identify the need to preserve common open space. The overall open space requirements for the entire Fairways at Wolf Creek PRUD have been met. The conceptual plan identifies the common open space as “CA” and will be dedicated upon recording to a Community Association. The CC&R’s will need to comply with the provisions of the Community Association per U.C.A 1953, §57-8a-101 et seq. per LUC §108-5-6(d)(this application is vested in the previous PRUD ordinance) for the preservation, maintenance and ownership of the common area. Prior to receiving final approval of the subdivision, the applicant will need to provide the County with a copy of the proposed CC&R’s for review as well as a cash escrow to be held by Weber County for the proposed improvements including the landscaping of the common area. The dedication language on the final plat will need to include language to grant ownership of the common area to the Community Association.

Natural Hazards Overlay Zone: The proposed subdivision is located in a Zone “X” as determined by FEMA to be an area determined to be outside 500-year floodplain. A geotechnical study has been performed and a report has been prepared by Earthtec Engineering dated March 8, 2016, identified as Project #167003. A geologic site reconnaissance has taken place and a report has been prepared by IGES dated May 19, 2016, identified as Project #01855-007. All site development will need to adhere to the recommendations of these reports and a note will need to be added to the final subdivision plat to provide notice to future property owners that these investigations have taken place. Also a separate “Natural Hazards Disclosure” document will be required to be recorded to provide adequate notice of the geotechnical and geological recommendations to future property owners.

Culinary water, irrigation water and sanitary sewage disposal: The applicant has provided a feasibility letter from the Wolf Creek Water and Sewer District for the culinary water, irrigation water and sanitary sewer. The applicant will need to provide a “Capacity Assessment Letter” from the Wolf Creek Water and Sewer District as part of the final subdivision submittal. A construct permit or waiver from the Utah State Department of Environmental Quality Division of Drinking Water will be required for the expansion of the water system and water lines serving the subdivision prior to the subdivision receiving final approval from the County Commission.

Review Agencies: The Weber County Engineering Division, the Weber Fire District have reviewed and approved the proposal. The Weber County Surveyor’s Office has not provided the Planning Division with any comments to date. A condition of approval has been made part of the planning commission’s recommendations to ensure that all conditions of the review agencies are strictly adhered to.

Additional design standards and requirements: The applicant would like to utilize the ability to have nightly rentals as an option allowed in the PRUD ordinance for the owner’s in the Fairways at Wolf Creek PRUD Phase 4 and Phase 5. Currently the proposal does not include lock out sleeping rooms so additional parking requirements will not be necessary at this time. A note will need to be added to the final subdivision plat to declare this subdivision has been approved for nightly rentals.

Conditional Use Review: The proposed PRUD is conditionally allowed in the FR-3 Zone. A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. As a requirement of the conditional use permit, the applicant has provided a “Will-Serve Letter” from Wolf Creek Water and Sewer District for culinary, irrigation and waste water services. The applicant has provided the required material to facilitate a thorough review of the proposed project including the preliminary subdivision plan, grading, drainage, and a geologic site reconnaissance and geotechnical report.

Design Review: The FR-3 Zone and the proposed conditional use, mandates a design review as outlined in the LUC Title 108 Chapter 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, the County Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

1) Considerations relating to traffic safety and traffic congestion. The proposal includes improvements for the construction of Fairways Trail and the connection to Patio Springs Drive. A “No Access” note and a “No Access Line” will need to be placed along the northern property lines of Lots 14, 15, & 16 that abut Parcel 22-017-0012 to ensure that the lots are accessed only by Fairways Trail, a public right of way.

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 conceptually address the minimum landscaping 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 multiple common area parcels throughout Phases 4 & 5. A condition of approval has been added to the planning commission's recommendations that a more detailed landscaping plan will be made part of the final subdivision submittal for review and consideration.

4) Considerations relating to buildings and site layout. The individual lot layout has been reviewed against the design criteria of the FR-3 Zone in LUC Title 104 Chapter 3, the Design Review in LUC Title 108 Chapter 1, the approved Zoning Development Agreement for the Wolf Creek Resort, and the Ogden Valley Architectural, Landscape and Screening Design Standards in LUC §108-2-4. The lots in the Fairways at Wolf Creek PRUD Phases 4 and 5 will differ from the previous phases in the Fairways at Wolf Creek. Phase 4 and Phase 5 will be developed as larger individual lots (see Exhibit A); however, the proposal matches the existing architectural style of the existing homes in the Fairways at Wolf Creek PRUD (see Exhibit B).

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. 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. The applicant is in compliance with all previous approvals including the Wolf Creek Resort Development Agreement.

Tax clearance: The 2017 property taxes have been paid in full. The 2018 property taxes will be due in full on November 30, 2018.

## Summary of County Commission Considerations

- Does this proposal comply with the applicable PRUD ordinance?
- Does this subdivision meet the requirements of applicable County Land Use Codes?
- Does this subdivision comply with the Wolf Creek Resort Zoning Development Agreement Conceptual Map?
- In considering the proposed planned residential unit development, the County Commission shall review and consider the following, as applicable:
  - *The architectural design of buildings and their relationship on the site and development beyond the boundaries of the proposal.*
  - *Which streets shall be public and which shall be private; the entrances and exits to the development and the provisions for internal and external traffic circulation and off-street parking.*
  - *The landscaping and screening as related to the several uses within the development and as a means of its integration into its surroundings.*
  - *The size, location, design, and nature of signs if any, and the intensity and direction of area of flood lighting.*
  - *The residential density of the proposed development and its distribution as compared with the residential density of the surrounding lands, either existing or as indicated on the zoning map or general plan proposals of the county as being a desirable future residential density.*
  - *The demonstrated ability of the proponents of the planned residential unit development to financially carry out the proposed project under total or phase development proposals within the time limit established.*

## Planning Commission Recommendation

The Ogden Valley Planning Commission recommends approval of the request to amend a previously approved conditional use and preliminary subdivision for the Fairways at Wolf Creek PRUD Phases 4 & 5. The amendment will reduce the density in the multi-phased PRUD from 99 units to 90 units. This recommendation for approval is subject to all review agency requirements and is based on the following conditions:

1. A "No Access" note and a "No Access Line" will need to be placed on the plat along the northern property lines of Lots 14, 15, and 16 that abut Parcel 22-017-0012 to ensure that the lots are accessed only by Fairways Trail, a public right of way.
2. All site development will need to adhere to the recommendations of the Earthtec Engineering's geotechnical report dated March 8, 2016, identified as Project #167003 and IGES's geologic site reconnaissance report dated May 19, 2016, identified as Project #01855-007.
3. A note on the final 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 Earthtec Engineering's geotechnical report dated March 8, 2016, identified as Project #167003 and IGES's geologic site reconnaissance report dated May 19, 2016, identified as Project #01855-007.
4. A note will need to be added to the final plat to declare this subdivision approved for nightly rentals.
5. A more detailed plan landscaping plan of the common area will be made part of the final subdivision submittal for review and consideration.
6. The final subdivision plat that will be submitted will need to include the following minimum yard setbacks:
  - Front Yard: 15 feet
  - Side Yard: 10 feet
  - Rear Yard: 15 feet
  - Side Facing Street (corner lot): 15 feet

This recommendation is based on the following findings:

1. The proposed conditional use amendment and subdivision conforms to the Ogden Valley General Plan.
2. With the recommended conditions, the proposed conditional use amendment and subdivision 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 conditional use amendment and preliminary subdivision.
4. The proposed conditional use amendment and subdivision will not be detrimental to the public health, safety, or welfare.
5. The proposed conditional use and subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

## Exhibits

- A. Fairways at Wolf Creek PRUD Master Plan
- B. Architectural Plans

## Location Map





Exhibit A-Fairways at Wolf Creek PRUD Master Plan



A  
SHEET NUMBER 1 OF 1



FAIRWAYS AT WOLF CREEK PRUD  
AMENDMENT TO FUTURE PHASES

PREPARED FOR: WATTS ENTERPRISES

DATE SUBMITTED: 10/25/2017

#	DATE	REVISIONS







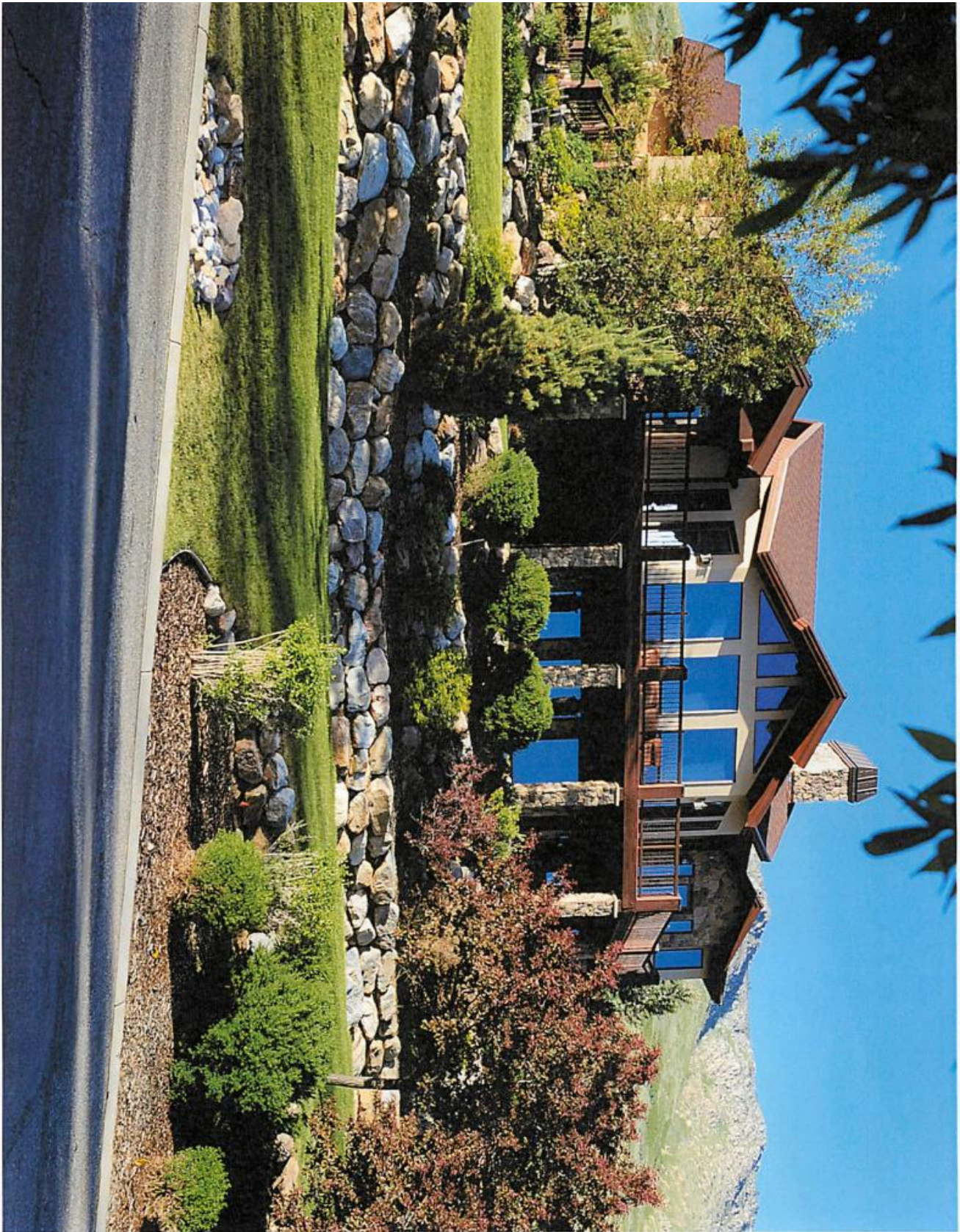




Exhibit B-Architectural Renderings





Exhibit B-Architectural Renderings

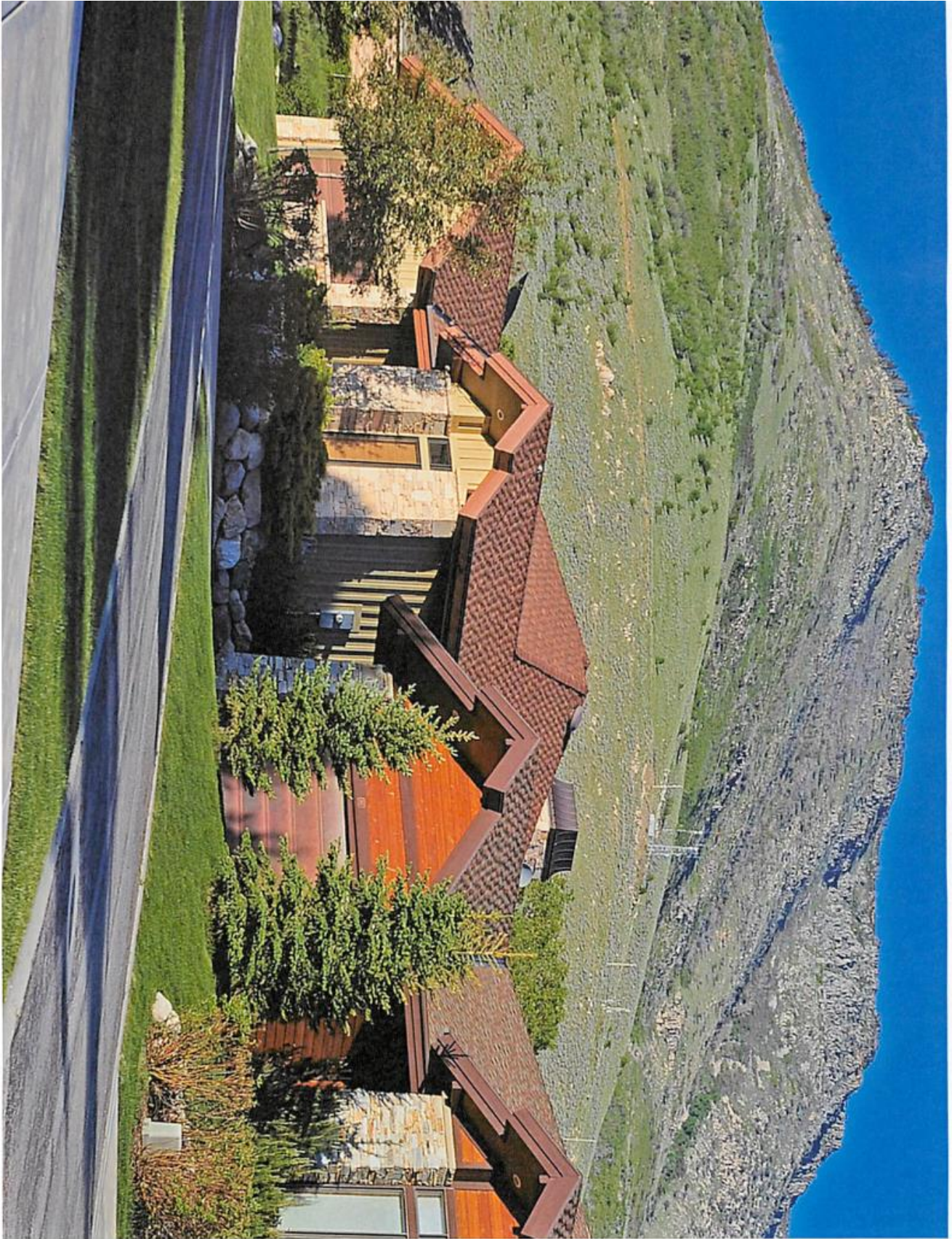




Exhibit B-Architectural Renderings

