

Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

591101010						
Applicati	on Information					
Application Request:		Consideration and action on a request for the final subdivision approval of Overlook at Powder Mountain Subdivision, a three phased, 57-lot development located within the approved Powder Mountain Resort.				
Application Type:		Administrative				
Agenda Date:		Tuesday, April 23, 2019				
Applicant:		SMHG, LLC				
Authorized Agent:		Rick Everson				
File Number:		UV0050118				
Property Information						
Approximate Address:		8465 E Copper Crest				
Project Area:		111.797 Acres				
Zoning:		DRR-1				
Existing Land Use:		Resort				
Proposed Land Use:		Resort				
Parcel ID:		23-012-0167, 23-012-0014, 23-012-0132				
Township, Range, Section:		T7N, R2E, Sections 5 and 8				
Adjacent	Land Use					
North:	Ski Resort/Resor	t Development	South:	Ski Resort/Resort Development		
East:	Ski Resort/Resor	t Development	West:	Ski Resort/Resort Development		
Adjacent Land Use						
Report Presenter:		Ronda Kippen rkippen@co.weber.ut.us 801-399-8768				
Applicable Ordinances						
Title 101 Chapter 1 General Provisions Section 7 Definitions						

- 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
- Title 108, Natural Hazards Areas

Development History

ŀ

- 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.
- Received preliminary approval on December 4, 2018 by the Ogden Valley Planning Commission

Background and Summary

The Planning Division recommends final subdivision approval of Overlook, a three-phased development, with 57 lots (see Exhibit A for the final plats). Overlook will be accessed off an existing stub road known as Meridian Avenue, which will extend through the northwestern end of the subdivision. The street system throughout the subdivision will be private right of ways and these private rights of ways will serve as public utility easements for the required infrastructure for the development. The three-phased development will have lots that range in size from 8,872 square feet to 3,325 square feet and all lots will gain access from the private right of way/street system within the development. The applicant has submitted the required

information as outlined in the Uniform Land Use Code of Weber County (LUC) §106-1-5 for consideration and approval of the proposed subdivision.

As part of the final subdivision requirements, the subdivision review process and approval procedure, the proposal has been reviewed against the current final subdivision ordinance and the standards of the DRR-1 zone. The proposed subdivision and lot configuration are in conformance with the current zoning and the Zoning Development Agreement Conceptual Land Use Plan (see Exhibit B for the ZDA Concept Plan) as well as the applicable subdivision requirements as required in the LUC. The proposed development has also been reviewed by all reviewing agencies. Based on these reviews, the application has met or will conditionally meet all of the requirements for final approval. The following is staff's analysis of the proposed final subdivision.

Analysis

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

Lot area, frontage/width and yard regulations:

The DRR-1 Zone does not have a minimum lot area or a minimum lot width requirement per LUC §104-29-2(h) for a single family residential structures which are considered a permitted use in the DRR-1 Zone. The proposed development will create 57 lots with access and frontage along private right of ways identified as Meridian Avenue, Overlook Drive, Overlook Ridge and Cobabe Court. The proposed lots range in size from 8,872 square feet to 3,325 square feet. The lots range in width from 45 feet to 85 feet. Based on the proposed lot configuration, the proposed lots meet the minimum lot area and minimum lot width requirement per LUC §104-29-2(h).

<u>Natural Hazards Areas</u>: The proposed subdivision is located in a Zone "X" as determined by FEMA to be within the 500year floodplain. Areas designated as Zone "X" are typically areas in which no analysis of flood hazards have been conducted.

Geotechnical and geologic hazard investigations have taken place by IGES for the proposed subdivision in accordance with the Natural Hazard Areas as outlined in LUC Chapter 108 Title 22. The site specific investigation for the proposed Lots 1 through 57 are in the IGES report Project # 01628-027 dated February 12, 2019. Specific recommendations have been made for the development of the Overlook site and it is being made a condition of approval that IGES staff is onsite to verify compliance with the recommendations and a verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.

A condition of approval that a "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.

<u>Culinary water and sanitary sewage disposal</u>: Culinary water and sewer service are provided by Powder Mountain Water and Sewer Improvement District. A "Capacity Assessment Letter" has been provided by Powder Mountain Water and Sewer Improvement District. A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision is required prior to the subdivision receiving final approval from the County Commission.

<u>Review Agencies</u>: The Weber County Surveyor's Office and Weber County Engineering Division have reviewed the proposal and the applicant is addressing the areas of concern. The Weber Fire District have reviewed and approved the proposal.

<u>Additional design standards and requirements</u>: There may be additional site preparation in conjunction with each approved building permit. The proposed subdivision does require the creation of a new street system. A temporary turn around easement must located at the end of all temporary stubbed streets. Staff recommends adding language to be placed on the final plat that will vacate the easements upon recording the future phases. The applicant will be required to provide a cash escrow to be held by Weber County for the applicable improvements within the subdivision. With the exception of the recommended conditions identified in this staff report additional standards and requirements are unnecessary at this time.

Tax clearance: The 2018 property taxes have been paid. The 2019 property taxes will be due in full on November 30, 2019.

Staff Recommendation

Staff recommends final subdivision approval of Overlook, a three-phased 57 lot development located within the approved Powder Mountain Resort. This recommendation for approval is subject to all applicable review agency requirements and is based on the following conditions:

- 1. A geologist and geotechnical engineer are onsite during development to ensure that their recommendations are adhered to. A verification letter shall be provided by the engineering geologist prior to final approval stating that the design adequately meets the recommendations in the geologic report.
- 2. A "Natural Hazards Disclosure" document will be required to be recorded to provide adequate notice of any geotechnical and geological recommendations for future property owners.
- 3. A cost estimate for the subdivision improvements shall be and an escrow account set up prior to the subdivision being forwarded to the County Commission for final approval.
- 4. A draft copy of any CC&R's will be provided to the County for review by the applicable agencies prior to final approval.
- 5. A construct permit from the Utah State Department of Environmental Quality Division of Drinking Water for expansion of the water system and water lines serving the subdivision are required prior to the subdivision receiving final approval from the Planning Commission and County Commission.

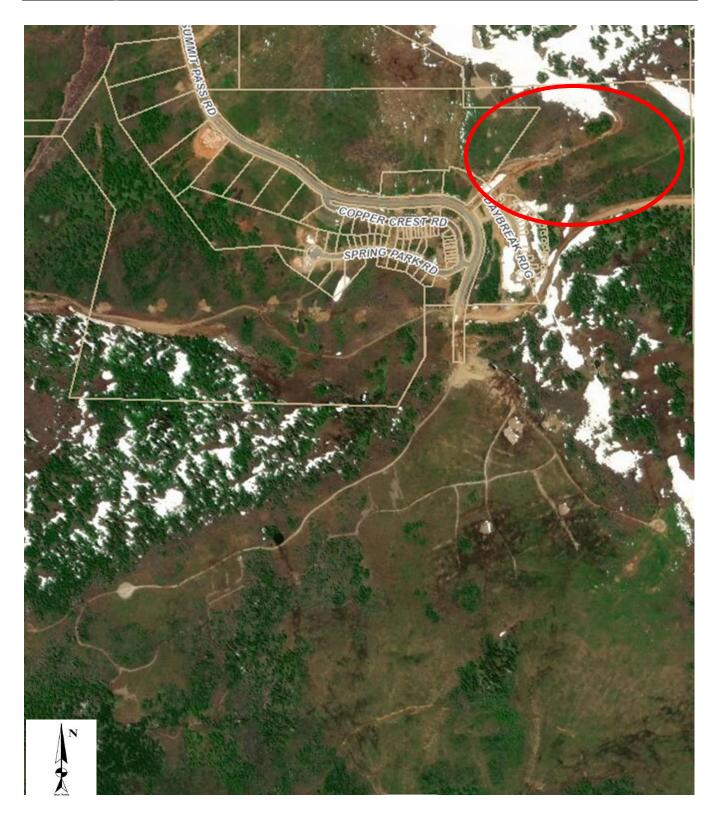
This recommendation is based on the following findings:

- 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.
- 5. The proposed master planned development is in conformance with the approved Zoning Development Master Plan.

Exhibits

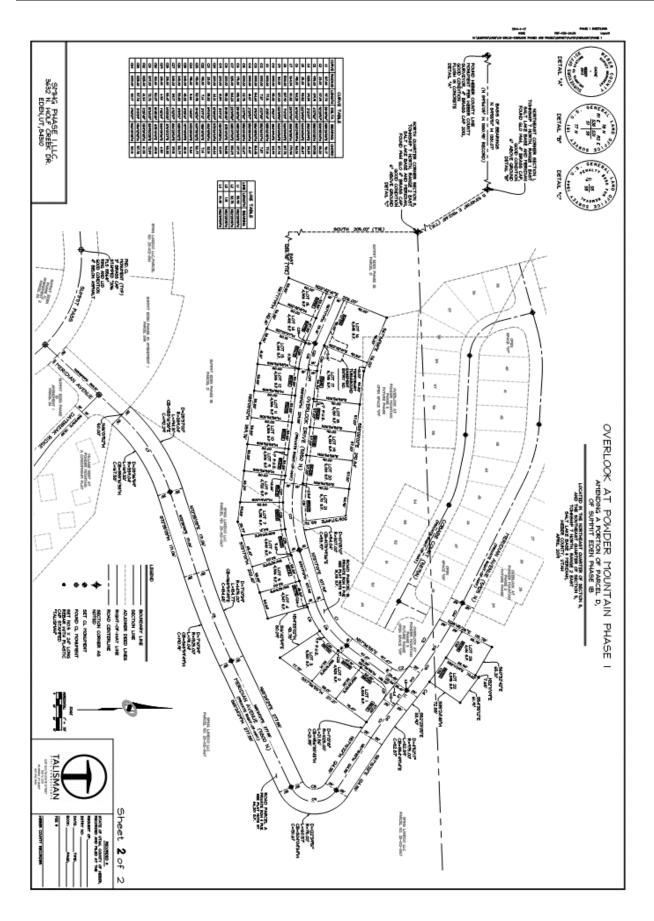
- A. Overlook Final Plat Phases 1-3
- B. Zoning Development Agreement Conceptual Map

Location Map



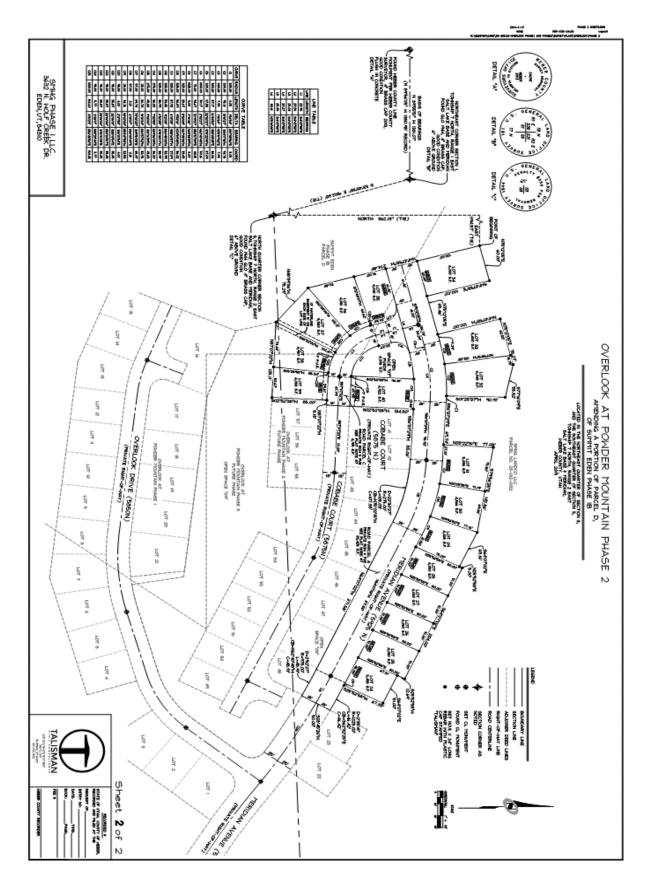
		20 10 K-10-10
SMH4 PH45E 1, LLC 3632 N. HOLF CREEK DR. 3632 N. HOLF CREEK DR. EDDN, UT 64310	 Letter and the second based of the se	PLAT NOTES: Texture values values and values val
Bolutes		Entrances of a seven is descent and an entrances in the contrast data and the contrast and an entrances in the contrast data and the contrast and an entrances in the contrast data and the contrast and the contrest and the contrast and the contrast and the co
	Reservations and another sectors reserved reserv	LAT NOTES. Instruct source of the second balance of normal, particle, particle and particular balance of the normal network of the second balance of the second balan
Keller, das La discontra di la discontra discontra di la discontra di di discontra di di discontra di di discontra di dis		OVERLOOK AT POWDER MOUNTAIN APEDRIKA PORTON OF PARCE, D, OF SUPPORT EDDI PIACE, D, UNITED IN CONTRACT, DDI PIACE, D, Net The Support EDDI PIACE BIN Net The
VBID COURT Aurea Contract Aurea Contract Aurea Contract Contract <td></td> <td></td>		
	<section-header><text><text><text><text><text><text><text><text><text></text></text></text></text></text></text></text></text></text></section-header>	PHASE I

Exhibit A-Overlook Final Plat Phase 1



		101-1-10 PARE 1 MOTOR BALE PR-20-1-20 Bale BALENDARD AND AND AND AND AND AND AND AND AND AN
нама влажа, на селета а тът. н. чита ладот на тапа за наде з тът. сът. сът. сът. сът. тът. на тът. на тапа за на сът. сът. сът. сът. сът. сът. на тът. на тът. на тът. на на сът. сът. сът. сът. сът. сът. на тът. на тът. на тът. за на сът. сът. сът. сът. сът. сът. на тът. на тът. на тът. за на сът. на на тът. съ. сът. сът. на тът. на тът. на тът. за на сът. на сът. съ. сът. сът. сът. на тът. на тът. на сът. за на сът. на сът. на сът. сът. сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за на сът. на сът. на сът. на сът. на сът. на сът. за сът. сът. сът. сът. сът. сът. сът. на сът. на сът. за сът. сът. сът. сът. сът. сът. сът. сът.	 Frence Justice II. Control and the set of the set of	PLAT NOTES: Terror vor a suer to the crists exercise to con- transmit yours and the total of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists are reactive total and the crists of the crists of the crists and the crists of the crists of the crists of the crists of the crists are crists are total material and the crists of the crists of the crists are crists are total material and the crists of the crists of the crists are crists are crists of the crists of
занителя на пределата на пределата пределата пределата пределата пределата на пределата на пределата на пределата на пределата пределата на пределата пределата на пределата На пределата на преде		The excesses in tradement of coversity, coversity, features and attentions in a measure of an service distance of the excession of the excession of the excession of the excession of the service distance of the excession of the excession of the excession of the excession of the service distance of the excession of excession of the excession of the excession of the excession of the excession of excession of the excession of the excession of the excession of the excession of excession of the excession of the excession of the excession of the excession of excession of the excession of the excession of the excession of the excession of excession of the excession of the excession of the excession of the excession of excession of the excessio
$ \begin{array}{c c c c c c c c c c c c c c c c c c c $	 So al calabitation of the interaction of the constant of the constant	NOTE::
Serve or risks	тичноти, и ти тичноти, и тичноти,	OVERLOOK AT POWDER MOUNTA Antenior A Position of Paracel p of Summi EDN MARE B Not the Notion of Paracel p Notion of Summi EDN MARE B Notion of Summi EDN MARE B Notion of Summi EDN MARE SUMMI Summi EDN MARE SUMMI SUM
		DER MOUNTAIN PHASE RETOR OF PARCEL D, T EDRI PHASE B T EDRI PHASE B T EDRI PHASE B T EDRI PHASE B T EDRI PHASE T EDRI PHAS
Show a result of the second level is the sec	<section-header><text><text><text><image/><text><text></text></text></text></text></text></section-header>	SE 2
		· · · · · · · · · · · · · · · · · · ·

Exhibit A-Overlook Final Plat Phase 2



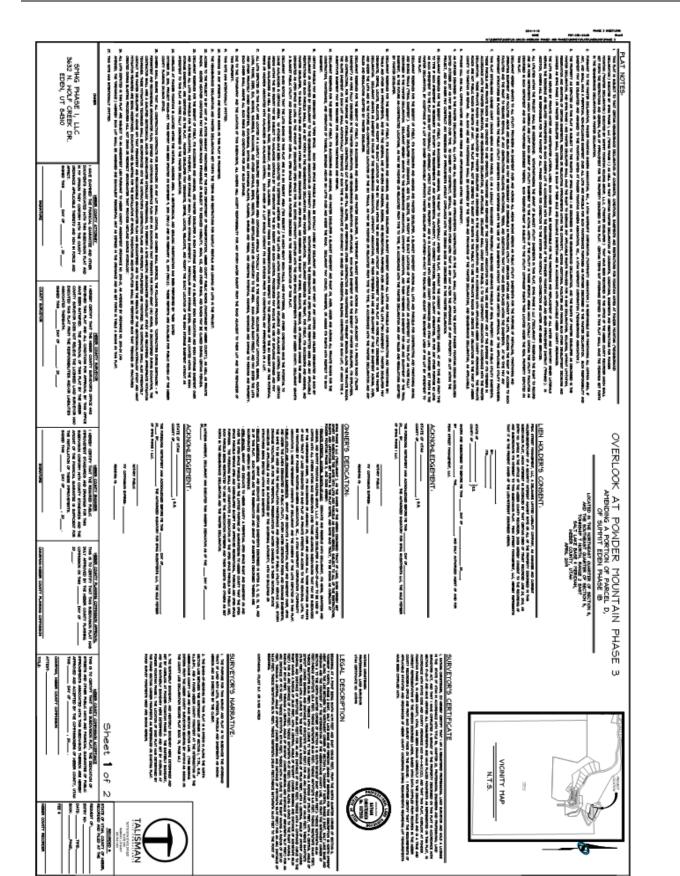


Exhibit A-Overlook Final Plat Phase 3

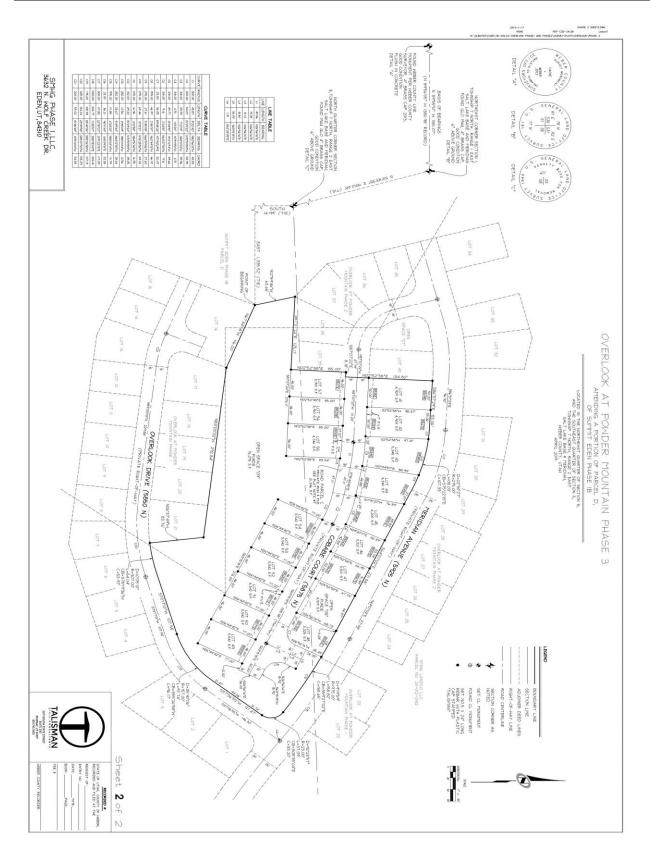


Exhibit B- Zoning Development Agreement Conceptual Map

POWDER MOUNTAIN

Weber County Rezone Application: DRR1 20



Overall Master Plan

The Overall Master Plan depicts conceptual development patterns and connectivity within the proposed Rezone boundary. These areas identify the general development massing, open spaces, recreational components and pedestrian and roadway circulation proposed.

Each development area identified is represented in greater detail within this Rezone Application.

DEVELOPMENT AREAS

- A Mid-Mountain

- B The Ridge

E - Gertsen

F - The Meadow

D - Summit Village C - Earl's Village