



11/04/19 Updated Staff Report

Coalville City
Project Coordinator

To: Coalville City Planning Commission
From: Don Sargent, City Project Coordinator
Date of Meeting: November 4, 2019
Re: Wohali MPD, Zone Amendment and Phase I Preliminary Plan
Action: Possible Recommendation

Wohali Property MPD, Zone Amendment and Phase I Preliminary Plan

REQUEST

The purpose of this meeting is to continue the review and discussion on the Phase I Preliminary Plan of the Wohali Master Planned Development (MPD) and possibly make a recommendation on the overall MPD project to the City Council. The applicant will be prepared to present updates to the preliminary plans and supporting documentation to the Planning Commission at the meeting.

BACKGROUND

MPD Project Description

The MPD application, which has been in review over the last year, includes the following:

1. Property rezone from Agriculture (AG) to the combined zone districts of Residential Agricultural (RA), Low Density Residential (R-1) and High Density Residential (R-4).
2. MPD site plans including residential lots, resort units, support commercial and recreational uses.

The MPD project site is comprised of 1,525 acres and is proposed as a rural golf resort community. The development master plan includes a core resort village, custom cabins, cottages, support commercial and recreational community amenities and estate lots surrounded by dedicated open space.

Project Review Status

The Planning Commission and City Council have held several work sessions and conducted public hearings on the proposed overall MPD plans and property rezoning. Following a public hearing on July 15, 2019 the Planning Commission recommended approval of the MPD property rezone and site plan to the City Council on July 29, 2019.

It is important to note that the property rezoning cannot take effect until the development master plan (MPD), with a development agreement and final plan for Phase I receives approval by the City Council.

On August 12, 2019 the City Council reviewed and discussed the MPD property rezone and site plan and provided input and direction to Staff and the Planning Commission as the project moved forward with the preliminary plan application for Phase I of the proposed development.

On August 19, 2019 the Planning Commission determined the MPD site plan and rezone applications were complete, and the applicant was authorized to prepare and submit a preliminary plan application for Phase I of the proposed development.

ANALYSIS

The applicant has prepared and submitted a Phase I Preliminary Plan Package including the following information as required by the development code for preliminary plan approval consideration:

- Preliminary Plan Application Form and Fees
- Master Declaration of Covenants, Conditions, Restrictions and Easements
- Preliminary Plan Phase I Plans
- Water Development Status
- Design Guidelines
- Preliminary Infrastructure Impact Analysis
- Statement of Intent

On October 21, 2019 the Planning Commission conducted a public hearing on the Phase I Preliminary Plans and continued an action with input and direction to the Staff and applicant regarding several questions and items.

Attachment A includes the list of items that needed to be addressed for Planning Commission review and consideration. Staff also requested several clarifications to be made on the plans.

The applicant has responded to the items and updated the Preliminary Plans accordingly. The following Drop Box link includes the updated submittal package:

Wohali MPD Phase I **Updated** Submittal Plans and Supporting Documents

https://www.dropbox.com/sh/lay28ln2p57a87p/AACx6LhveXF199_MeJfAMLoqa?dl=0

The following revisions and updates were made by the applicant to the submittal package:

1. Added "Nightly Rentals" after the 130-lodging unit description to the overall preliminary plan and phasing plan exhibits.
2. Modified density text for clarification to show overall 1 unit/ 2.68 acres format.
3. Added existing fencing to overall plans, phasing plans, existing conditions sheets and site plan sheets with note for maintenance responsibilities.
4. Added road type (public or private) to phase I master plan with text detailing roadway types and maintenance as well as third party access for the current public access way.
5. Added existing Icy Springs drinking water protection boundary to overall sheets as well as existing conditions exhibits.
6. Added sheet E1.8 to include text detailing Drinking Water Source Protection Plans (DWSP) and Best Management Practices (BMPs).
7. Added secondary water design to civil sheets for individual lot landscape irrigation.
8. Amended water report reflecting the addition of the landscaping to secondary irrigation water and not culinary water.

A folder was also placed on the Dropbox link with the previous submittal items that have been updated in the main folder so a comparison of the files could be reviewed if desired.

Staff Analysis

Staff has reviewed the updated Preliminary Plan submittal and it appears all the items have been addressed by the applicant as requested. Additional details and information on specific construction items for the project will be required with the final plan submittal for Phase I.

As requested by the Planning Commission at the October 21, 2019 meeting, Staff has prepared Draft Findings of Fact, Conclusions of Law and Conditions of Approval that include the Preliminary Plan for Phase I for determining compliance of the project with the development code and possible recommendation to the City Council.

Although the Planning Commission previously recommended approval of the MPD and Property Rezone to the City Council, *Attachment B* includes draft findings, conclusions and conditions for all three applications, as they are interrelated. The draft can also be modified at the meeting as necessary.

RECOMMENDATION

Staff recommends the Planning Commission review, discuss and consider the information presented by Staff and the preliminary plan submittal updates provided by the Applicant. Based on the issues discussed, Staff recommends the Planning Commission consider an action on the Phase I Preliminary Plan.

ATTACHMENT(S)

- A.** Items to be Addressed from the 10/21/19 Planning Commission Public Hearing
- B.** Draft Findings of Fact, Conclusions of Law and Conditions of Approval

ATTACHMENT A

Items to be Addressed from the 10/21/19
Planning Commission Public Hearing

ITEMS TO BE ADRESSED FROM THE 10/21/19 PLANNING COMMISSION PUBLIC HEARING

Based on the Staff and Planning Commission review and public comment received at the public hearing meeting on October 21, 2019, the following items need to be addressed regarding the preliminary plans for Phase I of the Wohali MPD:

1. Private and public road classifications and responsibilities.

- a. Classifications of roads should be clearly noted on the Phase I Master Plan, Individual Site Plan and Roadway Plan sheets.
- b. Maintenance responsibilities of the roads should also be noted.

QUESTIONS and INFORMATION REQUESTS:

- What roads are to be maintained by the Developer and the City?
- Is the through-road, which accesses the range company and other properties to the west, to be a public road or a private road with public access rights?

2. Existing through-road alignment modifications and trialing of livestock across the property.

QUESTIONS and INFORMATION REQUESTS:

- Provide verification for the existing through-road alignment to be modified and relocated on the Wohali property as proposed.
- Is there a historic right to trail livestock across the property, and if so, how will livestock trailing be managed?

3. Water quality protection of the existing Icy Springs City water source.

- a. The Icy Springs water source protection zone boundary should be clearly noted on the Phase I Master Plan, individual Site Plan and Existing Conditions sheets.
- b. References to Best Management Practices identified in the Coalville Source Protection Plan and other water source protection studies should be noted on the Existing Conditions sheets.

QUESTIONS and INFORMATION REQUESTS:

- Provide summary documentation from the initial studies to date that verify the proposed development through build-out will not have an adverse impact on the existing Icy Springs water source.
- What mitigation measures will be applied with Phase I to ensure protection of the Icy Springs water source?

4. Perimeter fencing.

- a. Existing perimeter fencing should be shown on the Phase I Master Plan and a note should be included identifying maintenance responsibilities.

QUESTION and INFORMATION REQUESTS:

- Provide verification of responsibility for Wohali or adjacent property owners to fence the perimeter of the property and maintain the fencing.

5. Secondary water irrigation for individual lots.

- a. Main lines for secondary irrigation should be shown on the irrigation and overall utility plan sheets.
- b. Secondary Irrigation Water will be required for all outside irrigation including the proposed golf courses, residential building lots, commercial building lots, parking lots, park strips and other landscaping uses within the Wohali MPD.

QUESTION and INFORMATION REQUESTS:

- Secondary water service lines and stubs to each lot should be shown on the utility plan or site plan sheets.

ATTACHMENT B

Draft Findings of Fact, Conclusions of Law and
Conditions of Approval

Findings of Fact:

1. In 2018 the City annexed several properties west of the city limit line which included the Wohali property.
2. The property was initial zoned Agriculture (AG) which allows 1 dwelling unit/20 acres as base density.
3. The applicant duly applied for a property Zone Amendment and Master Planned Development (MPD) on November 1, 2018.
4. The Zone Amendment and MPD applications were determined complete, with all required information, on March 18, 2019.
5. The Planning Commission reviewed and discussed the proposed Zone Amendment and MPD in work sessions on March 18, 2019, April 15, 2019 and May 20, 2019.
6. The Planning Commission conducted the required public hearing on the proposed Zone Amendment and MPD on July 15, 2019.
7. On July 29, 2019 the Planning Commission recommended approval of the Zone Amendment associated with the MPD to the City Council and authorized the applicant to proceed forward with a Preliminary Plan application for Phase I of the MPD.
8. The applicant duly applied for a Preliminary Plan application for Phase I of the MPD on August 16, 2019.
9. The Planning Commission reviewed and discussed the Phase I Preliminary Plan in work session on August 19, 2019 and directed the applicant to provide all required information for the submittal.
10. The Preliminary Plan application for Phase I of the MPD was determined complete with all required information on October 19, 2019.
11. On October 21, 2019 the Planning Commission conducted a public hearing on the Preliminary Plan for Phase I of the MPD.

~~12. On November 4, 2019 the Planning Commission determined the applications for the proposed Wohali MPD, Zone Amendment and Phase I Preliminary Plan complied with the development code and recommended approval of the applications to the City Council with Findings of Fact, Conclusions of Law and Conditions of Approval.~~

~~13-12.~~ A Development Agreement between the Master Developer, Wohali Partners, LLC, and Coalville City shall be executed between both parties with the final plan approval of Phase I to ensure the proposed infrastructure, phasing, public access opportunities and provisions and other standards and requirements for the project will be provided by the developer as represented.

Commented [DS1]: This finding was based on the discussion and motion of the Planning Commission at the October 21st meeting. However, the Planning Commission would like to consider all the updated materials from the applicant in an open meeting prior to confirming their approval recommendation and avoid a perceived recommendation in advance of the Nov 4th meeting.

Conclusion of Law:

1. The proposed Wohali development was processed as a Master Planned Development (MPD) required by the development code to produce superior project design through flexible and innovative development provisions that advance the goals of the General Plan.
2. The applicant has submitted responses to Staff, Planning Commission and the Public Comments addressing question and concerns of the proposed MPD, Phase I Preliminary Plan and Title 10-3-080, Subsection E of the Development Code addressing the Standards for Decision for a zone amendment.
3. The applicant responses were reviewed by Staff and the Planning Commission who expressed several observations, concerns and questions to the applicant which were addressed in the work sessions.
4. The proposed Wohali MPD and Phase I Preliminary Plan were determined to comply with the applicable development code standards and the Property Rezone was determined to be consistent with the existing and approved zone district pattern of the Red Rock (Cummins) property in south end of the City.
5. The applicant compared the proposed Wohali core density units per acre of the project to existing core density zoning units per acre within the City, which was determined to be consistent.
6. No new zone district or overlay designation is being requested that is not already existing in the development code and on zoning map of the City.
7. A rezone of property requires an associated proposed conceptual development plan to be submitted with the application, which the applicant has provided.
8. The rezone of the property cannot take effect until the final plan for Phase I of the MPD is approved and a plat is recorded. In the event the Phase I final plan is not approved and recorded, the property rezone amendment shall be void.
9. The Wohali MPD, as conditioned and implemented through a development agreement will satisfy the required findings in Section 8-6-080 of the development code with evidence that supports the conclusions for the City to approve a master planned development.

Conditions of Approval:

1. The rezone amendment is subject to the September 2019 Zoning and overall MPD Plans on file with the City.
2. The rezone of the property will not take effect until a final development plan for Phase I of the MPD is approved by the City Council and a plat is recorded.
3. In the event a final development plan is not approved, the proposed zone amendment shall be void.
4. A Development Agreement between the Master Developer, Wohali Partners, LLC, and Coalville City shall be executed by both parties with the final plan approval of Phase I.
5. The specific land uses and project elements of the MPD shall be addressed through the development agreement process, including ranges of dwelling units, non-residential square footages and ancillary resort support uses and facilities.
6. The total number of dwelling units allowed on the project site is 570 dwelling units.
7. The total number of nightly rental resort units allowed on the project site is 130 nightly rental units.
8. The total square feet of non-residential development allowed on the project site is _____ square feet of floor area.
9. Expansion parcels surrounding and adjacent to the project site may be included within the MPD during the build-out period of the project subject to the process and standards set forth in the development agreement.
10. The master developer shall prepare and submit an annual report for review of City Council confirming the number of dwelling units and amount of non-residential development square footage that has been developed within the MPD.
11. The MPD project specific design standards and guidelines shall be reviewed and approved by the City prior to final plan approval of Phase I.
12. Specific lot standards, setbacks and building height shall be identified and included within the development agreement.
13. Non-residential development phasing projects within the MPD shall not exceed a 1.0 Floor Area Ratio (FAR) or Floor space Index (FSI) of 100% as set forth in the development agreement.

14. Parking shall be provided within the Village Center as set forth in the development agreement and all other areas shall comply with the parking standards prescribed in the development code in effect at the time of phasing project applications.
15. The development agreement shall reference the standards for the design, configuration, maintenance and performance of all public and private designated roads within the Wohali MPD.
16. The main collector roadway (Wohali Way) to its intersection with Icy Springs Road and the Weber River Bridge and an alternative secondary access shall be provided prior to occupancy of any phasing project.
17. The Wohali MPD shall provide at least 747.16 acres (49%) of the total project site in open space comprising primary and secondary open space as described in the development agreement.
18. The Wohali MPD Phasing Plan shown in the Phase I Preliminary Plan application shall be incorporated by reference in the development agreement and describe the phasing and timing of infrastructure within and outside of the MPD.
19. Prior to construction on the first phasing project of the MPD, a more detailed implementation schedule for any required construction or upgrades of off-site infrastructure improvements supporting Phase I and all other subsequent Phases shall be submitted to the City for approval.
20. Prior to issuance of a building permit for the Wohali MPD, the Master Developer shall provide and construct a connecting pathway for public pedestrian and biking access along the main entry road (Wohali Way).
21. Details of open space protection and/or dedication shall be identified with each Phasing Project during the final plan or site plan review and approval process.
22. After each Phase of the Wohali MPD is completed, the Master Developer shall prepare an analysis of Workforce (employee) housing required for the development to-date and submit to the City for review and acceptance.
23. The development review process for all phasing projects within the Wohali MPD, including the building envelope review process, shall be described within the development agreement.
24. The Master Developer shall prepare and submit a Construction Waste Management Plan for review and approval with the Phase I final plan application.

25. A single Master Developer (or Master Developer Transferee) shall be maintained throughout the build-out period of the MPD and associated development agreement.