



Staff Report

Coalville City
Project Coordinator

To: Coalville City Mayor and City Council
From: Don Sargent, City Project Coordinator
Date of Meeting: December 9, 2019
Re: Wohali MPD, Property Rezone and Phase I Preliminary Plan
Action: Continued Public Hearing

Wohali Property MPD, Rezone and Phase I Preliminary Plan

REQUEST

The purpose of this continued public hearing is to receive additional public comment, review, discuss and possibly take an action on the proposed Wohali Property Master Planned Development (MPD) and Property Rezone. An action on the Preliminary Plan for Phase I is not being requested at this time but may be referred to with the review and discussion of the MPD and rezone.

Staff is prepared to address questions regarding development code and engineering requirements, the general plan and other city ordinances applicable to the proposed development.

Following the public hearing the applicant will be available to address project issues and questions from the council.

BACKGROUND

On November 18, 2019 a public hearing was held before the city council. The city council continued the public hearing to December 9, 2019 and requested a work session in advance of the public hearing to further review and discuss the project application and address the issues raised at the public hearing.

A work session was conducted by the city council on December 2, 2019.

ANALYSIS

The primary concern expressed at the November 18th public hearing was water quantity and quality. The city council authorized staff to request a review of the applicant's water assessment information by an attorney the city regular consults on water issues. The attorney, Craig Smith of Smith Hartvigsen, PLLC, attended the work session and answered questions and provided feedback on the water issues.

The city engineer and public works director also addressed several questions verifying the capacity and ability of the city water and sewer systems to serve the proposed development subject to timing and phasing, required city fees, and infrastructure concurrency requirements.

Based on the work session discussion, the city council and staff identified the following additional stipulations to address water quality and quantity:

1. Water replacement of the same quantity for the city reserve shares of secondary irrigation water shall be provided by the applicant. The replacement water provisions shall be described within the development agreement with the final plat approval of Phase I of the MPD.
2. A Water Source Protection Plan shall be adopted by ordinance and referenced in the development agreement prior to final plat approval of Phase I of the MPD.
3. The master developer shall drill a culinary water well(s) with required production quality and quantity prior to approval of a building permit for the 76th lot/unit in the MPD to provide water service to all lots/units above the density allowed under the original AG-20 base zoning of the property.
4. The master developer shall explore, purchase and transfer actual water right shares to the city rather than using leased water shares from Weber Basin Water Conservancy District.

Many other concerns expressed at the November 18th public hearing are either addressed in the required studies provided with the project application or the development agreement language which is currently in draft form at this preliminary review stage of the project. Staff is prepared to review these or other items with the city council as requested.

Vesting of MPD Approval

The following sub-sections of the development code address the vesting (legal right) of an approval of an MPD:

8-6-050:A *Final Subdivision Plat:* *The initial final subdivision plat associated with a Master Planned Development must be recorded within three (3) years of the date of the City Council MPD approval and construction of the project must begin within five (5) years of the date of City Council MPD approval. In the event that the required final subdivision plat recordation and construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the final subdivision plat shall be void.*

8-6-050:C *Rezone:* *Master Planned Developments associated with a rezone will be required to commence construction within five (5) years of the date of the City Council MPD approval. If the required construction commencement has not taken place in the prescribed timeframe, the MPD shall expire and the zone(s) shall revert to the previous zone designation(s).*

RECOMMENDATION

Staff recommends the city council conducts the continued public hearing to receive comment and input from members of the public not able to speak at the November public hearing or any new input not voiced previously.

Based on the public comment received and the project analysis, staff also recommends the city council consider an action on the proposed Wohali MPD and Property Rezone and direct staff to draft findings of fact, conclusions of law and conditions that supports the action for review and consent at a subsequent city council meeting.