

Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A public hearing to consider and take action on a request to vacate a 10 foot drainage

easement and a 10 foot sewer easement running North to South from Copper Crest, a private road to Spring Park, a public road located in the Summit Eden Phase 1C Subdivision.

Type of Decision: Legislative

Agenda Date: Tuesday, January 24, 2017

Applicant: SMHG Phase 1, LLC

File Number: EV 2016-07

Property Information

Approximate Address: 8525 East Copper Crest and 8545 East Copper Crest

Project Area: 3,614 square feet

Zoning: Ogden Valley Destination and Recreation Resort Zone (DRR-1)

Existing Land Use: Ski Resort

Proposed Land Use: Resort Development

Parcel ID: 23-130-0015, 23-130-0016, 23-130-0033, 23-30-0032, 23-130-0018, 23-130-0019,

23-136-0002

Township, Range, Section: T7N, R2E, Section 8

Adjacent Land Use

North:Ski ResortSouth:Ski ResortEast:Ski ResortWest:Ski Resort

Staff Information

Report Presenter: Ronda Kippen

rkippen@co.weber.ut.us

801-399-8768

Report Reviewer: RG

Background and Summary

The applicant has submitted a request to vacate two easements in the Summit Eden Phase 1C Subdivision (see Exhibit A for the application and narrative). The applicant is currently in the process of amending this portion of the Summit Eden Phase 1C Subdivision (see Exhibit B for the proposed plat amendment 4). As part of the subdivision amendment, 15 lots and two open space parcels (Lots 51R-56, 57B-62R, 116, Parcel OS2 and Parcel N) will be modified to create an additional four lots and two more open space parcels along a private road identified as Copper Crest and vacate the drainage and sewer easement that are no longer necessary. The drainage and sewer infrastructure where initially planned to be installed within the identified easement areas; however, during construction, it was determined that a more desirable location for these improvements would be in the open space Parcel H and running along the westerly lot line of Parcel H and Lot 51R and Lot 66. Due to a portion of the 10 foot drainage easement falling outside of the proposed subdivision amendment area, it is necessary to vacate the area of the 10 foot drainage easement running along the west lot line of Lot 65 and the east lot line of Lot 66 by ordinance.

The requested areas to be vacated are identified in "yellow" on the attached Exhibit C and have been dedicated and recorded with the Weber County Recorder on Dedication Plat Entry# 2672945 (see Exhibit D for original Summit Eden Phase 1C Subdivision Plat). The review and consideration of the requested easement vacation has been done in compliance with Utah Code §17-27a-609.5. Written approvals from the applicable review agencies and utility providers are in the process of being obtained. The proposal to vacate the easements is subject to receiving approval of Summit Eden Phase 1C Amendment 4 Subdivision.

Summary of Planning Commission Considerations

The Planning Commission will need to determine if there will be any detrimental impacts caused by vacating the proposed drainage and sewer easements. Utah Code §17-27a-609.5 states that "The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street, right-of-way, or easement if the legislative body finds that:

- (a) good cause exists for the vacation; and
- (b) the public interest or any person will not be materially injured by the proposed vacation."

Conformance to the General Plan

Vacating the identified easements will not have a negative effect the Ogden Valley General Plan.

Staff Recommendation

Staff recommends approval of the request vacate a 10 foot drainage easement and a 10 foot sewer easement running North to South from Copper Crest, a private road to Spring Park, a public road located in the Summit Eden Phase 1C Subdivision. This recommendation for approval is subject to all review agency requirements and is based on the following conditions:

1. The ordinance to vacate the drainage and sewer easements will be recorded in conjunction with the Summit Eden Phase 1C Amendment 4 Subdivision Plat.

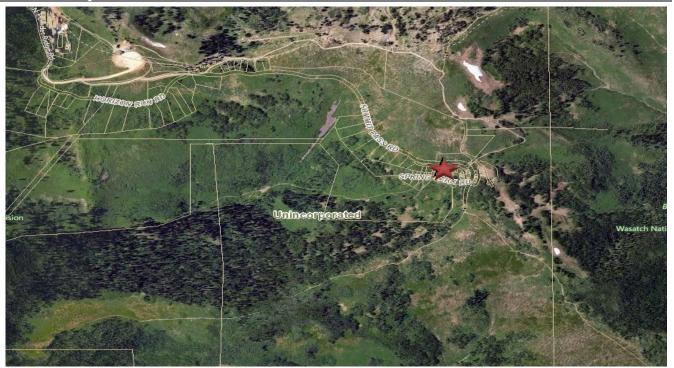
The recommendation is based on the following findings:

- 1. Vacating the proposed drainage easement and sewer easement will not have a negative effect on the Ogden Valley General Plan.
- 2. Based on the proposed subdivision amendment, good cause exists to vacate the easements.
- 3. The public interest or any person will not be materially injured by the proposed vacation.
- 4. The proposed vacation will not be detrimental to the public health, safety, or welfare.
- 5. The proposed vacation will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Easement Vacation Application with Narrative
- B. Proposed Summit Eden Phase 1C Amendment 4 Subdivision plat
- C. Easements to be vacated
- D. Original Summit Eden Phase 1C Subdivision plat

Location Map

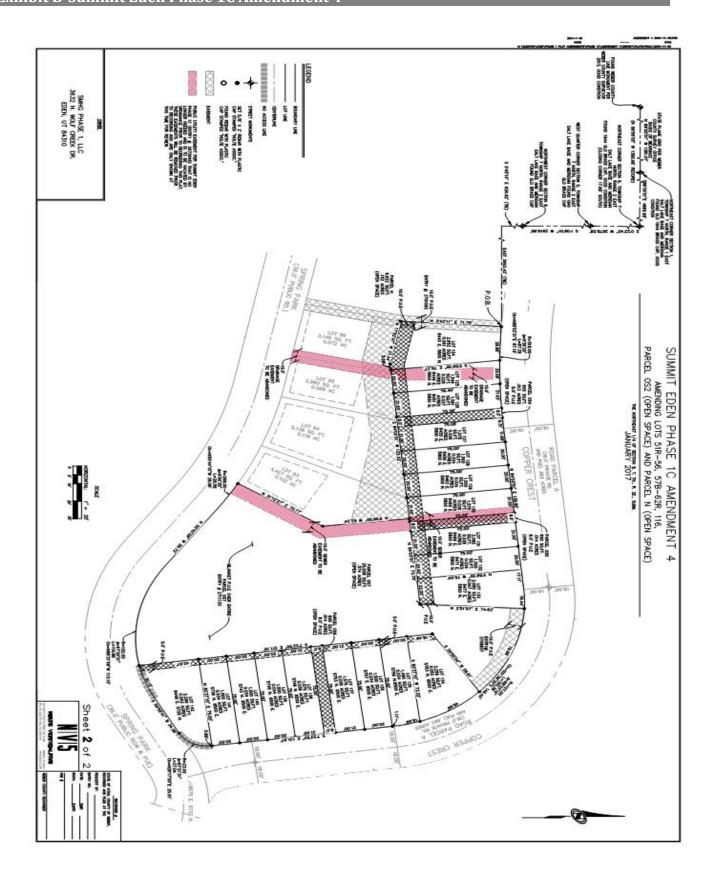


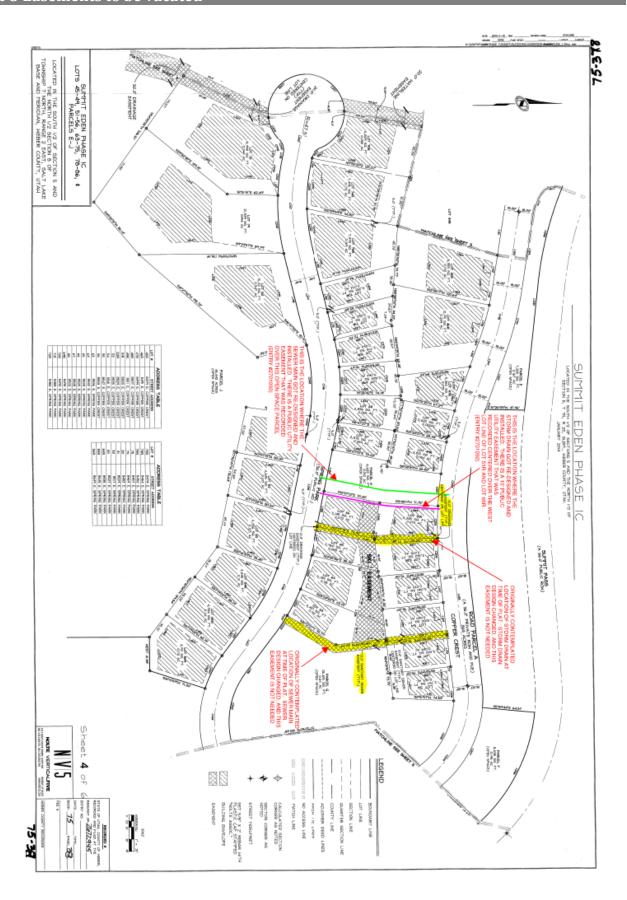
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Application submittals w	rill be accept	ed by appointment only	. (801) 399-8791. 2380 W	ashington Blvd. Suite 240, Ogden, UT 84401
Date Submitted / Completed		Fees (Office Use)		Receipt Number (Office Use)
Requesters Contact Informa	ition			
Name SMHG PHASE I LLC		3277	Mailing Address 3632 N. WOLF CREEK DR, EDEN, UT 84310	
Phone 435-640-7002	Fax N/A			
Email Address JW@SUMMIT.CO			process growing	Written Correspondence Fax Mail
Property Information				
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Vacation Request ☐ Easement ☐ Road ☐ S	ubdivision	Subdivision Lot	Current Zoning DRR-1	
Subdivision Name SUMMIT EDEN PHASE 1C	ubuwsiui	300division Eur	Lot Number(s) LOT 51R, 52R, 66, 65,	54, 55, OS2
Project Narrative				
the Weber County Recorder. Said eas 66. Sanitary Sewer Easement to be Vacat A 10' wide Sanitary Sewer Easement a office of the Weber County Recorder. southern portion of said easement is:	ed: ed: s depicted on Said easemer located in whi el G (Parcel G v	mit Eden Phase 1C subdiv n width and is centered or Summit Eden Phase 1C s nt is 10' in width and the r ch the western edge run:	ision plat, as recorded on n the shared lot line of Lot ubdivision plat, as records northern portion is centers s along the shared proper	January 27, 2014 as entry number 2672945 in the office of .51R and Lot 52R and the shared lot line of Lot 65 and Lot ed on January 27, 2014 as entry number 2672945 in the ed on the shared lot line of Lot 54 and Lot 55. The tyline between Parcel G and Lot 63 with the entire IC Amendment 1 plat, recorded February 5, 2016 as entry
Property Owner Affidavit				
141194	a lle		attached plans and other (Property Own	the owner(s) of the property identified in this application exhibits are in all respects true and correct to the best of

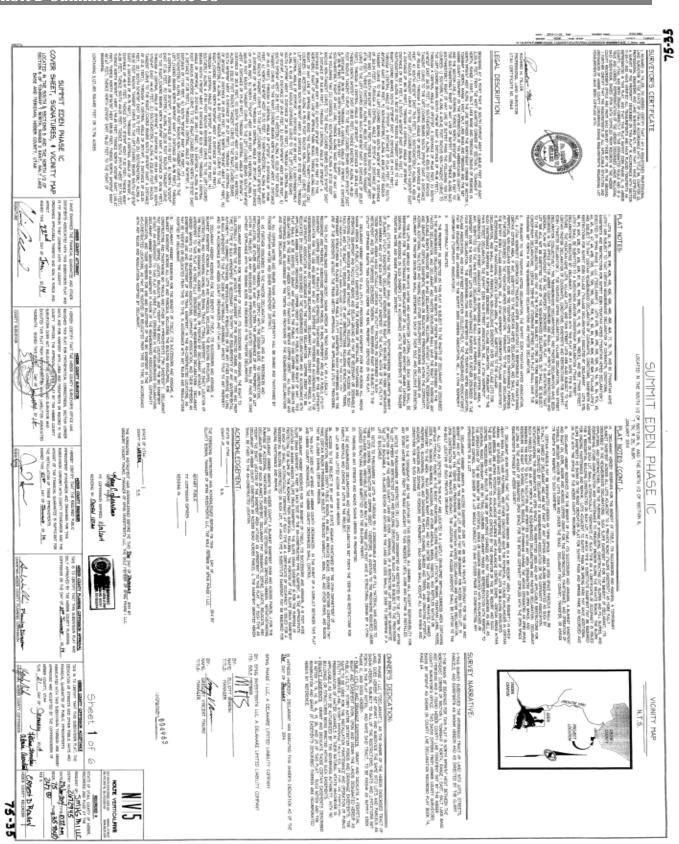
Exhibit A-Application with Narrative

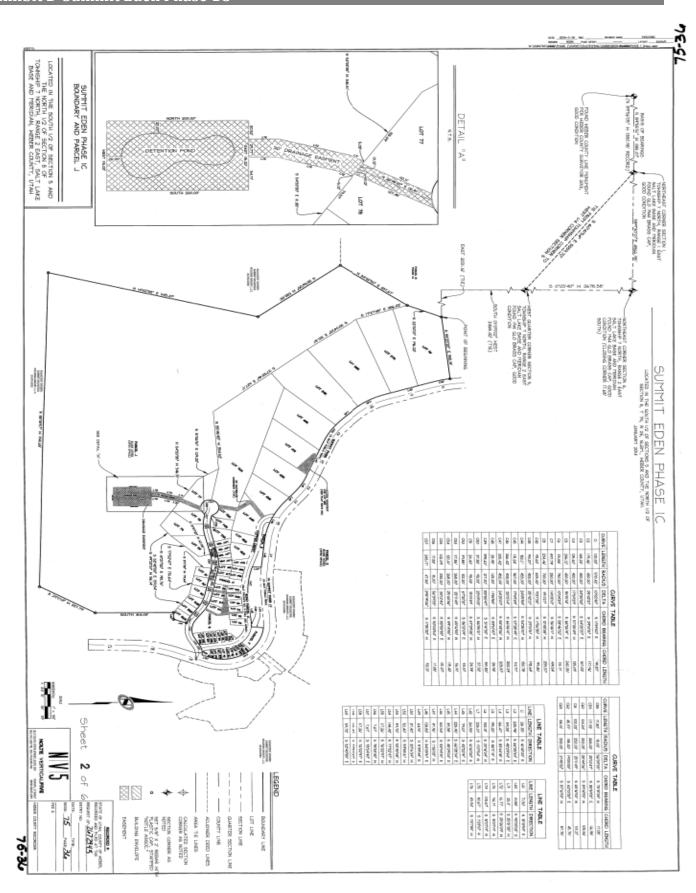
Authorized Representative Affidavit	
	eal property described in the attached application, do authorized as my represent me (us) regarding the attached application and to appear on tring this application and to act in all respects as our agent in matters
(Property Owngr)	(Property Owner)
Dated this day of lawyor 20 personally appeared signer(s) of the Representative Authorization Affidavit who duly acknowledged to me	before me the that they executed the same.
OLGA MARIASINA	A. M
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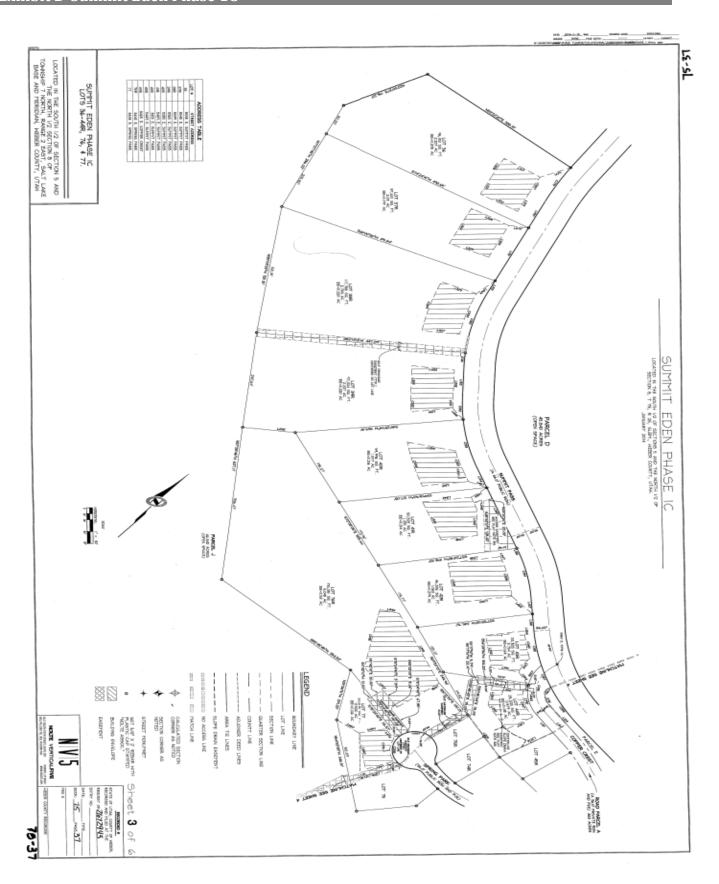
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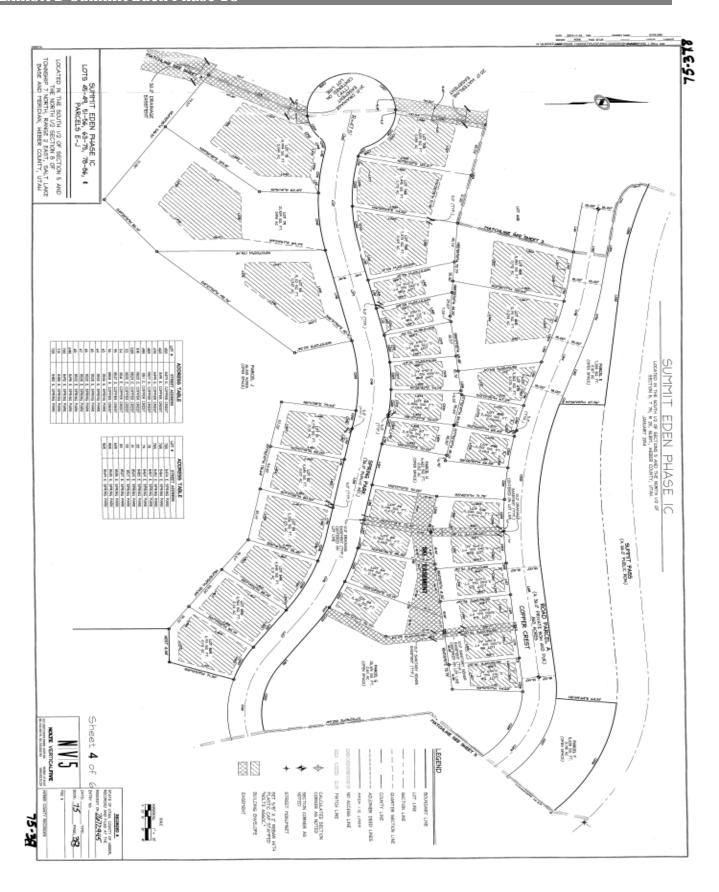
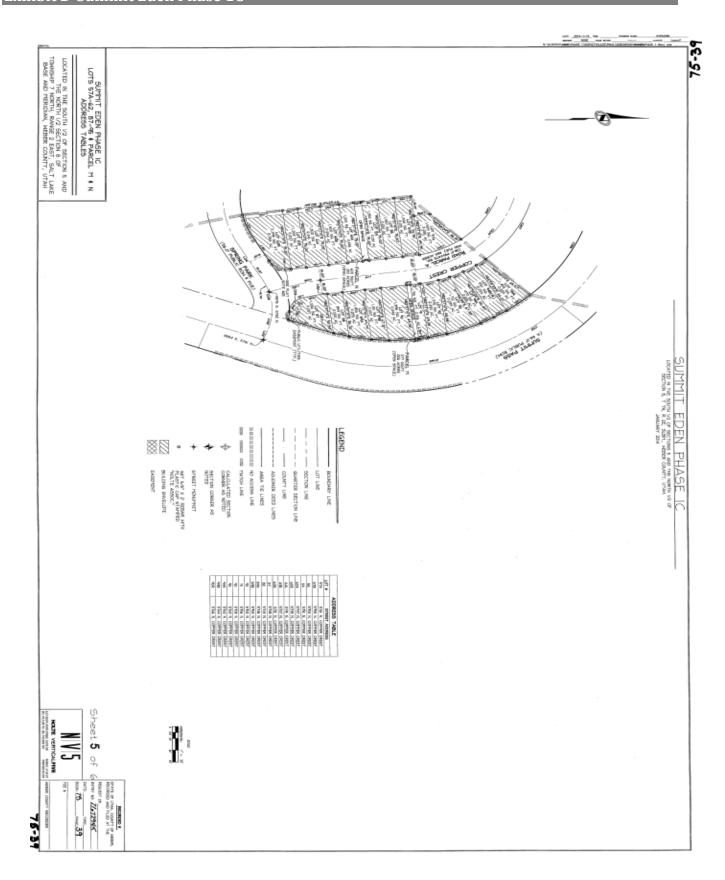


Exhibit D-Summit Eden Phase 1C



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