



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and/or action on a conditional use permit for Marcella Naumu Real Estate Office.
Agenda Date: Tuesday, January 02, 2018
Applicant: Marcella Naumu
File Number: CUP 2017-11

Property Information

Approximate Address: 7345 E. 900 S., Huntsville, UT, 84310
Project Area: 7.46 acres
Zoning: Commercial Valley Resort Recreation zone (CVR-1)
Existing Land Use: Commercial
Proposed Land Use: Real Estate Office
Parcel ID: 21-031-0013
Township, Range, Section: T6N, R2E, Section 19 W

Adjacent Land Use

| | |
|----------------------------------|---------------------------------------|
| North: Hwy 39/Residential | South: Agricultural |
| East: Commercial | West: Agricultural/Residential |

Staff Information

Report Presenter: **Tammy Aydelotte**
 taydelotte@co.weber.ut.us
 801-399-8794
Report Reviewer: RK

Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 11 (CVR-1 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)
- Weber County Land Use Code Title 110 Chapter 2 (Ogden Valley Signs)
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Summary and Background

The Planning Division recommends approval of the conditional use permit for Marcella Naumu Real Estate Office. The applicant is requesting approval of a conditional use permit for the Marcella Naumu Real Estate Office at 7345 E. 900 S. in Huntsville. The CVR-1 Zone allows a “Real estate office” as a conditional use. The proposed location is an existing structure previously used as a retail space, as well as a real estate office. The building currently houses a restaurant, with office space to lease. Previously, the office space was used for off road vehicle and recreation equipment sales, service, and rentals.

Conditional use permits should be approved as long as any detrimental effects can be mitigated. The Uniform Land Use Code of Weber County (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 Planning 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 condition use, and the design review.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by directing new commercial development to Huntsville (pg. 25 Ogden Valley General Plan, Commercial Development Goal 1 in the 2016 Ogden Valley General Plan). As a conditional use, this operation is allowed in the CVR-1 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Commercial Valley Resort Recreation (CVR-1) Zone. The purpose of the CVR-1 Zone can be further described in LUC §104-11-1 as follows:

The purpose of the CVR-1 zone is to provide locations in the Ogden Valley and at major recreation resort areas, where service facilities and goods normally required by the public in the pursuit of general recreation activities can be obtained.

The CVR-1 Zone has specific standards identified in the LUC §108-14-3(2), that shall be met as part of the development process. The applicable standards are as follows:

- One parking space shall be provided for every two employees, plus four spaces for client use per LUC§108-8-4
- All landscaping requirements have been met by the property owner.
- Wall signs: Each freestanding building or complex of buildings is allowed one wall sign per street frontage which shall not exceed five percent of the square footage of the front of the building (linear footage of the front of the building, multiplied by the height of the building; multiplied by five percent) not including false fronts. If multiple units, each unit to be allowed five percent of width of the unit multiplied by the height.

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Prior to commencing work, the applicant will need to receive approval from the applicable agencies for the proposal. A condition has been made part of the Planning Division's recommendations to ensure that this standard is met.

Design Review: The CVR-1 zone and the proposed conditional use mandates a design review as outlined in LUC Title 108 Chapter 1 to ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood. As part of this review, the Planning 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 provides adequate ingress and egress for patrons of the site. The site has clear site distance from Highway 39 and the adjacent landscaping and signage. After performing a site visit to the subject property, it was determined that the existing parking meets the requirements as outlined in LUC Title 108 Chapter 8. The applicant hasn't provided additional improvements at this time and staff does not feel that additional improvements are necessary.

2) Considerations relating to outdoor advertising. The applicant has proposed signage that meets the requirements as outlined in LUC § 110-2-5, and 110-2-9. Sign #1 will be located on the marquee sign at the entrance to the parking lot right off of Hwy 39. The sign will occupy the upper portion of the marquee sign measuring 12 feet in width and 28 inches in height, on both sides of the marquee. Appearance of the sign will consist of a dark background (a charcoal gray) with one image, and 8 inch letters that will cover no more than 40% of the sign area. The sign will be back-lit, however lighting will be minimized by the dark background of the sign.

Sign #2 will be located above the office entrance and will measure a maximum of 21 square feet. Sign materials will be similar to those located on the marquee sign. This will be an unlit sign with copy that will occupy no more than 40% of the sign area.

3) Considerations relating to landscaping, screening and buffering. After performing a site visit to the subject property, it was determined that the existing landscaping meets the requirements as outlined in LUC Title 108 Chapter 2 by conceptually addressing 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.

4) Considerations relating to buildings and site layout. The individual lot layout has already been reviewed against the design criteria of the CVR-1 Zone through previous Design Reviews in LUC Title 108 Chapter 1 and remains in compliance with the requirements that are outlined in the Ogden Valley Architectural, Landscape and Screening Design Standards in LUC §108-2-4.

5) Considerations relating to utility easements, drainage, and other engineering questions. The applicant has not been required to provide civil engineered drawings that identify the existing and proposed topography, contour lines, utilities, easements and drainage due to the site being developed previously. The applicant will need to adhere to all conditions of the Engineering Division.

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. Staff is unaware of any previous development concept plans associated with any rezoning agreements at this time.

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

Staff Recommendation

Staff recommends approval of the conditional use permit for Marcella Naumu Real Estate Office. This recommendation for approval is subject to all review agency requirements and is based on any conditions required by the Planning Commission. This recommendation is based on the following findings:

- The proposed use is allowed in the CVR-1 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.
- The proposed conditional use conforms to the Ogden Valley General Plan.
- The proposed conditional use complies with the applicable County ordinances.
- The proposed conditional use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses

Exhibits

- A. Application
- B. Site Plans
- C. Signage

Location Map

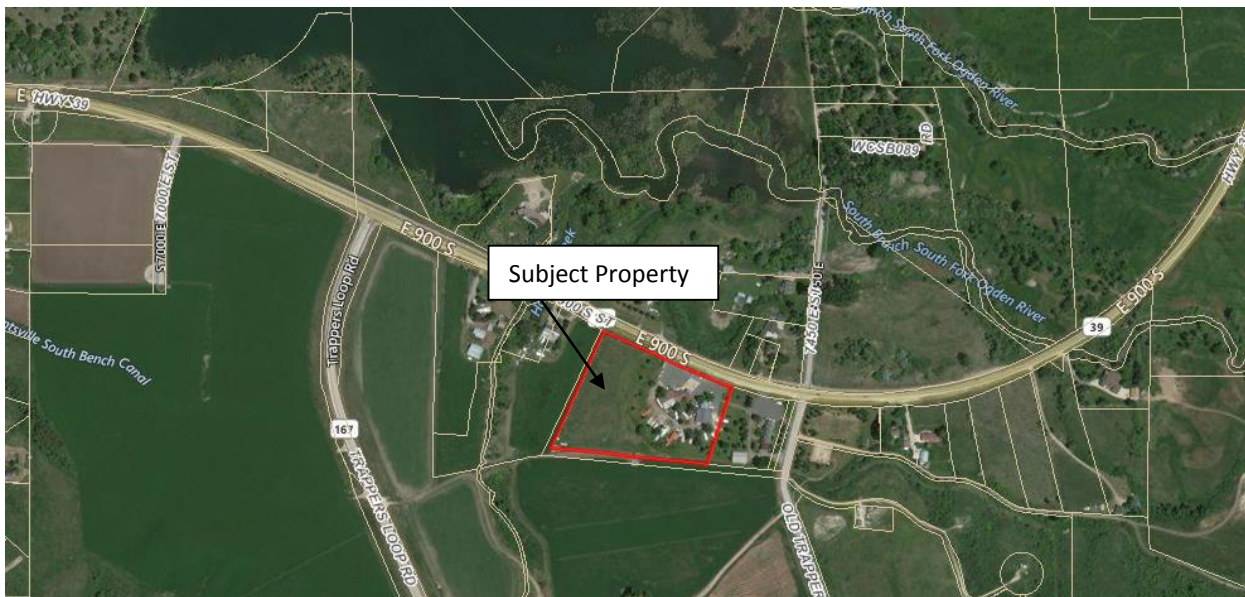


Exhibit A - Application

| Weber County Conditional Use Permit Application | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401 | | | |
| Date Submitted / Completed | Fees (Office Use) | Receipt Number (Office Use) | File Number (Office Use) |
| Property Owner Contact Information | | | |
| Name of Property Owner(s) Carol Petersen | | Mailing Address of Property Owner(s) | |
| Phone 801-791-0403 | Fax | | |
| Email Address (required) (Garr Petersen's) | | Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail | |
| Authorized Representative Contact Information | | | |
| Name of Person Authorized to Represent the Property Owner(s) Garr Petersen | | Mailing Address of Authorized Person | |
| Phone 801-791-0403 | Fax | | |
| Email Address Garr @ogdenvalleysports.com | | Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail | |
| Property Information | | | |
| Project Name Chris's | Total Acreage 7.46 | Current Zoning CVR-1 | |
| Approximate Address 7345 E. 900 S. | Land Serial Number(s) 210310013 | | |
| Proposed Use Real Estate Office | | | |
| Project Narrative <p>Requesting an approval for the opening of a real estate brokerage branch office (Keller Williams), at 7345 E. 900 S. in Huntsville. This office will provide residential real estate services for the Huntsville area and the greater Ogden Valley. It will be a convenient location for real estate transactions as well as add additional potential customers for the other businesses in the area.</p> <p>Marcella Naumu 801-388-0420 mnaumu@gmail.com</p> | | | |

Property Owner Affidavit

I (We), Carol Petersen, depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Carol Petersen
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 14 day of June, 2017.



Amanda Rodie
(Notary)

Authorized Representative Affidavit

I (We), _____, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

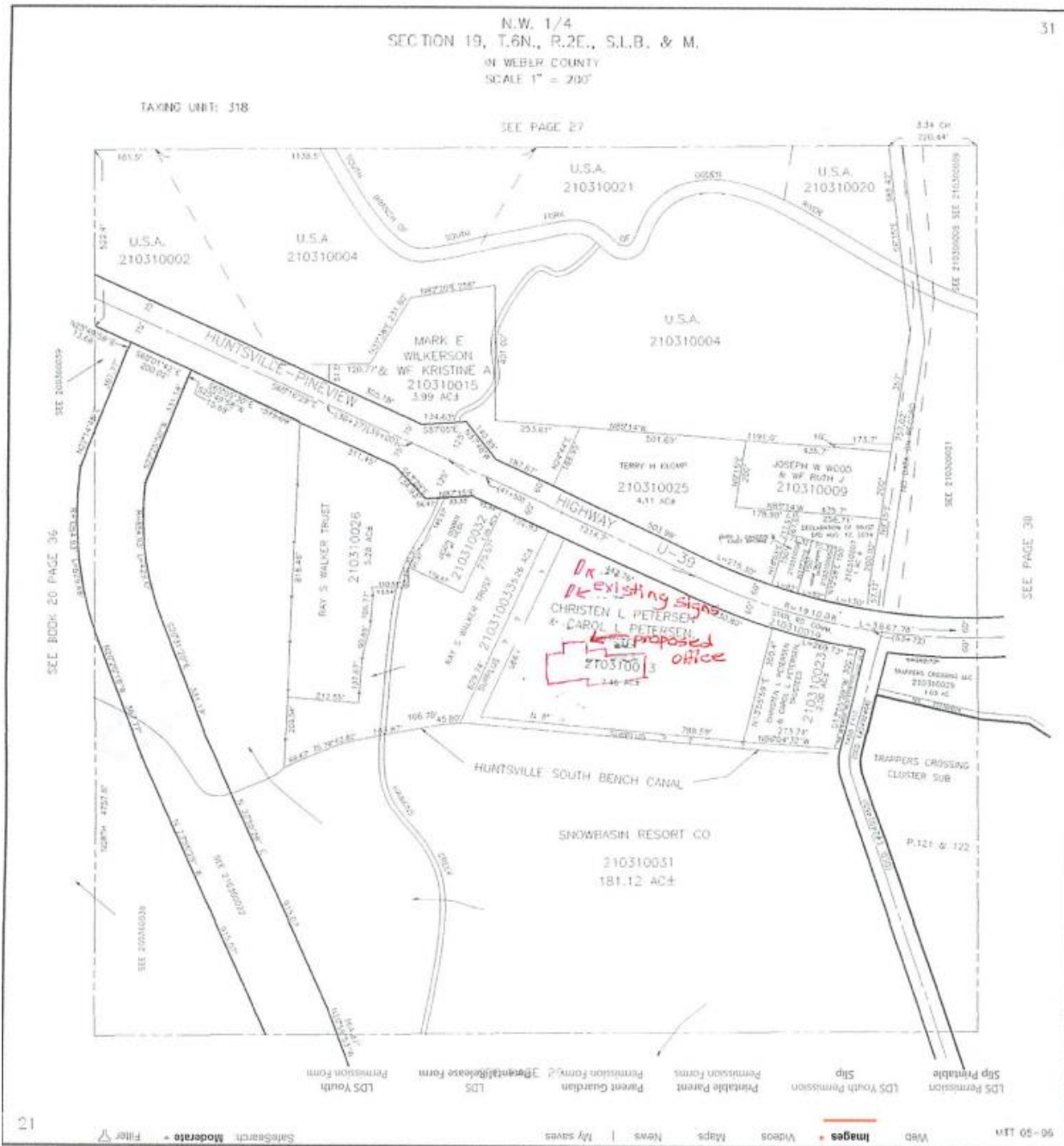
(Property Owner)

(Property Owner)

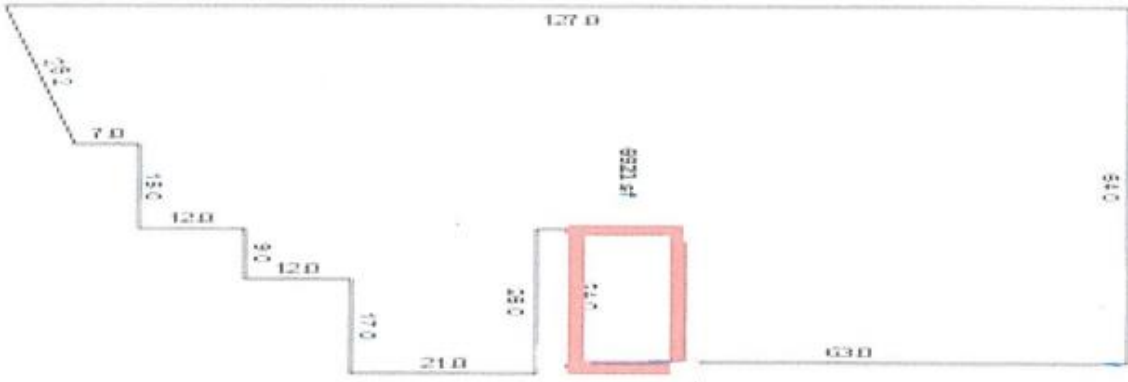
Dated this _____ day of _____, 20____, personally appeared before me _____, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

(Notary)

Exhibit B - Site Plan



Office in red



Sketch by Apex Measure™

Kwsuccess
KELLERWILLIAMS REALTY



**KELLER
WILLIAMS
Realty**

888-888-8888
Marcella Naumu
wwwMyWebAddress.com



Map

