



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on a request for final approval of Jacquelyn Estates Cluster Subdivision Phase 2.
Type of Decision:	Administrative
Agenda Date:	Tuesday, September 12, 2017
Applicant:	Julie Standing
File Number:	LVJ071217

Property Information

Approximate Address:	4900 W 2200 S
Project Area:	7.77 acres
Zoning:	A-1
Existing Land Use:	Agricultural
Proposed Land Use:	Residential
Parcel ID:	15-079-0113
Township, Range, Section:	Township 6 North, Range 2 West, Section 29

Adjacent Land Use

North:	Residential	South:	Residential
East:	Agricultural	West:	Residential

Staff Information

Report Presenter:	Steve Burton sburton@co.weber.ut.us 801-399-8766
Report Reviewer:	RK

Applicable Ordinances

- Title 104, Zones, Chapter 5, Agricultural (A-1) Zone
- Title 106, Subdivisions

Development History

- Jacquelyn Estates Cluster Subdivision Phases 1 and 2 received preliminary approval from the Western Weber Planning Commission on July 11, 2014.
- Jacquelyn Estates Cluster Subdivision Phase 1 was recorded with the Weber County Recorder's Office on March 29, 2016.

Background

The applicants have submitted a request for final approval of the Jacquelyn Estates Cluster Subdivision Phase 2, a cluster subdivision consisting of 13 building lots, and 2 common areas. The proposed subdivision is located at approximately 4900 W 2200 S, Ogden, UT and is in the A-1 zone. Public roads will be created with this proposal to provide access to each lot and the design will create connectivity to the surrounding area. The number of lots allowed by right and based on current zoning, for the entire subdivision (Phase 1 and Phase 2), is 13 (40,000 square feet). With the requested 50% bonus density, the number of lots for the entire subdivision increases to 19. Phase 1 consisted of 6 lots, and Phase 2 will complete the phasing plan with 13 lots.

The cluster subdivision code has been amended since Phase 2 received preliminary approval, as such, final approval of Phase 2 is subject to the provisions of the cluster subdivision code that existed at the time of preliminary approval. The proposed subdivision has been reviewed against and appears to be in compliance with the previous cluster subdivision code, known as Chapter 22B.

Analysis

General Plan: The proposal conforms to the Western Weber General Plan by creating lots for the continuation of single-family residential development that is currently dominant in the area and by encouraging residential cluster style development with a minimum 30% open space.

Zoning: The subject property is located in the Agriculture (A-1) Zone. The purpose of the Agricultural (A-1) zone is identified in the LUC §104-5-1 as:

“The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.”

Cluster subdivisions, in accordance with the Land Use Code, are permitted in the A-1 Zone.

The proposal has been reviewed against the adopted zoning and subdivision ordinances to ensure that the regulations and standards have been adhered to. The following is a brief synopsis of the review criteria and conformance with the Uniform Land Use Code of Weber County (LUC).

Cluster subdivision design and layout standards: As stated in 22B-4, the minimum lot width requirement for cluster subdivision lots in the A-1 zone was 100'. Each lot within Phase 2 has a minimum width of 100'.

The applicant has proposed 2 clusters of building lots surrounded by open space. One cluster consists of 5 lots and the other consists of 8 lots, in compliance with 22B-5. The amount of open space provided for the entire subdivision is 5.9 acres (49%). The open space in Phase 1 consisted of a 3.49 acre Common Area parcel. The open space in Phase 2 consists of a 2.38 acre Common Area parcel and a 0.11 acre Common Area parcel.

Bonus Density Requirements: 22B-6 states that cluster subdivisions in the A-1 Zone may be granted up to 50% bonus density. During preliminary approval, the entire subdivision as a whole, including both phases, was granted a 50% bonus density based on the following criteria:

- 15% for developing a cluster subdivision that meets the intent of the standards.
- 19% for additional open space in excess of the minimum 30% open space.
- 25% for providing two lots (ten percent of the lots) permanently set aside for affordable housing.

As part of the final approval of Phase 1, only 1 lot was set aside for affordable housing. One lot from Phase 2 must also be set aside for affordable housing. A deed restriction shall also be recorded on the lot, limiting the sale, or rental of the homes to a household with incomes at or below eighty (80) percent of the County median income. A condition of approval has been added to the staff recommendation to ensure that this standard is met prior to the recording of the final Mylar.

Natural Hazards Areas: The proposed subdivision is located in a Zone X as determined by FEMA to be an area determined to be outside the 500-year floodplain. The proposed subdivision is not in a Natural Hazards Study area; therefore a geologic and geotechnical report has not been provided to the County.

Culinary water and sanitary sewage disposal: Will Serve letters have been provided by the Taylor West Weber Water Improvement District and the Central Weber Sewer Improvement District regarding culinary water and sanitary sewer disposal. Hooper Irrigation Company has also provided a Will Serve letter regarding secondary water. A Capacity Assessment letter from the Utah Department of Environmental Quality Division of Drinking Water has been provided for the entire 19 lot project. A construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.

Additional design standards and requirements: The proposed cluster subdivision will have a 50' width dedicated county road extending from 2200 South to the stubbed 50' width road in Phase 1.

As stated in 22B-8, *the subdivider shall cause to be formed prior to the recording of the final plat, a Lot Owners Association and shall establish articles of incorporation of the Association, by-laws and covenants outlining the purpose, organization and operation of the Association.*

This requirement has been added to the staff recommendation as a condition of approval.

Review Agencies: A condition of approval has been added to ensure that all conditions of the Review Agencies, including the Engineering Division, Surveyor's Office, and the Fire District will be addressed prior to submitting the final Mylar for signatures and the recording of the final plat.

Tax clearance: The 2016 property taxes have been paid in full. The 2017 property taxes will be due in full on November 1, 2017.

Staff Recommendation

Staff recommends final approval of the Jacquelyn Estates Cluster Subdivision Phase 2, consisting of 13 building lots and 2 common areas. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A construct permit from the Utah Department of Environmental Quality Division of Drinking Water will be required prior to the subdivision receiving final approval from the County Commission.
2. The applicant will be required to establish a Lot Owners Association and establish articles of incorporation, by-laws and covenants, as outlined in 22B-8, Cluster Subdivision Provisions, prior to receiving final approval from the County Commission.
3. A guarantee of Improvements will be required as outlined in LUC § 106-4-3, prior to receiving final approval from the County Commission.
4. One lot from Phase 2 must be set aside for affordable housing, and a note must be placed on the plat, indicating which lot is set aside for that purpose. A deed restriction shall also be recorded on the lot, limiting the sale, or rental of the homes to a household with incomes at or below eighty (80) percent of the County median income. This standard must be met prior to recording the final Mylar.

This recommendation is based on the following findings:

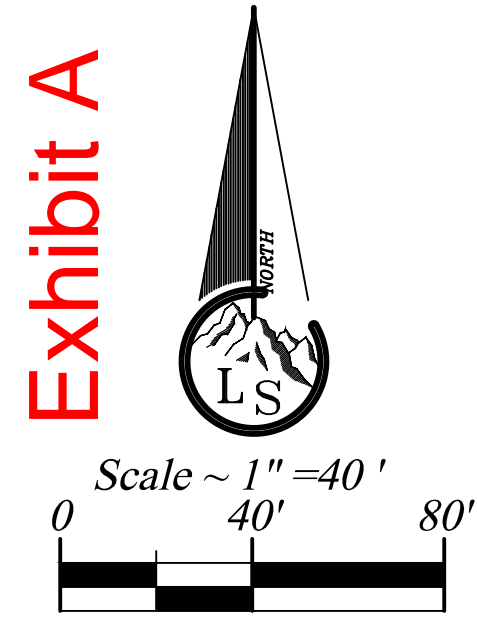
1. The proposed subdivision conforms to the Western Weber General Plan.
2. With the recommended conditions, the proposed subdivision complies with applicable County ordinances.
3. 15% for developing a cluster subdivision that meets the intent of the standards.
4. 19% for additional open space in excess of the minimum 30% open space.
5. 25% for providing two lots (ten percent of the lots) permanently set aside for affordable housing. Up to a five percent bonus density may be granted based on providing for the development of excess sewage treatment capacity.

Exhibits

- A. Final Subdivision Plat

Map 1

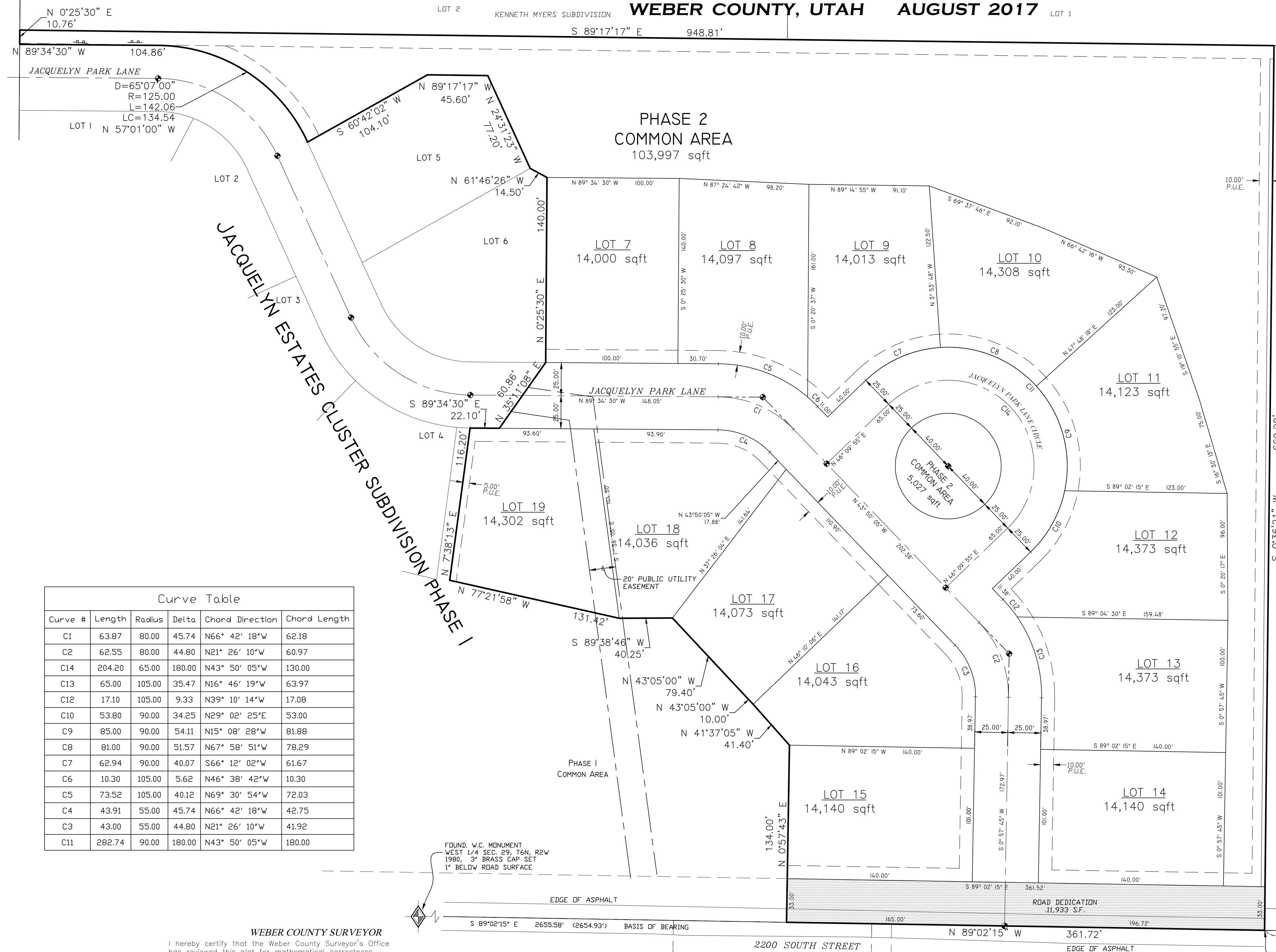




- Legend: EXISTING FENCE, EASEMENTS, STREET CENTERLINE, FND SECTION CORNER, FND STREET MONUMENT, FND CURB NAIL, FND REBAR AND CAP, SET #5x24" REBAR AND CAP STAMPED LANDMARK, ELEVATION BENCHMARK, ROAD/STREET DEDICATION

NOTE: NO BASEMENTS ALLOWED IN THIS DEVELOPMENT.

JACQUELYN ESTATES CLUSTER SUBDIVISION PHASE 2
A PART OF THE NORTHWEST QUARTER OF SECTION 29, T. 6 N., R. 2 W., S.L.B. & M.
WEBER COUNTY, UTAH AUGUST 2017



Curve Table with columns: Curve #, Length, Radius, Delta, Chord Direction, Chord Length. Lists curves C1 through C11 with their respective measurements.

WEBER COUNTY SURVEYOR
I hereby certify that the Weber County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for harmony with lines and monuments on record in county offices.

WEBER COUNTY COMMISSION ACCEPTANCE
This is to certify that this subdivision plat, the dedication of streets and other public ways and financial guarantee of public improvements associated with this subdivision thereon are hereby approved and accepted by the Commissioners of Weber County, Utah this ___ day of _____, 20__.

WEBER COUNTY ENGINEER
I hereby certify that the required public improvement standards and drawings for this subdivision conform with County standards and the amount of the financial guarantee is sufficient for the installation of these improvements.

SURVEYOR'S CERTIFICATE
I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah and hold license no. 9008384-2201 in accordance with Title 58, Chapter 22 known as the Professional Engineers and Professional Land Surveyor's Licensing Act, have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17, verifying measurements, and placing monuments as represented.

WEBER COUNTY PLANNING COMMISSION APPROVAL
This is to certify that this subdivision plat was duly approved by the Weber County Planning Commission on the ___ day of _____, 20__.

Chairman, Weber County Planning Commission

WEBER COUNTY ATTORNEY
I have examined the financial guarantee and other documents associated with this subdivision plat and in my opinion they conform with the County Ordinance applicable thereto and now in force and effect. Signed this ___ day of _____, 20__.

Signature

Attest:
Chairman, Weber County Commission
Title: Weber County Clerk

Signature

OWNER'S DEDICATION
We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets and Private Streets as shown hereon and name said tract JACQUELYN ESTATES CLUSTER SUBDIVISION PHASE 2:

We hereby dedicate to the governing entity for the purpose of public use all those parts or portions of said tract of land designated as street(s) and/or road(s), the same to be used as public thoroughfares. And further dedicate grant and convey said street(s) or and/or road(s) as public utility corridors as may be authorized by the governing entity.

We hereby grant and convey to Jacquelyn Estates HOA Inc. Owners Association, all those parts or portions of said tract of land designated as Common Areas to be used for recreational and open space purposes for the benefit of each member of Jacquelyn Estates HOA Inc. in common with all others in the subdivision and grant and dedicate to the governing entity a perpetual Open Space Right and Easement on and over the Common Areas to guarantee to the governing entity that the Common Areas remain open and undeveloped except for recreational, parking and open space purposes as may be approved by the governing entity.

We hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility, storm water detention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation maintenance and operation of public utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable to the governing entity and as may be authorized by the governing entity, with no buildings or structures being erected within such easements.

We hereby grant and dedicate unto all owners of lots upon which private land drains are constructed or which are otherwise dependent upon such land drains, a perpetual easement over such land drains for the purpose of maintenance and operation.

Signed this ___ day of _____, 20__
Craig L. Standing - President CJ Homes Development Inc.
Julie Standing - VP CJ Homes Development Inc.

CORPORATE ACKNOWLEDGMENT
State of Utah)
County of _____)
On this ___ day of _____, 20__, personally appeared before me _____, whose identity is _____ (name of document signer) personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the _____ (Title or Office) (Name of Corporation) and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and said _____ (name of document signer) acknowledged to me that said Corporation executed the same.

BOUNDARY DESCRIPTION
A PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT BEING NORTH 89°02'15" WEST 381.06 FEET ALONG THE QUARTER SECTION LINE FROM THE CENTER OF SAID SECTION 29, RUNNING THENCE NORTH 0°57'45" EAST 134.00 FEET; THENCE NORTH 41°37'05" WEST 41.40 FEET; THENCE 43°05'00" WEST 10 FEET; THENCE NORTH 43°05'00" WEST 79.40 FEET; THENCE SOUTH 89°38'46" WEST 40.25 FEET; THENCE NORTH 77°21'58" WEST 131.42 FEET TO THE BOUNDARY OF JACQUELYN ESTATES CLUSTER SUBDIVISION PHASE 1; THENCE NORTH 7°38'13" EAST 116.20 FEET; THENCE SOUTH 89°34'30" EAST 22.10 FEET; THENCE NORTH 35°17'09" EAST 60.86 FEET; THENCE NORTH 0°25'30" EAST 140.00 FEET; THENCE NORTH 61°46'26" 14.50 FEET; THENCE NORTH 24°31'23" WEST 77.20 FEET; THENCE NORTH 89°17'17" 45.60 FEET; THENCE SOUTH 60°42'02" WEST 104.10 FEET; THENCE ALONG A 125.00 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 65°07'00" 142.06 FEET ALONG THE CURVE; (L.C. - NORTH 57°01'00" WEST 134.54 FEET); THENCE NORTH 89°34'30" WEST 104.86 FEET TO THE EAST R.O.W. LINE OF 4900 WEST STREET; THENCE NORTH 0°25'30" EAST 10.76 FEET TO THE SOUTH BOUNDARY LINE OF KENNETH MEYERS SUBDIVISION LOT 2; THENCE ALONG SAID BOUNDARY SOUTH 89°17'17" EAST 948.81 FEET; THENCE SOUTH 0°36'21" WEST 669.28 FEET TO THE POINT OF BEGINNING.

CONTAINS 350,716 Sqft = 8.05 ACRES.

NARRATIVE
THE PURPOSE OF THIS SURVEY WAS TO CREATE PHASE TWO OF A NINETEEN (19) LOT CLUSTER SUBDIVISION AS SHOWN. BASIS OF BEARING IS UTAH STATE PLANE BEARING AS SHOWN.

FOUND. W.C. MONUMENT
CENTER SEC. 29, T6N, R2W
1980, 3" BRASS CAP SET
1" BELOW ROAD SURFACE

Landmark Surveying, Inc. logo and contact info. Developer: Craig Standing. Part of the NW 1/4 of Section 29, Township 6 North, Range 2 West, Salt Lake Base and Meridian. Weber County Recorder info.