



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an administrative application, approval of an access exception for the North View Holding LLC Subdivision.

Agenda Date: Tuesday, July 16, 2013

Applicant: Chris Thurgood representing North View Holdings LLC

File Number: AE 2013-02

Property Information

Approximate Address: 2795 North Highway 89

Project Area: 1.611 Acres

Zoning: M-1

Existing Land Use: Vacant

Proposed Land Use: Commercial

Parcel ID: 19-016-0121

Township, Range, Section: T7N, R2W, sec25

Staff Information

Report Presenter: Ben Hatfield
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Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 108 (Standards) Chapter 7 Supplementary and Qualifying Regulations
- Weber County Land Use Code Title 108 (Standards) Chapter 8 Parking and Access Regulations
- Weber County Land Use Code Title 108 (Standards) Chapter 9 Motor Vehicle Access
- Weber County Land Use Code Title 104 (Zones) Chapter 22 Manufacturing (M-1)

Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting approval of an access exception for the North View Holdings LLC Subdivision located at approximately 2795 North Highway 89. The proposed subdivision is in the Manufacturing (M-1) Zone.

This property and the adjacent property to the north are surrounded by Pleasant View City. Access to this lot has been limited by UDOT as the lot fronts on Highway 89. Access can be given for the lot through the property to the north (please also see AE 2013-02, DR 2013-03, and DR 2013-05 for approvals and plans). Cross access on the lot will be given to connect to the current commercial development to the south as well. Plans have been submitted for a professional office building to be developed on the lot (please refer to DR 2013-03 for the site plan approvals).

Summary of Planning Commission Considerations

Sec. 108-7-32. Access to lots/parcels at a location other than across the front lot line may be approved as the primary access, subject to the following criteria:

1. The applicant demonstrates that special or unique boundary, topographic, or other physical conditions exist which would cause an undesirable or dangerous condition to be created for property access across the front lot line.
2. It shall be demonstrated that appropriate and legal access exists due to historic use, court decree, or the execution of an easement, right-of-way, or other instrument capable of conveying or granting such right.

Staff has reviewed and analyzed the request for access at a location other than across the front lot line. Based on review and analysis of staff's research and the information provided by the plans, staff has made the following determinations:

- Due to the nature of Highway 89 being a major roadway, UDOT has requested that the number of access locations be limited. One large commercial development exists with an access and deceleration lane to the south of this lot on

highway 89, and a large mixed use and condominium development is being constructed to the north. UDOT has approved one improved access location on Highway 89 for these two parcels.

- An easement granting access for the lot to the south has been granted by the owner of the north parcel.

Conditions of Approval

- The access exception is to follow the proposed improvement plans
- Completion of the subdivision must occur

Staff Recommendation

Based upon the findings listed above, staff recommends approval for access to this lot at a location other than across the front lot line.

Exhibits

- A. Proposed North View Holdings LLC Subdivision plat
- B. Site Plan showing the proposed access and improvements

Map 1

Adjacent Land Use

North: Commercial
East: Commercial

South: Commercial
West: Commercial

Map 1





