



Staff Report to the Weber County Planning Division

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for approval of Eagle Ridge Cluster Subdivision Phase 7, a one-lot subdivision with a 7,731 area for open space.

Agenda Date: Wednesday, June 30, 2021

Applicant: Orloff Opheikens, owner

File Number: UVO 052121

Property Information

Approximate Address: 3700 North Eagle Ridge Drive, Eden

Project Area: 42,859 sq ft

Zoning: Agricultural Valley 3 (AV-3)

Existing Land Use: Vacant

Proposed Land Use: Residential

Parcel ID: 22-015-0092

Township, Range, Section: T7N, R1E, Sections 21

Adjacent Land Use

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

Staff Information

Report Presenter: Felix Lleverino
fleverino@co.weber.ut.us
801-399-8767

Report Reviewer: RG

Applicable Land Use Codes

- Title 101 (General Provisions) Chapter 1 (Definitions)
- Title 104 (Zones) Chapter 6 (Agricultural Valley, AV-3)
- Title 106 (Subdivisions) Chapter 1 (General Provisions) Section 8 (Final Plat Requirements)
- Title 108 (Standards) Chapter 22 (Natural Hazard Areas)

Development History

The Eagle Ridge Cluster Subdivision Phase 6 was recorded on May 18, 2018. This proposal is a continuation of the Eagle Ridge Cluster Subdivision, as shown in the master development plan, that was recorded on April 1, 1997, with the entry number 1463065. The associated open space will be owned and managed by the Eagle Ridge Cluster Subdivision HOA.

Background and Summary

The applicant is requesting approval of a one-lot subdivision that will gain access from Eagle Ridge Drive, a public road. Lot 70 of Eagle Ridge Cluster Subdivision Phase 7 contains 35,128 sq ft. The associated common area is 7,731 sq ft. The percentage of open space associated with this parcel is 22%. Under normal cluster subdivision, open space requirements a minimum of 60% open space is required for the Ogden Valley, however, the master plan map within the development agreement Entry No. #1463065, includes plans for additional lots and open space to be added with subsequent phases.

Wolf Creek Water and Sewer District and the owner have entered into a joint agreement that extinguished water and sewer services from parcel #22-352-0005 and relocates the services to Lot 70 of Eagle Ridge Cluster Subdivision Phase 7.

As part of the approval process, the proposal has been reviewed against the current Weber County Land Use Code (LUC), and the standards of the FV-3 zone found in LUC §104-14. The following section is a brief analysis of this project against current land use regulations.

Analysis

General Plan: This proposal conforms with Ogden Valley General Plan (OVGP) by encouraging low-density development that preserves open space (see page 21 of the OVGP).

Zoning: The property is located in the AV-3 Zone. The purpose of this zone is stated in the LUC §104-6-1.

"The purpose of the AV-3 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."

Small Subdivision: "The planning Director is delegated administrative authority to approve small subdivisions if in his discretion there are no conditions which warrant its submittal to the planning commission LUC §106-1-8 (f)." This proposal qualifies as a small subdivision consisting of three or fewer lots for which no new streets are being created or realigned.

Natural Hazards: This property is located within a Geologic Study Area (geologic unit Qadb). The owner will need to obtain a Geologic Reconnaissance or a statement from a licensed geologist that would relieve the requirement. If a geologic report is necessary, A note shall be added to the plat stating that the geologic report is available for review in the Weber County Planning Office.

Flood Zone: This parcel is within an area of minimal flood hazard and determined to be outside the 500-year flood level.

Culinary Water and Sanitary Services: The Wolf Creek Water and sewer has provided a will-serve letter for culinary water and sanitary services for this development.

Irrigation Water: The Wolf Creek Irrigation Company will serve this lot with irrigation water.

Review Agencies: The Weber County Fire District and Engineering have approved this proposal. The County Surveyor's department has posted comments that will be addressed by a revised plat.

Tax Clearance: The 2020 property taxes have been paid in full. The 2021 property taxes are due in full as of November 30, 2021.

Public Notice: Noticing was provided to all property owners of record within 500 feet of the subject property.

Staff Recommendation

Staff recommends final plat approval of Eagle Ridge Cluster Subdivision Phase 7, consisting of one 35,128 sq ft residential lot and one 7,731 sq ft open space parcel. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. The owner enters into a deferral agreement for the curb, gutter, and sidewalk for the area fronting the public ROW.
2. The owner shall submit a Geologic Reconnaissance or a statement from a licensed geologist that would relieve the geologic study requirement.
3. All of the Wolf Creek Water and Sewer District conditions of service are satisfied.
4. The amenities within the open space shall be installed or escrowed for before recording.

The following items are the basis for the staff's recommendation:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision complies with the applicable County codes.

Administrative Approval

Administrative final approval of Eagle Ridge Cluster Subdivision Phase 7, is hereby granted based upon its compliance with the Weber County Land Use Code. This approval is subject to the requirements of applicable review agencies and the conditions of approval listed in this staff report.

Date of Administrative Approval: 6/30/21


Rick Grover

Weber County Planning Director

Exhibits

- A. Eagle Ridge Cluster Subdivision Plat
- B. Current Records Plat
- C. Water and sewer will serve
- D. Wolf Creek Water Agreement

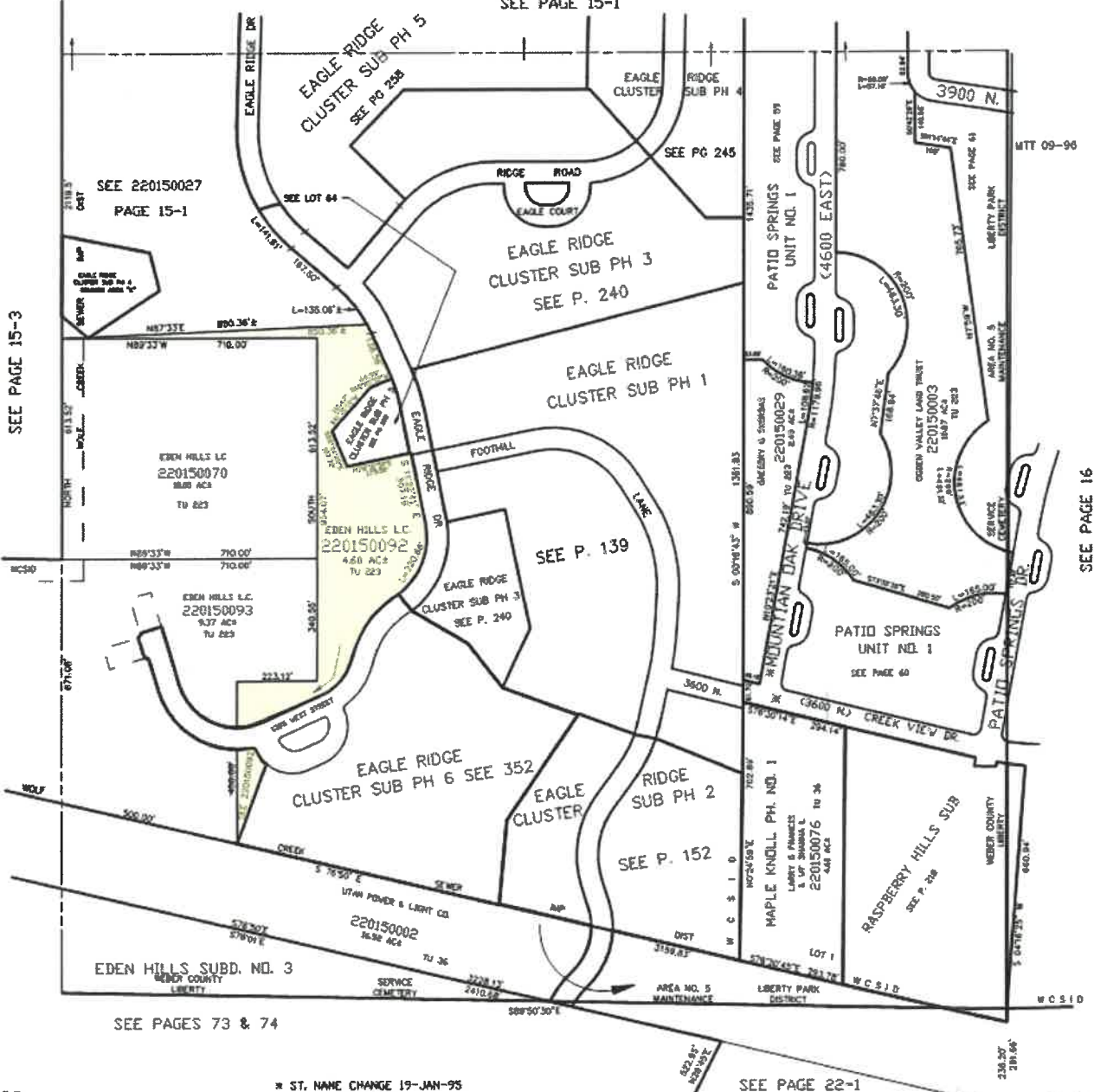
Area Map



S.E. 1/4 OF SECTION 21, T.7N., R.1E., S.L.B. & M.

IN WEBER COUNTY
SCALE 1" = 200'
SEE PAGE 15-1

TAXING UNIT: 36, 223





April 30, 2021

Weber County

RE: Wolf Creek Water and Sewer Improvement District services to Address(s):

The Eagle Ridge Subdivision Lot #70 Phase 7 Eden, UT

To whom it may concern,

This letter confirms that Wolf Creek Water and Sewer Improvement District has determined it will provide culinary water, irrigation water and sewer services to the above referenced address(s).

Except for scheduled maintenance and construction, power failures, natural disasters, and unforeseen circumstances, water and sewer services will be provided in accordance with applicable federal, state and local statutes, laws, rules, regulations, ordinances and standards.

Culinary water, Irrigation water and Sewer services to the above lot(s) are subject to and contingent on the following:

1. Compliance with the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies and procedures may change from time to time;
2. Natural fluctuations in water supplies;
3. Subsequent decisions and regulation by local government, the Utah State Engineer, Utah Division of Water Resources, the United States Department of the Interior, or any other applicable governmental agency.
4. Payment of hook up costs and standard billings for service. Failure to pay these costs and billings will result in temporary suspension and/or permanent cessation of service.

As recipient of said service, you agree to the above terms and to the terms set forth in the Wolf Creek Water and Sewer Improvement District policies and procedures as those policies may change from time to time. If you have any questions regarding the contents of this letter, please contact Annette Ames (801) 745-3435.

Wolf Creek Water and Sewer Improvement District

A handwritten signature in blue ink, appearing to read "Robert Thomas", is written over a horizontal line.

Robert Thomas, General Manager

Date: 5/3/21

WOLF CREEK WATER & SEWER IMPROVEMENT DISTRICT

**NOTICE OF INTEREST AND UTILITY SERVICE RESTICTION TO RUN WITH THE LAND
WATER AND SEWER SERVICES**

Notice is hereby given by Wolf Creek Water and Sewer Improvement District ("District"), that public culinary water, secondary water, and sewer service are no longer part of the following lot within the Eagle Ridge Cluster Subdivision Phase 6:

Lot 69, Eagle Ridge Cluster Subdivision Phase 6, Weber County, Utah. (Parcel #22-352-0005)

Can and Will serve commitments from the District previously issued on April 11, 2018, were withdrawn on _____, 2021. This lot is Non-Buildable at this time.

Commitments to water, sewer and secondary water services will be restored to this property at such time as the District has confirmed additional water supply capacity and *impact and connection fees are paid in full*, at which time the District will issue release of this of this Notice of Interest.

Opheikens & Company Inc. ("Developer"), the owner of the real property described above, understands these requirements, and so indicates by signature below.

[Signatures on following pages]

WOLF CREEK WATER & SEWER IMPROVEMENT DISTRICT
NOTICE OF INTEREST AND UTILITY SERVICE RESTICTION TO RUN WITH THE LAND
WATER AND SEWER SERVICES

Notice is hereby given by Wolf Creek Water and Sewer Improvement District ("District"), that public culinary water, secondary water, and sewer services will be allotted on the following lot within the Eagle Ridge Cluster Subdivision Phase 7, as recorded on _____, 2021, as entry number _____ in the office of the Weber County Recorder:

Lot 70, Eagle Ridge Cluster Subdivision Phase 7, (parcel No. _____)

Can and Will serve commitments for water, sewer and secondary water services from the District will be issued to this property at such time that impact and connection fees are paid in full.

OPHIEKENS & COMPANY INC. ("Developer") the owner of the real property described above, understands these requirements, and so indicates by signature below.

[Signatures on following pages]

PART OF THE SE 1/4, OF SECTION 21, T.7N., R.1E., S.1B. & M.
EAGLE RIDGE CLUSTER SUBDIVISION PHASE 6

352

IN WEBER COUNTY

TAXING UNIT: 223

SCALE 1" = 100'

