



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a request for a 12-month time extension of final approval for The Retreat Subdivision Phase 2.

Agenda Date: Tuesday, September 23, 2014

Applicant: Retreat Utah Development Corporation

File Number: UVR 081913 (Phase 2) and UVR 082713 (Phase 3)

Property Information

Approximate Address: 5334 East Elkhorn Drive

Project Area: 22.13 Acres

Zoning: Residential Estates Zone (RE-20)

Existing Land Use: Vacant

Proposed Land Use: Residential Subdivision

Parcel ID: 22-016-0095

Township, Range, Section: T7N, R1E, Section 22

Adjacent Land Use

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

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: SM

Applicable Ordinances

- Weber County Land Use Code Title 106 (Subdivisions)
- Weber County Land Use Code Title 104 (Zones) Chapter 3 (RE-20 Zone)
- Weber County Land Use Code Title 108 (Zones) Chapter 3 (Cluster Subdivisions)

Background

The Retreat Subdivision was granted preliminary approval as a 45 lot cluster subdivision on December 10, 2008. Final approval of the first phase (18 lots) was granted on March 24, 2009. Several time extensions and minor amendments have since been granted and Phase 1 was recorded on October 29, 2013. Phases 2 and 3 received final approval on September 24, 2013. The applicant has until September 24, 2014 to record phase 2 and one year from that date to record phase 3.

Weber County Land Use Code Title 106 Subdivision Chapter 1 General Provisions states: "Time Limitation for Final Approval. A final subdivision plat or a phase of a subdivision that receives a recommendation for final approval from the Planning Commission shall be offered to the County Commission for final approval and recording within one (1) year from the date of the Planning Commission's recommendation for final approval. After one (1) year from that date, the plat shall have no validity. Subdivisions with multiple phases must record a new phase within one year from the date of the previous phase being recorded until the subdivision is completed or the plat shall have no validity. The Planning Director may grant a onetime extension for final subdivision approval for a maximum of one (1) year. A multiple phase subdivision may receive only one time extension, not one time extension per phase. **An additional time extension may be granted if the hardship is determined to be a county caused delay**".

The applicant is requesting a 12-month time extension. The applicant has been waiting for the dry utility contracts since January for power, gas, and telephone. They have also been waiting for a stream alteration permit from the state and approval from the county to use the excess material to build a stub road to a future project to the west. These approvals allowed the developer to place road cut material from sections of the subdivision into this area eliminating a number of trucks from having to remove the excess material from the site. The applicant has installed the water, sewer, and storm drain system. The goals of the applicant are to backfill the dry utilities trenches and asphalt the roads prior to recording the subdivision. They are anticipating this to be completed next month. The 12-month time extension request is in case they are not able to complete this prior to the winter season.

Summary of Planning Commission Considerations

- Do the proposed subdivision phases comply with the Weber County Land Use Code?

Section 102-1-2 Administrative Authority

The Planning Director, or designee, is authorized to deny, approve, or approve with conditions an application for an administrative approval. Administrative approval can be given for the following applications: site plans with buildings under 10,000 square feet located on a parcel less than one acre in size, home occupations with or without visiting clientele, combining of lots within an approved subdivision which meet ordinance requirements, minor subdivisions as defined by the subdivision definition, flag lots, access to a lot/parcel using a private right-of-way or access easement, and access to a lot/parcel at a location other than across the front lot line. The Planning Director may deny an application for an administrative approval if the use fails to comply with specific standards set forth in this ordinance or if any of the required findings are not supported by evidence in the record as determined by the Director. At the discretion of the Planning Director, the Planning Commission can hear the request for an administrative approval.

Conformance to the General Plan

The proposed phases do not affect The Retreat Subdivision's existing approvals or its conformance to the Ogden Valley General Plan.

Conditions of Approval

- Requirements of applicable County review agencies
- Trails and applicable trail easements need to be shown on the subdivision plats
- All setbacks must be labeled on Lots 23, 25, 28, and 29 in Phase 2 and Lots 38 and 42 in Phase 3
- The subdivision is still subject to the conditions of approval and review agency requirements from the previous approvals

Staff Administrative Approval

Based upon the findings listed above, administrative approval for a 12-month time extension, of the Retreat Cluster Subdivision Phase 2 is hereby approved this 22 day of September, 2014.



Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Location Map
- B. Phase 2 Subdivision Plat
- C. Narrative of the request

Location Map



PLAT NOTES:

IN FULL OF A SUBDIVISION, ALL LOTS MUST BE WITHIN THE SUBDIVISION... ALL LOTS MUST BE WITHIN THE SUBDIVISION... ALL LOTS MUST BE WITHIN THE SUBDIVISION...

THE BASIS OF MAKING A NORTH-SOUTH WEST-TO-EAST PLAT FROM THE... ALL LOTS MUST BE WITHIN THE SUBDIVISION... ALL LOTS MUST BE WITHIN THE SUBDIVISION...

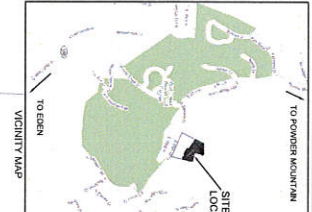
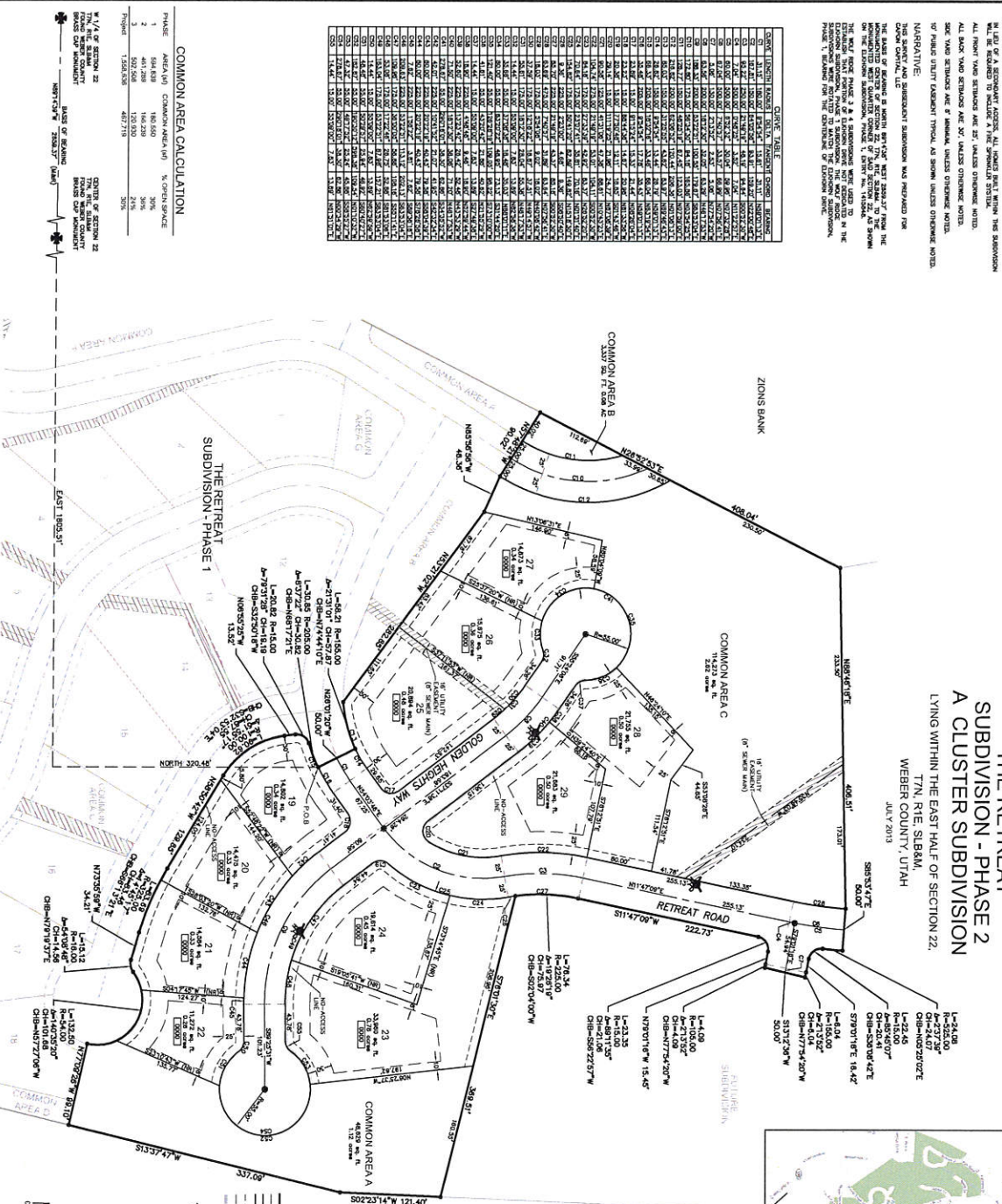
Table with 3 columns: LOT NO., AREA ACRES, and AREA SQ. FT. containing data for lots 1 through 33.

THE RETREAT SUBDIVISION - PHASE 2

A CLUSTER SUBDIVISION

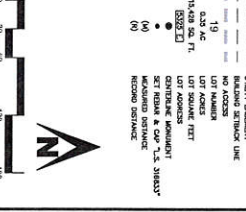
LYING WITHIN THE EAST HALF OF SECTION 22, T7N, R1E, S18E8M, WEBER COUNTY, UTAH

JULY 2013



COMMON AREA CALCULATION table with columns for PHASE, AREA ACRES, COMPARISON (%) of COMPARISON SPACE, and PERCENT.

LEGEND table listing symbols for SUBDIVISION BOUNDARY LINE, CORNER OF BOUNDARY, BEAR OR WAY LINE, PLAT EXEMPTION, NO ACCESS, LOT NUMBER, LOT AREA, LOT SQUARE FEET, LOT ADDRESS, CENTRE POINT, and MEASURED DISTANCE.



OWNER: CROWN CAPITAL, LLC 507 EAST LAMAR BLVD. SALT LAKE CITY, UTAH 84103

THE RETREAT SUBDIVISION PHASE 2 A CLUSTER SUBDIVISION

ACKNOWLEDGEMENT: I, the undersigned Owner of the above described tract of land, hereby do hereby acknowledge that I have read and understand the contents of this plat and the provisions thereof.

BOUNDARY DESCRIPTION: Boundary description for Section 22, Township 7 North, Range 1 East, Salt Lake County, Utah, including lot numbers and acreages.

WEBER COUNTY ENGINEER: WEBER COUNTY ENGINEER, INC. 1000 East 2100 South, Salt Lake City, UT 84106. WEBER COUNTY ATTORNEY: WEBER MORGAN HEATH DEPARTMENT.

WEBER COUNTY PLANNING COMMISSION APPROVAL: WEBER COUNTY PLANNING COMMISSION APPROVAL. WEBER COUNTY RECORDER: WEBER COUNTY RECORDER.

WEBER COUNTY ENGINEER: WEBER COUNTY ENGINEER, INC. WEBER COUNTY ATTORNEY: WEBER MORGAN HEATH DEPARTMENT.

September 18, 2014

Jim Gentry
Weber County Planning Division
2380 Washington Blvd. #240
Ogden UT 84401

RE: The Retreat Cluster Subdivision Phase 2

Mr. Gentry,

Per section 106-1-7 of the Weber County Subdivision Ordinance, this letter is to formally request a one-year extension to record phase 2 of the Retreat Cluster Subdivision. Phase 2 and 3 are being constructed simultaneously and we expect to have both phases recorded in the near future but after the September 24th deadline. Enclosed you will find the required \$300 extension fee.

The dry utility contract requests for power, gas and telephone have contributed to asking for this extension. We also experienced a delay in receiving a Stream Alteration Permit from the State of Utah, which was needed to build an access road stubbing into a future project to the west. The permit also allows the developer to place road cut material from other sections of the subdivision into this area.

The water, sewer and storm drain systems have been completely installed in both phases. With the exception of completing the final lot grading, finish hauling off excess material, backfilling the dry utility trenches and asphaltting the roadways, construction is nearly complete. Our plan is to record both phases next month after the asphalt is installed. The one-year extension provides some flexibility just incase the roadways are not completed prior to the winter season.

Please contact me at 801.389.0040 with any questions.

Thank you,



Eric Householder