



DEVELOPMENT ADMINISTRATION BOARD

AGENDA REPORT ITEM #1

DATE: March 14, 2024
TO: Development Administration Board
FROM: Rob Patterson, City Attorney / Planning & Zoning Administrator
SUBJECT: **Extension Request:** Final Plat – Hawks Landing
TYPE: **LAND USE (ADMINISTRATIVE)**

PURPOSE:

The Development Administration Board will hold a public meeting to consider a request from Mike Hawkins, developer and owner of the Hawks Landing subdivision, to extend the deadline for the expiration of the final plat of the Hawks Landing subdivision. The Development Administration Board will take appropriate action.

SUMMARY OF THE REQUEST:

1. The applicant is requesting extension of the expiration date for the approved final plat for the Hawks Landing subdivision.
2. Current City code permits the Board to approve a one-year extension from the expiration deadline, allowing the new deadline to be December 17, 2024, to record the final plat.

BACKGROUND:

The Hawks Landing subdivision is a 7-lot subdivision located at approximately 11210 N Alpine Highway. The final plat for the subdivision was approved on June 20, 2023. Under the City's code at the time, final plats remained valid for 180 days, which would have caused the plat to expire in December 2023. HDC 5-3-323(2023). Under that prior code, a developer can request up to two 180-day extensions, which must be applied for prior to expiration, with the first one being able to be approved by the zoning administrator.

Because the City and the developer were coordinating a ditch improvement and realignment project, the City zoning administrator on January 31, 2024, granted a retroactive extension of 90 days to the expiration deadline (expiring March 16, 2024) in order to facilitate that project. However, it was felt that further extensions should follow the City's current code process, which was adopted on January 16, 2024.

Pursuant to the City's new subdivision ordinance, adopted on January 16, 2024, the Development Administration Board is the land use authority that approves extension requests for plats. The board can grant up to a one-year extension from the plat expiration deadline. If a full, one-year extension request is granted, the new deadline would be December 17, 2024 (one year from the original expiration date of December 17, 2023).

Development Code 5-4-320 provides that an extension may be granted if “the subdivider demonstrates good cause for the extension and that substantial effort is being applied to complete or assure the remaining improvements and record the final plat.” The same Code section also provides that an extension should not be granted if any of the following are true:

1. The subdivision no longer conforms to current land use regulations, applicable land use decisions, or other applicable City ordinances and standards;
2. Surrounding property has received final approval for a subdivision and/or has otherwise developed in a manner that results in new alignments, development requirements, or similar considerations that restrict or require alteration of the approved preliminary plat or preliminary subdivision improvement plans;
3. Geological, geophysical, or other conditions have changed or been identified that require compliance with Chapter 8;
4. The subdivider desires or has attempted to modify the proposed subdivision since the preliminary plat approval.

STAFF REVIEW:

An extension appears appropriate. The applicant is progressing with the subdivision improvements and will be completing or has recently completed the ditch burial and realignment required by the subdivision plans. This appears to satisfy the requirement that the developer put forth effort to complete subdivision improvements. As to the restrictions:

1. The subdivision still conforms to current zoning. While the City’s design standards have been updated since plat approval, those updates would not require significant changes to the subdivision improvement plans.
2. Surrounding property has not received final subdivision approval or otherwise been developed in manner that affects the Hawks Landing subdivision.
3. No new sensitive lands issues have been identified or arisen since final plat approval.
4. The subdivision has not been modified since approval.

FINDINGS:

Based on the facts described in the staff review, the request for an extension appears to meet the following findings:

- The applicant has shown good cause for an extension and that they are making efforts to complete subdivision improvements and record the plat.
- None of the four bases for rejection identified in HDC 5-4-320(4) apply to the applicant’s request related to the Hawks Landing subdivision.

MOTION TO APPROVE:

I move that the Development Administration Board accept the findings and **APPROVE** the request to extend the final plat expiration date for Hawks Landing to December 17, 2024.

ATTACHMENTS:

1. Extension Request Application
2. Hawks Landing Final Plat Staff Report and Attachments, June 20, 2023



5400 West Civic Center Drive - Suite 1
Highland, UT 84003
Phone 772-4515 Fax 756-6903
Community Development Department

SUBDIVISION EXTENSION REQUEST

Final approval for a subdivision is effective for 180 days. An extension request must be filed prior to expiration of the 180 days. Extension request decisions are made by the City Council.

TO BE COMPLETED BY STAFF		REVIEW/SUBMITTAL ITEMS
YES	NO	
		Completed and Signed Planning Application.
		Extension Fees:
		\$62.50 Per Plat (\$62.50 x _____ Sheets) = \$ _____
		\$12.50 Per Lot (\$12.50 x _____ Lots) = \$ _____
		Total Extension Fees Due: \$ _____
		Narrative stating the reason for the extension request and explanation of when the project is anticipated to be started.

Signature: 

Printed Name: Mike Hawkins

Date: 2/21/24

Phone Number: 801-875-0588



5400 West Civic Center Drive - Suite 1
Highland, UT 84003
Phone 772-4515 Fax 756-6903
Community Development Department

EXTENSION REQUEST APPLICATION

STAFF USE ONLY

Application Date: ___ / ___ / ___ Application Number: _____ Fee Owed: \$ _____
Received by: _____ Receipt #: _____ Cash/Card/Check (Check #: _____)
City Council Meeting Date: _____
Application: Approved/Denied Staff Comments: _____

PROJECT INFORMATION

Name: Hawks Landing
Address: 11210 N. Alpine Hwy, Highland, UT 84003
Acreage/Property Size: 7.12 acres

APPLICANT INFORMATION

Name: Mike Hawkins
Mailing Address: 3249 N. Clay Ct. Lehi, UT 84043
Phone #: 801-875-0588 Fax #: _____
Email Address: mikeahawkins14@gmail.com

Owner Information

Owner Name: Mike Hawkins
Owner Address: 3249 N. Clay Ct. Lehi, UT 84043
Owner Phone #: 801-875-0588 Owner Email Address: _____
Owner's Signature: 



PROPERTY OWNERS AFFIDAVIT

I (we) Mike Hawkins, being first duly sworn, depose and say that I (we) am (are) the current owner of the property involved in this application; that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon personal knowledge.

[Signature]

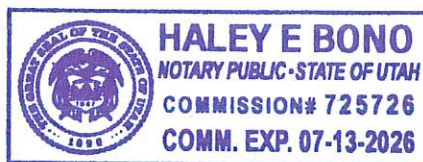
Owner's Signature

Owner's Signature (co-owner, if any)

State of Utah

County of Utah

Subscribed and sworn to (affirmed) before me this 22 day of February, 20 24.



[Signature]
Notary Public

AGENT AUTHORIZATION AFFIDAVIT

I (we), _____, owner(s) of the real property located at _____, in Highland City, Utah, do hereby appoint _____, as my (our) agent to represent me (us) with regard to this application affecting the able described real property.

Owner's Signature

Owner's Signature (co-owner, if any)

State of _____

County of _____

Subscribed and sworn to (affirmed) before me this _____ day of _____, 20 _____.

Notary Public



CITY COUNCIL AGENDA REPORT

ITEM

DATE: June 20, 2023
TO: Honorable Mayor and Members of the City Council
FROM: Kellie Smith, Planner & GIS Analyst
SUBJECT: **ACTION:** Final Plat – Hawks Landing
TYPE: **LAND USE (ADMINISTRATIVE)**

PURPOSE:

The City Council will consider a request by Mike Hawkins for final plat approval of a 7-lot subdivision located at approximately 11210 N Alpine Hwy. The City Council will take appropriate action.

STAFF RECOMMENDATION:

Staff recommends the City Council accept the findings, and **APPROVE** the proposed final plat with the following stipulations:

1. The recorded plat shall be in substantial conformance with the final plat received May 15, 2023, except as modified by these stipulations.
2. The final plat and final civil engineering plans shall be reviewed and approved by the City Engineer prior to recordation.
3. All required public improvements shall be installed as required by the City Engineer and shown on the approved construction plans.
4. The landscaping plan for the parkway detail be approved by the Parks Superintendent.

PRIOR COUNCIL DIRECTION:

The City Council approved the preliminary plat associated with the proposed final plat on January 17, 2023 with the following stipulations:

1. The final plat shall be in substantial conformance with the preliminary plat received November 23, 2022.
2. The Lehi Irrigation Company shall review and approve the construction plans involving relocating and piping the existing irrigation ditches.
3. All public improvements shall be installed as required by the City Engineer.
4. The civil construction plans shall meet all requirements as determined by the City Engineer.
5. The drainage for the west cul-de-sac on 11225 N be resolved by sloping toward 5240 W or the drainage be directed out to Alpine Hwy through the north side of Lot 4 by a dedicated drainage corridor (12' inverted concrete swale) that doubles as a pedestrian access. This drainage plan shall meet all requirements as determined by the City Engineer.

6. The standard 29' parkway detail be provided along Alpine Hwy as required by the General Plan. The landscaping plan for the parkway detail be reviewed and approved by the Parks Superintendent.

Stipulation #5 has been addressed and is reflected in the attached utility plan. The parcel with the inverted concrete swale will be dedicated to the City as seen on the proposed final plat. The applicant is working on addressing comments given by the Parks Superintendent to address Stipulation #6. A stipulation has been added to the staff recommendation to address this.

BACKGROUND:

The property is approximately 7.12 acres and is zoned R-1-40. The square footage allows for a 7-lot subdivision in the R-1-40 Zone.

SUMMARY OF THE REQUEST:

1. The applicant is requesting final plat approval of seven (7) single-family residential lots located at approximately 11200 N and Alpine Highway.
2. Road and utility access to the site will be from 11200 N. The applicant is providing half street improvements plus ten (10) feet of asphalt on the north side of the subdivision to provide road and utility access to the undeveloped property to the north.
3. All proposed lots are greater than 30,000 square feet.
4. A concrete swale will be constructed on the north side of Lot 4 to address the drainage coming from 11225 N. The 2,530 square foot parcel containing the swale will be dedicated to Highland City.

STAFF REVIEW/FINDINGS:

With the proposed stipulations, the preliminary plat meets the following findings:

- The final plat is in substantial conformance with the preliminary plat approved by the City Council on January 17, 2023.
- The final plat is consistent with the General Plan.
- The final plat is compliant with R-1-40 Zoning requirements.
- The proposed subdivision meets the applicable requirements in Article 5-8 General Requirements of All Subdivisions in the Development Code.

FISCAL IMPACT:

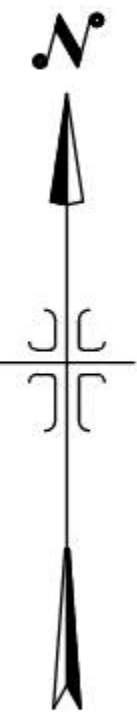
This action will not have a financial impact on this fiscal year's budget expenditures.

MOTION TO APPROVE:

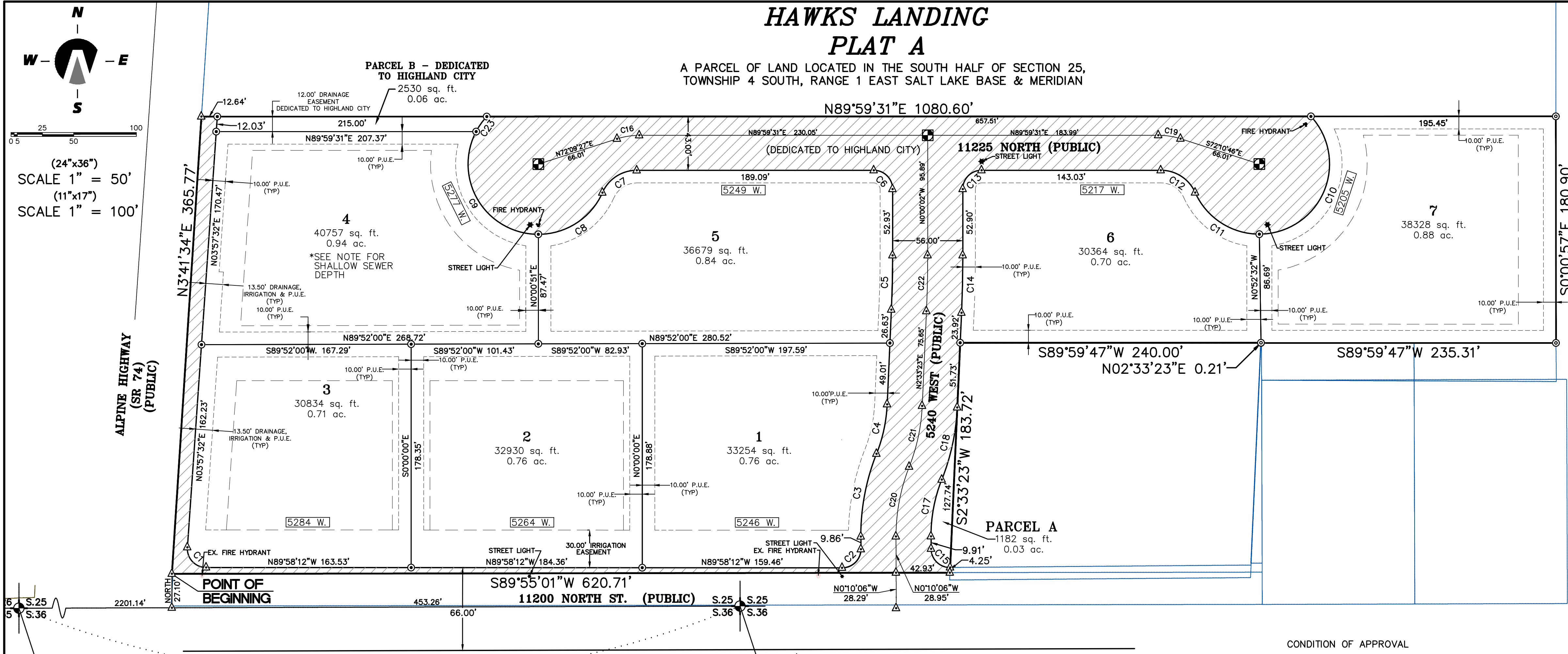
I move that the City Council accept the findings and **APPROVE** the final plat for the Hawks Landing subdivision subject to the four (4) stipulations recommended by Staff.

ATTACHMENTS:

1. Vicinity Map
2. Proposed Final Plat
3. Utility Plan



VICINITY MAP

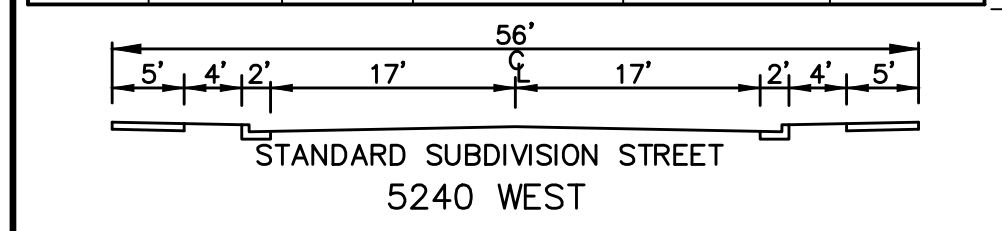


SOUTHWEST CORNER SECTION 25
T. 4S., R. 1E., SLB&M

S. 89°49'50\"

SOUTH 1/4 CORNER SECTION 25
T. 4S., R. 1E., SLB&M
ELEV= 4915.94

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	24.59'	15.00'	21.93'	N43°00'20\"	93°55'44\"
C2	23.61'	15.00'	21.25'	S44°55'51\"	90°11'53\"
C3	67.65'	178.00'	67.25'	S10°43'11\"	21°46'34\"
C4	40.57'	122.00'	40.38'	S12°04'55\"	19°03'04\"
C5	43.38'	972.00'	43.37'	S1°16'40\"	2°33'25\"
C6	23.52'	15.00'	21.19'	S45°04'48\"	89°51'22\"
C7	36.55'	30.00'	32.67'	N56°59'54\"	65°59'13\"
C8	64.50'	56.00'	61.00'	N57°00'08\"	65°59'43\"
C9	115.00'	56.00'	95.83'	S31°10'13\"	117°39'34\"
C10	129.73'	56.00'	102.61'	N23°38'01\"	132°43'55\"
C11	64.38'	56.00'	60.98'	S57°00'50\"	65°58'24\"
C12	34.55'	30.00'	32.67'	S57°01'03\"	65°58'51\"
C13	23.56'	15.00'	21.21'	N44°59'44\"	89°59'35\"
C14	45.88'	1028.00'	45.87'	N1°16'40\"	2°33'25\"
C15	23.69'	15.00'	21.30'	N45°24'44\"	90°29'14\"
C16	18.05'	58.00'	17.98'	N81°04'29\"	17°50'04\"
C17	46.37'	122.00'	46.09'	N10°43'11\"	21°46'34\"
C18	59.04'	178.00'	58.77'	N12°06'21\"	19°00'14\"
C19	18.05'	58.00'	17.98'	S81°05'41\"	17°49'36\"
C20	57.01'	150.00'	56.87'	N10°43'11\"	21°46'34\"
C21	49.88'	150.00'	49.65'	N12°04'56\"	19°03'05\"
C22	44.63'	1000.00'	44.62'	N1°16'40\"	2°33'25\"
C23	14.73'	56.00'	14.69'	S35°11'38\"	15°04'08\"



(BASIS OF BEARING)

S. 89°49'50\"

2654.40'

66.00'

2201.14'

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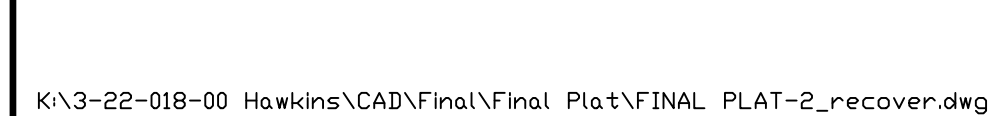
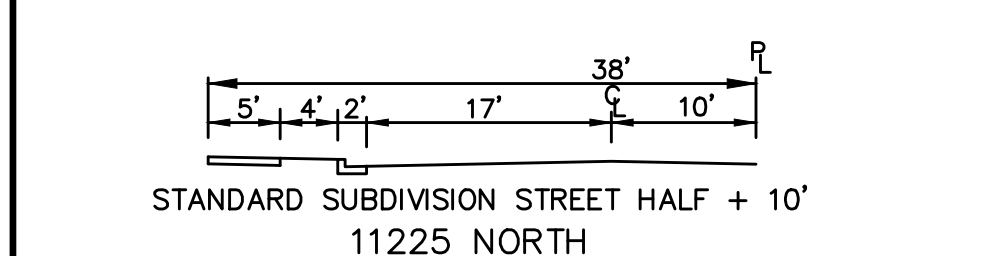
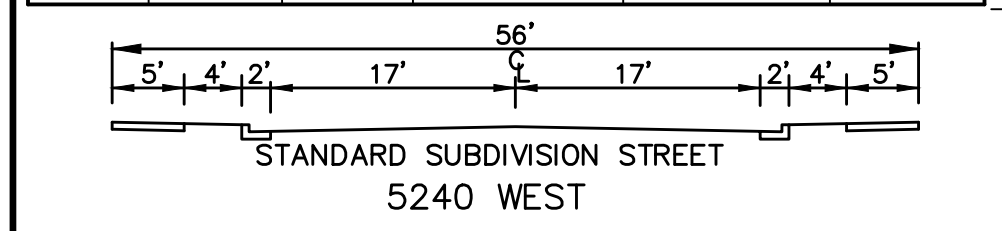
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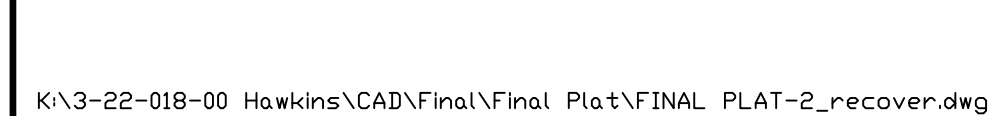
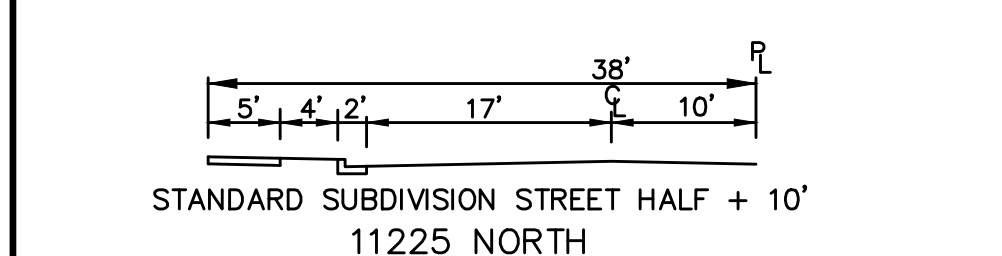
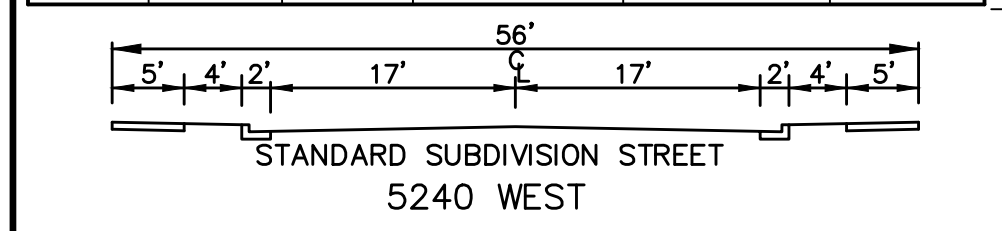
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