



Mayflower Lakeside Townhomes Plat Amendment

Project: DEV-10367 | Mayflower Lakeside Townhomes
minor plat amendment

Report Date: 25 April 2024

Report Author: Doug Smith, Planner

Council Action Required: No

Type of Action: Administrative

Applicant: Sundance Burbidge

Address: Mayflower Lakeside Townhomes Phase 1B

Existing Land Use: Common area

Existing Plat: Sports court on the east side of the
common area.

Proposed Amendment: Move sports court to the west
side of the common area.

Related Applications: Master Plan Preliminary and final
approvals for the Mayflower townhouse plats.

DETERMINATION ISSUE

Whether or not moving a sports court from the east end of the common area to the west end by the clubhouse adjacent to another sports court meets the standards for 'good cause' as required by the Utah Code Annotated §17-27a-609 and other applicable ordinances governing the land use in Wasatch County. This determination is an administrative decision to be made by the Wasatch County Planning Commission.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws. Therefore, it is recommended that the Administrative Land Use Committee APPROVE the proposed Plat Amendment based on the findings and subject to the following conditions:

BACKGROUND

The Mayflower Lakeside plat was recorded on November 24, 2021. The plat showed two separated sports courts in the common area of the internal loop. As development and construction progressed, it was determined that the topography was too steep for the sports court approved on the east side the common area. The developer requested that the sports court be moved to the west side adjacent to the other sports court.

It was determined that this is a minor plat amendment and would be processed through the ALUC.

KEY ISSUES TO CONSIDER

- Compliance with UCA §17-27a-609 and including WCC 16.04.02 definition of good cause.

STAFF ANALYSIS

– GOOD CAUSE –

UCA §17-27a-609 allows the County to approve a plat amendment if the County finds that: (a) there is good cause for the vacation, alteration, or amendment; and (b) no public street, right-of-way, or easement has been vacated or altered. Wasatch County Code 16.04.02 has defined “good cause” as follows:

16.04.02: DEFINITIONS

...

GOOD CAUSE: Providing positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Wasatch County and furthering the health, safety, and welfare of Wasatch County.

...

DEVELOPMENT REVIEW COMMITTEE

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has forwarded the item for the Land Use Authority to render a decision.

RECOMMENDED MOTION

Move to Approve item consistent with the findings and subject to the conditions presented in the staff report.

– FINDINGS –

1. The plat for the Mayflower Lakeside Townhomes Plat 1B was recorded on November 24, 2021.
2. The plat showed two sports courts on either end of the common area inside the internal loop.

3. After construction and grading was started it was determined that the sports court at the east end of the project would create a number of difficulties because of the grade of the site.
4. The proposal is to move the sports court from the east end of the common area to the west end of the common area adjacent to the already approved sports court and the clubhouse complex area.
5. This, in the staff's opinion, is a minor plat amendment but does require that notice is provided to property owners.
6. Good cause for the amendment exists since the proposal will create less disturbance and will allow the developer to comply with his approved plans showing two sports courts.
7. No public or private roads are being vacated as part of this plat amendment.
8. The Development Review Committee has reviewed the technical requirements of the proposed project and determined the project is ready for decision by the Land Use Authority.
9. Notice has been provided in compliance with state and local laws.
10. The proposal is consistent with Utah Code §17-27a-609.

– *CONDITIONS* –

1. The applicant will need to comply with all the requirements listed in the DRC report and more specifically regarding the plat signatures needed and the narrative on the plat explaining why the plat was amended.

– *NEST STEPS* –

An amended plat will need to be turned into the planning department with all the conditions outlined in the DRC report.

POSSIBLE ACTIONS

The following is a list of possible motions the Planning Commission can take. If the action taken is inconsistent with the recommended findings listed in the staff report, the Planning Commission should state new findings.

1. Approve. This action may be taken if the Planning Commission finds that the Plat Amendment request is compliant as proposed with Wasatch County Code and all other applicable laws.
2. Approve with Conditions. This action can be taken if the Planning Commission feels comfortable that remaining issues can be resolved through specified conditions. ****This action would be consistent with the staff analysis.****
3. Continue. This action can be taken if the Planning Commission needs additional information before rendering a decision, if there are issues that have not been resolved, or if the application is not complete.
4. Deny. This action can only be taken if the Planning Commission finds that the proposal does not meet the ordinance or that the application is insufficient to comply with applicable law.

NEXT STEPS

If the requested plat amendment is approved, the applicant will need to satisfy any conditions, if applicable, and can deliver a mylar plat to the planning office for recording. Actions must be taken to pursue the approval with reasonable diligence as outlined in Wasatch County Code 16.01.16.

If the requested plat amendment is denied, there is no further action required. If the applicant desires to request an alternative plan for approval, it will need to be made as a new application.

Any person adversely affected by a final decision made by the Land Use Authority can be appealed under the provisions outlined in Wasatch County Code 2.02.02.

EXHIBITS

Exhibit A – Vicinity Plan.....5

Exhibit B – Existing Subdivision Plat6

Exhibit C – Proposed Amended Plat.....7

Exhibit D – DRC Report.....8

Exhibit A – Vicinity Plan



Exhibit B – Existing Subdivision Plat

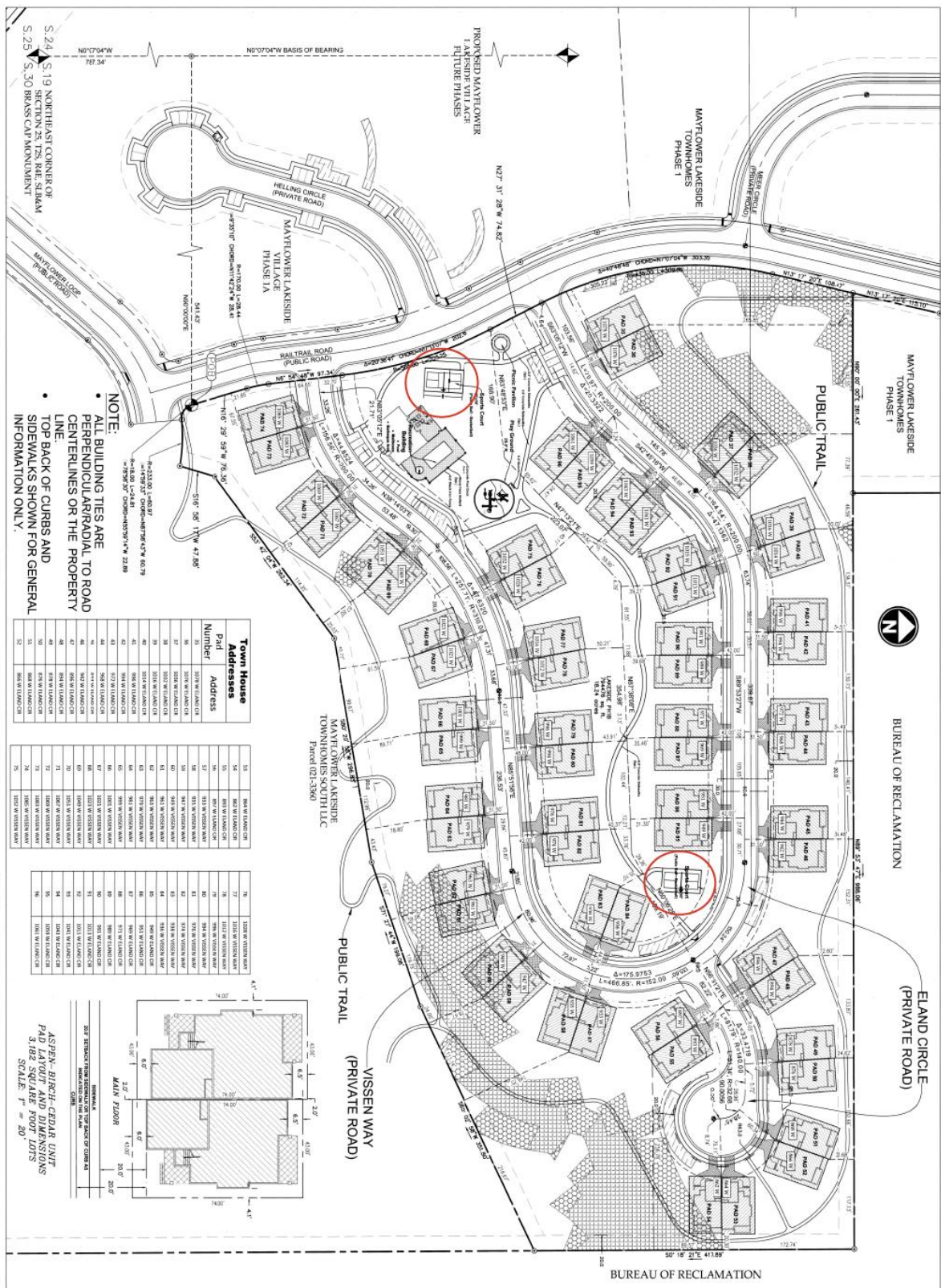
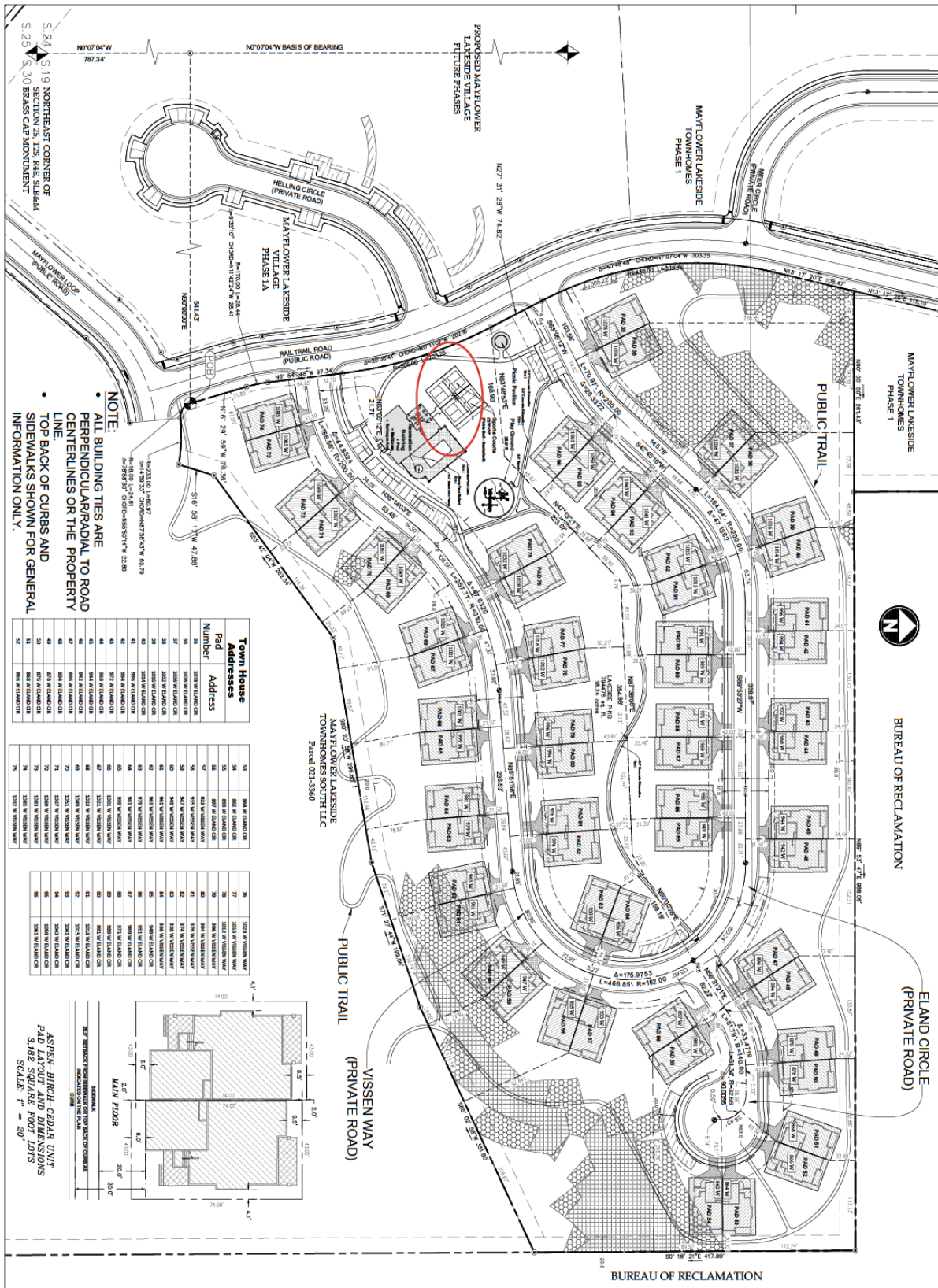


Exhibit C – Proposed Amended Plat





**Wasatch County
DESIGN REVIEW
COMMITTEE (DRC)
COMMENTS**

PROJECT ID: DEV-10367
PROJECT NAME: PLAT AM - MAYFLOWER LAKESIDE
TOWNHOMES PH1B
VESTING DATE: 4/11/2025
REVIEW CYCLE #: 1

REVIEW CYCLE STATUS: READY FOR DECISION

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

When uploading revisions please name your documents exactly the same as it was previously uploaded. Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

Entity	Decision
Jordanelle SSD	Ready for Decision
Assessor's Office	Ready for Decision
Planning Department	Ready for Decision
County Surveyor	Ready for Decision
Fire SSD	Ready for Decision
Building Department	Ready for Decision

Approved = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

Ready for Decision = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

Changes Required = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

No Action = Reviewing entity has not taken any action for the review cycle.

OVERALL PROJECT COMMENTS

DRC Project Comments		
Comment ID	Entity	Comment
C-PLN-App-1	PLN - County Planning Approval	The land use authority on this item is the ALUC who will take action on it without a public hearing unless there is a complaint submitted within the time frame.
C-PLN-App-2	PLN - County Planning Approval	This plat amendment moves one pickleball court on the east side of the open space to the other side of the development where there is already one approved by the pool for a total of two in one location. This will have no impact on open space/common area percentages however, it does make a change to the property held in common by the owners and represented on the plat.
C-PLN-App-3	PLN - County Planning Approval	There needs to be a narrative on the plat as to what is actually being amended.
C-PLN-App-4	PLN - County Planning Approval	Besides Sundance Burbidge JV 1 LLC signing, every owner in the subdivision needs to sign, and be acknowledged for the lot they own. If there is a Homeowners Association established and a meeting is held, 67% of the homeowners have to agree to this plat amendment, then a representative of the HOA can sign for the homeowners on their behalf.
C-PLN-App-5	PLN - County Planning Approval	If the representative of the HOA signs the plat, next to their signature they need to state who and what they are of the HOA and they would have to be acknowledged also.
DRC-PLN1	PLN - Planners	Completeness Review 2/18: Attachment 02d (Amended Plat DWG) is required for this application. Attachments 02c, 03, and 04 is not required for this application. Please upload a document for each of these attachments which explains why the required item is not applicable.

PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY