

# Planning Commission Staff Report

April 23, 2020

## Item 3

**Applicant:** Wade Payne

**Location:** 1335 East 1200 North

**Prepared by:** Brian Tucker

**Public Hearing Item:** Yes

**Zone:** A-2

### ATTACHMENTS

1. Findings for Decision.
2. Proposed Plat with preliminary construction drawings and proposed street cross sections.
3. DRC Minutes.

### REQUEST

Consideration of a request for a rezone to include the TDR-Receiving zone and approval of “Dallin’s Subdivision Plat B”, a 2-lot residential subdivision located at approximately 1450 East 1200 North in the A-2 Zone.

### BACKGROUND AND PROJECT DESCRIPTION

In November 2019, the City Council, having received a recommendation from the Planning Commission, approved the 13 lot “Dallin’s Subdivision” on 9.06 acres located at 1400 East 1200 North. The project included 11 lots on 1/3+ acres and two lots on 2 or more acres. The applicant, prior to recording the plat, chose to eliminate one of the two-acre lots and label the remainder parcel as “future development.”

The applicant is now proposing a 2-lot subdivision on that remainder parcel. That parcel consists of 2 acres at 1335 East 1200 North. The applicant is proposing 2 lots, each containing 1 acre. The subject property is zoned A-2, a 2-acre zone, and therefore the applicant is asking for the TDR-R Overlay. If the TDR-R is approved, the lot requirements become 1-acre minimum land area with 125’ of frontage. The proposed lots and subdivision would meet these standards.

This project requires review by the Planning Commission and the City Council because the property must be rezoned to include the TDR-R Overlay Zone.

### EVALUATION

**General Plan:** The General Plan indicates that this property should develop in a rural residential manner. The proposed 1 acre lots are very much in line with this indication. The characteristics of the “Rural Residential” land use category indicated by the General Plan “environmentally conscious development design and open fields and farms devoted to the production of food, fiber, and animal products.” A higher density than two dwellings per acre may be allowed with the use of “Transferable Development Rights” (TDR’s) and zone overlay of TDR-R. The TDR Ordinance identifies the A-2 zone as an appropriate receiving area for the use of TDR’s.

**Zoning:** Lots located within the A-2 zoning district with the TDR Receiving Overlay Zone have a minimum lot area requirement of 1 acre and a minimum width of 125 feet as allowed by Mapleton City Code (MCC) Chapter 18.32.050.

**Review Criteria:** MCC Chapter 17.04.050.B outlines the subdivision review standards that shall be used by the Planning Commission. These standards are shown in attachment “1”. The proposed project complies with these standards.

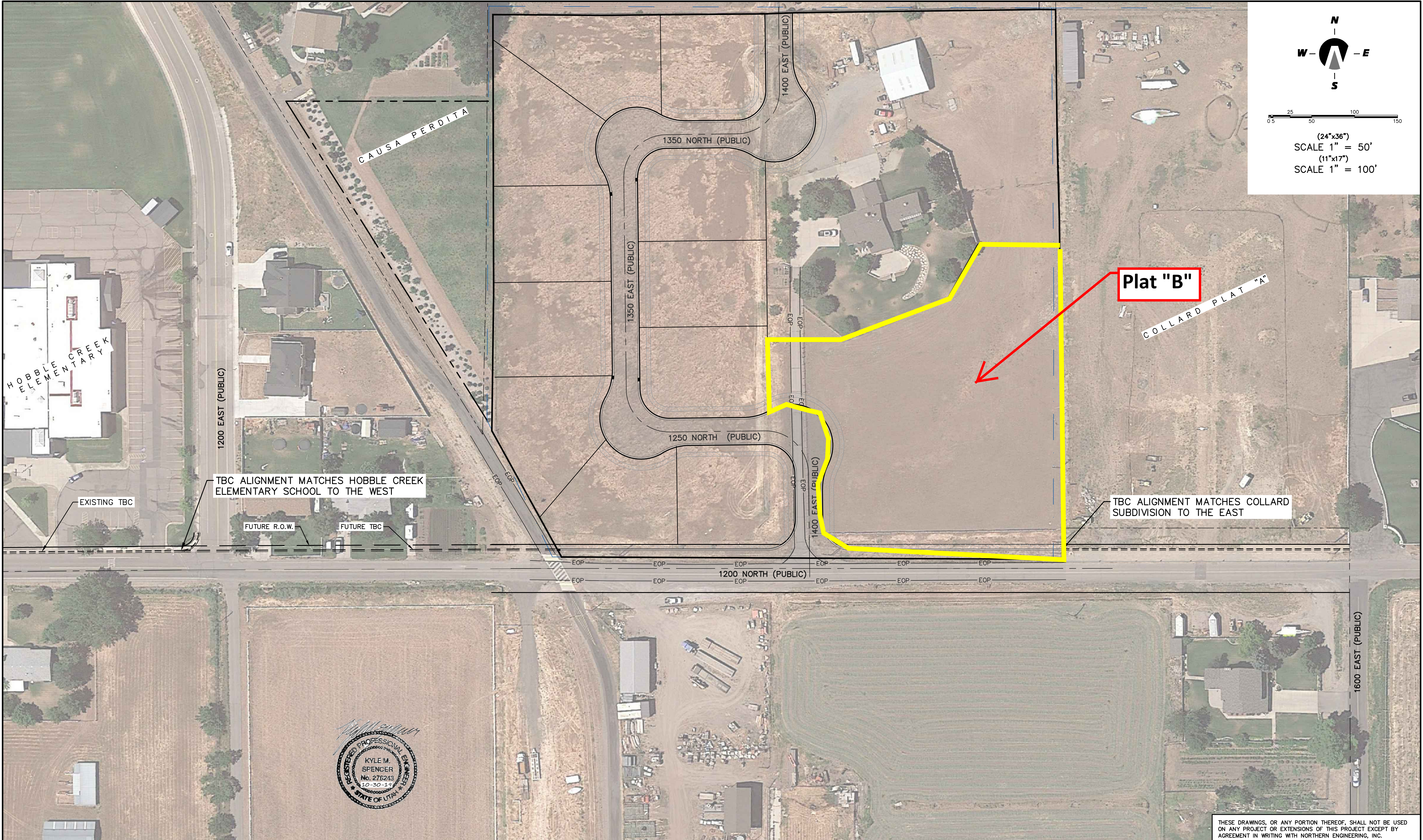
### STAFF RECCOMENDATION

Recommend Approval of the Preliminary Plat for Dallin’s Subdivision, Plat “B” and the TDR-R Overlay Zone with the attached findings and condition.

### SPECIAL CONDITION

1. Any outstanding issues raised in the DRC minutes shall be addressed prior to plat recording.

| <b>Attachment “1” Findings for Decision</b> |                                                                                                                                                                                                                                   |   |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>No.</b>                                  | <b>Findings</b>                                                                                                                                                                                                                   |   |
| 1.                                          | The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration.                                                                              | ✓ |
| 2.                                          | The submitted plans, documents and submission materials conform to applicable city standards.                                                                                                                                     | ✓ |
| 3.                                          | The proposed development conforms to city zoning ordinances and subdivision design standards.                                                                                                                                     | ✓ |
| 4.                                          | There are not natural or manmade conditions existing on the site or in the vicinity of the site defined in the preliminary plan that, without remediation, would render part or all of the property unsuitable for development.   | ✓ |
| 5.                                          | The project provides for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions.                                                                                             | ✓ |
| 6.                                          | The project does not impose an undue financial burden on the City.                                                                                                                                                                | ✓ |
| 7.                                          | The location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the project are consistent with the city's general street map and other applicable elements of the general plan. | ✓ |
| 8.                                          | The project plan recognizes and accommodates the existing natural conditions.                                                                                                                                                     | ✓ |
| 9.                                          | The public facilities, including public utility systems serving the area are adequate to serve the proposed development.                                                                                                          | ✓ |
| 10.                                         | The project conforms to the intent of the Subdivision Ordinance as described MCC Chapter 17.01.                                                                                                                                   | ✓ |



N  
W——E  
S

0 25 50 100 150

(24"x36")  
SCALE 1" = 50'  
(11"x17")  
SCALE 1" = 100'

|     |           |    |              |                 |
|-----|-----------|----|--------------|-----------------|
| 5   |           |    | DESIGNED BY: | DATE:           |
| 4   |           |    | DRAWN BY:    | DATE:           |
| 3   |           |    | CHECKED BY:  | DATE:           |
| 2   |           |    | APPROVED:    | DATE:           |
| 1   |           |    | COGO FILE:   | DATE:           |
| NO. | REVISIONS | BY | DATE         | REV. COGO FILE: |

K:\3-19-029-00 Dallin\CAD\Preliminary\TBC ALIGNMENT EXHIBIT.dwg 10/30/2019 1:15 PM



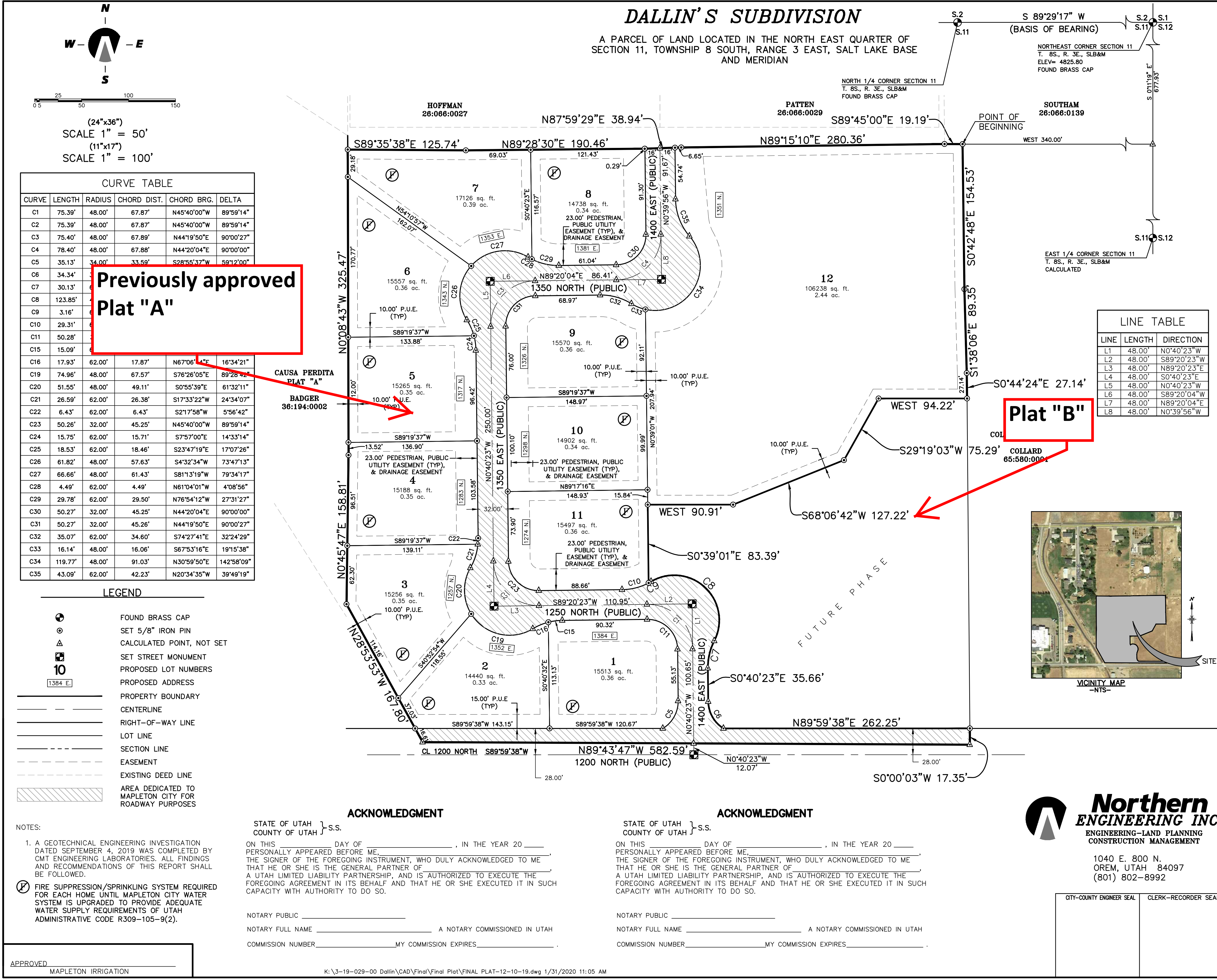
**Northern**  
**ENGINEERING INC**  
ENGINEERING—LAND PLANNING  
CONSTRUCTION MANAGEMENT

1040 E. 800 N.  
OREM, UTAH 84097  
(801) 802-8992

*DALLIN'S SUBDIVISION*

|                       |                           |
|-----------------------|---------------------------|
| TBC ALIGNMENT EXHIBIT | JOB NO.<br>3-19-029       |
| MAPLETON, UTAH        | SHEET NO.<br><b>EXHBT</b> |

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.



**SURVEYOR'S CERTIFICATE**

I, KENNETH E. BARNEY, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, UTAH CODE ANNOTATED, 1953 AS AMENDED, CERTIFICATE NO. 172762. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS, HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, UTAH CODE ANNOTATED, 1953 AS AMENDED, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT. I FURTHER CERTIFY THAT EVERY EXISTING RIGHT-OF-WAY AND EASEMENT GRANT OF RECORD FOR UNDERGROUND FACILITIES, AS DEFINED IN SECTION 54-8a-2, UTAH CODE ANNOTATED, 1953 AS AMENDED, AND FOR OTHER UTILITY FACILITIES, IS ACCURATELY DESCRIBED ON THIS PLAT, AND THAT THIS PLAT IS TRUE AND CORRECT.

DATE \_\_\_\_\_ KENNETH E. BARNEY, P.L.S.

**BOUNDARY DESCRIPTION**

BEGINNING AT A POINT LOCATED SOUTH 0°11'19" EAST ALONG SECTION LINE 677.93 FEET AND WEST 340.00 FEET FROM THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE WEST BOUNDARY OF THE COLLARD SUBDIVISION PLAT "A" IN THE OFFICE OF THE UTAH COUNTY RECORDER THE FOLLOWING THREE CURVES AND DISTANCES: 1) SOUTH 0°42'48" EAST 154.53 FEET, 2) SOUTH 1°38'06" EAST 89.35 FEET, 3) SOUTH 0°44'24" EAST 27.14 FEET; THENCE WEST 94.22 FEET; THENCE SOUTH 29°19'03" WEST 75.29 FEET; THENCE SOUTH 68°06'42" WEST 127.22 FEET; THENCE WEST 90.91 FEET; THENCE SOUTH 0°39'01" EAST 83.39 FEET TO A POINT OF CURVATURE OF A 62.00-FOOT NON-TANGENT CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 3.16 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 2°55'03" AND A CHORD THAT BEARS NORTH 60°47'34" EAST 3.16 FEET TO A POINT OF REVERSE CURVATURE OF A 48.00-FOOT TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 123.85 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 147°49'57" AND A CHORD THAT BEARS SOUTH 46°45'00" EAST 92.24 FEET TO A POINT OF REVERSE CURVATURE OF A 62.00-FOOT TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 30.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 27°50'22" AND A CHORD THAT BEARS SOUTH 13°14'48" WEST 29.83 FEET; THENCE SOUTH 0°40'23" EAST 35.66 FEET TO A POINT OF CURVATURE OF A 34.00-FOOT TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 34.34 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 57°51'58" AND A CHORD THAT BEARS SOUTH 29°36'22" EAST 32.90 FEET; THENCE NORTH 89°59'38" EAST 262.25 FEET; THENCE SOUTH 0°00'03" WEST 17.35 FEET; THENCE NORTH 89°43'47" WEST 582.59 FEET; THENCE NORTH 28°53'53" WEST ALONG A FENCE LINE 167.80 FEET; THENCE ALONG THE EASTERLY BOUNDARY OF CAUSA PERDITA PLAT "A" AS RECORDED THE FOLLOWING TWO CURVES AND DISTANCES: 1) NORTH 0°45'47" EAST 158.81 FEET, AND 2) NORTH 0°08'43" WEST 325.47 FEET; THENCE ALONG A FENCE LINE THE FOLLOWING FIVE CURVES AND DISTANCES: 1) SOUTH 89°35'38" EAST 125.74 FEET, 2) NORTH 89°28'30" EAST 190.46 FEET, 3) NORTH 87°59'29" EAST 38.94 FEET, 4) NORTH 89°15'10" EAST 280.36 FEET, AND 5) SOUTH 89°45'00" EAST 19.19 FEET TO THE POINT OF BEGINNING.

AREA = 7.47 ACRES

**OWNER'S DEDICATION**

KNOWN ALL BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE DESCRIBED TRACT OF LAND ABOVE, HAVING CAUSE THE SAME TO BE SUBDIVIDED INTO LOTS, AND STREETS TO HEREAFTER BE KNOWN AS: DALLIN'S SUBDIVISION, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

BY: \_\_\_\_\_

**ACCEPTANCE BY LEGISLATIVE BODY**

THE \_\_\_\_\_ OF \_\_\_\_\_ COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

APPROVED \_\_\_\_\_ ATTEST \_\_\_\_\_

MAYOR CLERK-RECORDER

**CITY ENGINEER APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, BY THE MAPLETON CITY ENGINEER \_\_\_\_\_

CITY ENGINEER

**PLANNING COMMISSION APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, BY THE MAPLETON CITY PLANNING COMMISSION.

CHAIRMAN, PLANNING COMMISSION COMMUNITY DEVELOPMENT DIRECTOR

**DALLIN'S SUBDIVISION**

A PARCEL OF LAND LOCATED IN THE NORTH EAST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN

MAPLETON UTAH COUNTY, UTAH

SCALE: 1" = 50 FEET

CITY-COUNTY ENGINEER SEAL CLERK-RECORDER SEAL SURVEYOR'S SEAL NOTARY PUBLIC SEAL

DALLIN'S SUBDIVISION



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## MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

March 4, 2020 at 8:30am

125 West Community Center Way (400 North), Mapleton, Utah 84664

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On or about February 20, 2020, Kyle Spencer submitted new plans for the Dallin's Subdivision Plat B in the A-2 zone on behalf of Dallin Nelson. The subject parcel is located at approximately 1335 East 1200 North. The items below include 1) requested changes to the submitted plans, 2) other items required as part of the application and/or 3) informational items regarding city standards. **All items that include an \* and are bolded are required prior to any public hearings.**

### Community Development Division

Sean Conroy, Community Development Director, Phone: (801) 806-9101

Email: [sconroy@mapleton.org](mailto:sconroy@mapleton.org)

Brian Tucker, Planner, Phone: (801) 806-9108

Email: [btucker@mapleton.org](mailto:btucker@mapleton.org)

### **Please submit revised drawings and the following corrections:**

#### Application Deficiencies:

1. The applicant must submit a complete subdivision application, including:
  - a. The applicant must submit a signed copy of the Acknowledgement of Requirements found in the application packet.
2. As directed by the Mapleton City Engineer, the applicant must submit preliminary storm water drainage plans and calculations designed for a 100 year storm event.
3. As directed by the Mapleton City Engineer, the applicant must submit a Geotech Report addressing soil conditions and ground water.
4. The applicant must submit plans to RB&G Engineering (801-374-5771) to be inputted into the City's water model. The applicant shall be responsible for the cost of this review.
5. The applicant must submit a statement indicating the type of performance guarantee proposed to be offered as security for the construction of the required public improvements. The statement should include an indication of your intent to either install the required improvements prior to recording the subdivision plat (thereby necessitating only a 10% durability bond) or submit a performance guarantee and durability bond prior to recording the plat (thereby allowing for the plat to be recorded prior to the installation of improvements).

#### Comments for plans submitted in February 2020:

1. The final plat must include, among other requirements, the following:
  - a. A dedication block and signature lines for all property owners. The owners will need to sign the plat exactly as they signed the deed to the property and must print their names underneath their signatures to match the signatures. In addition, properties in trusts must include the title of the signer, the full name of the trust and the date of the trust. **Plat A had two partners, each requiring a corporate acknowledgement. Staff suggests including two corporate acknowledgements rather than an individual acknowledgement.**
  - b. In accordance with the standards of the Utah County Recorder, the names of the Owners must be printed in the Acknowledgement as the persons who appeared before the notary. It is useful for the plat to contain a space within the acknowledgment text

for the names to be written. Other standards may apply for trusts and corporations. Please communicate with the Utah County Recorder's Office for the specifics for this requirement.

2. The word Parcel is misspelled in the boundary description.
3. The plat will require a rezone to include the TDR-Receiving overlay and the use of one TDR Certificate.
4. The fees paid for lot 13 of Dallin's Subdivision, Plat A, can be used to satisfy the impact and other fees associate with one of the two lots in Plat B because lot 13 was not included in the recorded Plat A.

**Engineering and Public Works Division**

Steven Lord, City Engineer, Email: [slord@mapleton.org](mailto:slord@mapleton.org)

Phone (801) 489-6253, Fax (801) 489-5179

None

**Upon final plat approval from the final decision making body (Planning Commission or City Council), the following items will be required:**

- ☐ Revise drawings to address any outstanding issues raised in the DRC comments and/or project conditions.
- ☐ Applicant may choose to either 1) establish a performance bond and durability bond agreement prior to plat recording (amount to be determined by City Engineer) or 2) to install any required improvements (i.e. utilities, roads, curb, gutter, sidewalk, etc.) without a performance bond (durability bond still required). If option 2 is selected, the plat will not be recorded until the City has accepted the improvements.
- ☐ Payment of impact fees (\$4,528 per lot). An additional impact fee of \$6,968 per lot will be required at the time of building permit issuance.
- ☐ Submit .45 water shares or converted water rights in the name of Mapleton City in the amount of .45 acre feet per building lot and 2.5 acre feet per irrigable acre for outdoor use. All irrigation shares must be dedicated from the Mapleton or Hobbie Creek Irrigation Company.
- ☐ Submit 1 TDR certificate.
- ☐ Payment of engineering inspection fees (\$200 per lot).
- ☐ Payment of street light fee (\$450 per lot).
- ☐ Payment of slurry seal fee (\$.18 a square foot of asphalt).
- ☐ Submit a SWPPP and Land Disturbance application and fee (\$500). Contact JD Shepherd at Public Works (489-6253) to review this requirement.
- ☐ Submit final mylar with all required signatures.
- ☐ Submit a check made out to Utah County Recorder (\$50 per page and \$2 per lot).
- ☐ Coordinate with the Postal Service regarding location of cluster mailbox (CBU). The purchase and placement of the CBU is the responsibility of the developer (see attached letter).