



Item:

2

Date:

January 28, 2021

Applicant:

David Simpson

Location:

1350 E 400 North

Prepared By:

Brian Tucker, Planner

Public Hearing:

Yes

Zone:

A-2

Attachments

1. Standard Findings
2. General Plan and Zoning Maps
3. Subdivision Plans

REQUEST

Consideration of a request to include the TDR-Receiving Overlay and approve the Preliminary Plat application for the Kendall Subdivision consisting of 2 lots at 1350 East 400 North in the A-2 Zone.

BACKGROUND & DESCRIPTION

The applicant has is requesting approval for the subdivision of a 5.66-acre lot into 2 lots. The subject property currently consists of two parcels and the requested action would reorganize and legalize those parcels. The property is currently zoned A-2 and is located on 400 North, just east of the Mapleton Lateral Canal Trail.

The applicant is proposing the following:

- That the property be rezoned to include the TDR-Receiving Overlay zone,
- That 2 lots be approved, a 1-acre building lot and a 4.66-acre lot that includes the existing home.

EVALUATION

Rezone requests are considered legislative actions. The Planning Commission and City Council generally have broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken (to approve or deny) will promote or protect the general welfare of the community, and is supported by city ordinances and policies.

Mapleton City Code Section 18.12.010.B provides the following list of guidelines to be used in reviewing amendment requests:

1. *Public purpose for the amendment in question.*
2. *Confirmation that the public purpose is best served by the amendment in question.*
3. *Compatibility of the proposed amendment with general plan policies, goals, and objectives.*
4. *Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.*
5. *Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.*
6. *Adverse impacts on adjacent landowners.*
7. *Verification of correctness in the original zoning or general plan for the area in question.*
8. *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.*

General Plan: This area of the City is characterized by low density residential development. The area west of the Mapleton Lateral Canal is general planned "Low Density Residential", while the area east of the canal is general planned "Rural Residential". The Future Land Use Map of the Land Use Element of the General Plan designates this site as Rural Residential (RR). The General Plan states the following regarding the RR designation:

"The Rural Residential land use category is maintained along the east and south edges of the City, permitting single-family residential development on lots that are a minimum of two-acres in extent. One acre lots are allowed with the use of TDRs. Smaller lots may also be proposed as part of a conservation subdivision provided the overall densities are not increased. Larger vacant and undeveloped properties are encouraged to develop as Conservation Subdivisions, helping to preserve the rural, open feel of the City."

The General Plan Land Use Map indicates that this area is appropriate for lots that contain 1 acre when TDR's are used. Goal 3 of the Land Use Element of the General Plan and the General Plan Map are the most applicable portions of the plan, indicating that compatible uses should be near each other. The typical developed in this part of the city has 1+ acres. The proposed lots, each containing 1 or more acres, are of the norm in this area.

Zoning: The project area is currently zoned A-2. The applicant is not requesting a change to the base zoning, only that the project area be rezoned to include the TDR-Receiving Overlay that is typical of this area. The Future Land Use Map and the Land Use Element of the General Plan support this request. With TDR's the minimum area is 1 acre, the minimum width is 125' as measured at the building line, and the minimum frontage is 50' on a cul-de-sac or knuckle.

Subdivision: The proposed subdivision includes 2 lots, with 1.00, and 4.66 acres. If the City Council approves the TDR-Receiving Overlay, each lot contains the minimum area, frontage and width required by the A-2 zone with the TDR-Receiving Overlay. Sewer and water will be provided by tapping into the existing mains in 400 North.

Trail: The proposed construction plans include a trail to be constructed along 400 North starting from the existing Mapleton Lateral Canal Trail and ending on the eastern boundary of the subject parcels. This trail is the first link in an effort to connect the Canal Trail to Maple Canyon.

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.

RECOMMENDATION

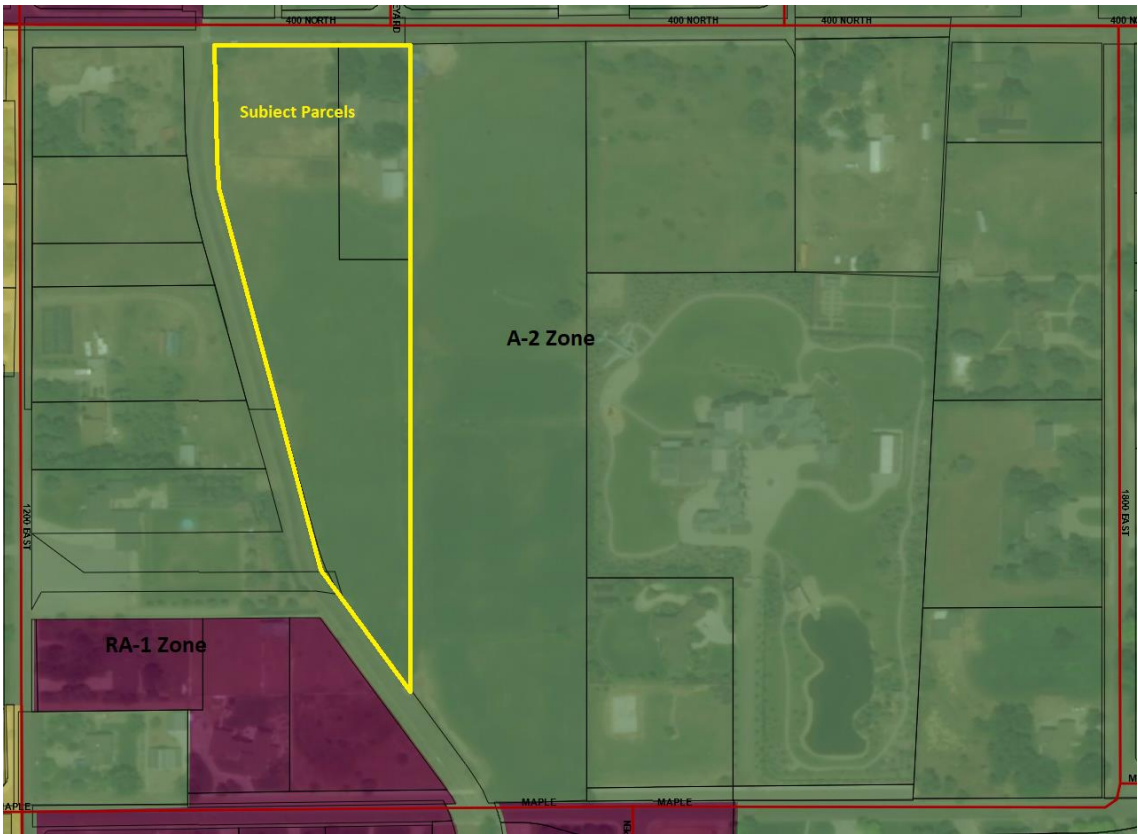
Recommend Approval of the Kendall Subdivision, and a rezone to include the TDR-Receiving Overlay Zone.

SPECIAL CONDITION

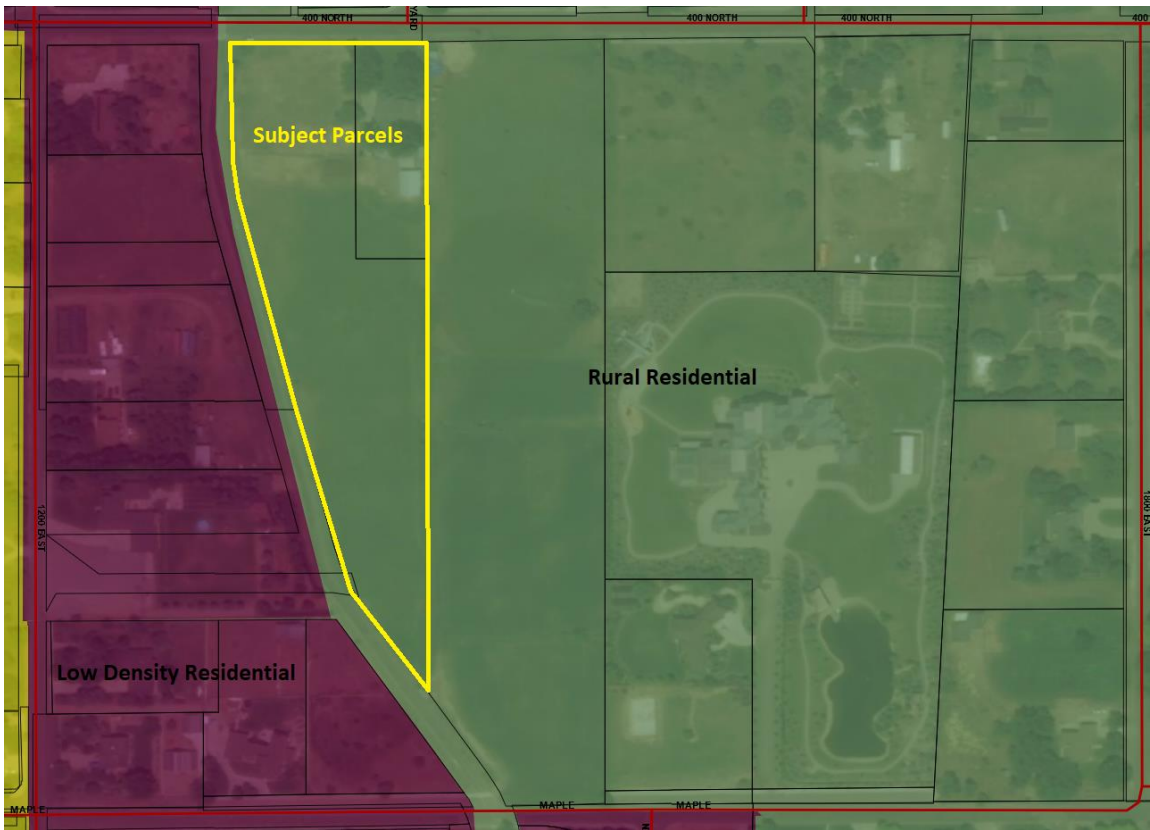
1. Any outstanding issues raised in the DRC minutes shall be addressed prior to plat recording.

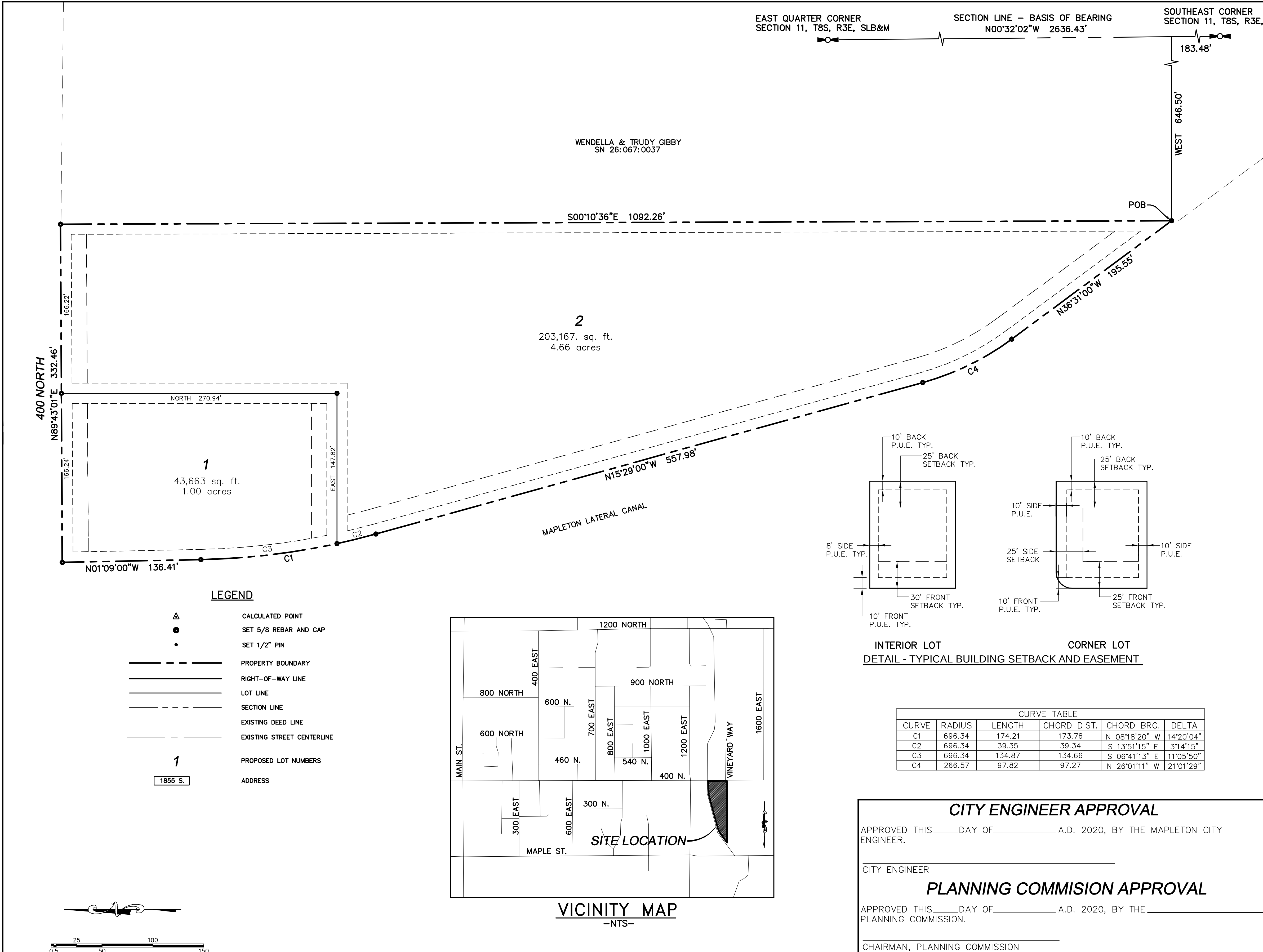
Attachment “1” Findings for Decision		
No.	Findings	
1.	The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration.	✓
2.	The submitted plans, documents and submission materials conform to applicable city standards.	✓
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.	✓

Current Zoning



General Plan





SURVEYORS CERTIFICATE

I, DAVID F. HUNT DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5243543-2201 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS IS TRUE AND CORRECT.

SIGNATURE (SEE SEAL BELOW)DATE

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE EAST SIDE OF THE MAPLETON LATERAL CANAL RIGHT-OF-WAY, SAID POINT BEING LOCATED NORTH 00°32'02" WEST ALONG THE SECTION LINE 183.48 FEET AND WEST 646.50 FEET FROM THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID EAST SIDE OF THE MAPLETON LATERAL CANAL RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES: NORTH 36°31'00" WEST 195.55 FEET, ALONG THE ARC OF A 266.57-FOOT RADIUS CURVE TO THE RIGHT 97.82 FEET (CHORD BEARS N 26°01'11" W 97.27 FEET), NORTH 15°29'00" WEST 557.98 FEET, ALONG THE ARC OF A 696.34-FOOT RADIUS CURVE TO THE RIGHT 174.21 FEET (CHORD BEARS N 08°18'20" W 173.76 FEET), AND NORTH 01°09'00" WEST 136.41 FEET TO THE SOUTH RIGHT-OF-WAY OF 400 NORTH STREET; THENCE ALONG SAID SOUTH RIGHT-OF-WAY OF 400 NORTH STREET, NORTH 89°43'01" EAST 332.46 FEET; THENCE SOUTH 00°10'36" EAST 1092.26 FEET TO THE POINT OF BEGINNING.

AREA = 246,831 SQ. FT. OR 5.6665 ACRES, MORE OR LESS

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF_____, A.D. 2020.

ACKNOWLEDGEMENT

STATE OF UTAH>S.S.
COUNTY OF UTAH>

ON THE_____ DAY OF_____, A.D. 2020 PERSONALLY APPEARED BEFORE ME_____ WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR PROVEN IN THE BASIS OF SATISFACTORY EVIDENCE AND WHO BY ME DULY SWORN/AFFIRED, DID SAY THAT HE/SHE IS THE_____ OF_____ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS, OR RESOLUTION OF ITS BOARD OF DIRECTORS, AND SAID_____ ACKNOWLEDGMENT TO ME THAT SAID CORPORATION EXECUTE THE SAME.

MY COMMISSION EXPIRES_____ A NOTARY PUBLIC COMMISSIONED IN UTAH (SEAL)

COMMISSION NUMBER_____ FULL NAME-PRINTED_____

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. 2020.

APPROVED_____ ATTEST_____
MAYORCLERK-RECORDER

COMMUNITY DEVELOPMENT DIRECTOR APPROVAL

APPROVED THIS_____ DAY OF_____, A.D. 2020, BY THE MAPLETON CITY COMMUNITY DEVELOPMENT DIRECTOR.

COMMUNITY DEVELOPMENT DIRECTOR_____

KENDALL SUBDIVISION

A SINGLE FAMILY DEVELOPMENT
MAPLETON, UTAH COUNTY, UTAH
LOCATED IN THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN
CONTAINING 2 LOTS, AND 5.66 ACRES

CITY ENGINEER APPROVAL

APPROVED THIS_____ DAY OF_____, A.D. 2020, BY THE MAPLETON CITY ENGINEER.

CITY ENGINEER_____

PLANNING COMMISSION APPROVAL

APPROVED THIS_____ DAY OF_____, A.D. 2020, BY THE_____ PLANNING COMMISSION.

CHAIRMAN, PLANNING COMMISSION_____

ACCEPTANCE BY UTILITIES

APPROVED_____ ROCKY MOUNTAIN POWER	APPROVED_____ CENTURYLINK
APPROVED_____ COMCAST	APPROVED_____ MAPLETON IRRIGATION

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



Development Review Committee Minutes

January 19, 2021

On December 4, 2020 plans were submitted for the Kendall subdivision consisting of 2 lots. 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.

Community Development Division

Sean Conroy, Community Development Director, Phone: (801) 806-9101
Email: sconroy@mapleton.org

Brian Tucker, Planner, Phone: (801) 806-9108
Email: 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.
 - b. The applicant must submit a signed and notarized Property Owner Affidavit to verify ownership. The Property Owner Affidavit is found in the application packet.
 - c. The applicant must submit a preliminary title report or policy of title insurance.
 - d. The applicant must submit proof that the taxes are current for the subject property.
2. 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 Dec 4, 2020:

1. The final plat must include, among other requirements, the following:
 - a. A final plat stamped and signed by the Surveyor of Record.
 - b. 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.



- c. The owners dedication must be accompanied by a line for the notary sign the plat, a line for the notary to print their full name, their commission number and the words "A notary public commissioned in Utah" in the signature block.
 - d. Utility Approval signatures are not necessary except for Mapleton Irrigation.
 - e. Many of the signature blocks have "2020" filled in as the year. This plat will not be approved in 2020.
 - f. Addresses must be shown on the final plat. **Lot 1 is assigned the address of 1312 East 400 North.**
 - g. 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. Please remove the "Typical Building Setback and Easement" Detail entirely. This detail is incorrect, and setbacks can change over time. The easements can and should be illustrated on the plat.

Engineering and Public Works Division

Steven Lord, P.E. Public Works Director/City Engineer
Phone (801) 489-6253 Email: slord@mapleton.org

SHEET 4 – Utility Plan

Fiber

1. Empty conduit will need to be installed in the PUE for future city fiber optic lines.

Irrigation

1. Mapleton Irrigation District and Company (MIDC) must approve the abandonment of the irrigation ditches.

Culinary Water

1. Verify that existing meter is up to current standards, if not, replace with new.

Sewer

1. Existing septic system and drain field will need to be decommissioned according to Utah County Health Department Standards.

SHEET 7 – Detail Sheet

Streets

1. Road cross section should include 5' park strip and 8' asphalt trail.
2. Replace APWA trench detail with Mapleton City Trench standard detail.
3. Verify that curb grades match the grades across the street.



General

(These items are intended for reference purposes only. Notice to proceed with construction will not be given until these items are either noted on the plans or discussed in a pre-construction meeting). **ITEMS IN BOLD ARE MISSING FROM THE APPLICATION AND WILL NEED TO BE SUBMITTED PRIOR TO PRELIMINARY PLAT APPROVAL.**

THE APPLICANT MUST SUBMIT A STORM DRAIN REPORT CERTIFYING THAT THE PROPOSED STORM DRAIN DESIGN WILL ACCOMMODATE THE 100-YEAR STORM.

THE APPLICANT MUST SUBMIT A GEOTECHNICAL REPORT PER MAPLETON CITY STANDARDS.

An excavation permit, available online at www.mapleton.org will be required for all work performed in the city right-of-way.

All utility crossings will be marked with etchings in the back of curb.

Please follow APWA standards and specifications unless otherwise identified in the Mapleton City Supplement to APWA Standards and Specifications available online at www.mapleton.org.

A Storm Water Pollution Prevention Plan (SWPPP) permit will be required. Please contact JD Shepherd at Mapleton City Public Works with questions.

Electronic As-Built drawings of all utility connections and appurtenances will be required prior to the approval of final inspection.

Any work on Mapleton Irrigation Company ditches will be approved by the Irrigation Company.

Any work on dry utilities including but not limited to power, gas, and communications will be coordinated and approved by the relevant utility company and must be installed within the public utility easement.

Concrete Collars will be required on all valves and manholes in the roadway.

The applicant must submit plans to RB&G Engineering (801-374-5771) to be added into the City's water model. The applicant shall be responsible for the cost of this review.

The applicant must submit a Storm Drain report certifying that the proposed Storm Drain design will accommodate the 100-year storm.

The applicant must submit a geotechnical report per Mapleton City standards.

Any work in UDOT Right-of-Way will require a separate UDOT access and encroachment permit.

Please ensure 10' separation between culinary water and sanitary sewer lines.

A maintenance plan and agreement will be required and recorded for all storm drain retention basins.



A note must be placed on the plans to identify any existing fences and/or improvements on adjacent properties. If construction requires the removal of or results in damage to these items, they must be replaced before the final development inspection can be completed.

A stamped and signed plan set will be delivered electronically to the City Engineer prior to commencement of any construction.

FYI, Prior to plat recording:

- ☐ 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 (see attached bond estimate) or 2) to install any required improvements (i.e. utilities, roads, curb, gutter, sidewalk, etc.) without a performance bond (10% 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 fee of \$6,968 per lot will be required at the time of building permit. Please note that the City is in the process of updating its impact fees, depending on when the plat gets recorded, the impact fee amounts stated above may change.
- ☐ Payment of street light fee of (\$450 per lot).
- ☐ Payment of engineering inspection fee of (\$200 per lot).
- ☐ Payment of slurry fee (\$.18 per square foot of roadway).
- ☐ Pay all rollback taxes if applicable.
- ☐ Submit final mylar with all required signatures.
- ☐ Submit a check made out to Utah County Recorder for \$50 per page + \$2 per lot.
- ☐ Submit 2 acre feet of water.
- ☐ Submit 1 TDR Certificate.
- ☐ Contact Post Office regarding placement of mailbox.