



Item:

4

Date:

4/14/22

Applicant:

Bak2 LLC

Location:

Approximately 280 N 800 W

Prepared By:

Sean Conroy, Community Development Director

Public Hearing:

Yes

Zone:

RA-1

Attachments

1. Standard Findings.
2. Application information.

REQUEST

Consideration of a request to apply a Transferable Development Right Overlay (TDR-R) to five acres of property located at approximately 280 North 800 West and review of a preliminary plat for the Bentley Brook Plat "B" subdivision consisting of 9 lots.

BACKGROUND & DESCRIPTION

The subject property is approximately five acres in size and is currently undeveloped and located in the RA-1 zone. In 2019 the City approved the Bentley Brook Plat "A" subdivision consisting of six one-acre lots. The applicant is now proposing the Bentley Brook Plat "B" subdivision, which would include:

- The application of a TDR-R Overlay to the property; and
- Nine ½ acre lots accessed by a cul-de-sac from 800 West.

EVALUATION

Discretion: TDR-R Overlay requests are considered legislative in nature. 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.

General Plan: The General Plan designates this site as "*Low Density Residential*". Densities appropriate for this designation include one acre lots or ½ acre lots with the use of TDRs. The proposed density is consistent with the General Plan.

Goal #3 of the Land Use Element of the General Plan also encourages ensuring that land uses are compatible and that appropriate buffers are utilized. This topic will be addressed in more detail below.

TDRs: MCC Section 18.76.070 indicates that the RA-1 zone is a potential candidate for a TDR-R overlay zone. On April 21, 2021 the City Council amended the TDR ordinance to no longer allow a 100% increase in density within TDR-R Overlays. The new ordinance now allows a 50% increase unless a project includes a certain amount of open space, in which case density can be increased by 75%. However, the applicant submitted this application prior to the adoption of the amended standards. Therefore, this application must be reviewed based on the TDR ordinance that was in place at the time of application.

While the previous TDR ordinance did allow for the potential to increase density by 100% within a TDR-R Overlay, the ordinance still gave the City discretion to limit density to less than that. MCC Section 18.76.090.2 stated:

"If density proposed on a receiving site exceeds the density permitted by the underlying zone as per subsection 18.76.070A this chapter, density, lot sizes, and other development standards shall be determined by the city council, after receiving a recommendation from the planning commission, as part of the subdivision and/or site plan review process. In making a determination of final density, the city council shall:

Consider whether a proposed plan has a design which:

- (1) Provides a range of housing types;*
- (2) Takes advantage of existing topography and other natural features;*
- (3) Achieves a mutually compatible relationship between the proposed development and adjoining land uses; and*
- (4) Implements the policies set forth in the Mapleton City general plan."*

MCC Section 17.12.070.B also states the following:

"The final decision-making body may require lots to be larger than the minimum size established in the zone if it makes the following findings:

- 1. Larger lots are necessary when abutting existing lots or parcels on adjacent properties to achieve a mutually compatible relationship between the proposed lots and adjoining land uses; and*
- 2. Requiring larger lots will implement the goals and policies set forth in the Land Use Element of the General Plan regarding land use compatibility and buffers."*

The subdivisions on all sides of the proposed subdivision consist of primarily one acre lots or larger with a few exceptions. While staff is supportive of approving the TDR-R Overlay, in order to achieve a more compatible relationship with the one acre lots to the north and to the west, staff recommends that the Commission consider requiring the four lots at the end of the cul-de-sac be combined into two one-acre lots. This request is consistent with MCC sections 18.76.090.2 and 17.12.070.B cited above. The applicant is not supportive of this recommendation for the reasons outlined in the letter included in attachment "2".

Zoning: The RA-1 zone requires a minimum lot size of one acre with 125 feet of frontage on a City street. With the use of TDRs, the minimum lot size is reduced to ½ with 100 feet of frontage. The application complies with these standards. MCC Chapter 17.04.050.B outlines the review standards that shall be used by the Planning Commission when reviewing subdivision applications. These standards are shown in attachment "1".

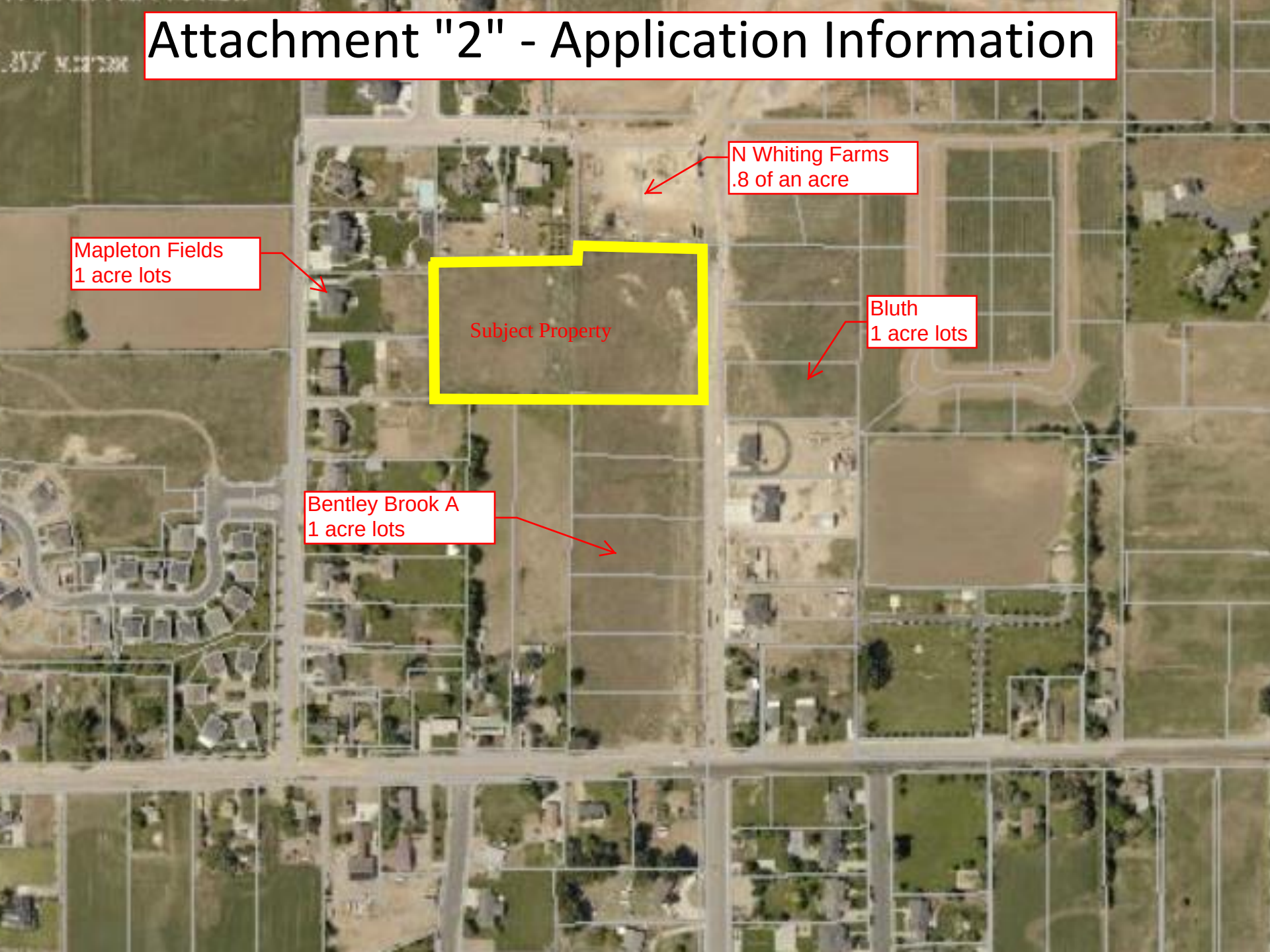
RECOMMENDATION

Recommend approval of the TDR-R Overlay zone and the Preliminary Plat for the Bentley Brook Plat "B" subdivision with the attached findings and condition.

1. Determine whether Lots 4 and 5 and lots 6 and 7 should be combined to create two one-acre lots.

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.	✓

Attachment "2" - Application Information



Mapleton Fields
1 acre lots

N Whiting Farms
.8 of an acre

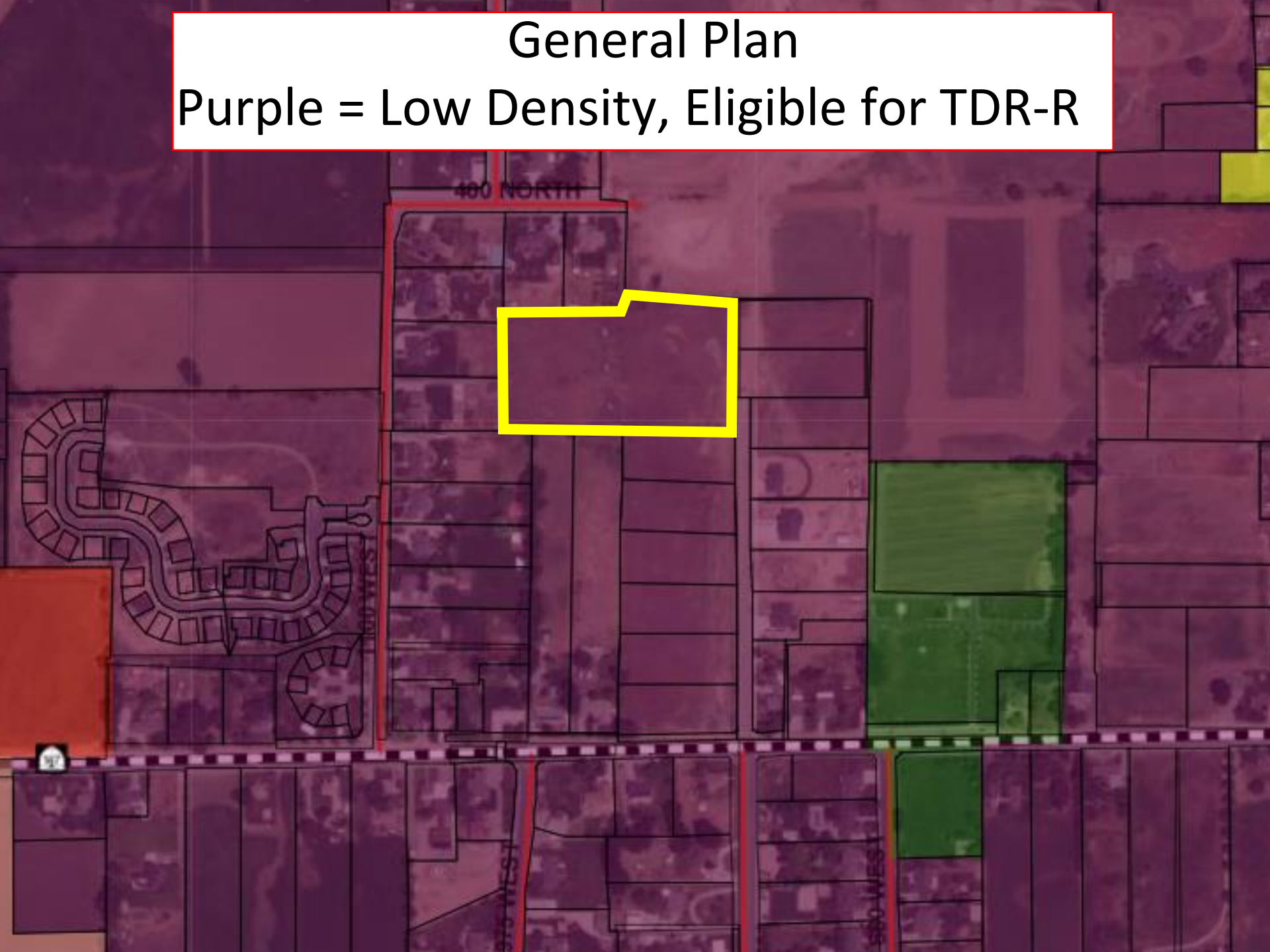
Subject Property

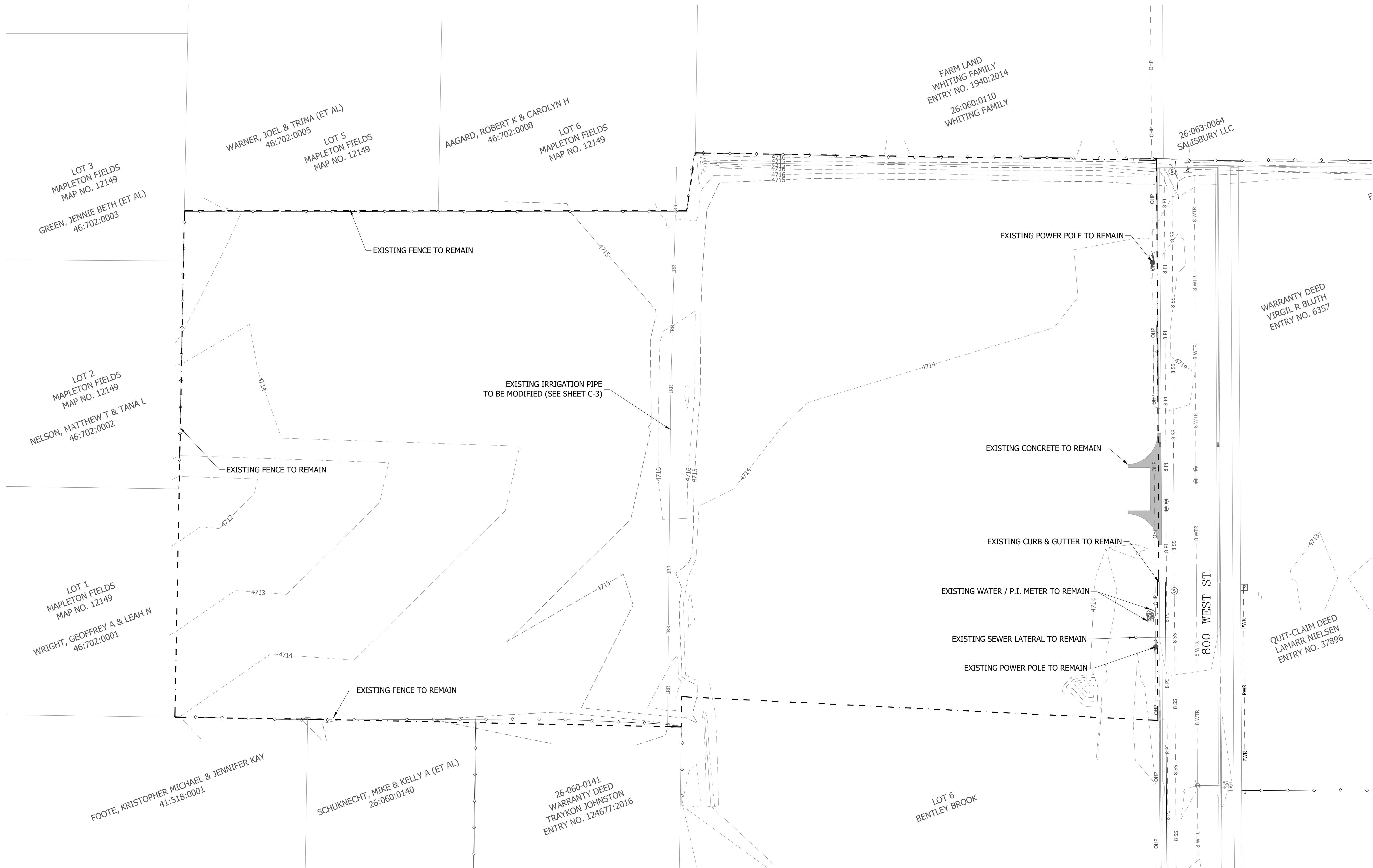
Bluth
1 acre lots

Bentley Brook A
1 acre lots

General Plan

Purple = Low Density, Eligible for TDR-R





DEMOLITION PLAN
SCALE: 1" = 30'
0 30 60

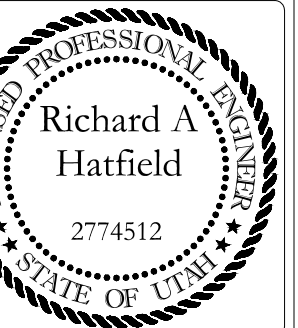
NOTES:
1) ANY EXISTING FENCES AND/OR IMPROVEMENTS ON ADJACENT PROPERTIES THAT CONSTRUCTION REQUIRES THE REMOVAL OF OR RESULTS IN DAMAGE TO, MUST BE REPLACED BEFORE THE FINAL DEVELOPMENT INSPECTION CAN BE COMPLETED

REVISIONS

REMARKS

DATE

BY



BENTLEY BROOK PHASE 2
DEMOLITION PLAN

DATE: 2-4-2022

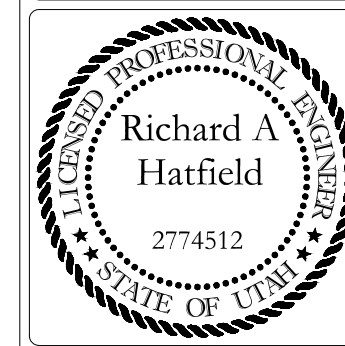
LOCATION: MAPLETON, UTAH

FOR: MATT BAKER

DRAWING:

C-2

REVISIONS	
DATE	BY



BENTLEY BROOK PHASE 2

UTILITY PLAN

DATE: 2-4-2022

LOCATION: MAPLETON, UTAH

FOR: MATT BAKER

LOT 3
MAPLETON FIELDS
MAP NO. 12149
GREEN, JENNIE BETH (ET AL)
46:702:0003

LOT 2
MAPLETON FIELDS
MAP NO. 12149
NELSON, MATTHEW T & TANA L
46:702:0002

LOT 1
MAPLETON FIELDS
MAP NO. 12149
WRIGHT, GEOFFREY A & LEAH N
46:702:0001

WARNER, JOEL & TRINA (ET AL)
46:702:0005
LOT 5
MAPLETON FIELDS
MAP NO. 12149

AAGARD, ROBERT K & CAROLYN H
46:702:0008
LOT 6
MAPLETON FIELDS
MAP NO. 12149

FARM LAND
WHITTING FAMILY
ENTRY NO. 1940:2014
26:060:0110
WHITTING FAMILY

26:063:0064
SALISBURY LLC

WARRANTY DEED
VIRGIL R BLUTH
ENTRY NO. 6357

QUIT-CLAIM DEED
LAMARR NIELSEN
ENTRY NO. 37896

26-060-0141
WARRANTY DEED
TRAYKON JOHNSTON
ENTRY NO. 124677:2016

FOOTE, KRISTOPHER MICHAEL & JENNIFER KAY
41:518:0001

SCHUKNECHT, MIKE & KELLY A (ET AL)
26:060:0140

NORTH

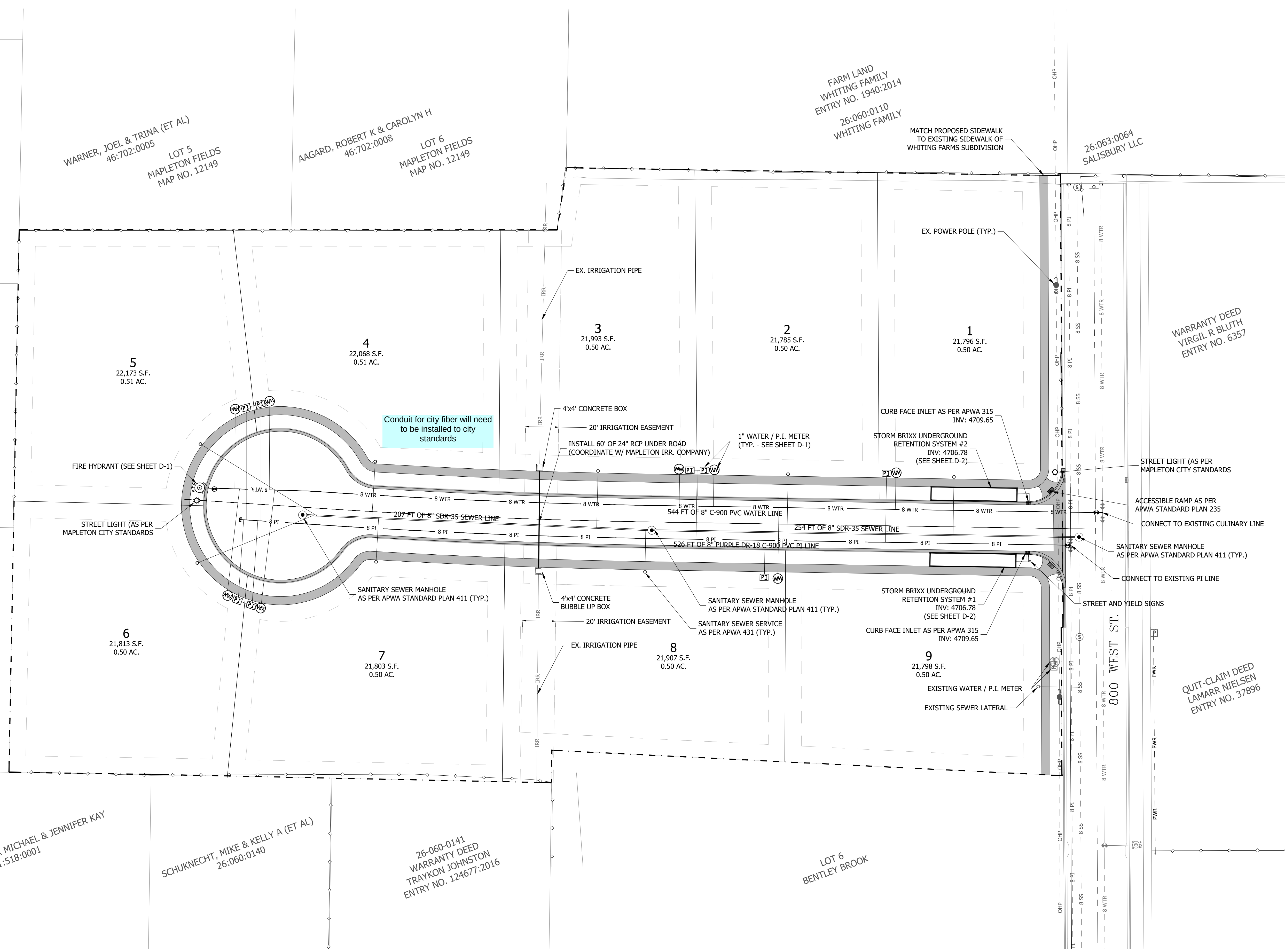
UTILITY PLAN

SCALE: 1" = 20'

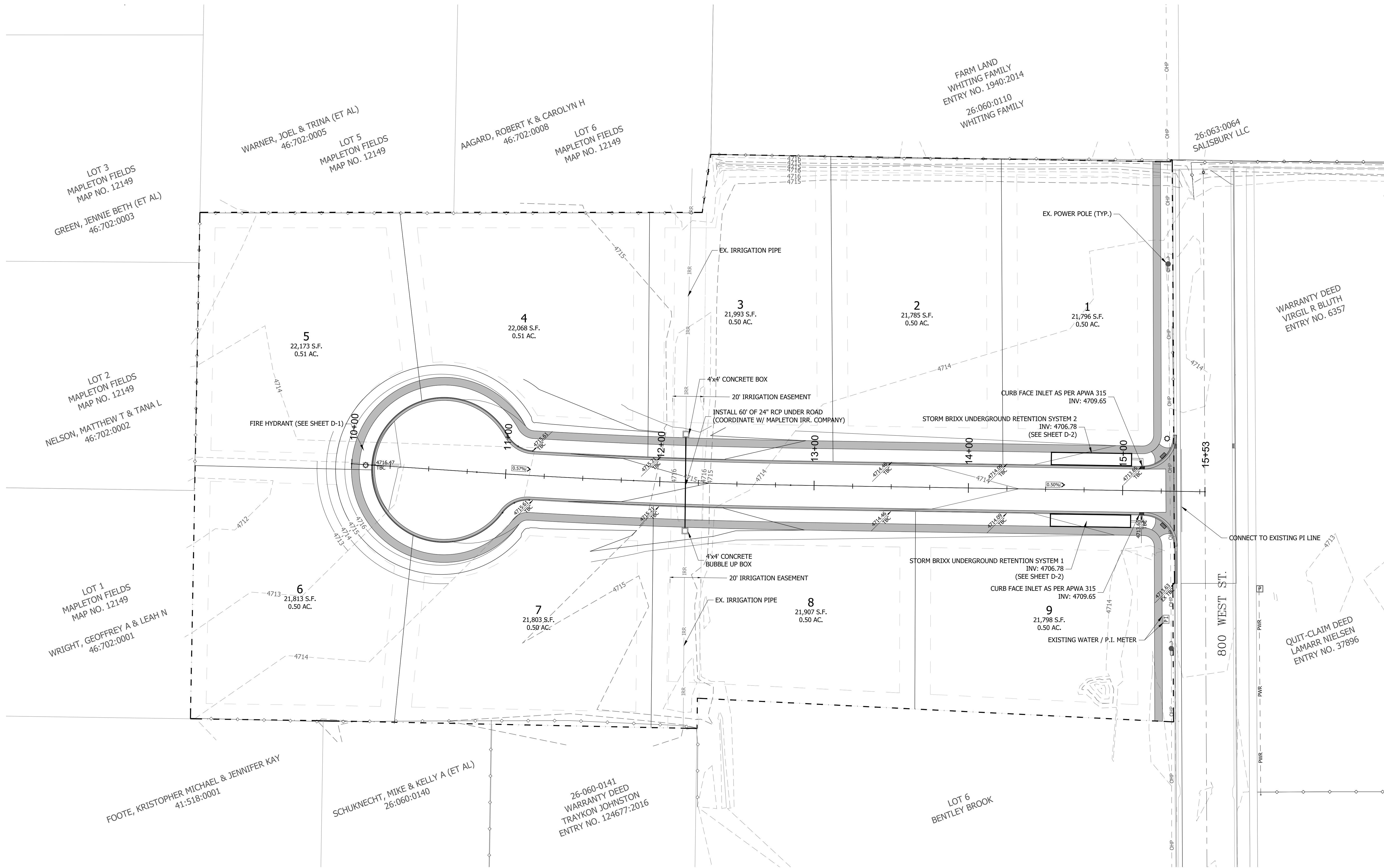
0

20

40



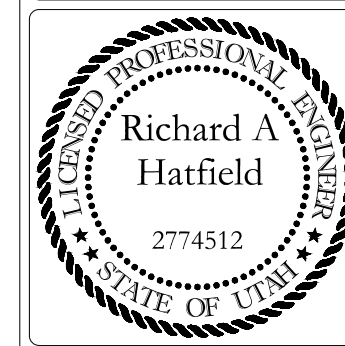
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GRADING & DRAINAGE PLAN
SCALE: 1" = 20'
0 20 40



REVISIONS	
DATE	REMARKS



BENTLEY BROOK PHASE 2

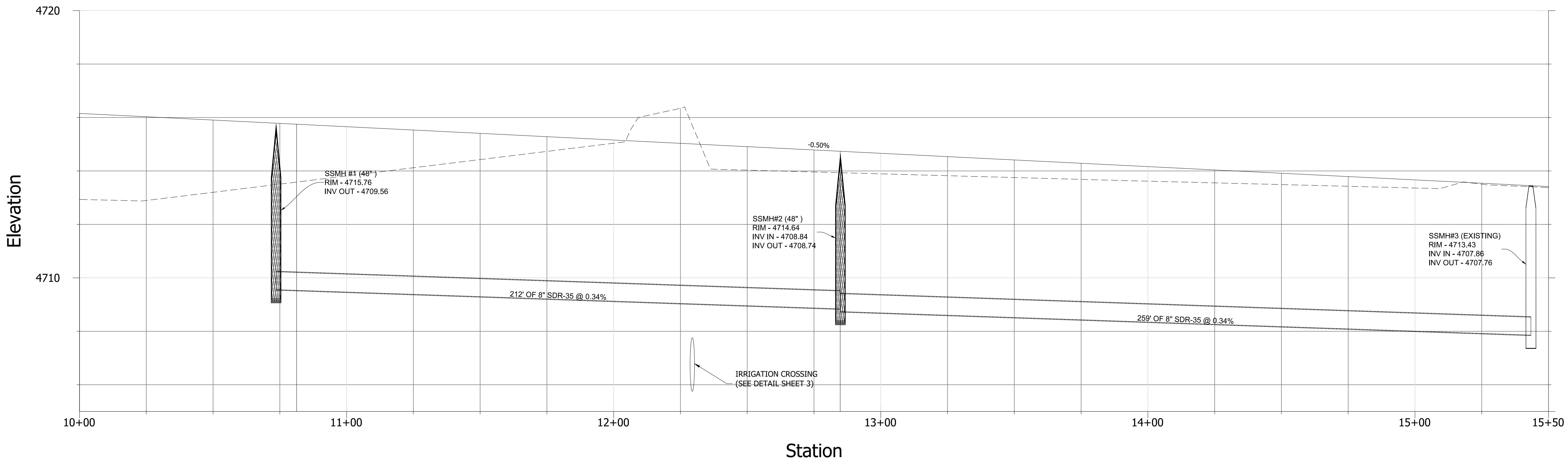
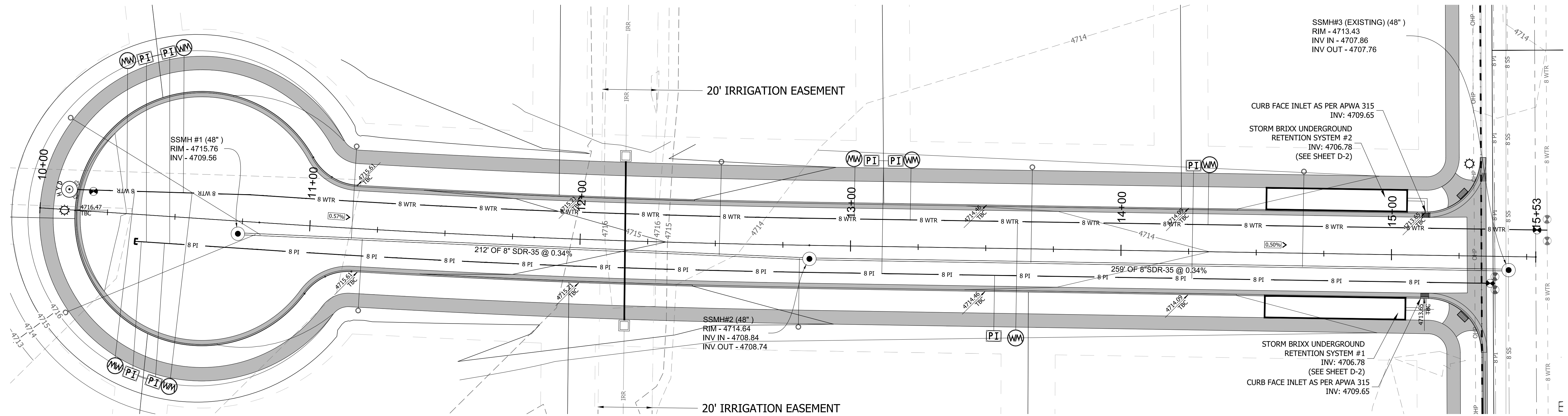
GRADING AND DRAINAGE PLAN

FOR: MATT BAKER

LOCATION: MAPLETON, UTAH

DATE: 2-4-2022

DRAWING: C-3



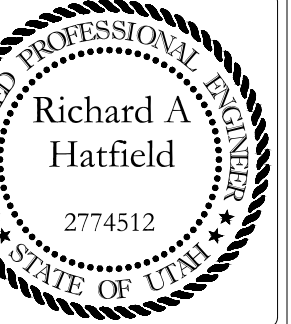
PLAN & PROFILE - ROAD
SCALE: 1" = 20' (Horiz.) 1" = 2' (Vert.)
SCALE: 1" = 20'
0 20 40

REVISIONS

REMARKS

DATE

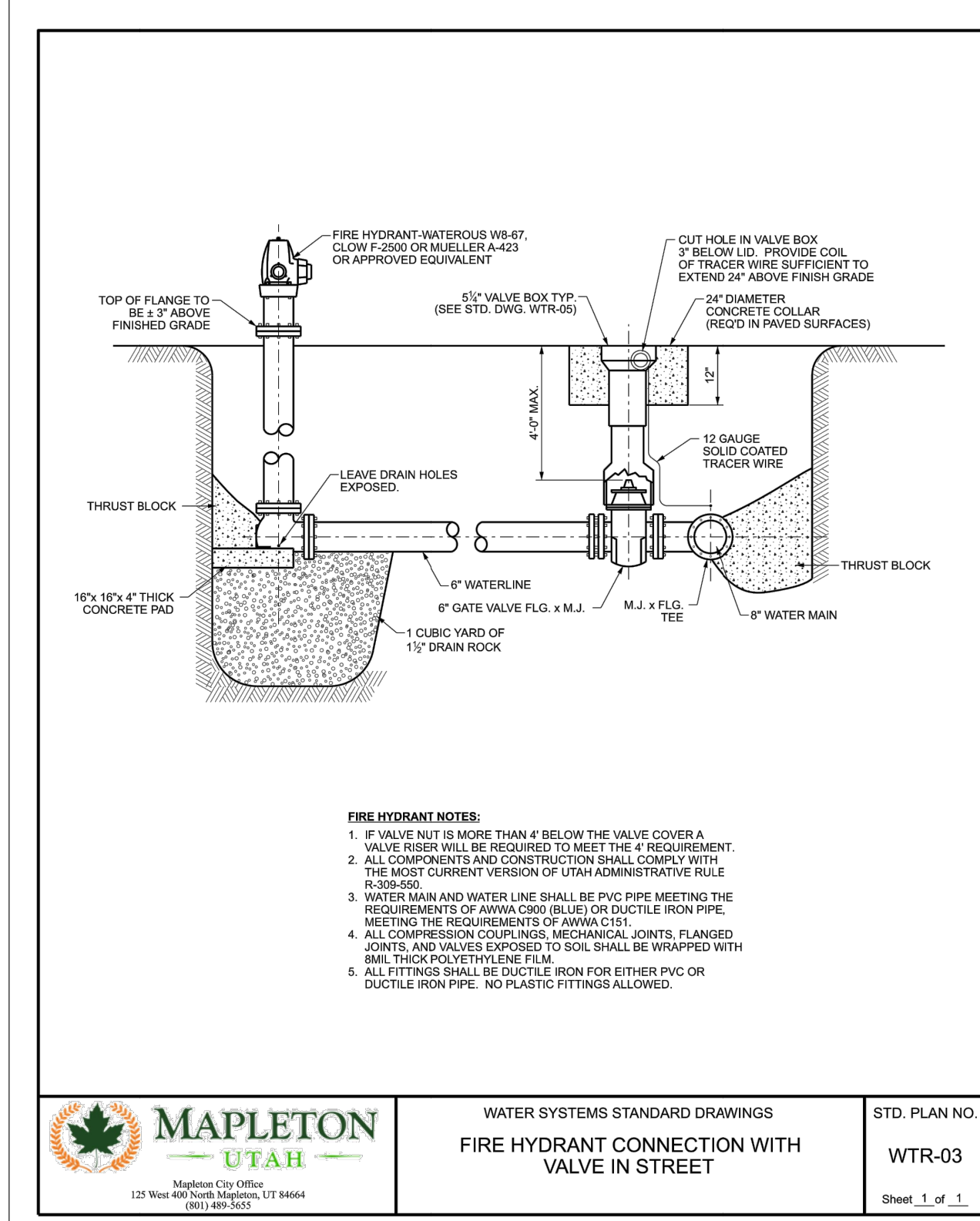
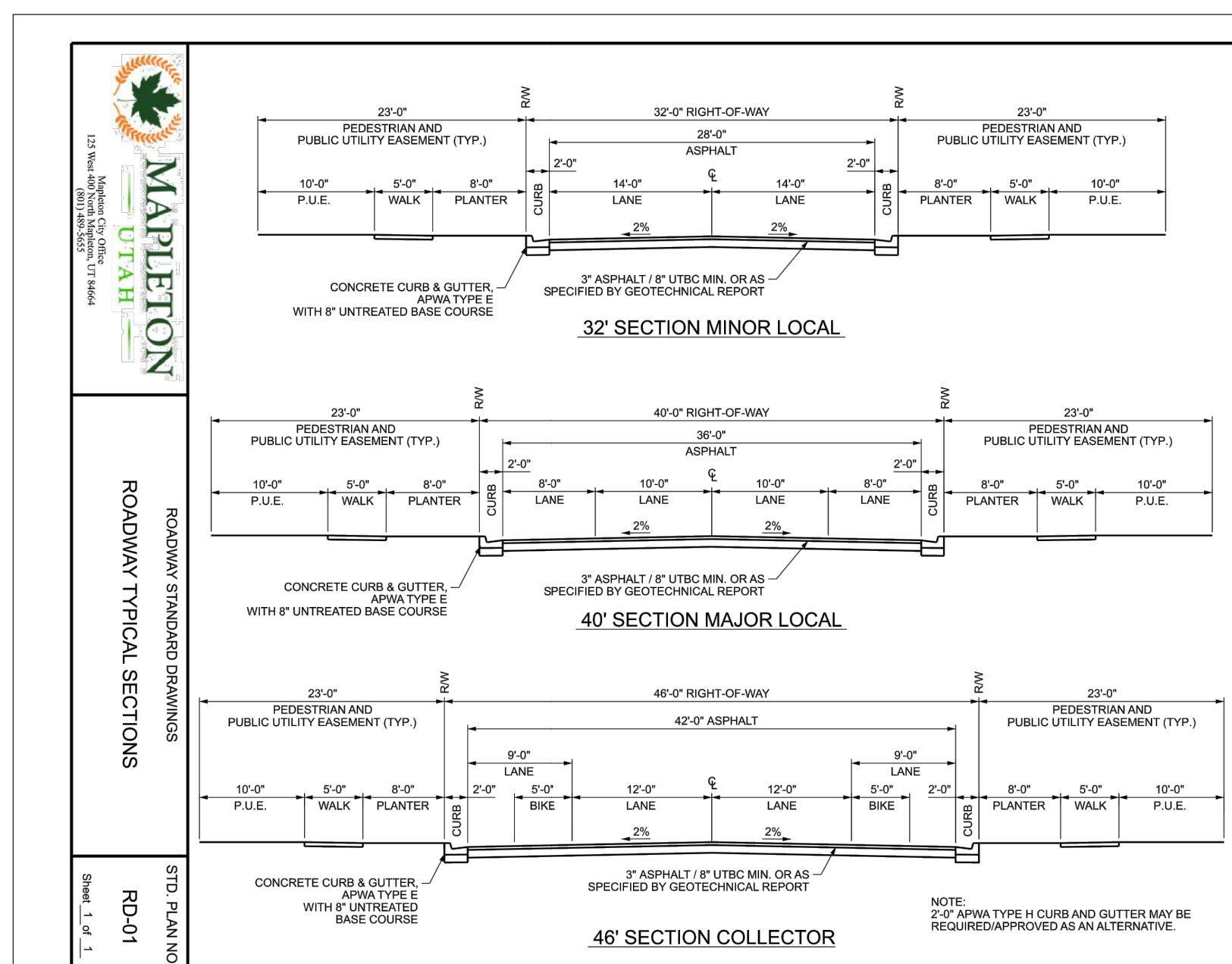
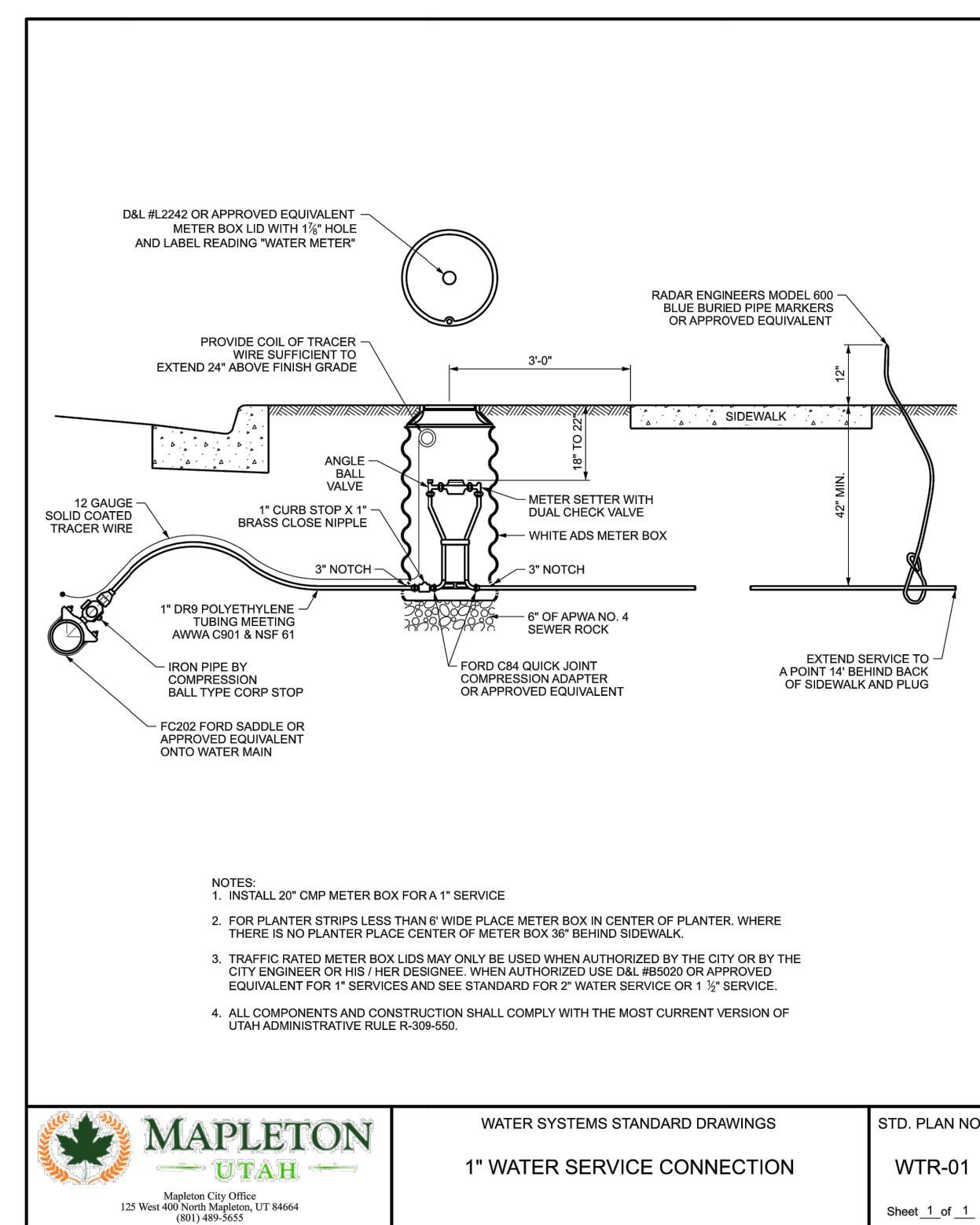
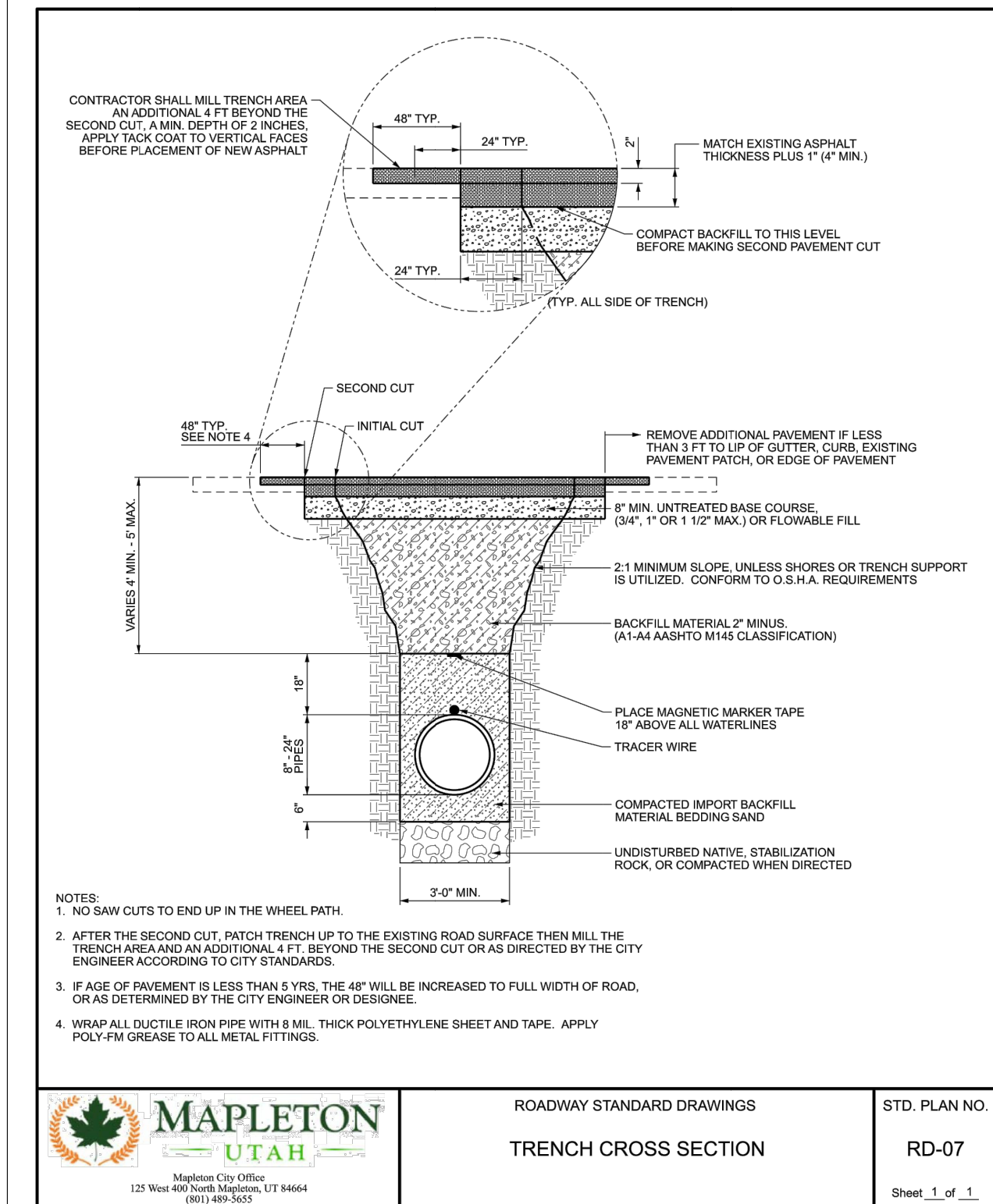
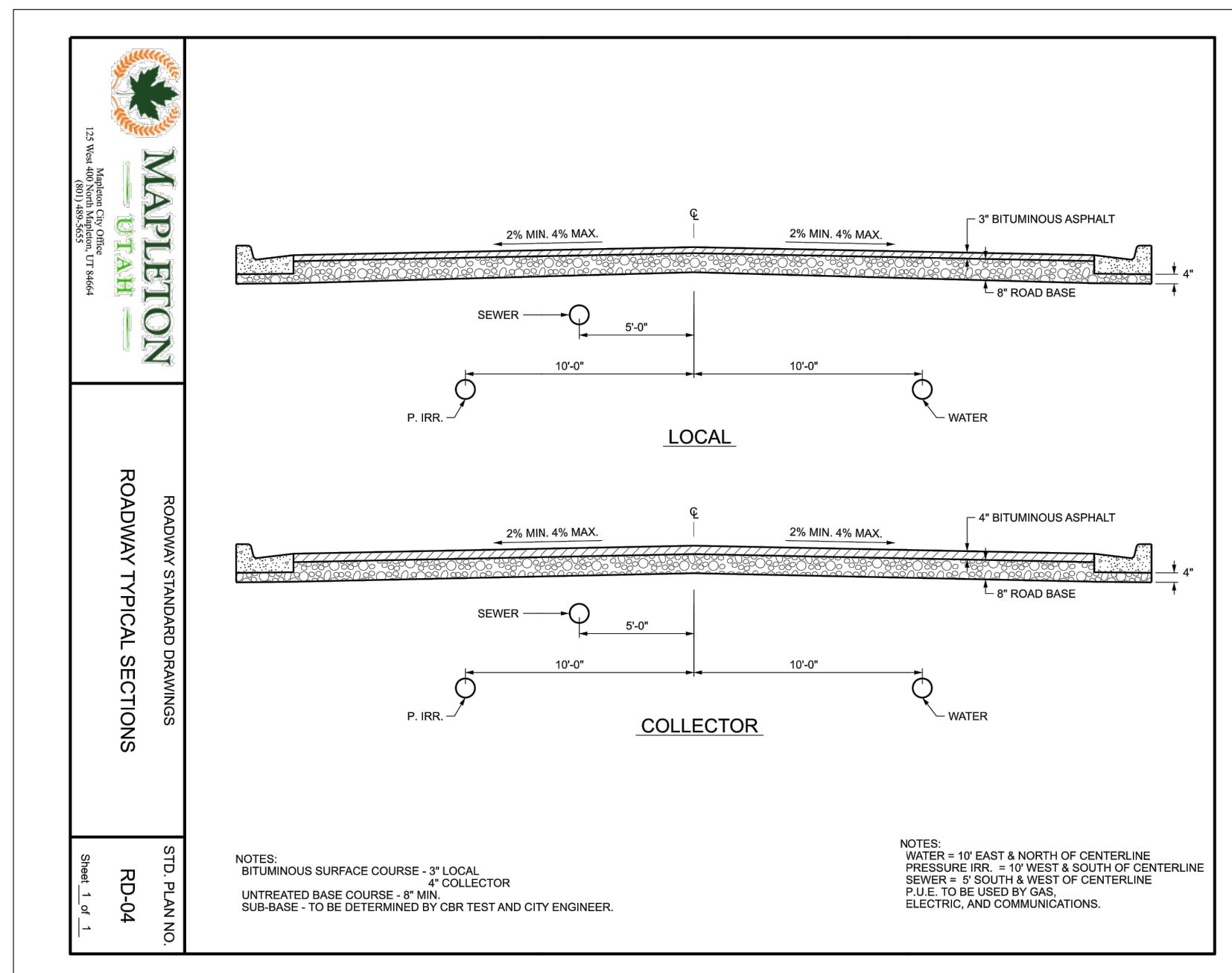
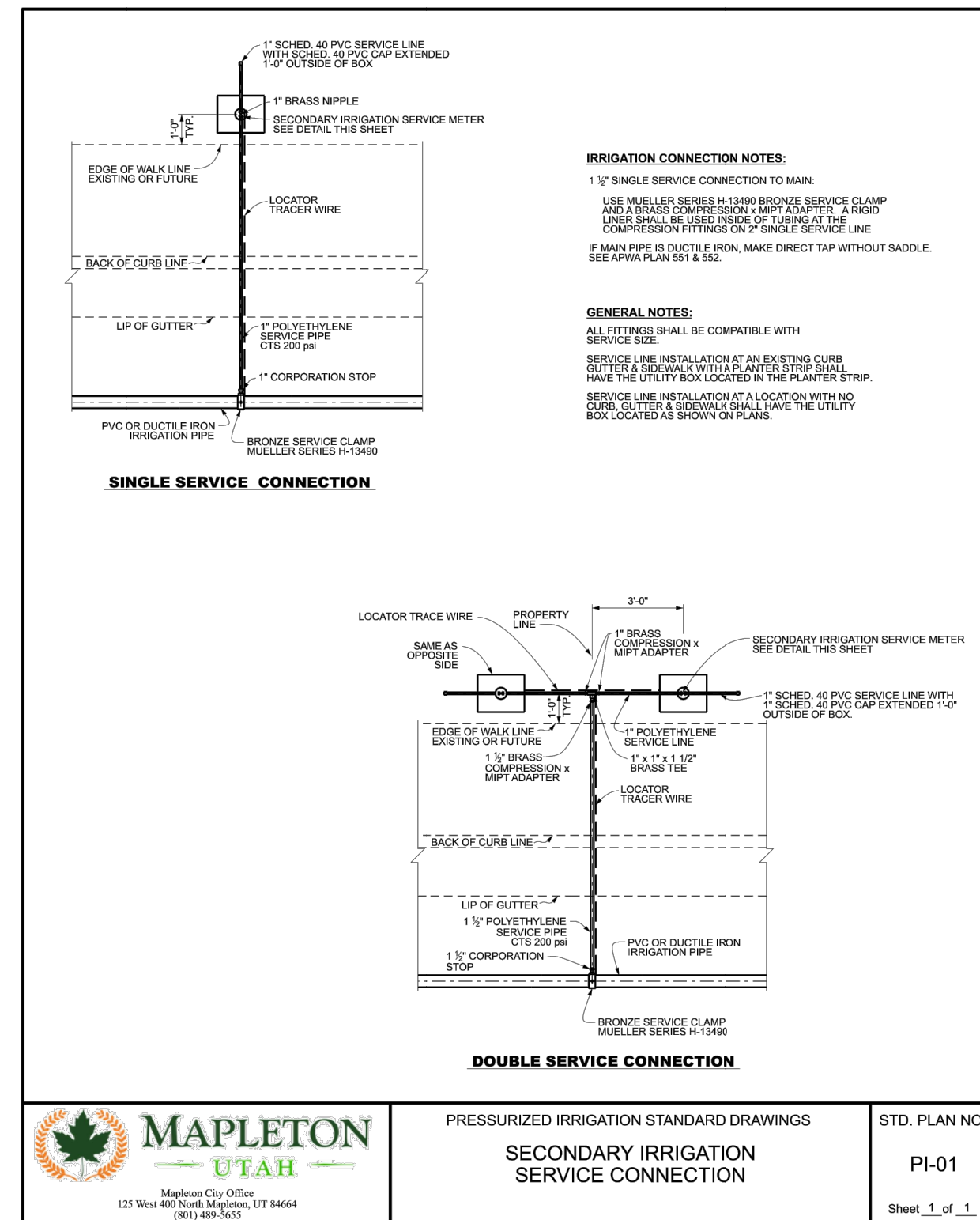
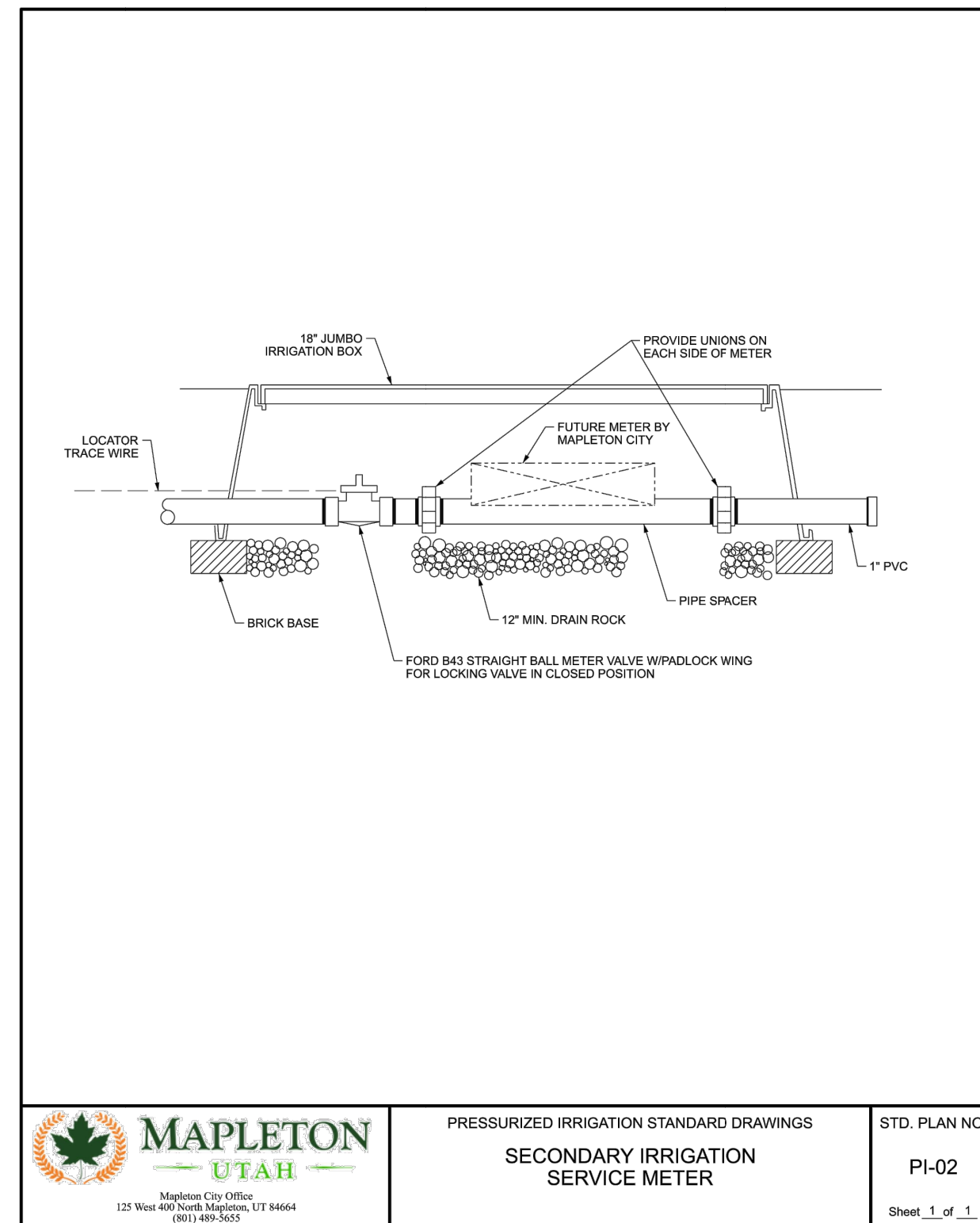
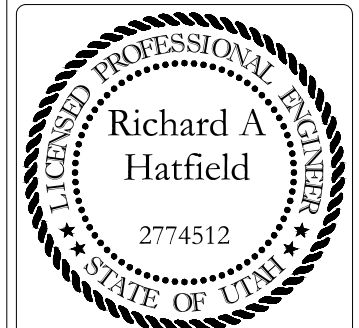
BY

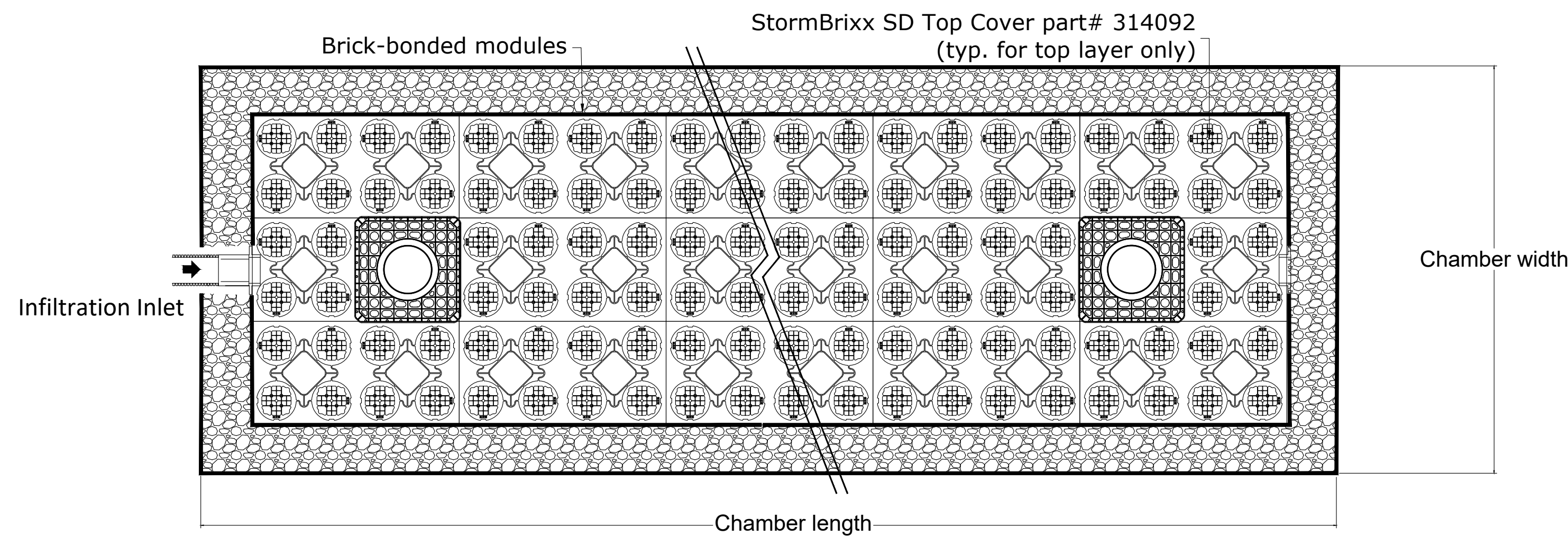


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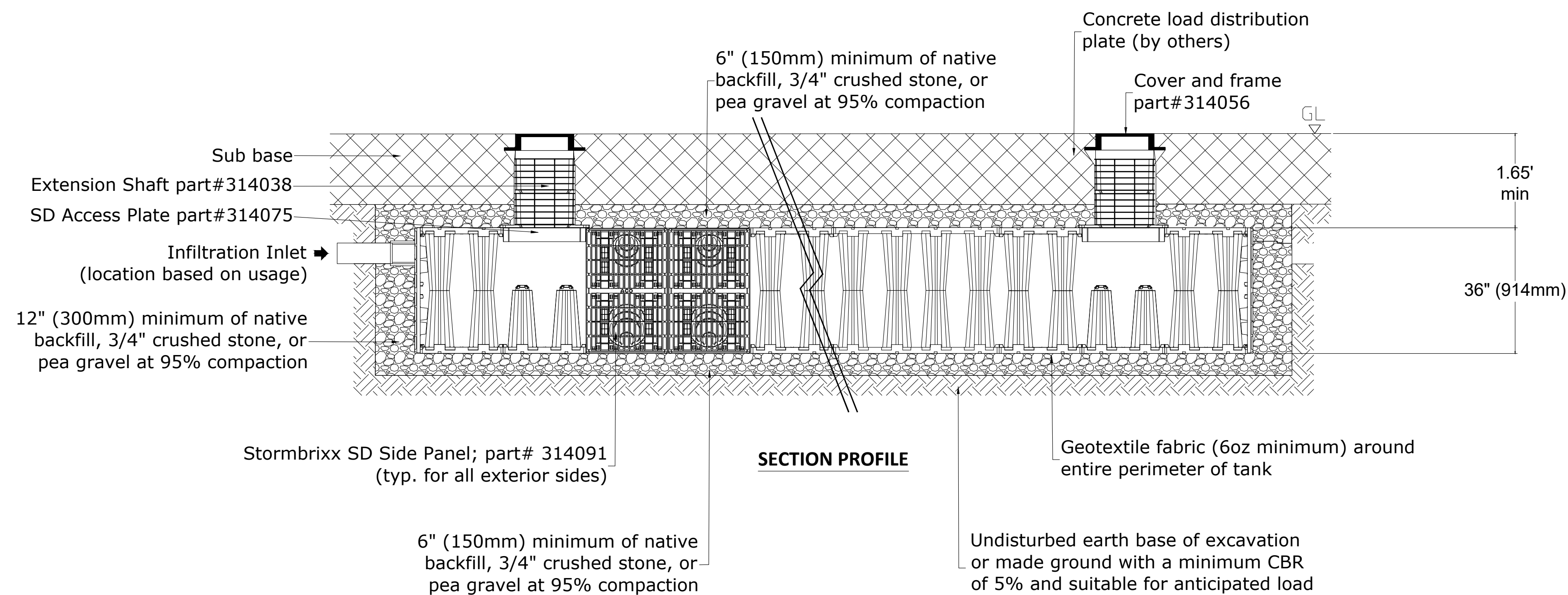
BENTLEY BROOK PHASE 2
PLAN AND PROFILE - 800 W
LOCATION: MAPLETON, UTAH
FOR: MATT BAKER

DRAWING: PP-1

[illegible]



PLAN

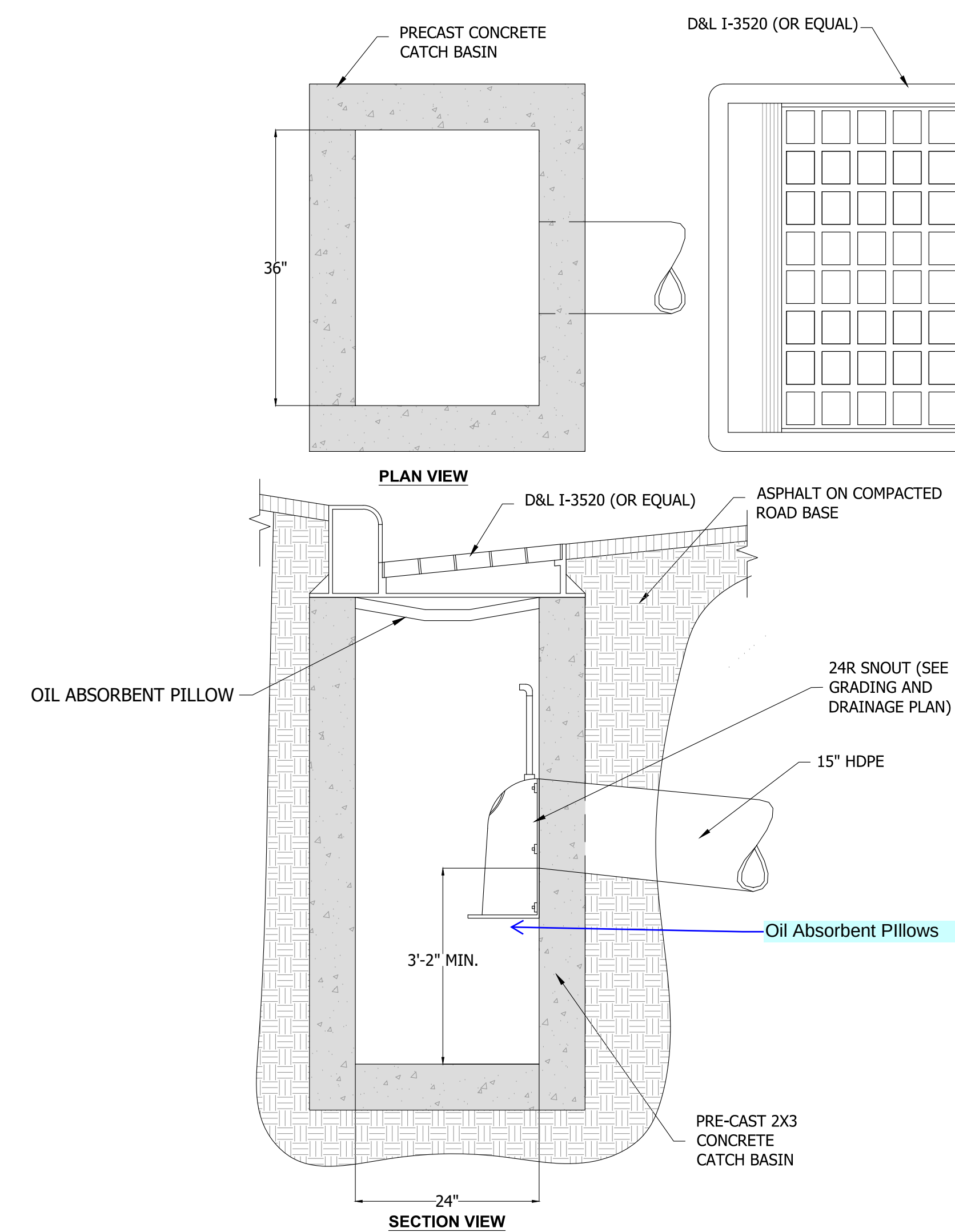


SECTION PROFILE

Storm Drain Table

	Excavation Width (ft)	Excavation Length (ft)	Excavation Depth (ft)	Bottom of Trench Elevation	Model of Storm Brixx	# of Modules (Length)	# of Modules (Width)	Length of System (ft)	Gravel Above	Gravel Below
1	8	52	7	4706.28	SD	12	3	48	6	6
2	8	56	7	4706.28	SD	13	3	52	6	6

1 STORM BRIXX RETENTION SYSTEM



2 PRE-TREATMENT CURB FACE INLET

NTS

[illegible]BENTLEY BROOK PHASE 2
DETAIL SHEET

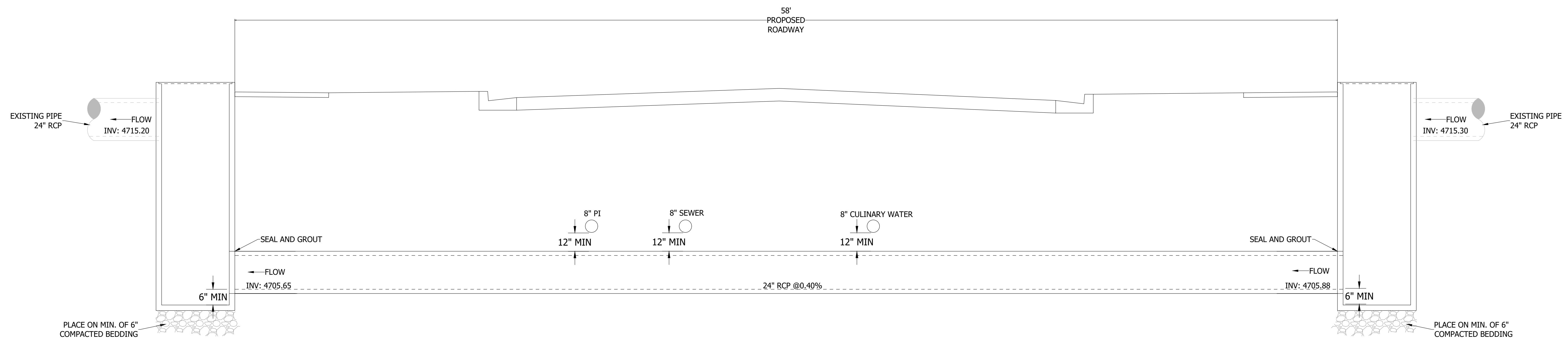
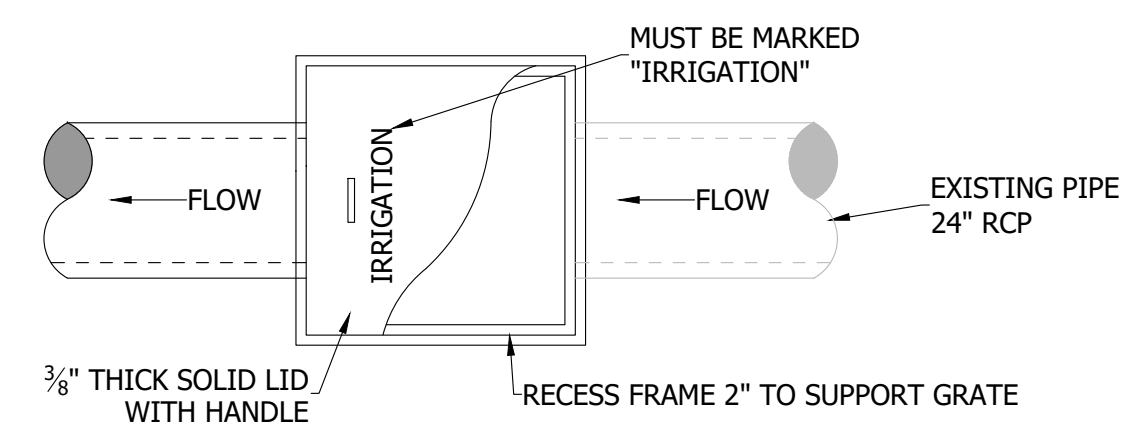
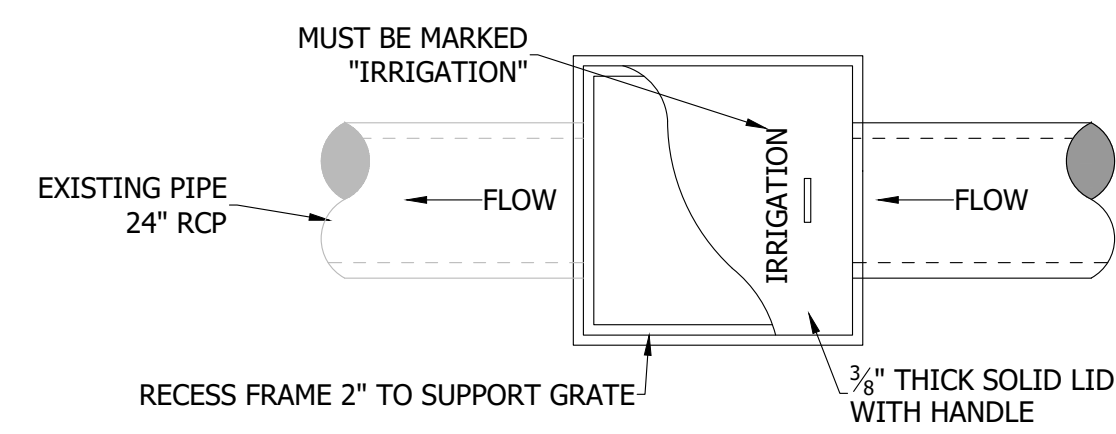
2-4-2022

MAPLETON, UTAH

MATT BAKER

IVING:

0-3



1 IRRIGATION BUBBLE UP BOX