

# Mapleton City Planning Commission Staff Report

Meeting Date: April 24, 2014

**Item:** 2

**Applicant:** Dennis Gore

**Location:** 2975 S Hwy 89 (parcel #'s 27:033:0057 & 27:033:0218)

**Prepared by:** Sean Conroy, Community Development Director

**Public Hearing Item:** Yes

**Zone:** A-2

## **REQUEST**

Consideration of Preliminary and Final Plat approvals for the Virginia Estates subdivision consisting of two lots located at approximately 2975 South and Highway 89 in the Agricultural-Residential (A-2) zone.

## **BACKGROUND AND PROJECT DESCRIPTION**

The project site consists of two parcels totaling 7.12 acres. There is an existing residence on the southern parcel that was built in approximately 1984. The two parcels were previously combined in a single parcel, but were divided through the recording of a deed. This division did not go through the proper subdivision process and therefore the northern lot is not yet buildable.

The applicant is proposing a two lot subdivision that will make both lots legal building lots in the A-2 zone. Lot 1 will be 4.9 acres in size and will allow for the construction of one new residence. Lot 2 will be 2 acres in size and will contain the existing single family residence.

## **EVALUATION**

**Zoning:** The A-2 zone requires a minimum lot size of two acres per unit with a minimum of 200 feet of frontage on a public street. Both lots comply with the minimum lot size. Lot 2 complies with the minimum frontage, while lot 1 only has 153 feet of frontage. However, on June 13, 2013 the Planning Commission issued a variance to allow the frontage of lot 1 to be less than the required 200 feet.

**Development Code:** Mapleton City Code (MCC) Chapter 17.04.050 outlines several issues the Commission should review. These are outlined in the attached findings. The project may conflict with at least the following two findings that should be discussed by the Commission:

*“The proposed development conforms to city zoning ordinances and subdivision design standards.”*

*“The public facilities, including public utility systems serving the area are adequate to serve the proposed development.”*

MCC Chapters 17.16.030 and 050 state that the subdivider shall be responsible for installing all off site and on site sewer and water mains and that all mains shall extend to the boundaries of the subdivision. The closest sewer main to the property is located approximately 1000 feet to the north at 2600 South. There is a water main in front of the property but it does not extend to the southern end of the property. According to the MCC, the applicant would be responsible for installing a sewer main from the southern end of their frontage on Highway 89 all the way to 2600 South, and to extend the water main to the southwest corner of the property.

In 2011 the City entered into a development agreement with the Ensign Bickford (EBCO) property located at the southern end of the City. According to the development agreement, EBCO is responsible for running both water and sewer mains from the southern end of Highway 89 north in front of the applicant's property and beyond. It is anticipated that construction of these lines will begin in the next six months to a year.

Based on the assumption that EBCO will be installing a sewer main, the applicant is requesting that the requirement that he extend the sewer main be waived. The applicant is requesting that the existing residence and the proposed new residence be allowed to use septic tanks until the sewer main is installed by EBCO across the frontage of his property. According to Utah Code Section 10-8-38, if sewer becomes available within 300 feet of a property, the City may require a property owner to connect to the sewer. If the property owner fails to connect, the City may cause the water to be shut off from the premises until the property is connected.

Staff could possibly support allowing the use of septic tanks on a temporary basis if the applicant agrees to connect to the sewer within three months of when it becomes available with the understanding that if connections are not made, the City will shut off the water to the properties.

Again based on the assumption that EBCO will be installing a new water main, the applicant is also requesting that the requirement that he extend the water main to the southern end of his property be waived. Staff agrees that it doesn't make sense to require the water main to be extended, assuming that EBCO will only be replacing it in the near future with a larger line.

Staff's only concern with waiving the requirements for extending the water and sewer mains is that if for some reason EBCO does not install the new mains, that the applicant would have been given preferential treatment because he was not required to install the lines. One option would be to require a bond to be posted by the applicant to ensure that if the mains are not installed by EBCO within a specific amount of time (possibly three years), that the applicant would then be responsible to install them per City Code. The Commission should discuss this option.

**Trail:** The City's Trails Master Plan envisions a trail running along Highway 89 from the north of town to the south. Since Highway 89 is a UDOT road, the City has had discussions with UDOT regarding the implementation of this trail. UDOT has indicated that it will likely need the full width of the right-of-way in front of this lot for future road widening, and therefore, if the City wants a trail it would need to come from a property dedication from the applicant.

The proposed plat includes a 15 foot wide easement that could be used to develop the trail at some point in the future. Staff is supportive of not requiring the applicant to install the trail on his property at this time as no other segments of the trail have been installed. However, the applicant is requesting that if/when the City does install the trail along the easement, that the existing landscaping on lot 2 be relocated and/or replaced at the City's expense. Staff is not recommending that the City agree to replace the landscaping. The fact that staff is not requesting that the applicant install the trail at his own expense will result in a significant savings to the applicant, and based on these savings it should be the applicant's responsibility to re-landscape his front yard if/when the trail is installed.

Because the applicant is requesting that certain subdivision standards be waived, the final decision making body for this application will be the City Council. Therefore, the Planning Commission will just be making a recommendation at this meeting.

**STAFF RECCOMENDATION**

Recommend approval of the Preliminary and Final plats for the Virginia Estates subdivision with the attached findings and conditions.

**SPECIAL CONDITIONS**

1. All outstanding issues raised in the DRC minutes dated April 8, 2014 shall be addressed prior to plat recording, unless any of the requirements are waived by the City Council.
2. The applicant may install a septic tank for use on lot 1. However, the applicant agrees that both lots will connect to a new sewer main within three months of it coming available. If the lots do not connect within three months, the City shall turn off the culinary water service to the lots.

**ATTACHMENTS**

1. Findings for Decision.
2. Application Materials.
3. DRC Minutes 4/8/14.

<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.	✓

Existing Sewer Main



EBCO's Proposed  
Water & Sewer Mains



Subject Property

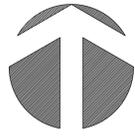


2600 SOUTH

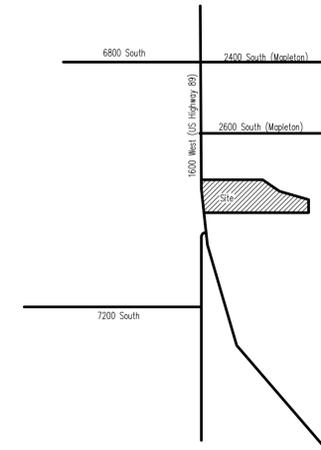
2800 SOUTH

12000 WEST





NORTH  
1" = 40'



Vicinity Map

**Surveyor's Certificate**  
I, Roger D. Dudley, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 147089 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

**Boundary Description**

Commencing at a point located North 0°03'07" East along the Section line 993.30 feet and East 51.45 feet from the Southwest corner of Section 22, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence along existing fence lines the following 7 courses: North 70°43'10" East 62.95 feet, North 89°37'12" East 606.65 feet, South 52°45'15" East 398.58 feet, along the arc of a 150.00 foot radius curve to the left 103.71 feet (chord bears South 72°33'41" East 101.66 feet), North 87°37'54" East 210.33 feet, South 0°06'25" East 77.51 feet, South 89°24'08" West 1161.93 feet; thence along the Easterly boundary of US Highway 89, along the arc of a 2339.04 foot radius curve to the right 129.38 feet (chord bears North 18°49'52" West 129.36 feet); thence North 22°57'36" West 223.06 feet to the point of beginning.

AREA = 6.90 acres

BASIS OF BEARING = South 0°03'07" West along the Section line (NAD27)

DATE \_\_\_\_\_ SURVEYOR \_\_\_\_\_  
(See Seal Below)

**Owner's Dedication**

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

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

**Acceptance of Legislative Body**

THE \_\_\_\_\_ OF \_\_\_\_\_ COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

MAYOR \_\_\_\_\_ ATTEST \_\_\_\_\_  
APPROVED \_\_\_\_\_ CITY ENGINEER (See Seal Below) CITY RECORDER (See Seal Below)

**Rocky Mountain Power Approval**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ BY Rocky Mountain Power.

**Planning Commission Approval**

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

DIRECTOR \_\_\_\_\_ SECRETARY \_\_\_\_\_ CHAIRMAN, PLANNING COMMISSION \_\_\_\_\_

**Utility Company Approvals**

\_\_\_\_\_

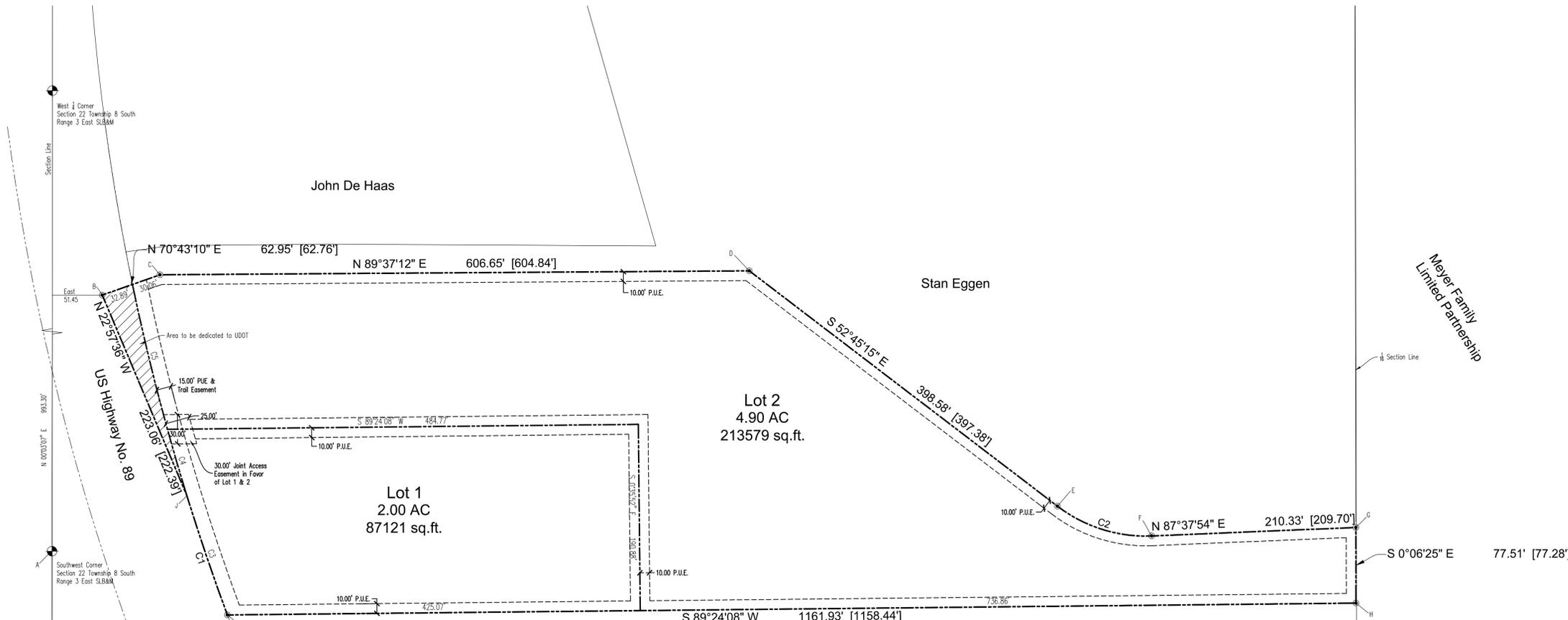
**Conditions of Approval**

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**PLAT " A "**

**Virginia Estates**

MAPLETON \_\_\_\_\_ SUBDIVISION \_\_\_\_\_ UTAH COUNTY, UTAH  
SCALE: 1" = 40 FEET



**State Plane Coordinates**

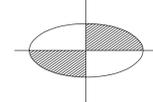
	Northing	Easting
A	643926.6200'	1972998.5000'
B	644819.6251'	1972950.8817'
C	644840.4058'	1973010.2865'
D	644844.4273'	1973616.7462'
E	644603.2655'	1973933.9395'
F	644572.8099'	1974030.8943'
G	644581.4992'	1974240.9828'
H	644504.0122'	1974241.1274'
I	644491.8917'	1973079.6137'
J	644614.2944'	1973037.8701'

Grid Factor = 0.9997

**Curve Data Table**

Curve	Radius	Length	Chord	Bearing	Delta
C1	2339.04'	129.38'	129.36'	N 18°49'52" W	37°0'09"
C2	150.00'	103.71'	101.66'	S 72°33'41" E	39°36'51"
C3	2339.04'	129.38'	129.36'	S 18°49'52" E	37°0'09"
C4	2339.03'	70.68'	70.68'	S 16°22'51" E	174°3'53"
C5	2339.03'	152.78'	152.76'	S 13°38'38" E	374°13"

PREPARED BY



DUDLEY AND ASSOCIATES INC.

**OCCUPANCY RESTRICTION NOTICE**  
ORDINANCE NO. \_\_\_\_\_ OF \_\_\_\_\_, UTAH COUNTY, UTAH, RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN THIS SUBDIVISION. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY \_\_\_\_\_

**ACKNOWLEDGEMENT (PERSONAL)**  
STATE OF UTAH \_\_\_\_\_ S.S. COUNTY OF UTAH \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.  
MY COMMISSION EXPIRES : \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL)

**ACKNOWLEDGEMENT (CORPORATE)**  
STATE OF UTAH \_\_\_\_\_ S.S. COUNTY OF UTAH \_\_\_\_\_  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_ AND \_\_\_\_\_, WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, THE SAID \_\_\_\_\_ IS THE PRESIDENT AND HE THE SAID \_\_\_\_\_ IS THE SECRETARY OF \_\_\_\_\_ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS AND SAID \_\_\_\_\_ AND \_\_\_\_\_ EACH DULY ACKNOWLEDGE TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION.  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC RESIDING AT \_\_\_\_\_

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

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## MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

April 8, 2014 at 8:30am

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

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On March 31, 2014 Dennis Gore submitted revised plans for the Virginia Estates subdivision consisting of 2 lots (one existing) located at 2975 S Hwy 89 in the A-2 Zone.

**Please address the following concerns in revised drawings:**

**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)

1. Please include the addresses on the plat (Lot 1 = 2975 S, Lot 2 = 2935 S)
2. The distance callout on the plat for the northern property line of lot 2 is 606.65', but in the boundary description it shows 606.66'. Please correct so both distances are the same.

**Engineering and Public Works Division**

Gary Calder, City Engineer, Phone (801) 489-6253, Fax (801) 489-5179

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

Scott Bird, Public Works Operation Director, Phone (801) 489-6253, Fax (801) 489-5179

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

**Address the following concerns in revised drawings:**

**Project: Virginia Estates    Date: April 2, 2014**

**Sewer System:**

1. Show 8-inch PVC SDR-35 sewer main will need to be run from 2600 South to and across frontage of subdivision (17.16.050: SEWAGE DISPOSAL :).
2. Show sewer laterals to each lot.
3. Concrete Collars required on all Manholes
4. Recommend sewer laterals not be installed on property side of lots until sewer is install due to potential future conflicts in elevation.

**Water System:**

1. Show 8-inch ductile iron water main across frontage of subdivision approximately from fire hydrant to south property line (17.16.030: CULINARY WATER :).
2. Show 1 inch poly water service to lot 1.
3. Concrete Collars on water valves

**Secondary Water (Pressure Irrigation):**

1. Concrete Collars on Water Valves.

2. Show 8-inch C-900 PVC Pressurized Irrigation main across frontage of subdivision. (17.16.035 PRESSURIZED IRRIGATION: 8-inch main shown on city master plan on Hwy 89 at this location)
3. Show 1 inch single services to each lot.

Storm Drain:

1. Land Disturbance permit with site plan is required. SWPPP and NOI are not required unless more than one acre is disturbed.

Miscellaneous:

1. Postponement of installation of Sewer, Culinary Water or Pressurized Irrigation utilities subject to Mapleton City Council Approval.
2. UDOT Permits may be required.
3. Receive irrigation company approval for work on East Bench Irrigation Company ditches.
4. APWA standards and Mapleton City Addendum will be used on entire project.
5. If Developer does not install sewer extension, reimbursements will be required to be paid when sewer and is installed across frontage of property by other developers.

**Upon plat approval from the Planning Commission, the following items will be required prior to plat recording:**

- Revise drawings to address any outstanding issues raised in the DRC comments and/or project conditions.
- Once revised drawings are submitted, the construction bond amount will be determined by the City Engineer, if any is required.
- Submittal of a bond agreement application with the required bond.
- Payment of impact fees (\$4,528). An additional impact fee of \$6,968 will be required at the time of building permit issuance.
- Submit one water share (Mapleton Irrigation or Hobble Creek).
- Payment of engineering inspection fees (\$170 per lot).
- Payment of street light fee (\$450 per lot).
- Submit a SWPPP and Land Disturbance application and fee. Contact Scott Bird 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 for \$32.00.