

# Mapleton City Planning Commission Staff Report

Meeting Date: September 27, 2012

**Item #:** 3

**Applicant:** Betsy Ferguson

**Prepared by:** Matt Brady

**Zone:** GC-1 (Proposed to be rezoned to R-2 – see item #2 staff report)

**Public Hearing Item:** Yes

**Council Action Required:** No

## **REQUEST:**

Betsy Ferguson requests approval of Wildflower Estates Subdivision, Plat "A" Amended, located at 1816 West 800 North, located in the GC-1 Zone.

## **FINDINGS OF FACT:**

1. The original Wildflower Estates Subdivision, Plat "A" was recorded on June 22, 1996 (see Attachment #1).
2. On December 26, 2002, a boundary line agreement was recorded between the previous owners of the subject property (R. Reid Burrows and Katherine Burrows) and previous owners of the property to the north (Transpeak Equities Inc.), modifying the boundaries of the original Lot 1 of Wildflower Estates Subdivision, Plat "A". This boundary line agreement did not go through the amended plat approval process, as required by Mapleton City Code. The property to the north was subsequently platted in 2004 (the Mapleton Storage Center Planned Unit Development). The amended plat is proposed to legitimize the previously recorded boundary line agreement.
3. Development Review Committee (DRC) has reviewed the proposed amended plat (see Attachment #3 for DRC minutes).
4. The Applicant has submitted revised drawings on September 20, 2012. These drawings are currently under review by Staff.

## **STAFF ANALYSIS:**

1. As stated in comment #4 in the DRC minutes of November 1, 2011 (Attachment #3): "The proposed amended plat is to clean up a 2002 boundary line agreement (Entry # 156181-2002) that did not go through the amended plat process as required by Mapleton City Code 17.04.090: AMENDING AND VACATING A SUBDIVISION PLAT. Mapleton City Code Title 17: DEVELOPMENT CODE, PART II; SUBDIVISIONS normally requires street improvements for subdivisions, including but not limited to curb, gutter, and sidewalks. The Wildflower Subdivision, Plat "A" was approved by the Mapleton City Council in 1996, and such improvements were not required at that time for the original subdivision. Utah State Code 10-9a-508 states: "A municipality may impose an exaction or exactions on development proposed in a land use application, including, subject to Subsection (2), an exaction for a water interest, if: . . . each exaction is roughly proportionate, both in nature and extent, to the impact of the proposed development." It is the opinion of Staff that in this case, since no new/additional subdivision lots are being created (boundary line adjustment only), the proposed amended plat should not create any additional impacts to Mapleton City. Thus, it is the opinion of Staff that improvements should not be required for this proposed amended plat."

## **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed amended plat, with the condition that the Applicant resolve all items listed in the DRC Minutes of November 1, 2011 (see Attachment #3).

## **ATTACHMENTS:**

1. Recorded Plat – Wildflower Estates Subdivision, Plat "A"
2. Proposed Amended Plat – Wildflower Estates Subdivision, Plat "A" Amended
3. DRC Minutes – Wildflower Estates Subdivision, Plat "A" Amended

**VICINITY MAP:**



**SITE PHOTO:**

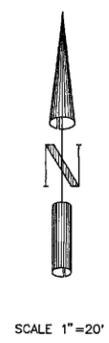
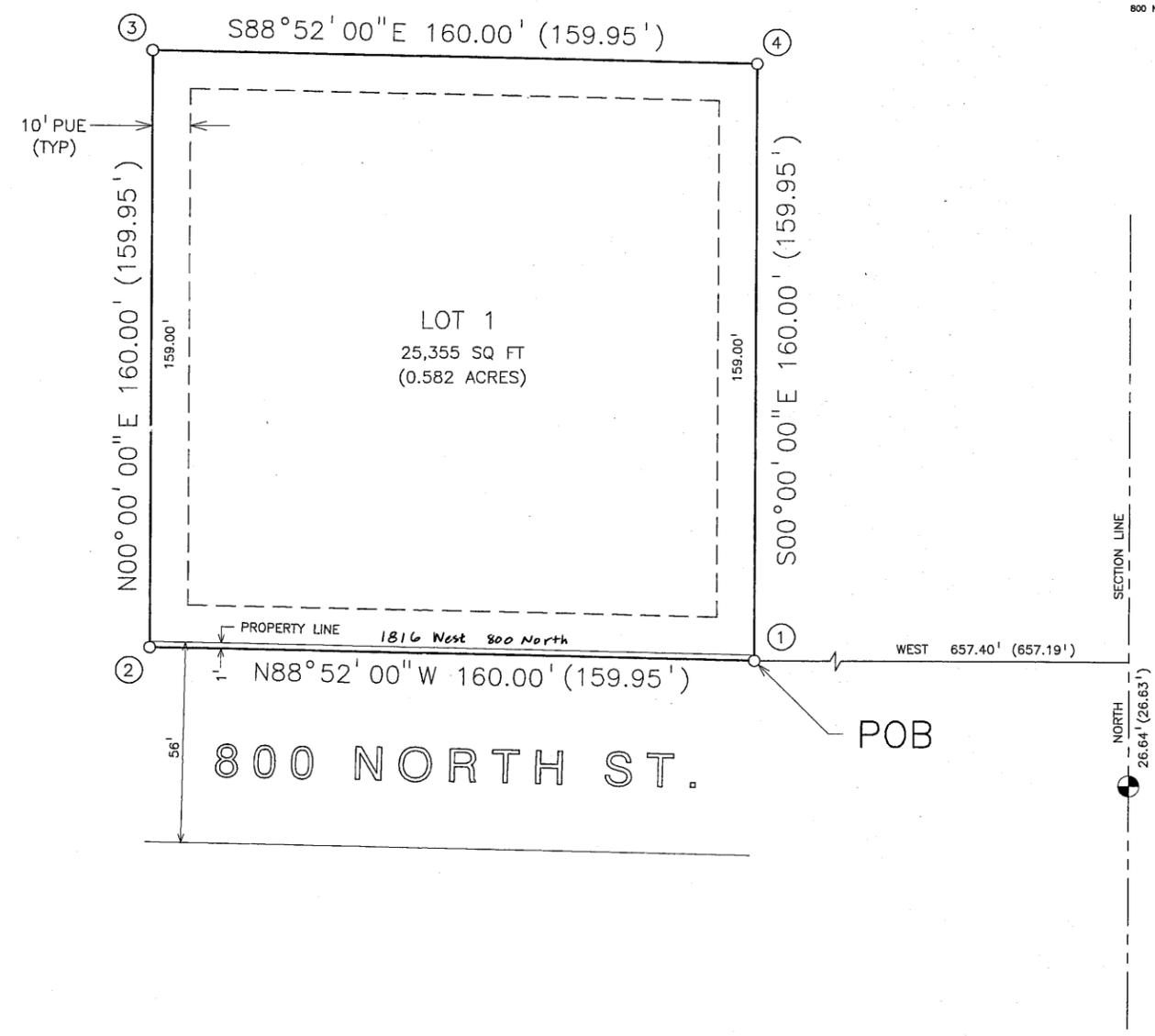
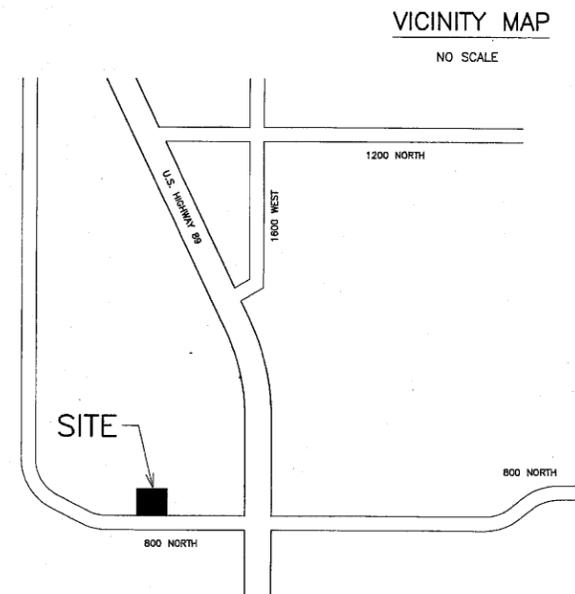


Looing northwest at the Ferguson home (1816 West 800 North)

STATE PLANE COORDINATE TABLE		
NO.	NORTHING	EASTING
1	857,178.56	1,972,185.29
2	857,179.73	1,972,025.37
3	857,339.88	1,972,025.37
4	857,338.51	1,972,185.29

GRID/GROUND CONVERSION FACTOR = 0.99968852

NOTE:  
THIS SUBDIVISION IS LOCATED IN THE IMMEDIATE VICINITY OF A JUNK YARD AND A FEED AND CATTLE RAISING YARD.



E 1/4 COR SEC 9,  
T8S, R3E, SLB & M  
X = 1,972,842.48  
Y = 657,149.93

0647-79

VICINITY MAP  
NO SCALE

SURVEYOR'S CERTIFICATE

I, D. ECCLES CAMERON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 122775 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY THE 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 NORTH ALONG THE SECTION LINE 26.64 FEET AND WEST 657.40 FEET FROM THE EAST 1/4 CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE AS FOLLOWS:

COURSE	DISTANCE	REMARKS
N88°52'00"W	160.00'	ALONG 800 NORTH STREET
N00°00'00"E	160.00'	LEAVING 800 NORTH STREET
S88°52'00"E	160.00'	
S00°00'00"E	160.00'	TO THE POINT OF BEGINNING

AREA = 0.588 ACRES BASIS OF BEARING = NORTH ALONG THE SECTION LINE

DATE 11-17-95 SURVEYOR D. Eccles Cameron

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, 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 PUBLIC.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 17<sup>th</sup> DAY OF Nov, A.D. 19 95.  
R. Reid Burrows Katherine Burrows  
 R. REID BURROWS KATHERINE BURROWS

ACKNOWLEDGEMENT

STATE OF UTAH } S.S.  
 COUNTY OF UTAH }  
 ON THE 17<sup>th</sup> DAY OF Dec, A.D. 19 95, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.  
 MY COMMISSION EXPIRES 10/30/97 NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MAPLETON 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 16 DAY OF JAN, A.D. 19 96.  
Richard Maxfield MAYOR - RICHARD MAXFIELD  
San Diego Robert D. Bunnell  
 CITY ENGINEER (SEE SEAL BELOW) ATTEST - CITY RECORDER (SEE SEAL BELOW)

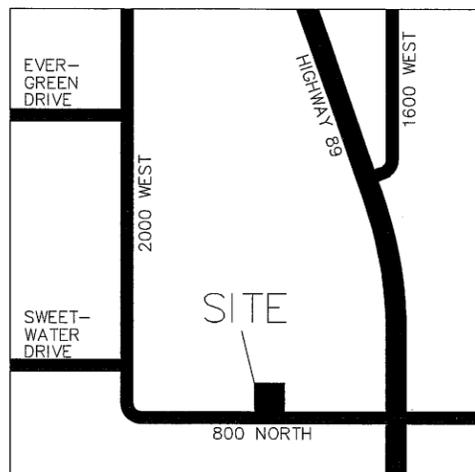
BOARD OF HEALTH

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS  
 CITY-COUNTY HEALTH DEPARTMENT  
 PLANNING COMMISSION APPROVAL  
 APPROVED THIS 14 DAY OF Dec, A.D. 19 95, BY THE  
 MAPLETON PLANNING COMMISSION CHAIRMAN  
Boyd Adams  
 CHAIRMAN, PLANNING COMMISSION

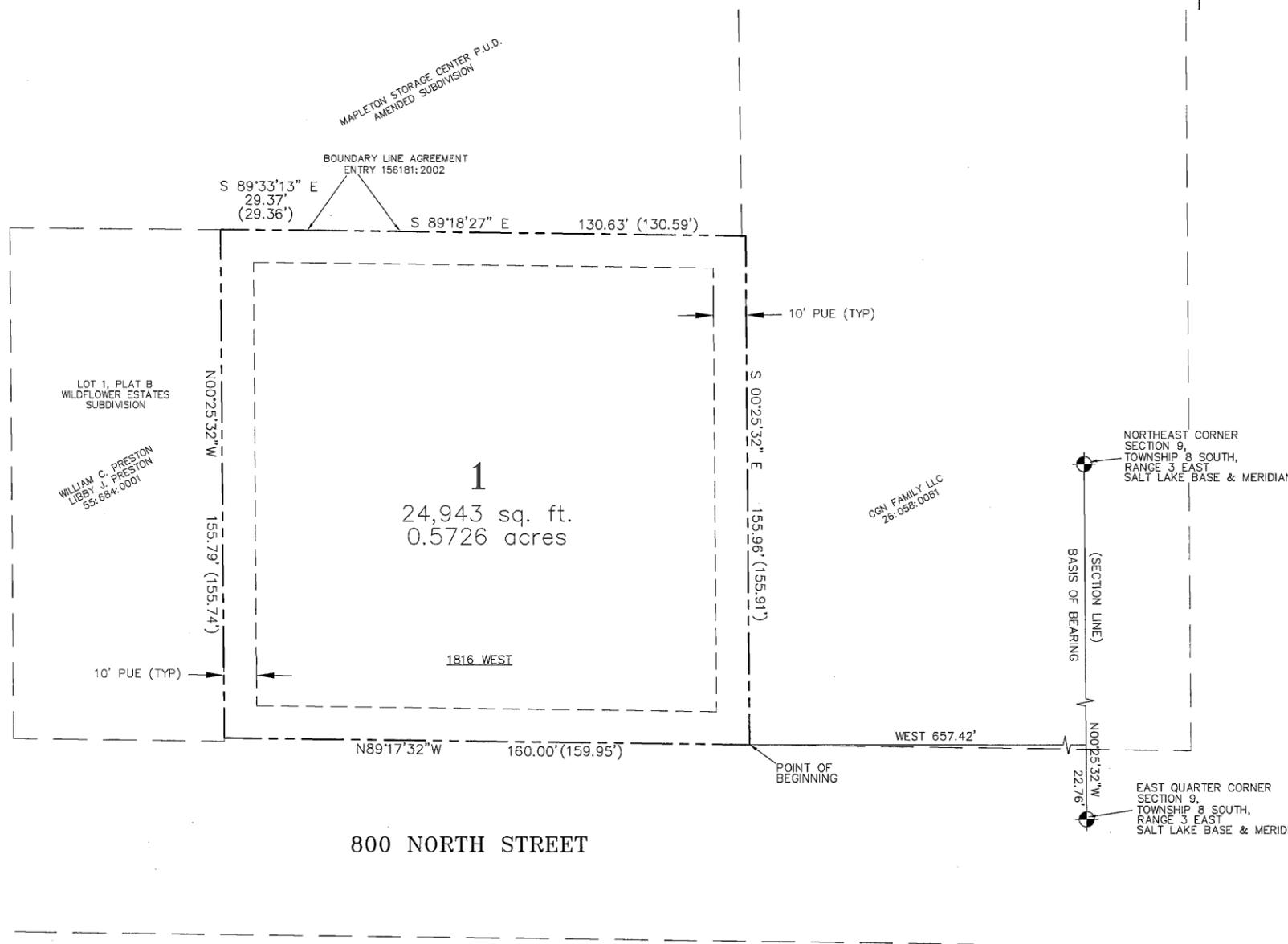
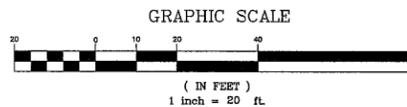
PLAT "A"  
**WILDFLOWER ESTATES**  
 SUBDIVISION  
 MAPLETON UTAH COUNTY, UTAH  
 SCALE 1" = 20 FEET

SURVEYOR'S SEAL 	NOTARY PUBLIC SEAL 	CITY PROFESSIONAL SEAL NO. 142870 ROBERT D. GUNNELL UTAH COUNTY, UTAH	CITY SEAL 
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OK-SF  
TU-140  
NE 9-83  
6-18-96



VICINITY MAP



**SURVEYOR'S CERTIFICATE**  
 I, DAVID F. HUNT, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5243243, 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 THE SOUTHEAST CORNER OF LOT 1, PLAT "A", WILDFLOWER ESTATES SUBDIVISION ACCORDING TO THE OFFICIAL PLAT OF RECORD ON FILE AT THE UTAH COUNTY RECORDER'S OFFICE, SAID POINT BEING LOCATED NORTH 00°25'32" WEST ALONG THE SECTION LINE 22.76 FEET AND WEST 657.42 FEET FROM THE EAST QUARTER CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN; THENCE ALONG SAID LOT 1, PLAT "A", WILDFLOWER ESTATES SUBDIVISION THE FOLLOWING TWO (2) COURSES: NORTH 89°17'32" WEST 160.00 FEET & NORTH 00°25'32" WEST 155.79 FEET TO A POINT ON A BOUNDARY LINE AGREEMENT (ENTRY 156181:2002); THENCE ALONG SAID BOUNDARY LINE AGREEMENT, AND EXTENSION THEREOF, THE FOLLOWING TWO (2) COURSES: SOUTH 89°33'13" EAST 29.37 FEET & SOUTH 89°18'27" EAST 130.63 FEET TO A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 1, PLAT "A", WILDFLOWER ESTATES SUBDIVISION; THENCE ALONG SAID LOT 1, PLAT "A", WILDFLOWER ESTATES SUBDIVISION SOUTH 00°25'32" EAST 155.96 FEET TO THE POINT OF BEGINNING.

AREA = 24,963 SQ. FT. OR 0.5726 ACRES

BASIS OF BEARING = NORTH 00°25'32" WEST ALONG THE SECTION LINE FROM THE EAST QUARTER CORNER TO THE NORTHEAST CORNER OF SAID SECTION 9.

ROTATION NOTE: THIS BEARINGS ON THIS PLAT REFLECT THE ROTATION OF THE EXISTING WILDFLOWER ESTATES SUBDIVISION TO THE BASIS OF BEARING AS STATED AND SHOWN HEREON.

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

**OWNER'S DEDICATION**  
 KNOW ALL MEN BY THESE PRESENT THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP, 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 PUBLIC. IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_.

**ACKNOWLEDGEMENT**  
 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 Below)

**ACCEPTANCE BY THE MAPLETON CITY COUNCIL**  
 THE MAPLETON CITY COUNCIL 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 \_\_\_\_\_ MAYOR

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

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

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

PLAT "A" AMENDED

**WILDFLOWER ESTATES**

RESIDENTIAL SUBDIVISION  
 MAPLETON CITY, \_\_\_\_\_ UTAH COUNTY, UTAH

SCALE: 1" = 20 FEET

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

**UTILITY COMPANIES ACCEPTANCE**

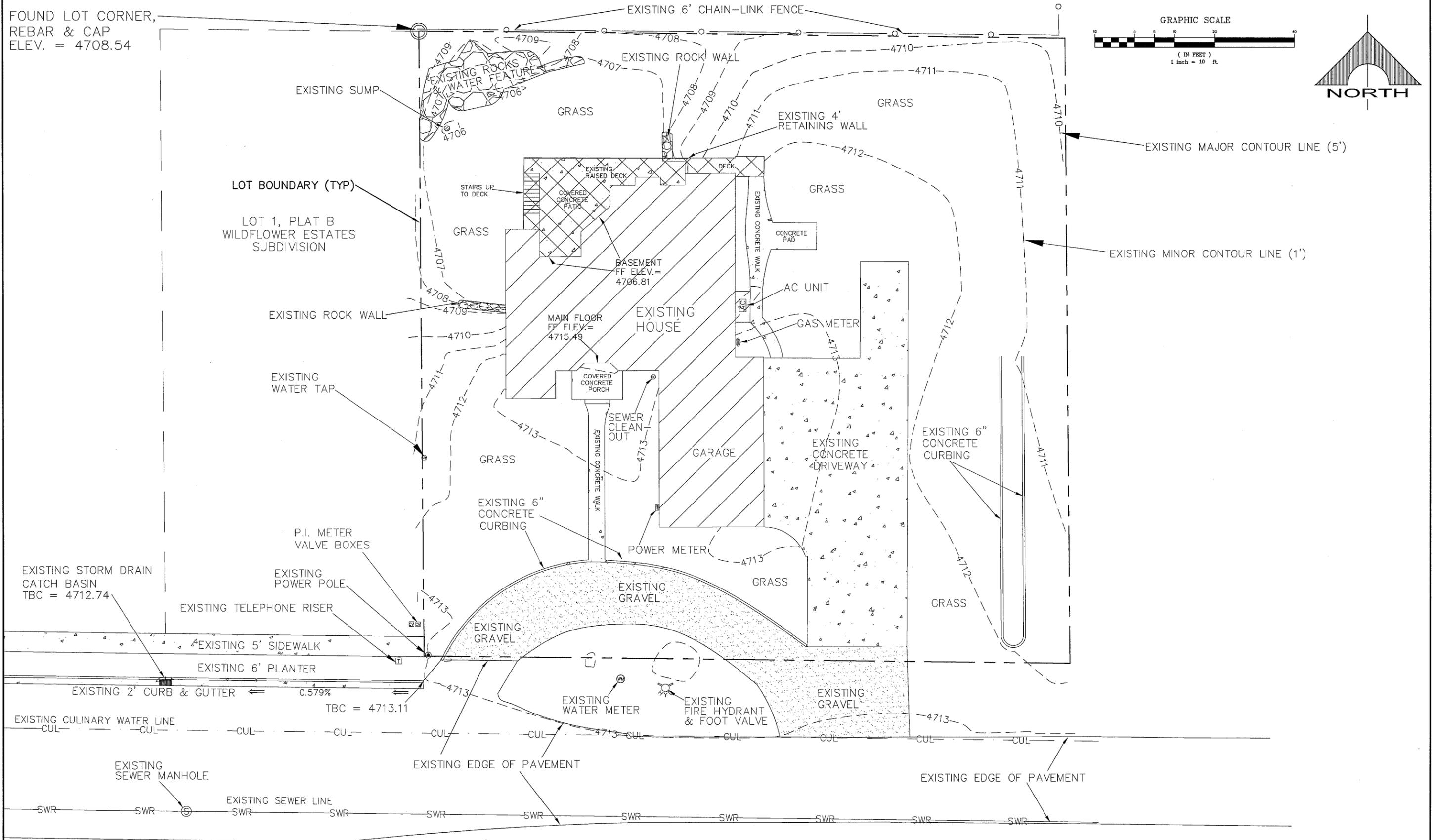
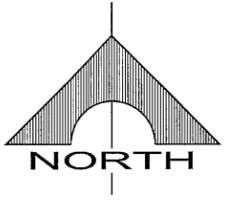
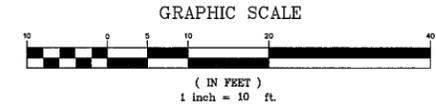
APPROVED _____ ROCKY MOUNTAIN POWER	APPROVED _____ QUESTAR
APPROVED _____ COMCAST	
APPROVED _____ QWEST	

- NOTES**
- LOT 1 HAS AN EXISTING HOME ON IT.
  - THIS SUBDIVISION IS LOCATED IN THE NORTHEAST QUARTER OF SECTION 9, T8S, R3E, SLB&M

PREPARED BY: **LEVEL OF FOCUS, INC**  
 DAVID F. HUNT, P.L.S.  
 1334 EAST 1150 SOUTH  
 SPANISH FORK, UTAH 84660  
 (801) 319-5441 LEVELOFFOCUS@GMAIL.COM

11-15-2010  
 DATE

FOUND LOT CORNER,  
REBAR & CAP  
ELEV. = 4708.54



REVISIONS	BY	PREPARED BY: <b>LEVEL OF FOCUS, INC</b> DAVID F. HUNT, P.L.S. 1334 EAST 1150 SOUTH SPANISH FORK, UTAH 84660 (801) 319-5441 LEVELOFFOCUS@GMAIL.COM	<b>WILDFLOWER ESTATES PLAT "A" AMENDED</b>			DESIGNER	DRAWN BY	CHECKED BY	SHEET
						DFH	DFH	DFH	
		DATE	<b>SITE PLAN (AS-BUILT)</b>			SCALE	PROJECT NO.	1 OF 1	
		11-27-2010				1" = 10'			
		DATE	MAPLETON			ADDRESS			
			UTAH			1816 WEST 800 NORTH MAPLETON UT			

# ATTACHMENT #3

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## MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, November 1, 2011

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

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Betsy Ferguson requests approval of Wildflower Estates Subdivision, Plat "A" Amended, located at 1816 West 800 North, located in the GC-1 Zone.

Applicant Phone Number: (801) 376-4018  
Applicant E-mail: betsy.ferguson1@gmail.com  
Application Submitted: October 19, 2011  
Drawing Submittal: 1<sup>st</sup> Submittal  
Drawings Submitted: October 19, 2011

### **Community Development Department**

Cory Branch, Community Development Director, Phone: (801) 806-9101, Fax: (801) 489-5657  
Email: cbranch@mapleton.org  
Matt Brady, Planner I, Phone: (801) 806-9108, Fax: (801) 489-5657  
Email: mbrady@mapleton.org

### **Engineering and Public Works Division**

Gary Calder, City Engineer / Public Works Director, Phone (801) 489-6253, Fax (801) 489-5179  
E-mail: gcalder@mapleton.org  
Scott Bird, Public Works Operations Director, Phone: (801) 489-6253, Fax: (801) 489-5179  
Email: sbird@mapleton.org

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

1. Please include state plane coordinate table and grid factor as in the original plat and show state plane coordinates for the section corners.
2. Add grid distances in parentheses next to ground distances on the 2 calls to the point of beginning.
3. As per Mapleton City Code 17.08.030(F), please submit: *"A title report, covering the property within the final plat area, to identify all interests in the property which have an effect on the title, and to establish that the land proposed for subdivision is free of boundary conflicts. The purpose of this requirement shall be to ensure that purchasers of lots will have a clear and marketable title."*
4. The proposed amended plat is to clean up a 2002 boundary line agreement (Entry # 156181-2002) that did not go through the amended plat process as required by Mapleton City Code 17.04.090: AMENDING AND VACATING A SUBDIVISION PLAT. Mapleton City Code Title 17: DEVELOPMENT CODE, PART II; SUBDIVISIONS normally requires street improvements for subdivisions, including but not limited to curb, gutter, and sidewalks. The Wildflower Subdivision, Plat "A" was approved by the Mapleton City Council in 1996, and such improvements were not required at that time for the original subdivision. Utah State Code 10-9a-508 states: *"A municipality may impose an exaction or exactions on development proposed in a land use application, including, subject to Subsection (2), an exaction for a water interest, if: . . . each exaction is roughly proportionate, both in nature and extent, to the impact of the proposed development."* It is the opinion of Staff that in this case, since no new/additional subdivision lots are being created (boundary line adjustment only), the proposed

amended plat should not create any additional impacts to Mapleton City. Thus, it is the opinion of Staff that improvements should not be required for this proposed amended plat.

5. Please submit revised drawings to include: 2 - 11x17 drawings, 2 - 24x36 drawings, and 1 CD containing CAD and PDF files for the project.