

Mapleton City Planning Commission Staff Report

Meeting Date: October 18, 2012

Item #: 2

Applicant: Betsy Ferguson

Prepared by: Matt Brady

Public Hearing Item: Yes

Council Action Required: No

REQUEST:

(Continued 9/27/12) Betsy Ferguson requests approval of Wildflower Estates Subdivision, Plat "A" Amended, located at 1816 West 800 North, located in the GC-1 Zone.

This item was heard by the Planning Commission on September 27, 2012. See attached for the original staff report from the September 27, 2012 meeting. The Planning Commission continued the item to October 18, 2012 to get an opinion from the City Attorney regarding whether the City should or should not require improvements for the proposed amended plat. The City Attorney is currently reviewing this item, and staff will report at the night of the Planning Commission meeting on his recommendation.

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:

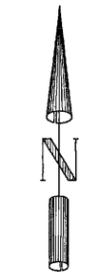
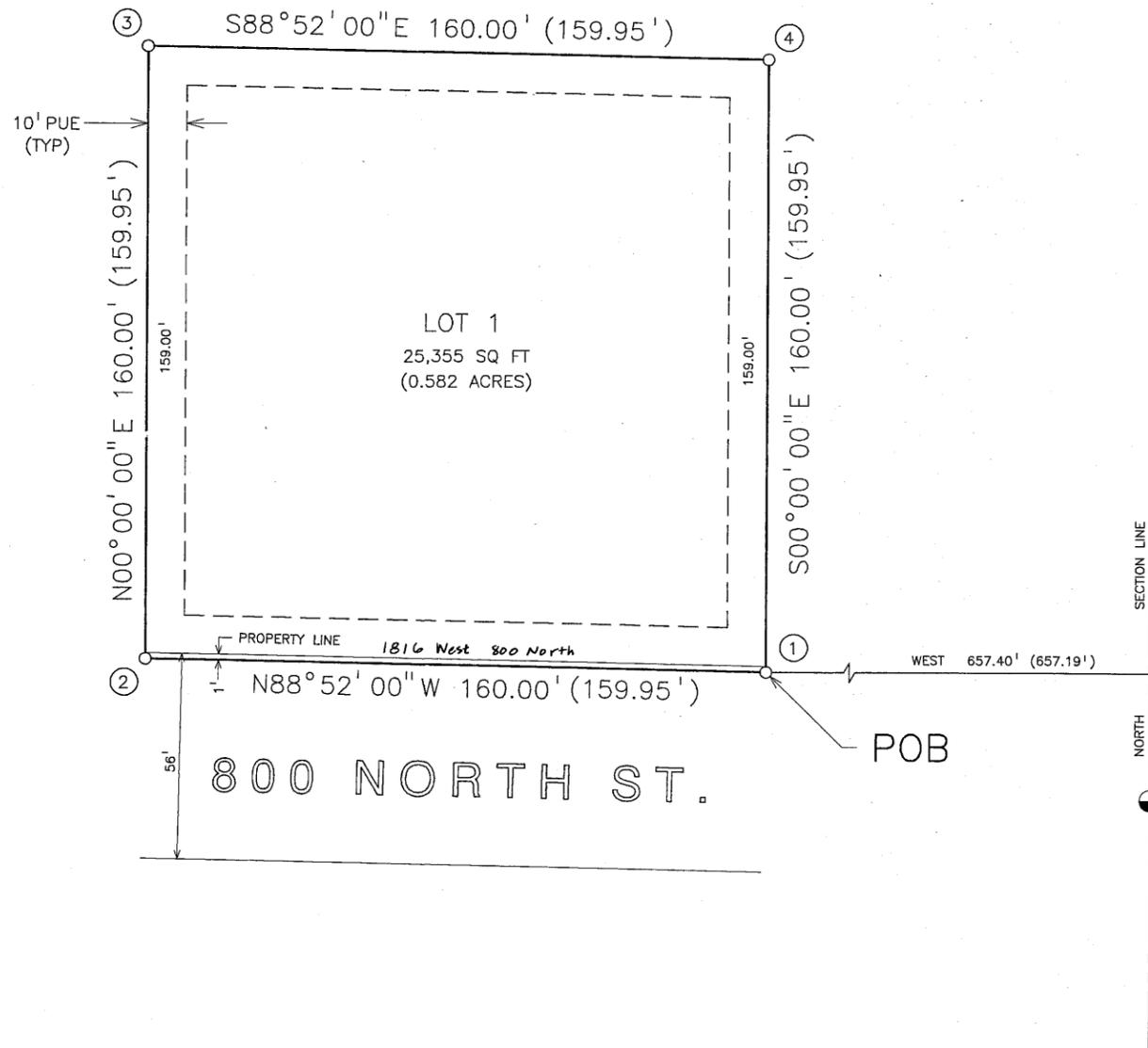
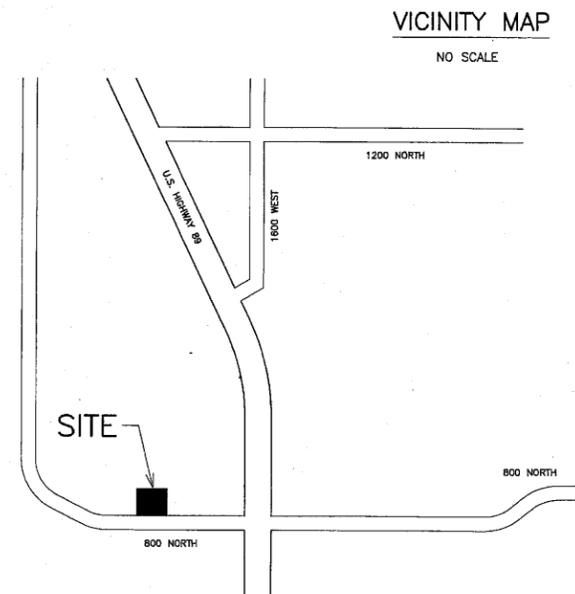


Looing northwest at the Ferguson home (1816 West 800 North)

STATE PLANE COORDINATE TABLE		
NO.	NORTHING	EASTING
1	857,176.56	1,972,185.29
2	857,179.73	1,972,025.37
3	857,339.88	1,972,025.37
4	857,336.51	1,972,185.29

GRID/GROUND CONVERSION FACTOR = 0.9996852

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



SCALE 1" = 20'

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

11-17-95 DATE D. Eccles Cameron 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, 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 19th DAY OF Dec, 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 15th 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
Robert D. Gunnell NOTARY PUBLIC (SEE SEAL BELOW)

ACCEPTANCE BY LEGISLATIVE BODY

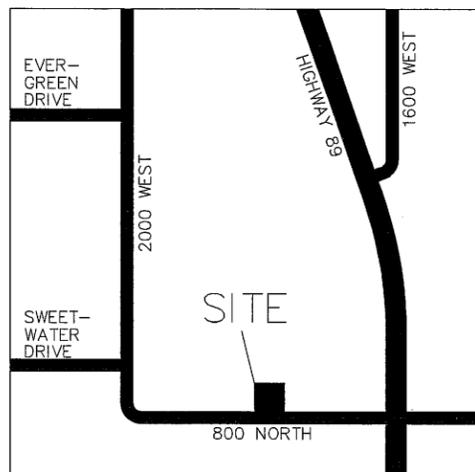
THE CITY COUNCIL OF MAPLETON COUNTY OF UTAH, APPROVES THIS SUBDIVISION AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS 16 DAY OF JAN, A.D. 19 96.
Richard Maxfield MAYOR - RICHARD MAXFIELD
San Diego Robert D. Gunnell
ATTEST - CITY ENGINEER (SEE SEAL BELOW) ATTEST - CITY RECORDER (SEE SEAL BELOW)

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

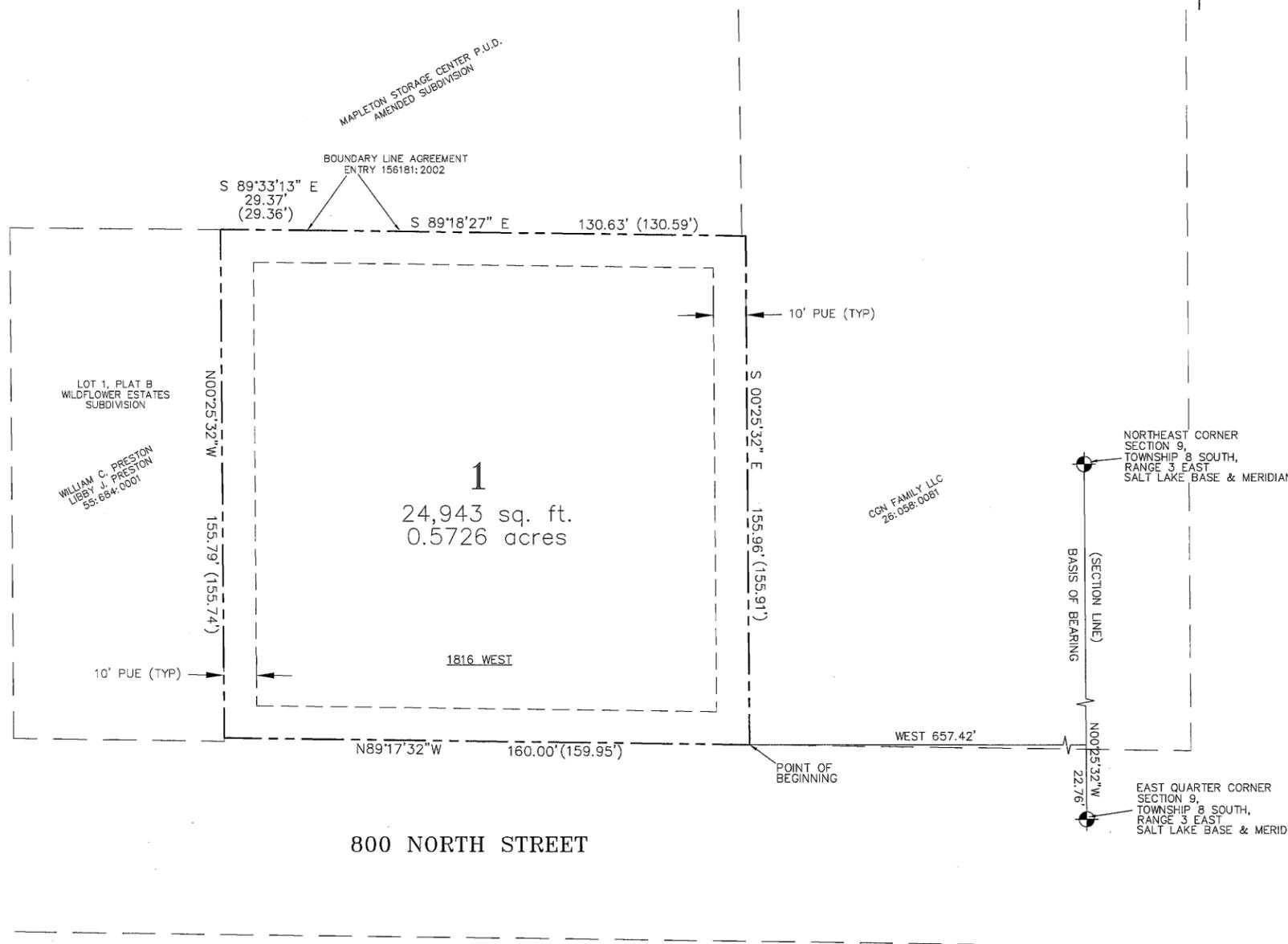
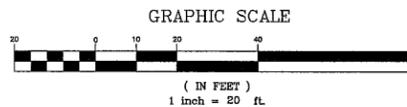
PLAT "A"
WILDFLOWER ESTATES
SUBDIVISION
MAPLETON UTAH COUNTY, UTAH
SCALE 1" = 20 FEET

SURVEYOR'S SEAL 	NOTARY PUBLIC SEAL 	CITY ENGINEER SEAL NO. 142870 ROBERT D. GUNNELL UTAH STATE ENGINEERS 	CITY RECORDER SEAL
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OK-SF
TU-140
ME 9-8-95
618-96



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

- NOTES**
1. LOT 1 HAS AN EXISTING HOME ON IT.
 2. 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

UTILITY COMPANIES ACCEPTANCE

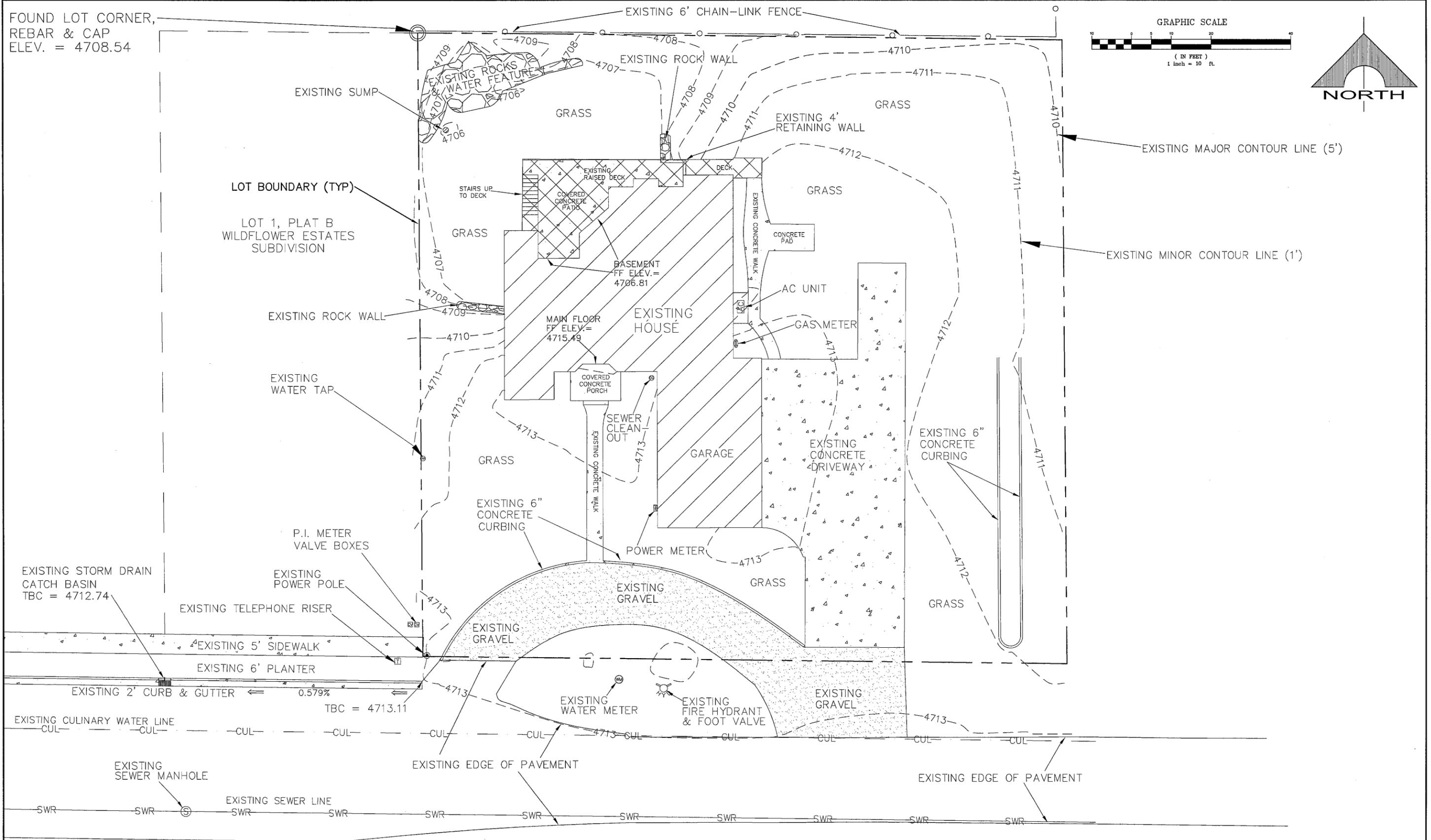
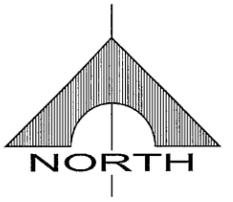
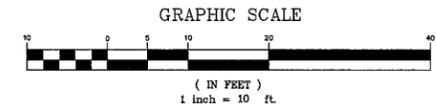
APPROVED _____ ROCKY MOUNTAIN POWER APPROVED _____ QUESTAR

APPROVED _____ COMCAST

APPROVED _____ QWEST

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

FOUND LOT CORNER,
REBAR & CAP
ELEV. = 4708.54



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

ATTACHMENT #3

MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

Tuesday, November 1, 2011

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

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: 1st 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.