

City Council Staff Report

February 17, 2015

Applicant: Wendell Gibby

Location: 2000 E Maple St

Prepared by: Sean Conroy,
Community Development
Director

Public Hearing: No

Zone: RA-1, CE-1

Attachments:

1. Application
Materials.
2. Approved Special
Conditions dated
5/6/14.

REQUEST

Consideration of a request to amend the approvals for Preliminary Plats “A” and “C” and Final Plat “A” of the Freedom Vista Subdivision located generally at 2000 E Maple Street in the RA-1 and CE-1 zones.

BACKGROUND AND PROJECT DESCRIPTION

On May 6, 2014 the City Council approved the preliminary plats “A-D” and final plat “A” of the Freedom Vista subdivision. Plat “A” consists of 16 lots and plats “A-D” consist of 42 lots, for a total build-out of 58 lots. As part of the final approval of Plat “A”, the City Council required that a stub street be provided between lot 13 of Plat “A” and lot 17 of Plat “C” (see attachment “2”).

On July 1, 2014 the applicant filed a lawsuit with the 4th District Court challenging, among other things, the legality of the stub street requirement. Plat “A” as approved cannot be recorded, and construction cannot begin, until the lawsuit is resolved.

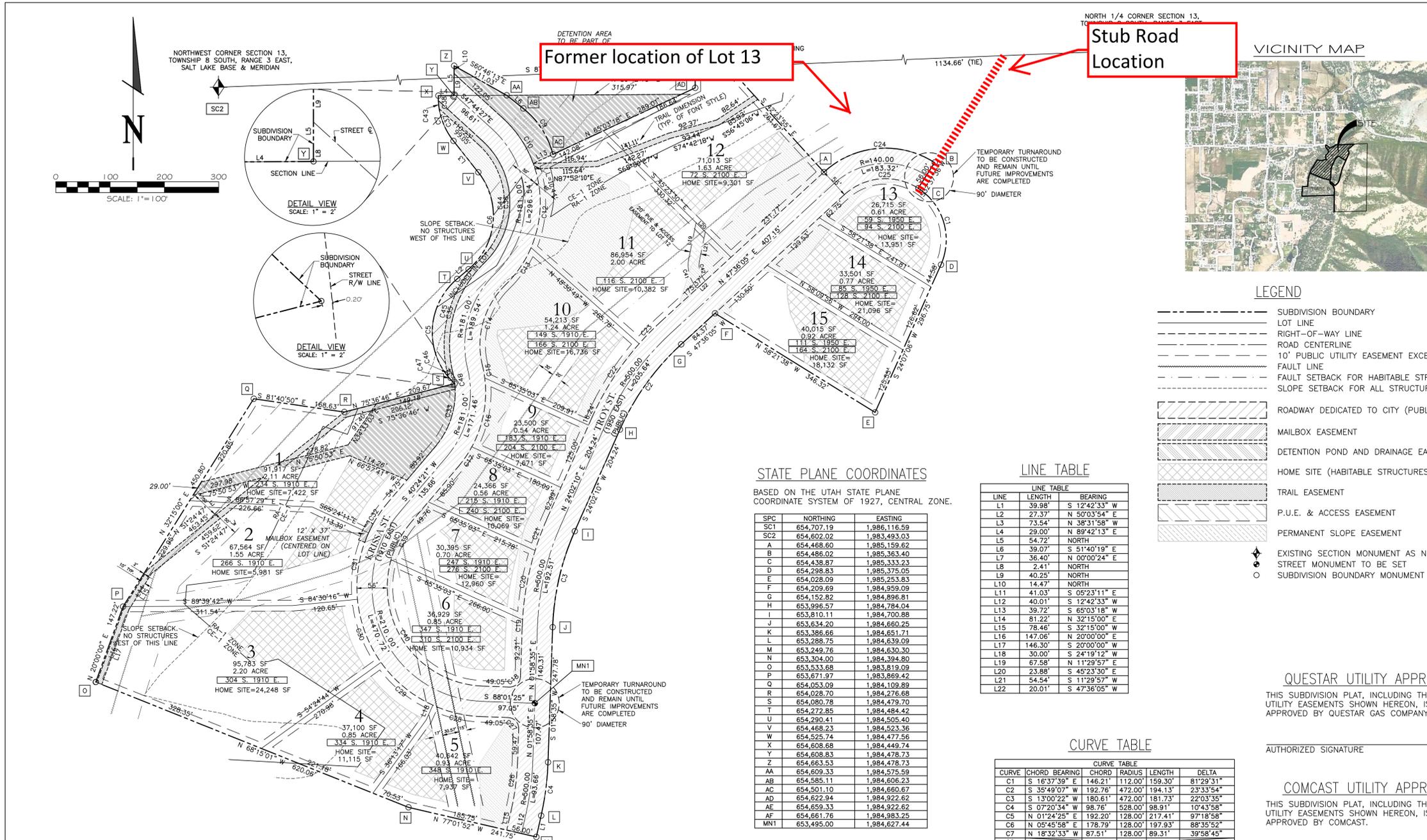
The applicant is now requesting to amend Plat “A” to eliminate lot 13 and include it in Plat “C” (see attachment “1”).

OPTIONS

- 1) Approve the application as submitted.
- 2) Approve the application with conditions.
- 3) Continue the application with a request for changes and/or additional information.
- 4) Deny the application.

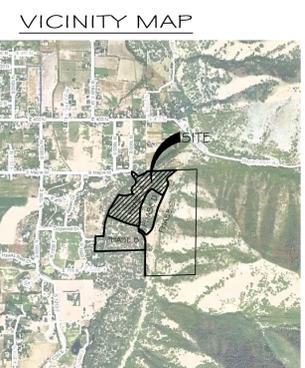
RECOMMENATION

Take action on the proposed plat amendment.



Former location of Lot 13

Stub Road Location



VICINITY MAP

LEGEND

- SUBDIVISION BOUNDARY
- LOT LINE
- RIGHT-OF-WAY LINE
- ROAD CENTERLINE
- 10' PUBLIC UTILITY EASEMENT EXCEPT AS NOTED
- FAULT LINE
- FAULT SETBACK FOR HABITABLE STRUCTURES
- SLOPE SETBACK FOR ALL STRUCTURES
- ROADWAY DEDICATED TO CITY (PUBLIC)
- MAILBOX EASEMENT
- DETENTION POND AND DRAINAGE EASEMENT
- HOME SITE (HABITABLE STRUCTURES)
- TRAIL EASEMENT
- P.U.E. & ACCESS EASEMENT
- PERMANENT SLOPE EASEMENT
- EXISTING SECTION MONUMENT AS NOTED
- STREET MONUMENT TO BE SET
- SUBDIVISION BOUNDARY MONUMENT TO BE SET

STATE PLANE COORDINATES

BASED ON THE UTAH STATE PLANE COORDINATE SYSTEM OF 1927, CENTRAL ZONE.

SPC	NORTHING	EASTING
SC1	654,707.19	1,986,116.59
SC2	654,602.02	1,983,493.03
A	654,468.80	1,985,159.62
B	654,466.02	1,985,363.40
C	654,438.87	1,985,333.23
D	654,298.83	1,985,375.05
E	654,028.09	1,985,253.83
F	654,209.69	1,984,959.09
G	654,152.82	1,984,896.81
H	653,996.57	1,984,784.04
I	653,871.97	1,984,700.88
J	653,634.20	1,984,660.25
K	653,386.66	1,984,651.71
L	653,288.75	1,984,639.09
M	653,249.76	1,984,630.30
N	653,304.00	1,984,394.80
O	653,533.68	1,983,819.09
P	653,810.11	1,984,700.88
Q	654,053.09	1,984,109.89
R	654,028.70	1,984,276.68
S	654,080.78	1,984,479.70
T	654,272.85	1,984,484.42
U	654,290.41	1,984,505.40
V	654,468.23	1,984,523.36
W	654,510.74	1,984,477.56
X	654,608.68	1,984,449.74
Y	654,608.83	1,984,478.73
Z	654,663.53	1,984,478.73
AA	654,609.33	1,984,575.59
AB	654,585.11	1,984,606.23
AC	654,501.10	1,984,660.87
AD	654,622.94	1,984,922.62
AE	654,659.33	1,984,922.62
AF	654,661.76	1,984,983.25
MN1	653,495.00	1,984,627.44

LINE TABLE

LINE	LENGTH	BEARING
L1	39.98'	S 12°42'33" W
L2	27.37'	N 50°03'54" E
L3	73.54'	N 38°31'58" W
L4	29.00'	N 89°42'13" E
L5	54.72'	NORTH
L6	39.07'	S 51°40'19" E
L7	36.40'	N 00°00'24" E
L8	2.41'	NORTH
L9	40.25'	NORTH
L10	14.47'	NORTH
L11	41.03'	S 05°23'11" E
L12	40.01'	S 12°42'33" W
L13	39.72'	S 65°03'18" W
L14	81.22'	N 32°15'00" E
L15	78.46'	S 32°15'00" W
L16	147.06'	N 20°00'00" E
L17	146.30'	S 20°00'00" W
L18	30.00'	S 24°19'12" W
L19	67.58'	N 11°29'57" E
L20	23.88'	S 45°23'30" E
L21	54.54'	S 11°29'57" W
L22	20.01'	S 47°36'05" W

CURVE TABLE

CURVE	CHORD BEARING	CHORD	RADIUS	LENGTH	DELTA
C1	S 16°37'39" E	146.21'	112.00'	159.30'	81°29'31"
C2	S 35°49'07" W	192.78'	472.00'	194.13'	23°33'54"
C3	S 13°00'22" W	180.61'	472.00'	181.73'	22°03'35"
C4	S 07°20'34" W	98.76'	528.00'	98.91'	10°43'58"
C5	N 01°24'25" E	192.20'	128.00'	217.41'	97°18'58"
C6	N 05°45'58" E	178.79'	128.00'	197.93'	88°35'52"
C7	N 18°32'33" W	87.51'	128.00'	89.31'	39°58'45"
C8					
C9	S 32°56'32" E	100.14'	155.93'	101.95'	37°27'35"
C10	N 33°56'41" W	99.68'	209.00'	100.65'	27°35'31"
C11					
C12	N 01°31'57" E	154.43'	209.00'	158.18'	43°21'46"
C13	N 34°40'19" E	83.03'	209.00'	83.59'	22°54'57"
C14	N 16°07'47" E	153.00'	153.00'	160.22'	60°00'00"
C15	N 10°34'54" W	23.98'	209.00'	23.99'	6°34'37"
C16	N 10°38'23" E	128.70'	209.00'	130.83'	35°51'56"
C17	N 34°29'21" E	43.09'	209.00'	43.17'	11°50'01"
C18	N 46°58'35" E	28.28'	20.00'	31.42'	90°00'00"
C19	S 02°37'16" W	11.88'	528.00'	11.88'	1°17'22"
C20	S 10°16'39" W	128.90'	528.00'	129.23'	14°01'23"
C21	S 20°39'45" W	62.14'	528.00'	62.18'	6°44'50"
C22	S 32°45'41" W	160.19'	528.00'	160.81'	17°27'01"
C23	S 44°32'36" W	56.32'	528.00'	56.32'	6°06'54"
C24	N 85°06'50" E	204.60'	168.00'	219.99'	75°01'31"
C25	S 85°06'50" W	136.40'	112.00'	146.66'	75°01'31"
C26	N 07°20'34" E	88.29'	472.00'	88.42'	10°43'58"
C27	N 43°01'25" W	28.28'	20.00'	31.42'	90°00'00"
C28	N 76°51'07" W	92.23'	238.00'	92.81'	22°20'37"
C29	N 50°38'02" W	123.57'	238.00'	125.00'	30°05'32"
C30	N 20°32'20" W	79.00'	128.00'	79.00'	30°55'03"
C31	N 09°33'03" E	123.57'	238.00'	125.00'	30°05'32"
C32	N 32°30'05" E	65.46'	238.00'	65.67'	15°48'32"
C33	S 17°10'45" W	120.68'	153.00'	124.05'	46°27'12"
C34	S 09°57'32" E	20.87'	153.00'	20.89'	7°49'22"
C35	S 16°07'47" W	209.00'	209.00'	218.86'	60°00'00"
C36	S 00°48'20" E	223.56'	153.00'	250.67'	93°52'15"
C37	N 00°48'20" W	79.00'	128.00'	80.32'	30°55'03"
C38	S 00°34'02" E	9.00'	128.00'	9.00'	4°01'42"
C39	S 28°08'28" W	77.33'	182.00'	77.92'	24°31'47"
C40	S 36°04'26" E	286.84'	182.00'	330.04'	103°53'59"
C41	S 16°19'55" E	56.02'	60.00'	58.29'	55°39'45"
C42	N 18°46'25" W	37.89'	40.00'	39.48'	56°32'43"
C43	N 05°58'28" W	15.00'	128.00'	15.01'	6°43'10"
C44	N 00°48'20" W	208.95'	143.00'	234.28'	93°52'15"
C45	N 16°07'47" E	219.00'	219.00'	229.34'	60°00'00"
C46	N 12°37'33" W	6.21'	143.00'	6.21'	2°29'20"
C47	N 43°29'06" W	16.81'	128.00'	16.83'	7°31'56"
C48	S 08°03'21" E	31.00'	153.00'	31.05'	11°37'44"

NOTES:

- ALL LOTS SUBJECT TO A 10' PUBLIC UTILITY EASEMENT ON ALL LOT LINES.
- LOTS SUBJECT TO A PERMANENT SLOPE EASEMENT AS SHOWN. SLOPES ARE GENERALLY 2:1 IN THESE EASEMENTS. DRIVEWAY ACCESS IS NOT ALLOWED WITHIN THE SLOPE EASEMENT, EXCEPT THAT ONE DRIVEWAY ACCESS OF 20' MAXIMUM WIDTH IS PERMITTED FOR LOTS 7, 8, AND 12. XERISCAPE OR DRIP IRRIGATION RECOMMENDED.
- GEOLOGICAL HAZARDS MAY BE PRESENT. SEE EARTHTEC REPORT DATED NOVEMBER 23, 2005 ON FILE WITH THE CITY OF MAPLETON. FOR EACH LOT, A GEOLOGICAL HAZARD LETTER WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT. ALSO SEE CITY CODE SECTION 18.32.050(H) REGARDING SETBACKS BASED ON GEOTECHNICAL INFORMATION.
- CONSTRUCTION TRUCKS ENTERING DEVELOPMENT AT KRISSA STREET SHALL ENTER VIA 1900 EAST.
- SEWER GRINDER PUMP REQUIRED FOR LOTS 1, 2, 3, 4, 5, 11, AND 12.
- LOTS WITH DOUBLE FRONTAGE ALLOWED ONLY ONE ACCESS.
- LOTS WITH DETENTION BASINS WILL BE SEEDED WITH NATURAL VEGETATION UPON CONSTRUCTION AND SHALL BE MAINTAINED BY LOT OWNER.

PREPARED BY:
TORGENSEN ENGINEERING
 180 N. 100 E. SUITE E OFFICE (435) 893-0081
 RICHFIELD, UTAH 84701 FAX (435) 896-8797
 Date: 11/16/2014 Project No. 1005WG Drawn by: GTT Checked by: RKT

SURVEYOR'S CERTIFICATE

I, G. THOMAS TORGENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LICENSED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 8205593 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT OF THE STATE OF UTAH. I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED BELOW HAS BEEN SURVEYED IN ACCORDANCE WITH SECTION 17-23-17, THE MEASUREMENTS HAVE BEEN VERIFIED, AND MONUMENTS HAVE BEEN OR WILL BE PLACED AS SHOWN.

DATE _____ G. THOMAS TORGENSEN L.S. #8205593 (SEE SEAL BELOW)

BOUNDARY DESCRIPTION

BEGINNING AT POINT THAT IS LOCATED S 87°42'16" W 1134.66 FEET ALONG THE SECTION LINE FROM THE NORTH QUARTER CORNER SECTION 13 TOWNSHIP 8 SOUTH, RANGE 3 EAST SALT LAKE BASE & MERIDIAN; RUNNING THENCE S 42°23'55" E 261.67 FEET TO A NON-TANGENT POINT ON A 168.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTERLY 219.99 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 85°06'50" E 204.60 FEET) TO A NON-TANGENT POINT; THENCE S 32°37'36" W 56.00 FEET TO A NON-TANGENT POINT ON A 112.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 159.30 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 16°37'39" E 146.21 FEET) TO THE POINT OF TANGENCY; THENCE S 24°07'06" W 298.75 FEET; THENCE N 89°21'38" W 346.32 FEET; THENCE S 47°36'05" W 84.37 FEET TO THE POINT OF CURVATURE ON A 472.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY 194.13 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 35°49'07" W 192.76 FEET) TO THE POINT OF TANGENCY; THENCE S 24°02'10" W 804.24 FEET TO THE POINT OF CURVATURE ON A 472.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY 181.73 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 13°00'22" W 180.61 FEET) TO THE POINT OF TANGENCY; THENCE S 01°58'35" W 247.78 FEET TO THE POINT OF CURVATURE ON A 528.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHERLY 98.91 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 07°20'34" W 98.76 FEET) TO THE POINT OF TANGENCY; THENCE S 12°42'33" W 39.98 FEET; THENCE N 77°01'52" W 241.75 FEET; THENCE N 68°15'01" W 620.06 FEET TO THE EASTERLY BOUNDARY OF MAPLETON CITY PARCEL 26-069-0041; THENCE N 20°00'00" E 147.22 FEET AND N 32°15'00" E 450.80 FEET ALONG SAID BOUNDARY TO THE SOUTHWEST CORNER OF THE PARK SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING SEVEN (7) COURSES AND DISTANCES: (1) S 81°40'50" E 168.63 FEET, (2) N 75°36'46" E 209.67 FEET TO A NON-TANGENT POINT ON A 128.00 FOOT RADIUS CURVE TO THE RIGHT, (3) NORTHERLY 217.41 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 01°24'25" E 192.20 FEET) TO THE POINT OF TANGENCY, (4) N 50°03'54" E 27.37 FEET TO THE POINT OF TANGENCY, (5) NORTHERLY 89.31 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS N 16°37'39" E 146.21 FEET) TO A NON-TANGENT POINT; SAID POINT BEING THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE N 87°42'13" E 29.00 FEET; THENCE NORTH 54.72 FEET TO THE SOUTHWEST CORNER OF MAPLE COVE SUBDIVISION, PLAT B; THENCE S 60°46'13" E 111.03 FEET ALONG THE BOUNDARY OF SAID SUBDIVISION; THENCE S 51°40'19" E 39.07 FEET TO THE POINT OF CURVATURE ON A 155.93 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 101.95 FEET ALONG THE ARC OF SAID CURVE (CHORD BEARS S 32°56'32" E 100.14 FEET) TO A NON-TANGENT POINT; THENCE N 65°03'18" E 289.01 FEET; THENCE N 00°00'24" E 36.40 FEET TO A POINT ON THE SECTION LINE; THENCE N 87°42'16" E 60.70 FEET ALONG SAID SECTION LINE TO THE POINT OF BEGINNING.

CONTAINING 21.34 ACRES.
 BASIS OF BEARINGS IS S 87°42'16" W ALONG THE SECTION LINE FROM THE NORTH 1/4 CORNER TO THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS, OF THAT TRACT OF LAND DESCRIBED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS AND DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL STREETS, EASEMENTS, AND OTHER PUBLIC AREAS AS INDICATED HEREON.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS _____ DAY OF _____ A.D. 20____

OWNER _____ OWNER _____
 OWNER _____ OWNER _____
 OWNER _____ OWNER _____

ACKNOWLEDGMENT

STATE OF UTAH COUNTY OF UTAH S.S. 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 CITY OF MAPLETON

THE CITY COUNCIL OF MAPLETON CITY, UTAH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS AND EASEMENTS FOR THE PERPETUAL USE OF THE PUBLIC

 DAY OF _____ A.D. 20____

BY RESOLUTION No. _____ APPROVALS:
 CITY ENGINEER (SEE SEAL BELOW) _____ MAYOR _____

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE MAPLETON CITY PLANNING COMMISSION.
 DIRECTOR - PLANNING DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

FREEDOM VISTA SUBDIVISION, PLAT A

SHEET 1 OF 1
 MAPLETON CITY, UTAH COUNTY, UTAH
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, T8S, R3E, SLB&M
 SCALE: 1"=100'

SURVEYOR'S SEAL NOTARY PUBLIC SEAL CITY ENGINEER SEAL CLERK-RECORDER SEAL
NOT OFFICIAL UNTIL SIGNED

QUESTAR UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY QUESTAR GAS COMPANY.

AUTHORIZED SIGNATURE _____ DATE _____

COMCAST UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY COMCAST.

AUTHORIZED SIGNATURE _____ DATE _____

CENTURYLINK UTILITY APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY CENTURYLINK, INC.

AUTHORIZED SIGNATURE _____ DATE _____

ROCKY MOUNTAIN POWER APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY ROCKY MOUNTAIN POWER, A DIVISION OF PACIFICORP.

AUTHORIZED SIGNATURE _____ DATE _____

MAPLETON IRRIGATION APPROVAL

THIS SUBDIVISION PLAT, INCLUDING THE PUBLIC UTILITY EASEMENTS SHOWN HEREON, IS HEREBY APPROVED BY MAPLETON IRRIGATION COMPANY.

AUTHORIZED SIGNATURE _____ DATE _____

**Attachment “2”
Special Conditions as Approved on 5/6/2014**

SPECIAL CONDITIONS

Stipulation #5 of the Settlement Agreement states the following:

“The development of the Gibby Parties’ property must comply with the written objective standards already adopted by the City, and other than changes contemplated in paragraph 1, no conditions outside of the written objective development standards already adopted by the City will be imposed on the Gibby Parties’ development.”

The following special conditions are included to ensure compliance with the Settlement Agreement, with the objective standards of the City as adopted at the time of the Settlement Agreement, and with applicable state code.

1. Upon final approval by the City Council, the applicant shall have three years to record Plat “A” with the Utah County Recorder unless otherwise agreed to by the City Council. Final plat review of plats “B-D” shall require Planning Commission review and City Council approval. Additional special conditions may be imposed during the final review of these plats.

Justification: MCC Chapter 17.04.080 (adopted 12/4/2002) establishes the time frame for plat recording and 17.04.050 through 080 (adopted 12/4/2002) outline the procedure for preliminary and final plat approvals.

2. As part of Plat “A” the applicant shall provide a stub street meeting City standards between lots 13 and 17 to the Roundy property to the north. It is recommended that the applicant utilize the 45-foot hillside local road section as adopted in the Mapleton City Addendum to APWA Standard Drawings and Specifications in substantial compliance with the exhibit provided by RB&G Engineering dated April 29, 2014 (see attachment “5”).

Justification: MCC Chapter 17.12.020 (adopted 3/20/2002) states that the city may, as a condition of approval, require the subdivision plan to include one or more temporary dead end streets (stub streets) which extend to the boundary of the subdivision.

3. All roadways shall be inspected by a third party geo-tech engineer prior to acceptance by Mapleton City. This will require a subsurface investigation to assure proper clearing and grubbing and compaction were completed prior to fill placement.

Justification: MCC Chapter 17.16.010.B (adopted on 3/20/2002) requires that a plat be recorded prior to the commencement of construction of required improvements. The applicant has done extensive grading without the approval of construction drawings or without a recorded plat. Condition #4 will ensure that construction work that has occurred prior to plat recording has been properly performed.

4. Prior to the recording of Plat "A", the applicant shall provide an easement for a trail from the north and south property lines of the Gibby Parties' property across the west escarpment of the property in substantial compliance with plats previously submitted by the Gibby Parties during the legislation session in 2007 to Mapleton, consistent with City's trail easement on the north across the adjoining Roundy property and connecting on the south to either the Forest Service or the City property. The Gibby Parties shall choose the location of the trail easement through the Gibby Parties' property. The applicant shall not perform any additional grading along the trail easement.

Justification: Stipulation #3 of the Settlement Agreement.

5. Prior to recording of Plat "A", the Gibby Parties shall grant an easement, at no cost to the City, for an 18" water main that is to be placed in a public right-of-way in a location approved by the City Engineer.

Justification: Stipulation #4 of the Settlement Agreement.

6. The debris fence basin drawings shall be stamped by the structural and geo-tech engineer. The City shall consult with the Utah Geologic Survey to ensure that the geo tech recommendations are adequate.

Justification: MCC Chapter 17.16.090 (adopted 3/20/2002) requires that environmental hazards be mitigated.

7. A revised storm drainage study and SWPPP shall be submitted prior to recoding of Plat "A". The drainage study shall comply with national discharge elimination system permit (NPDES/UPDES) and applicable regulations 40 CFR section 122.26 for storm water discharges, Utah State

Department of Environmental Quality standards R317, as per Mapleton City Code 21.04 Storm Water Provisions and Land Disturbance permits. The storm water basins shall be designed for a 100 year storm and retained on site and will also include a plan for landscaping and maintenance. Developer will not alter or restrict natural channel and waterways without proper federal, state and city permits.

Justification: Utah State Department of Environmental Quality standard R317.

8. An amendment to the Maple Cove Plat B subdivision shall be recorded prior to the use of its property as part of this project.

Justification: MCC Chapter 17.04.090 (adopted 12/4/2002) requires a plat amendment for changes to previously approved plats.

9. After final plat approval by the City Council and prior to plat recording, the applicant shall either complete the required improvements or post a performance guarantee in accordance with MCC Chapter 17.16.010.

Justification: Utah Municipal Code Section 10-9a-604.5 allows a developer to either bond for the improvements prior to plat recording, or complete the improvements prior to plat recording.

- 10.** No construction shall begin until final construction documents have been approved by the City Engineer, and the applicant has received a letter from the City authorizing construction activities.

Justification: Final construction drawings are needed to ensure that the applicant is in compliance with MCC Chapter 17.16 (adopted 3/20/202), which outlines the required subdivision improvements.

- 11.** The applicant shall comply with the CE-1 Restoration Plan from December 2004 (see attachment “11”).

Justification: Mapleton City Code Chapter 18.30.080.F (adopted 2/5/2003) requires the revegetation of disturbed areas in the CE-1 zone.