

# Planning Commission Staff Report

August 27, 2015

## Item 3

**Applicant:** Jody Rookstool

**Location:** 1265 S 1000 E

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

**Public Hearing:** Yes

**Zone:** A-2

**Attachments:**

1. Findings.
2. Application materials.

### REQUEST

Consideration of Preliminary and Final Plat approval of the Rookstool Plat “A” subdivision consisting of one lot, and the application of a Transferable Development Right Overlay (TDR-R) to a property located at 1265 South 1000 East.

### BACKGROUND AND PROJECT DESCRIPTION

The subject parcel is a 2.5 acre lot located at 1265 South and 1000 East (Petersen Lane). The lot is developed with a single family residence that was constructed in approximately 1977. The lots along Petersen Lane were created in the 1970s as metes and bounds lot and no formal subdivision plat was ever recorded.

The applicant is proposing the following:

- Transfer the rear 1.5 acres of the lot to the neighboring lot to the east (also owned by the applicant). The 1.5 acres will be merged with an existing conservation lot and will not be eligible for a new single family residence.
- Apply a TDR to the subject lot to allow it to remain on one acre.
- Record a plat describing the one acre lot.

### EVALUATION

**TDR Ordinance:** The property is located in the A-2 zone, which is identified as a potential TDR Receiving Site in Mapleton City Code (MCC) Chapter 18.76.070. Approval of a TDR Receiving Site requires final approval by the City Council. The use of TDR certificates in the A-2 zone allow for the creation of lots as small as one acre.

**Plat Proposal:** The transfer of the 1.5 acres to the lot to the east will not create a new building lot. The platting of the one acre lot will ensure that the boundaries of the lot are accurate and will correct previous gaps and overlaps. The existing home on the lot is intended to remain in its current condition.

Staff supports the application for the following reasons:

- The General Plan encourages the City to vigorously support the TDR program. The application is consistent with the TDR program.

- Since no new building lot is being created, and the rear 1.5 acres is simply transferring from one lot description to another, no impacts to neighboring properties are anticipated.

### **STAFF RECOMMENDATION**

Recommend approval to the City Council with the attached findings.

<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.	✓

Attachment "2"  
Application Materials

Existing Lot Boundary

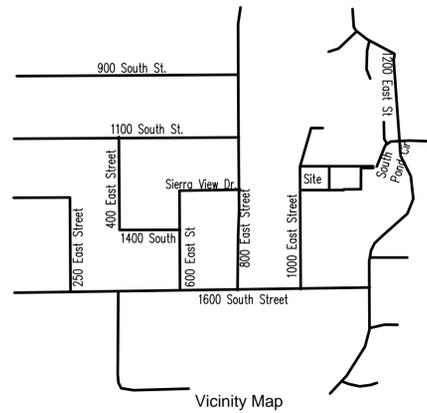


Rear 1.5  
acres to be  
merged with  
lot to the east



New Boundary for Lot 1



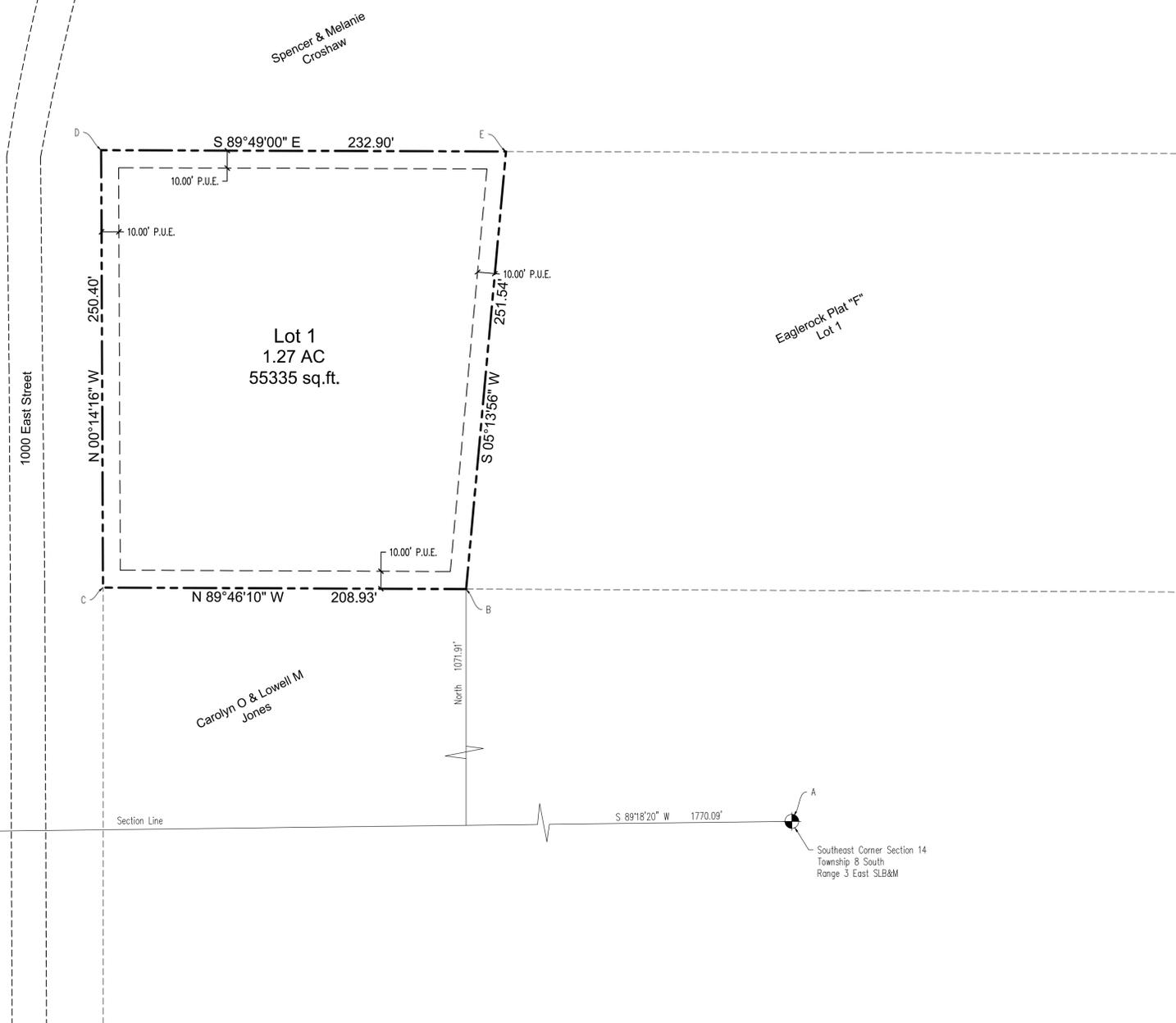


Vicinity Map

State Plane Coordinates

	Northing	Easting
A	649320.5000'	1983529.2600'
B	650370.6444'	1981759.8316'
C	650371.4848'	1981550.9699'
D	650621.8046'	1981549.9311'
E	650621.0596'	1981782.7633'

Grid Factor = 0.9997



Surveyor's Certificate

I, Roger D. Dudley, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 117089, 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 South 89°18'20" West along the Section line 1770.09 feet and North 1071.91 feet from the Southeast corner of Section 14, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence North 89°46'10" West 208.93 feet; thence North 00°14'16" West 250.40 feet; thence South 89°49'00" East 232.90 feet; thence South 05°13'56" West 251.54 feet; to the point of beginning

AREA=55,335 sq. ft. or 1.27 acres

Basis of Bearing= South 89°18'20" West along the Section line.

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

APPROVED  
CITY ENGINEER  
(See Seal Below)

ATTEST

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.

COMMUNITY DEVELOPMENT DIRECTOR

CHAIRMAN, PLANNING COMMISSION

Utility Company Approvals

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Conditions of Approval

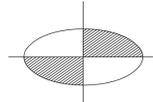
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLAT " A "

Rookstool

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

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.  
NOTARY PUBLIC  
RESIDING AT \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

CORPORATE SEAL

SURVEYOR'S SEAL

NOTARY PUBLIC SEAL

CITY-COUNTY ENGINEER SEAL

CLERK-RECORDER SEAL