

# Planning Commission Staff Report

March 24, 2016

## Item 2

**Applicant:** Estate of Rea Bonna Bleggi

**Location:** Approximately 580 East 1200 North

**Prepared by:** Brian Tucker

**Public Hearing Item:** Yes

**Zone:** RA-2

### ATTACHMENTS

1. Findings for Decision.
2. Proposed Plat with preliminary construction drawings and proposed street cross sections.
3. DRC Minutes dated 03/08/2016.

### REQUEST

Consideration of Preliminary and Final Plat approval for the *Sadey* Subdivision, Plat "A", consisting of one lot, located at approximately 580 East 1200 North in the Residential Minor-Agricultural (RA-2) zone.

### BACKGROUND AND PROJECT DESCRIPTION

The project site is approximately 2.52 acres and is located in the RA-2 zone at approximately 580 West 1200 North. The applicant would like to create one lot to build on and leave the additional acreage as "future development" Because the one lot functionally includes all but 25' feet of the available frontage the remaining parcel is not a viable or legal lot. Remainder parcels are allowed when they are viable for multiple lot development; Staff has required the applicant to create a preliminary plat that includes the entire parcel to ensure orderly future development.

The applicant is proposing a five lot preliminary subdivision with at least two phases, the first phase of which includes one .50 acre lot. The four remaining lots will contain between 1/3 and 1/2 acres each. The RA-2 zone requires 1/3 acre lots with 100' feet of frontage/width. The General Plan indicates this area is appropriate for "Medium Density Residential" development, a designation that corresponds with the 1/3 acre lot RA-2 zone.

### EVALUATION

**Zoning:** The property is zoned RA-2, a zone that requires each lot to include 14,500 square feet, 100' width and frontage. Each lot within both the preliminary plat and the final plat include .35 acres or more and each lot is able to meet the minimum width and frontage requirements of the RA-2 Zone.

**Remnant Parcel:** A subdivision or platting of a lot must not create a nuisance strip or remnant parcel less than 3 acres in size. Recording only Lot 1, which was the original proposal, did not comply with this requirement. Staff therefore required the applicant to propose and have approved a preliminary subdivision that accounted for the entire parcel. While only Lot 1 will be recorded in Plat "A", the remaining land will have a preliminary plat that ensures the remainder can be developed in an orderly fashion through one or more additional phases.

**Stub Street:** Mapleton City Code, Section 17.12.020 addresses the general criteria concerning streets construction to be followed when developing land. When a property adjacent to a Major street shown on the Transportation Plan is developed the final plat must include the dedication of right of way and the

construction of improvements in accordance with the applicable city standards. Minor streets as shown on the Transportation Plan is developed the final plat must also include the dedication of right of way and the construction of improvements in accordance with the applicable city standards. In this case the minor street which will one day serve the future phases of the subdivision is not shown on the Transportation Plan.

When future roads are proposed but not included on the Transportation Plan the applicable law dealing with access to adjacent properties is found in Section 17.12.020.C. and reads as follows: *In accordance with this section and “in order to facilitate the development of an adequate and convenient circulation system within the city and to provide access for the logical development of adjacent vacant properties, 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. All such stub streets shall be fully developed to the boundary of the subdivision. Any plan for the subsequent development of the adjacent property shall provide for the continuation of any such stub street.*

The City Engineer has requested that the final approval of the Sadey Subdivision Plat “A” include a requirement that the portion of road intended to serve the future phases be dedicated and constructed as part of Plat “A”. The City Engineers position is that, while this segment of road is not necessary for the current phase of development, the failure of the City to require the stub street would place an undue burden upon the owners of the remnant parcel to construct this segment that in most cases would be the responsibility of the Plat “A” developer. His position is that the standard practice of requiring all of the adjacent improvements to be installed, regardless of their necessity or lack thereof at the current moment, because they are a necessary part of the future transportation network.

The Planning Commission is the body charged with approving preliminary plats. The Planning Commission is also charged with approving final subdivision plats when the plat has 3 or fewer lots. Because the Planning Commission is the approving authority of the final plat in this case, the Commission has the option to require the stub street but is not obligated to do so. The property is currently held in trust by the Estate of Rea Bonna Bleggi and the trustee will be required to sign the plat and therefore there is no additional party whose interests must be considered. If the trustee chooses to place the burden of the future road on the future development, with or without contribution from the future owners of Plat “A”, they have the option to do that if the stub street is not required. Furthermore, while the future phase(s) may follow in a short time frame it is just as likely that the improvements, if constructed as a condition of approval, could sit unneeded and unused for years and with some degree of maintenance required by the City.

There are arguments for requiring the stub street and arguments against. The Planning Commission is the approval authority and they may require, as a condition of approval, the applicant to build the portion of the future street as provided for in Section 17.12.020.C. The Planning Commission is not obligated in this case in the way they would be if the future street was part of the Transportation Plan.

**Partial Width Streets:** The future stub street intended to provide access to the future phase(s) of the project has been proposed at a partial width street. In most instances a partial street would not be allowed. However in circumstances such as this, where the land abutting the uncompleted portion is not owned by the subdivider and the other parcel has no conditions that would have the effect of preventing the subsequent development of the remaining portion of the street a partial width street is acceptable. This

partial width street must be no less than ½ half of the total width plus five feet. In this instance a partial street could be developed by either the applicant or the neighboring land owner. The applicant has provided the appropriate amount of future right of way for the ½ plus five road. The first property owner to develop their property will build a ½ plus five road as part of their project. The second property to develop will finish the road at the appropriate final width.

**Street Design:** The future phases are intended to make use of the 40’ right of way currently adopted as a minor street standard in the Mapleton City Addendum to APWA Standard Drawings and Specifications.

**Review Criteria:** MCC Chapter 17.04.050.B outlines the subdivision review standards that shall be used by the Planning Commission. These standards are shown in attachment “1”. The proposed project complies with these standards.

**PRELIMINARY PLAT RECCOMENDATION**

Approve the 5 Lot Sadey Subdivision Preliminary Plat.

**FINAL PLAT APPROVAL OPTIONS**

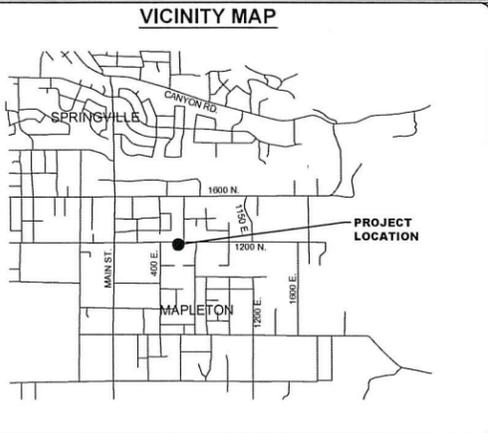
1. Approve the 1 Lot Sadey Subdivision Plat “A” Final Plat with the condition that the stub road providing access to the future phase(s) be constructed as part of the Plat “A” approval, in addition to the attached findings and condition.
2. Approve the 1 Lot Sadey Subdivision Plat “A” with the attached findings and condition and defer road construction to future phases.

**SPECIAL CONDITION**

1. Any outstanding issues raised in the DRC minutes dated March 8, 2015 shall be addressed prior to plat recording.

**Attachment “1” Findings for Decision**

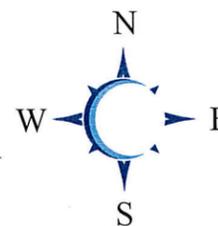
<b>No.</b>	<b>Findings</b>	
1.	The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration.	✓
2.	The submitted plans, documents and submission materials conform to applicable city standards.	✓
3.	The proposed development 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.	✓



# SADEY SUBDIVISION PLAT "A"

LOCATED IN SECTION 11, TOWNSHIP 8 SOUTH, RANGE 3 EAST  
SALT LAKE BASE AND MERIDIAN.

FOUND COUNTY MONUMENT  
NORTHWEST CORNER  
SECTION 11,  
T. 8 S., R. 3 E., S.L.B.&M.



### OCCUPANCY RESTRICTION NOTICE

THE CITY OF MAPLETON HAS AN ORDINANCE WHICH RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN THIS SUBDIVISION. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY AND BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE CITY.

### NOTES

SETBACKS ARE 30.00 FEET WIDE ALONG ROAD FRONTAGE, 10.00 FEET WIDE ALONG THE SIDE PROPERTY LINES AND 25.00 FEET WIDE ALONG THE REAR PROPERTY LINES.

### QUESTAR GAS COMPANY

QUESTAR APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING PUBLIC UTILITY EASEMENTS. QUESTAR MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABOGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGEMENT OF ANY TERMS CONTAINED ON THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT QUESTAR'S RIGHT OF WAY DEPARTMENT AT 800-366-6532

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

QUESTAR GAS COMPANY

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	31.42	20.00	89°59'36"	N44°47'18"E	28.28

### LEGEND

- ◆ = FOUND COUNTY MONUMENT
- = SET REBAR AND CAP
- = SECTION LINE
- = BOUNDARY LINE
- = ADJOINING PROPERTY LINE
- = FUTURE LOT LINE

FOUND COUNTY MONUMENT  
WEST QUARTER CORNER  
SECTION 11,  
T. 8 S., R. 3 E., S.L.B.&M.



P: (801) 616-6848  
F: (801) 704-9384  
surveydanpls@gmail.com  
563 North Rees Ave.  
Spanish Fork, UT 84660



### SURVEYOR'S CERTIFICATE

I, DAN E. KNOWLDEN DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 7173588 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 HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS SADEY SUBDIVISION "A" AND THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016  
DAN E. KNOWLDEN JR. PLS 7173588

### BOUNDARY DESCRIPTION

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, THENCE NORTH 00°03'41" EAST 1304.02 FEET ALONG THE SECTION LINE AND EAST 1714.50 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 1200 NORTH STREET AND TRUE POINT OF BEGINNING; RUNNING THENCE NORTH 89°13'29" EAST 138.87 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO AN EXISTING VINYL FENCE; THENCE SOUTH 00°15'12" EAST 138.66 FEET ALONG SAID FENCE AND EXTENSION THEREOF; THENCE NORTH 90°00'00" WEST 158.97 FEET; THENCE NORTH 00°12'37" WEST 116.70 FEET TO A POINT ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE 31.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'36" (CHORD BEARS NORTH 44°47'18" EAST 28.28 FEET) TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.50 ACRES MORE OR LESS

### OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED IS THE OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CASE THE SAME TO BE DIVIDED INTO LOTS AND PARCELS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS

SADEY SUBDIVISION PLAT "A"

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

BY: \_\_\_\_\_ BY: \_\_\_\_\_  
BRETT LEE SADEY LEE

### ACKNOWLEDGEMENT

State of UTAH )  
County of UTAH )

ON THE \_\_\_\_\_ DAY \_\_\_\_\_, 2016 PERSONALLY APPEARED BEFORE ME, BRETT LEE AND SADEY LEE, WHO DULY ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME \_\_\_\_\_

COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

A NOTARY PUBLIC COMMISSIONED IN UTAH

SURVEYOR'S SEAL 	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL
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DRAWN: DEK	PROJECT # VA270	SCALES HORIZ: 1"=30' 
DESIGNER: DEK	DATE: 1/22/2016	
REVIEWED: DEK		

### PROJECT NAME

**SADEY SUBDIVISION**

PROJECT LOCATION  
**580 EAST 1200 NORTH  
MAPLETON, UTAH**

SHEET TITLE

**PRELIMINARY PLAT**

SHEET

**1 of 1**

### PLANNING COMMISSION APPROVAL

MAPLETON CITY PLANNING COMMISSION HEREBY CERTIFIES THAT THE FOREGOING PLAT WAS APPROVED.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

BY: \_\_\_\_\_  
PLANNING COMMISSION

### COMMUNITY DEVELOPMENT APPROVAL

MAPLETON CITY COMMUNITY DEVELOPMENT HEREBY CERTIFIES THAT THE FOREGOING PLAT WAS APPROVED.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

BY: \_\_\_\_\_  
COMMUNITY DEVELOPMENT DIRECTOR

### CITY ENGINEER

APPROVED BY MAPLETON CITY ENGINEER, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

BY: \_\_\_\_\_  
CITY ENGINEER

### LEGISLATIVE BODY APPROVAL

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

BY: \_\_\_\_\_  
MAYOR  
BY: \_\_\_\_\_  
ATTEST

### UTILITY COMPANY APPROVAL

APPROVED \_\_\_\_\_ APPROVED \_\_\_\_\_  
ROCKY MOUNTAIN POWER CENTURY LINK

APPROVED \_\_\_\_\_ APPROVED \_\_\_\_\_  
COMCAST MAPLETON IRRIGATION

### UTAH COUNTY RECORDER

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## MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

March 3, 2016 at 8:30am

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

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On March 3, 2016, revised plans were submitted for the Sadey Subdivision Preliminary Plat, consisting of 5 lots and the Sadey Subdivision Plat "A" Final Plat consisting of 1 lot, located at approximately 540 E 1200 N. The items below include 1) requested changes to the submitted plans, 2) other items required as part of the application and/or 3) informational items regarding city standards. **All items that include an \* and are bolded are required prior to any public hearings.**

### 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)

### **Please submit revised drawings and the following corrections:**

#### Comments for plans submitted March 3, 2016:

1. There appears to be a boundary line discrepancy between the proposed lot and the property to the east (Blair Parcel). This must be resolved such that no gaps or overlaps exist between the two parcels.

### Engineering and Public Works Division

Gary Calder, City Engineer, Email: [gcalder@mapleton.org](mailto:gcalder@mapleton.org)

Scott Bird, Public Works Operation Director, Email: [sbird@mapleton.org](mailto:sbird@mapleton.org)

Phone (801) 489-6253, Fax (801) 489-5179

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

**Project: Sadie Subdivision                      Date: March 17, 2016**

#### Site Grading:

1. Clearing and grubbing will be required.

#### Sewer:

1. Show on plans location of sewer lateral to be installed to lot 1
2. Show on plan/profile connection to 1200 N. 10" PVC Sewer main with 8" PVC SDR 35 Sewer main on new street to south property line.

#### Water System:

1. Show on plans existing water service on Lot 1 to be relocated to 1' behind new sidewalk.
2. Show on plan/profile 8" PVC SDR 35 Sewer main on new street to south property line
3. Water model reviewed by RB&G (801) 374- 5771, the cost of this review is the responsibility of the developer

#### Secondary Water (Pressure Irrigation):

1. Show on plan connecting to existing 8" PVC C900 SDR 18 Secondary Irrigation Stub from 1200 North in new street to south property boundary of lot 1.

Roadway:

1. Road x-sections:
  - a. Show on plan 40' Minor Local x-section with associated easements for new street in subdivision.
  - b. Minimum curve radius is 26' at intersection of 1200 North and new street.
  - c. Show Installation of current APWA Pedestrian Ramps at intersection of 1200 North and new street.
  - d. Show on plans to replace any existing curb that is damaged or broken.

Storm Drain:

1. Show on plans Sumps with Pretreatment inlets on south ends of new proposed street
2. Land disturbance permit will be required

Miscellaneous:

1. Receive irrigation company approval for work on Mapleton Irrigation Company Ditches and culverts
2. Show on plans new street coordinate.
3. Any modification of new street full width and utility extension improvements will require City Council Approval.
4. Plat will be required.
5. Current APWA / Mapleton City Addendum Standards will apply

**Upon final plat approval from the Planning Commission, the following items will be required:**

- Revise drawings to address any outstanding issues raised in the DRC comments and/or project conditions.
- Applicant may choose to either 1) establish a performance bond and durability bond agreement prior to plat recording (amount to be determined by City Engineer) or 2) to install any required improvements (i.e. utilities, roads, curb, gutter, sidewalk, etc.) without a performance bond (durability bond still required). If option 2 is selected, the plat will not be recorded until the City has accepted the improvements.
- Payment of impact fees (\$4,528 per lot). An additional impact fee of \$6,968 per lot will be required at the time of building permit issuance.
- Submittal of 1 acre feet of water (Mapleton Irrigation, Hobble Creek, or other thru a change application).
- Payment of engineering inspection fees (\$200 per lot).
- Payment of street light fee (\$450 per lot).
- Submit a SWPPP and Land Disturbance application and fee (\$500). 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 (\$30 per page and \$1 per lot).

## Sadey Plat "A"

Lot #	Sq. Ft.		
1	21,780.00	Irrigable Acres	
2	0.00	(=Acres x.65)	0.33
3	0.00		
4	0.00	Outdoor Secondary Irrigation Dedication Requirement	
5	0.00	(=Irrigable Ac x 2.5 ac ft.)	0.81
6	0.00		
7	0.00	# New Units/Lots	1
8	0.00		
9	0.00	Municipal Use Dedication Requirement	
10	0.00	(=.45 per lot)	0.45
Total SF	21,780.00	<b><u>Total Dedication =</u></b>	1.26
Acres	0.50	<b><u>1 Acre Foot</u></b>	