Mapleton City

Planning Commission Staff Report

September 22, 2016

Item 4

Applicant: Shiloh Sorensen

Location: Approx 1480 W 1600 North

Prepared by: Brian Tucker

Public Hearing Item: Yes

Zone: RA-1, RA-2

ATTACHMENTS

1. Findings for Decision.
2. Application Materials
3. DRC Minutes dated 8/24/16.

REQUEST

Consideration of a rezone to Residential-Minor Agricultural (RA-2) Zone and Preliminary approval for the Maple Lane Subdivision, Plat "C", consisting of the reconfiguration of three existing lots and the addition of two additional building lots at approximately 1480 West 1600 North. The applicant is Shiloh Sorensen.

BACKGROUND AND PROJECT DESCRIPTION

The project area is approximately 2.65 acres in size and has frontage on both Maple Leaf Court (1500 West) and 1600 North. The project area includes 3 existing homes, one of which is located within the Maple Lane Plat "B" Subdivision. The applicant intends to divide the property into 5 lots, including 2 additional building lots. The zoning for the lot within the existing subdivision is RA-2 and the zoning for the homes located on 1600 North is RA-1. A rezone of the entire property to the RA-2 zoning district is required as the three lots on 1600 North will all include just over 14,500 square feet. The rezone request and the subdivision plat will require review by the Planning Commission and final approval of the City Council.

EVALUATION

General Plan: The General Plan land use designation for this property is Medium Density Residential (MDR). The MDR designation is characterized primarily by single family residences with lot sizes of 14,500 square foot or larger. The proposed project is consistent with the General Plan.

Zoning: A portion of the property is zoned RA-1, a one acre zone that allows 1/2 acre lots with TDR Certificates. The RA-2 zone, which requires a minimum lot size of 14,500 square foot with a minimum of 100 feet of frontage on a public street, is the requested zone and is consistent with the General Plan designation of "Medium Density Residential". The surrounding properties are zoned either RA-1 or RA-2 but are all General Planned MDR. Even though the lots and parcels nearby are in some cases zoned RA-1, very few of them include an acre of land area. The proposed rezone and subdivision is consistent with the General Plan and with surrounding development.

Review Criteria: MCC Chapter 17.04.050.B outlines the review standards that shall be used by the City in making its determination. These standards are shown in attachment "1". The proposed project complies with these standards.

Existing Accessory Structures: In addition to the home located at 1510 W 1600 North, the property includes two accessory structures, a pavilion and a 2,640 square foot shop. The pavilion is located such that it can be included within Lot 5 and does not exceed a height that would include more than the proposed 3' rear yard setback. The proposed Lot 2 includes the shop building but does not include any of the existing homes. A shop is not an approved structure in either the current or proposed zoning districts except as an accessory structure. An accessory structure must be appurtenant or accessory to an approved primary structure, such a single family home. If the subdivision is approved as proposed the shop would no longer be accessory to a primary structure located on the same parcel. In no case would a new accessory structure be permitted that was not appurtenant to an approved primary use or structure. The Planning Commission must decide whether or not the shop, as an existing and presumably legal structure, can be maintained on a separate lot in the absence of a primary use or structure.

The existing shop does not meet the side and rear setback requirements on the north and west property lines but this is an existing condition. The shop does meet the minimum setback requirement from the proposed lot boundary. As the degree of nonconformity is not increased and no additional nonconformities are created this should not be an issue.

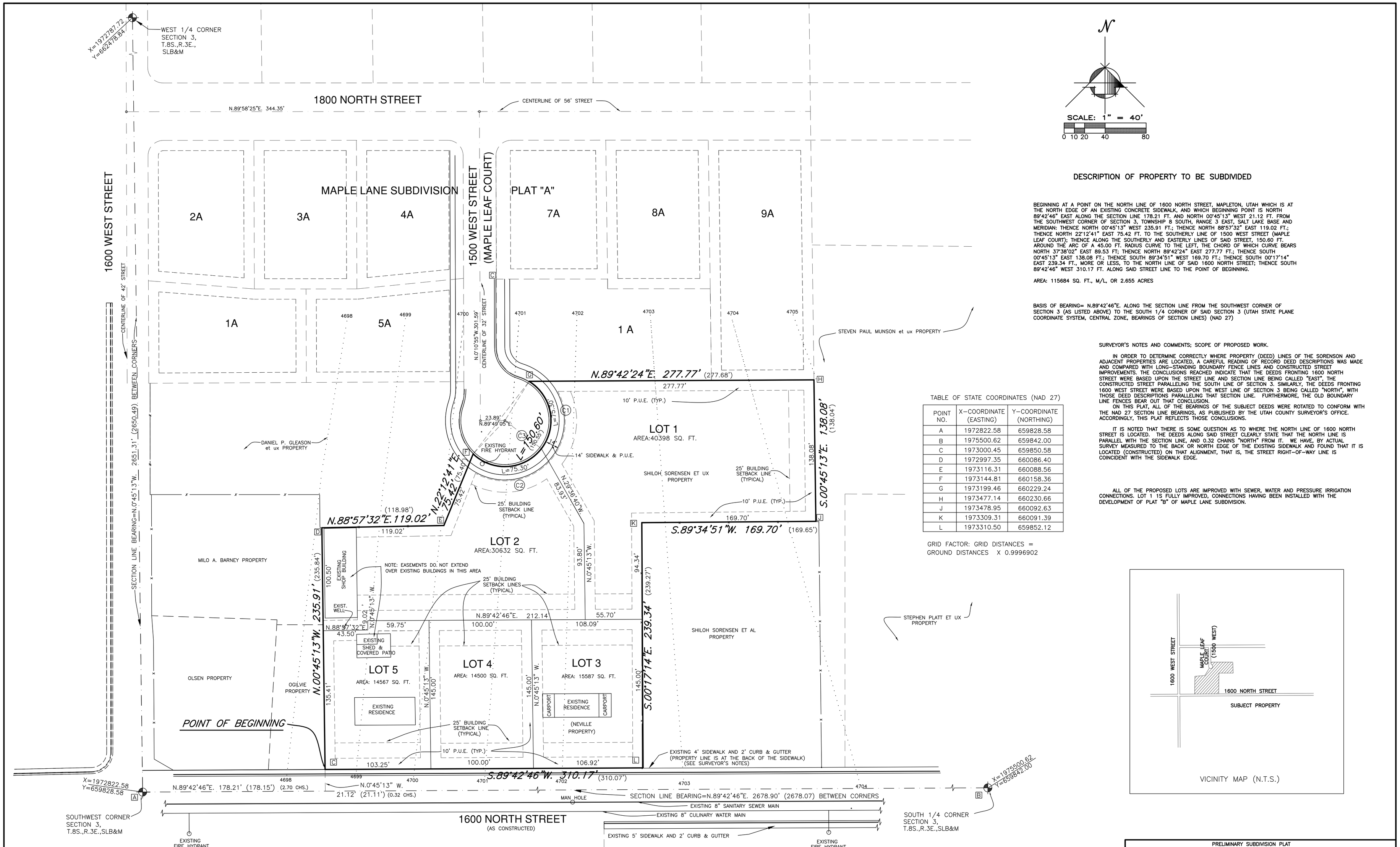
STAFF RECOMENDATION

Recommend approval of the Preliminary Plat for the "Maple Lane Subdivision, Plat C" and the rezone of approximately 2.65 acres from the Residential Agricultural (RA-1) to the Residential Minor-Agricultural (RA-2), with the attached findings and conditions, to the City Council.

SPECIAL CONDITIONS

1. Any outstanding issues raised in the DRC minutes dated August 24, 2016 shall be addressed prior to plat recording.
2. The applicant shall receive final plat approval from the Development Review Committee prior to recording.

Attachment "1" Findings for Decision		
No.	**Findings**	
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.	✔



DESCRIPTION OF PROPERTY TO BE SUBDIVIDED

BEGINNING AT A POINT ON THE NORTH LINE OF 1600 NORTH STREET, MAPLETON, UTAH WHICH IS AT THE NORTH EDGE OF AN EXISTING CONCRETE SIDEWALK, AND WHICH BEGINNING POINT IS NORTH 89°42'46" EAST ALONG THE SECTION LINE 178.21 FT. AND NORTH 00°45'13" WEST 21.12 FT. FROM THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN: THENCE NORTH 00°45'13" WEST 235.91 FT.; THENCE NORTH 88°57'32" EAST 119.02 FT.; THENCE NORTH 22°12'41" EAST 75.42 FT. TO THE SOUTHERLY LINE OF 1500 WEST STREET (MAPLE LEAF COURT); THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID STREET, 150.60 FT. AROUND THE ARC OF A 45.00 FT. RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH CURVE BEARS NORTH 37°38'02" EAST 89.53 FT; THENCE NORTH 89°42'24" EAST 277.77 FT.; THENCE SOUTH 00°45'13" EAST 138.08 FT.; THENCE SOUTH 89°34'51" WEST 169.70 FT.; THENCE SOUTH 00°17'14" EAST 239.34 FT., MORE OR LESS, TO THE NORTH LINE OF SAID 1600 NORTH STREET; THENCE SOUTH 89°42'46" WEST 310.17 FT. ALONG SAID STREET LINE TO THE POINT OF BEGINNING.

AREA: 115684 SQ. FT., M/L, OR 2.655 ACRES

BASIS OF BEARING= N.89°42'46"E. ALONG THE SECTION LINE FROM THE SOUTHWEST CORNER OF SECTION 3 (AS LISTED ABOVE) TO THE SOUTH 1/4 CORNER OF SAID SECTION 3 (UTAH STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, BEARINGS OF SECTION LINES) (NAD 27)

SURVEYOR'S NOTES AND COMMENTS; SCOPE OF PROPOSED WORK.

IN ORDER TO DETERMINE CORRECTLY WHERE PROPERTY (DEED) LINES OF THE SORENSON AND ADJACENT PROPERTIES ARE LOCATED, A CAREFUL READING OF RECORD DEED DESCRIPTIONS WAS MADE AND COMPARED WITH LONG–STANDING BOUNDARY FENCE LINES AND CONSTRUCTED STREET IMPROVEMENTS. THE CONCLUSIONS REACHED INDICATE THAT THE DEEDS FRONTING 1600 NORTH STREET WERE BASED UPON THE STREET LINE AND SECTION LINE BEING CALLED "EAST", THE CONSTRUCTED STREET PARALLELING THE SOUTH LINE OF SECTION 3. SIMILARLY, THE DEEDS FRONTING 1600 WEST STREET WERE BASED UPON THE WEST LINE OF SECTION 3 BEING CALLED "NORTH", WITH THOSE DEED DESCRIPTIONS PARALLELING THAT SECTION LINE. FURTHERMORE, THE OLD BOUNDARY LINE FENCES BEAR OUT THAT CONCLUSION.

ON THIS PLAT, ALL OF THE BEARINGS OF THE SUBJECT DEEDS WERE ROTATED TO CONFORM WITH THE NAD 27 SECTION LINE BEARINGS, AS PUBLISHED BY THE UTAH COUNTY SURVEYOR'S OFFICE. ACCORDINGLY, THIS PLAT REFLECTS THOSE CONCLUSIONS.

IT IS NOTED THAT THERE IS SOME QUESTION AS TO WHERE THE NORTH LINE OF 1600 NORTH STREET IS LOCATED. THE DEEDS ALONG SAID STREET CLEARLY STATE THAT THE NORTH LINE IS PARALLEL WITH THE SECTION LINE, AND 0.32 CHAINS "NORTH" FROM IT. WE HAVE, BY ACTUAL SURVEY MEASURED TO THE BACK OR NORTH EDGE OF THE EXISTING SIDEWALK AND FOUND THAT IT IS LOCATED (CONSTRUCTED) ON THAT ALIGNMENT, THAT IS, THE STREET RIGHT–OF–WAY LINE IS COINCIDENT WITH THE SIDEWALK EDGE.

ALL OF THE PROPOSED LOTS ARE IMPROVED WITH SEWER, WATER AND PRESSURE IRRIGATION CONNECTIONS. LOT 1 1S FULLY IMPROVED, CONNECTIONS HAVING BEEN INSTALLED WITH THE DEVELOPMENT OF PLAT "B" OF MAPLE LANE SUBDIVISION.

TABLE OF STATE COORDINATES (NAD 27)

POINT NO.	X–COORDINATE (EASTING)	Y–COORDINATE (NORTHING)
A	1972822.58	659828.58
B	1975500.62	659842.00
C	1973000.45	659850.58
D	1972997.35	660086.40
E	1973116.31	660088.56
F	1973144.81	660158.36
G	1973199.46	660229.24
H	1973477.14	660230.66
J	1973478.95	660092.63
K	1973309.31	660091.39
L	1973310.50	659852.12

GRID FACTOR: GRID DISTANCES = GROUND DISTANCES X 0.9996902

CURVE DATA

CURVE NO.	LOT NO.	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	REMARKS
C1	1	95°52'36"	45.00'	75.30'	68.82'	N.10°18'16"W.	
C2	2	95°52'36"	45.00'	75.30'	68.82'	N.85°33'47"E.	
C3		191°45'11"	45.00'	150.60'	89.53'	N.37°38'02"E.	SUM OF CURVES C–1 & C–2

PRELIMINARY SUBDIVISION PLAT

PLAT "C", MAPLE LANE SUBDIVISION
LOCATED IN MAPLETON, UTAH

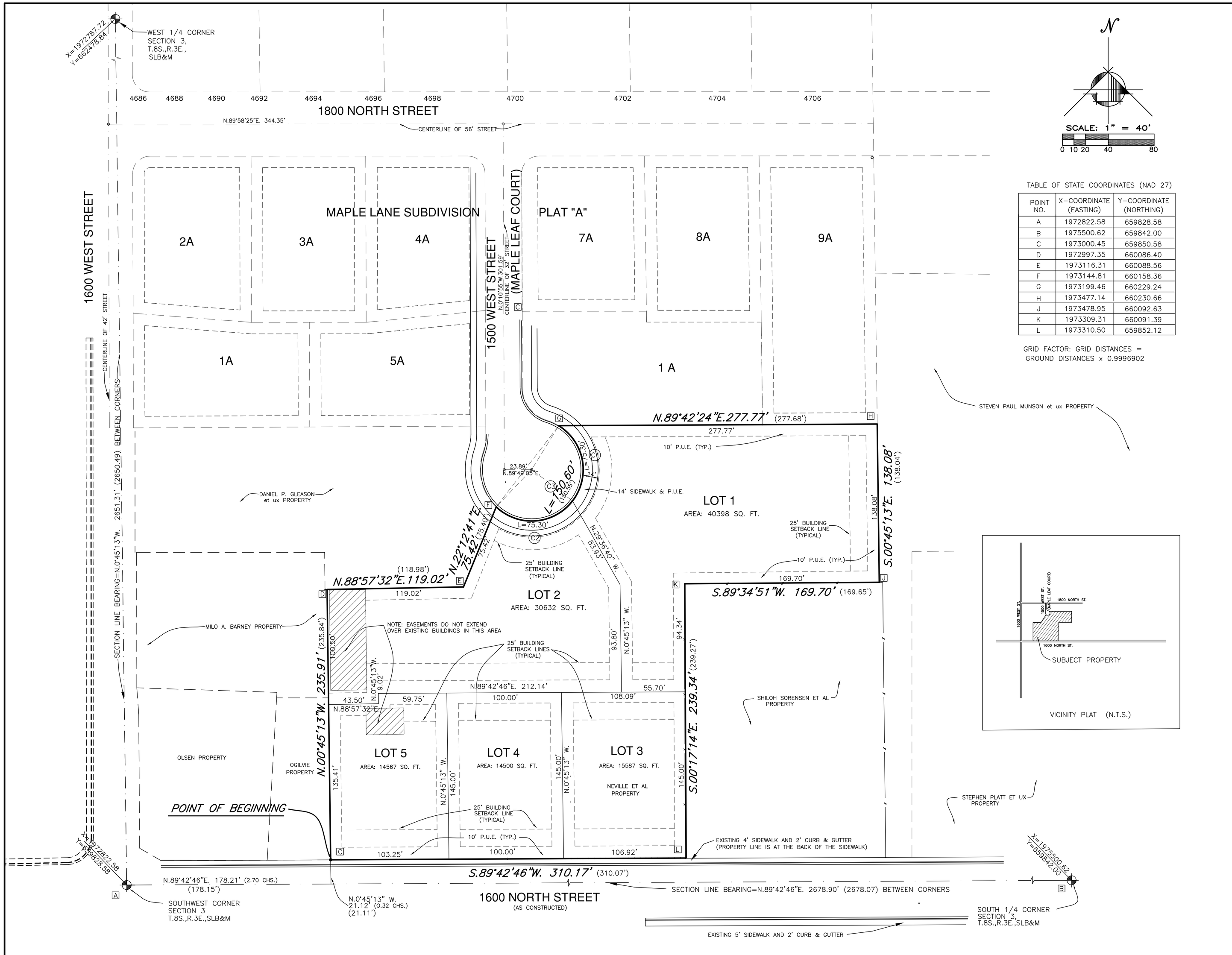
SHILOH & NICOLE SORENSON ET AL PROPERTY

(WHICH INCLUDES A VACATION OF PLAT "B", MAPLE LANE SUBDIVISION)

WESTERN LAND SURVEYING & ENGINEERING
Registered Engineers and Land Surveyors
1766 North 2000 West
Provo, Utah 84604–1128
(801) 368–9129

FIELD BOOK NO.	DATE	SCALE	DRAWN BY	DRAWING NO.	JOB NO.
15– 43,44,47,49	05–26–16	1" = 40'	AFJ	D–6296.PRE2	15–,16–

08-01-16



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SURVEYOR'S CERTIFICATE

I, ARTHUR F. JUESCHKE, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 145812 AS PRESCIBED 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

BEGINNING AT A POINT ON THE NORTH LINE OF 1600 NORTH STREET, MAPLETON, UTAH (WHICH IS AT THE NORTH EDGE OF AN EXISTING CONCRETE SIDEWALK, WHICH BEGINNING POINT IS NORTH 89°42'46" EAST ALONG THE SECTION LINE 178.21 FT. AND NORTH 00°45'13" WEST 21.12 FT. FROM THE SOUTHWEST CORNER OF SECTION 3, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN: THENCE NORTH 00°45'13" WEST 235.91 FT.; THENCE NORTH 88°57'32" EAST 119.02 FT.; THENCE NORTH 22°12'41" EAST 75.41 FT. TO THE SOUTHWESTERLY LINE OF 1500 WEST STREET (MAPLE LEAF COURT); THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID STREET, 150.60 FT. AROUND THE ARC OF A 45.00 FT. RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH CURVE BEARS NORTH 37°38'02" EAST 89.53 FT; THENCE NORTH 89°42'24" EAST 277.77 FT.; THENCE SOUTH 00°45'13" EAST 138.08 FT.; THENCE SOUTH 89°34'51" WEST 169.70 FT.; THENCE SOUTH 00°17'14" EAST 239.34 FT., MORE OR LESS, TO THE NORTH LINE OF SAID 1600 NORTH STREET; THENCE SOUTH 89°42'46" WEST 310.17 FT. ALONG SAID STREET LINE TO THE POINT OF BEGINNING.

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DATE

SURVEYOR
(SEE SEAL BELOW)

OWNERS' DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL 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 THE PERPETUAL USE OF THE PUBLIC.

IN WITNESS HEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____

DAY OF _____, A.D. _____

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF UTAH } S.S.

ON THE _____ DAY OF _____, A.D. _____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES _____

A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY ADDRESS

PRINTED FULL NAME OF NOTARY

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MAPLETON CITY, 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
DAY OF _____ DAY OF _____, A.D.

APPROVED _____ ENGINEER (See Seal Below)

ATTEST _____ CLERK-RECORDER (See Seal Below)

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D. _____, BY THE _____ MAPLETON CITY _____ PLANNING COMMISSION

DIRECTOR-SECRETARY

CHAIRMAN, PLANNING COMMISSION

PLANNING ADMINISTRATOR

UTILITY CO.

UTILITY CO.

UTILITY CO.

UTILITY CO.

UTILITY CO.

PLAT "C"

MAPLE LANE

SUBDIVISION

(WHICH INCLUDES A VACATION OF PLAT "B" MAPLE LANE SUBDIVISION)

MAPLETON CITY _____ UTAH COUNTY, UTAH

SCALE: 1" = 40 FEET

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

This form approved by Utah County and the municipalities therein.

D-6296.FIN.2

07-30-16

MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

August 24, 2016 at 8:30am

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

On August 15, 2016 plans and a complete application were submitted for the Maple Lane Plat C subdivision consisting of 5 residential lots. 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. Items shown with an * and **bolded** must be submitted prior to scheduling a preconstruction meeting.

Community Development Division

Sean Conroy, Community Development Director, Phone: (801) 806-9101
Email: sconroy@mapleton.org

Brian Tucker, Planner, Phone: (801) 806-9108, Fax: (801) 489-5657
Email: btucker@mapleton.org

Application Deficiencies:

1. The applicant must submit a statement indicating the type of performance guarantee proposed to be offered as security for the construction of the required public improvements. The statement should include an indication of your intent to either install the required improvements prior to recording the subdivision plat (thereby necessitating only a 10% durability bond) or submit a performance guarantee and durability bond prior to recording the plat (thereby allowing for the plat to be recorded prior to the installation of improvements).

Comments for plans submitted in August 2016:

1. Replace or remove any notes indicating a "25' BUILDING SETBACK LINE (TYPICAL)" on the front of all lots. The correct front setback distance is 30'.
2. Show all existing buildings on the preliminary plat, including the Sorensen home and the homes on lots 3 and 5. Buildings are not typically shown on the final plat but are necessary information on a preliminary plat.
3. An existing accessory building is shown on lot 2. Typically, an accessory building must be accessory to a primary use or structure such as a detached garage accessory to a home or a barn that is accessory to a legitimate agricultural operation. In this case the existing building is located on the same parcel as an existing home (at 1510 West). The proposed subdivision, if approved, would result in an existing accessory building being located on a residential lot with no primary residential structure. The Planning Commission and City Council must determine if the fact that an existing accessory structure can be maintained on a separate lot when a new accessory structure would not be allowed on the same lot without the previous or simultaneous establishment of a primary structure.
4. **A Final Plat must be submitted in accordance with state law and The Utah County Recorder's Requirements.**
    a. An "Owner's Dedication" block must be included on the Final Plat in accordance with state law and The Utah County Recorder's.

b. Signature blocks/lines must be included for approval by the "Legislative Body" in accordance with state law and Utah County's Requirements. Lines for signatures by the Mayor, City Engineer and City Recorder (to attest) must be included.
c. Signature blocks/lines must be included for approval by the "Planning Commission Approval" in accordance with state law and Utah County's Requirements. Lines for signatures by the Planning Commission Chairman and Community Development Director must be included.
d. The Final Plat must include a line for each notary to print their full name, their commission number and the words "A notary public commissioned in Utah" in the notary public signature block. This is a precaution to prevent issues with illegible notary stamps.
e. Signature blocks/lines for Rocky Mountain Power, Century Link, Comcast, Questar Gas, and Mapleton Irrigation need to be included on the final plat. These utility/service providers/infrastructure owners may have requirements for their respective signatures.

Engineering and Public Works Division

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

Address the following concerns in revised drawings:
Project: Maple Lane Subdivision Plat C **Date: August 25, 2016**

Water System:
1. Show location of existing and new water services to lots.

Secondary Water (Pressure Irrigation):
1. Show location on plans of existing and new pressurized irrigation services to lots.

Sewer
1. Show on plans installing sewer lateral to lot 4 behind sidewalk and irrigation ditch.
2. Show location of existing and new sewer laterals to lots.

Roadway:
1. Show on plans removing and replacing any damaged/broken curb and sidewalk on 1600 N. and Maple Court cul de sac frontages.

Miscellaneous:
1. Receive irrigation company approval for work on or crossing Mapleton Irrigation Company ditches.
2. Current Mapleton/APWA standards will apply

Prior to plat recording:

- Submit and receive approval of final plat for each applicable phase.
- 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 annexation fees ($4,528 per lot). An additional fee of $6,968 per lot will be required at the time of building permit issuance.
- Payment of any applicable utility reimbursements.
- Submittal of water shares/rights (.45 acre feet per lot and 2.5 acre feet per irrigable acre).
- 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).