Planning Commission Application Summary

Project Name: Relation Subdivision
Address: Approximately 1620 East Pioneer Rd.
Current Zoning: RA2 (Single Family Residential)
Hearing Date: June 23, 2016

Summary of Request
This application is a request for approval of a Minor Subdivision for approximately 2.68 acres located on both Relation Street and Pioneer Road. The Pioneer Rd. portion is located at approximately 1618 East Pioneer Rd. and the Relation lot is located at 12397 South Relation Street. The property is all currently zoned RA2 (Residential Agricultural). The applicant is requesting that a Minor Subdivision be approved to allow for the development of two residential lots.

Background
The property has been used for residential purposes for many years. In 1994, the Relation Street property was split off. This subdivision will combine several smaller lots in the area and create two buildable lots. The Pioneer property has a home which will remain while the Relation Street will create a new building lot. On June 8, 2016, the Zoning Administrator held a hearing which would approve this subdivision. Because of the number of people that showed up to the hearing and questions that were raised, the Zoning Administrator felt the application would be best served by going through the standard process to Planning Commission and City Council. Staff took notes during the hearing regarding the questions that were raised and those questions will be answered in the body of this staff report.

General Plan and Zoning
The Land Use Map of the General Plan calls for the Residential Low/Medium Density land use designation for the subject property. This category is designed to allow up to two dwelling units per acre and “includes areas of very large lot single-family neighborhoods and ranchettes.” It also states that “equestrian uses and privileges may exist in certain areas.” The subdivision is in conformance with the existing land use designation. The property has been assigned the RA2 (Residential Agricultural 20,000 ft$^2$ lot minimum) zoning classification, supporting approximately two dwelling unit per acre. The purpose of the RA2 zone is to “foster low density development with little impact on its surroundings and municipal services; to generally preserve the character of the City’s semi-rural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of animals and fowl.” The RA2 (Residential Agricultural 20,000 ft$^2$ lot minimum) zoning designation is identified by the General Plan as a preferred zoning classification for the Residential Low/Medium Density land use designation. The property is entirely surrounded by RA2 zoning.

Analysis
The subdivision consists of several existing parcels. These parcels will be combined and divided into two lots. The subdivision will create two residential lots both of which are required to contain a minimum of 20,000 square feet. Lot 1 (the Relation Street Lot) will be the smaller of the two at 29,890 square feet (0.69 acres) in size, and will dedicate a small sliver of property to the Relation Street right-of-way. Lot 2 (The Pioneer Rd. lot) will be significantly larger at 86,618 square feet (1.99 acres), and will dedicate a 4,322 square feet to the Pioneer Road right-of-way. Both lots will be accessed via public streets.

Portions of both properties are within a floodplain created by Willow Creek which runs through the property. The plat should contain a note which states that the properties are in the floodplain and will have to comply with soils report findings as required by the building department.
There are currently some buildings that occupy proposed lot one that are out buildings such as a barn and shed. By definition, these buildings are accessory buildings but would not be allowed on a lot without a main structure (a home) on the lot as well. As a result, the buildings need to be razed prior to the final plat being recorded at the county recorder’s office. Alternatively, an agreement between the property owner and the city may be recorded against the property outlining a timeframe for the buildings to remain while the lot is on the market. If the lot is not sold and building permit obtained within the timeframe outlined in such an agreement, the buildings would need to be removed.

**Deviations (If applicable)**
None

**Staff Recommendation**
Staff recommends approval of the minor subdivision.

**Model Motions**
Sample Motion for Approval – “I move we forward a positive recommendation to the City Council for the Relation Subdivision Request by Lee Conant for a two lot split, application SUB-028-2016, based on the findings and subject to the conditions listed in the Staff Report dated June 6, 2016 and as modified by the conditions below:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we forward a negative recommendation to the City Council for the Relation Subdivision Request by Lee Conant for a two lot split, application SUB-028-2016, based on the following findings:”

1. List any additional findings...
To: Draper City Planning Commission  
Business Date: May 14, 2015

From: Dan Boles, AICP, Senior Planner

Re: Relation Subdivision – Minor Subdivision Request
Application No.: SUB-028-2016
Applicant: Lee Conant
Project Location: Approximately 1620 East Pioneer Rd.
Zoning: RA2 (Residential Agricultural) Zone
Acreage: Approximately 2.68 Acres (Approximately 116,508 ft²)
Request: Request for approval of a Minor Subdivision in the RA2 (Residential Agricultural) zone regarding the creation of two lots.

SUMMARY
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ANALYSIS
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Subdivision Layout. The subdivision consists of several existing parcels. These parcels will be combined and divided into two lots. The subdivision will create two residential lots both of which are required to contain a minimum of 20,000 square feet. Lot 1 (the Relation Street Lot) will be the smaller of the two at 29,890 square feet (0.69 acres) in size, and will dedicate a small sliver of property to the Relation Street right-of-way. Lot 2 (The Pioneer Rd. lot) will be significantly larger at 86,618 square feet (1.99 acres), and will dedicate a 4,322 square feet to the Pioneer Road right-of-way. Both lots will be accessed via public streets.

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Questions from the ZA hearing. As was previously stated, there were a number of questions raised at the hearing most of which were easily answered. The questions and answers were:

• Will there be a right of way through the lot for access to the rear of lot 2? No…unless the property owner would like to provide a right of way to the back of the lot. This is not a requirement as both lots have direct access to rights-of-way, namely Relation Street and Pioneer Rd.
• Are there any other intended uses for the property? The property is zoned RA2 which is a single family residential zoning designation. Anything that is allowed in that zone will be allowed in this subdivision.
• What will happen to the barn on the proposed lot 1 and is it on the historical register? The applicant has stated that they are not certain what their intentions are in regards to the barn. Staff has not been able to find any indication that the barn is on the historic register.
• Will the property to the rear of the home on lot one be landlocked? The rear of the property will not be landlocked because it is part of the single lot that is accessed directly to Pioneer Rd. In other words, it is all one lot which has direct access to Pioneer Rd. Though it is a large lot and could be split into more lots, it is not being proposed with this application. If the property owner wishes to further divide the property in the future, an access to the other lots will have to be figured out at that time.
• **Will it remain one lot?** For the time being, yes, the lot will remain one. If the property owner desires to further divide the property in the future, a plat amendment will need to be applied for and approved. That is a possibility in the future.

• **Are there any improvements to be made to the floodplain?** Staff understands that the County had done some improvements within the floodplain off the Willow Creek. Staff is not aware of any further improvements within the floodplain that are proposed.

**Criteria For Approval.** The criteria for review and potential approval of a Preliminary and Final Plat request is found in Title 17 of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

> “The Planning Commission shall make findings specifying any inadequacy in the application, non-compliance with City regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat. The Planning Commission may review all relevant information pertaining to the proposed development including but not limited to the following: fire protection; sufficient supply of culinary and secondary water to the proposed subdivision; sewer service; traffic considerations and the potential for flooding; etc. The Planning Commission shall submit its findings and recommendations regarding approval or disapproval of the Preliminary Plat to the City Council for review and decision.”

**REVIEWS**

*Planning Division Review.* The Draper City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request with the following proposed condition:

1. That a mylar consistent with the final plat requirements of the Draper City Municipal Code is produced and submitted to the City for recordation at the Salt Lake County Recorder’s office.
2. That the existing buildings are razed or an agreement between the property owner and city is recorded against the property as outlined in this staff report. Either option will need to take place prior to the recordation of the final plat.

*Engineering and Public Works Divisions Review.* The Draper City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request with the following proposed comments:

1. Per DCMC 17-5-030(D) requires frontage improvements on all future and existing streets. DCMC 9-27-110(C) provides for the applicant to pay an assessment in lieu of construction of frontage improvements. Provide a request for an assessment in lieu of constructing frontage improvements.
2. Dimension the half width on plat on Pioneer Road, 33-foot half width.
3. Dimension the existing ROW on Relations street to the street centerline, 30-foot half width.
4. Identify building offsets on each lot.
5. Application shall include a commitment to serve letters from South Valley Sewer District and WaterPro. The application shall include letters from the providers,
addressing the feasibility and their requirements to serve the project in accordance with Section 9-5-090(d)(1)(iv)(C)(5) of the DCMC.

6. Modifications to the hydrologic and hydraulic calculations per last review comments have not been received. The site shall either have retention or detention per comments below – the applicant and/or engineer to decide. Verify site grading to ensure runoff is collected in basin(s) per site drainage narrative (required to be submitted) to verify site compliance to city standards.

7. All retention basin calculations require the 100-year, three hour storm event in accordance with Section 9-5-090(d)(1)(iv)(B)(7) of the DCMC and the Storm Drainage Design Criteria. Total rainfall depth is 1.79 inches. Overflow shall be directed to acceptable public drainage facility, such as the creek. OR

8. All detention basin calculations require the 10-year, three hour storm event in accordance with Section 9-5-090(d)(1)(iv)(B)(7) of the DCMC and the Storm Drainage Design Criteria. Total rainfall depth is 0.93 inches with a 0.10 cfs/acre maximum discharge rate. Must show outlet structure, flow control such as orifice, discharge point if it is to the creek, etc. Detention basin discharge into -creek requires a Salt Lake County Flood Control Permit.

9. Note 1 on the Grading and Drainage Plan indicates that no grading will be completed on the site. The detention or retention areas will be required to be installed with the subdivision improvements.

**Building Division Review.** The Draper City Building Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request with the following comment:

1. That the applicant will need to address the construction of any buildings within the flood plain. This can be part of the plan review process for building permit.

**Unified Fire Authority Review.** The Unified Fire Authority has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request with the following proposed comments:

1. Future building and development must meet all International fire codes.
2. Fire access is critical. Structures built deep on lots are required to have a minimum unobstructed 20’ wide paved fire access road. Roads greater than 150’ must have a fire turn-a-round. The road must be designed and maintained to support the imposed loads of emergency apparatus. The road shall have an inside turning radius of twenty eight (28) feet. Access grades shall not exceed 10%.
3. Fire Hydrant numbers and fire water flow requirements are based upon the size of homes to be built. A fire flow test will be needed to determine house size limits. It may be necessary to install several fire hydrants to develop these lots.
4. Visible Addressing Required. New and existing buildings shall have approved address numbers plainly legible and visible from the street fronting the property. These numbers shall contrast with their background.

**Noticing.** The applicant has expressed his desire to subdivide the subject property and to do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

**STAFF RECOMMENDATION**
Staff recommends approval of the request for a Minor Subdivision by Lee Conant, application SUB-028-2016, subject to the following conditions:

1. That all requirements of the Draper City Engineering and Public Works Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Draper City Building and Planning Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Unified Fire Authority are satisfied throughout the development of the site and the construction of all buildings on the site.
4. Per DCMC Section 17-8-070, the subdivider shall have six months to record the subdivision. If recordation has not taken place within the specified time limitation, the approval shall become null and void. This time period may be extended by the Zoning Administrator for up to an additional six month period for good cause shown. The subdivider must petition in writing for this extension prior to the expiration of the original six month period.
5. That a note be placed on the plat regarding building within the floodplain.
6. That the existing buildings are razed or an agreement between the property owner and city is recorded against the property as outlined in this staff report. Either option will need to take place prior to the recordation of the final plat.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan.
   a. The land use designation of Residential Low/Medium Density is designed to allow up to two dwelling units per acre.
   b. Encourage infill development in close proximity to existing facilities to promote orderly growth while reducing the cost and extent of public services.
   c. Allow development only in those districts where community services are now available or where they can be extended without increased cost to existing residents.
   d. Encourage development that can be adequately supported by required services and facilities; which conserves, to the extent possible, the natural and man-made environment.
   e. Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area’s character.
2. The proposed development plans meet the requirements and provisions of the Draper City Municipal Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

**MODEL MOTIONS**

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1. List any additional findings and conditions…

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1. List any additional findings…
DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.

[Signatures]
Draper City Engineering Division

Draper City Building Division

Draper City Operations Division

Draper City Planning Division

Unified Fire Authority

Draper City Legal Counsel
EXHIBIT B
LAND USE MAP
EXHIBIT D
MINOR SUBDIVISION PLAT