

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 09/24/2024

Issue: Wheadon Acres Lots 14 & 15A Subdivision Amended
SUBDIVISION Amendment
Address: 10537 S 3010 W and 10555 S 3010 W South Jordan, UT 84095
File No: PLPLA202400055

Applicant: GORDON MILAR CONSTRUCTION LLC

Submitted by: Miguel Aguilera, Planner I
Shane Greenwood, Supervising Senior Engineer

Staff Recommendation (Motion Ready): I move that the Planning Commission **approve** File No. PLPLA202400055, contingent on the City Council's approval of the Flag Lot Overlay rezone application, PLZBA202400056.

ACREAGE:	Approximately 1.9 acres
CURRENT ZONE:	Single-Family Residential (R-1.8)
CURRENT USE:	Single Family Homes
FUTURE LAND USE PLAN:	Stable Neighborhood
NEIGHBORING ZONES/USES:	North – R-1.8/Single-family residential South – R-1.8/ Single-family residential West – R-1.8/Single-family residential East – R-1.8/ Single-family residential

STANDARD OF APPROVAL:

The Planning Commission shall receive comment at a public hearing regarding the proposed subdivision amendment. The Planning Commission may approve the amendment if it finds good cause to amend the subdivision, and the amendment complies with City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements. The Planning Commission may only deny the amendment if there is no good cause for amending the subdivision and the proposed amendment does not meet all provisions of City Code Chapter 16.14, other City ordinances, and sanitary sewer and culinary water requirements.

City Code § 16.14.020

FLAG LOT OVERLAY:

- A. Concept: Applicants are encouraged to submit a concept plan and work with staff prior to application to understand the surrounding area, the goals and policies of the City's General Plan, and to ensure the minimum requirements of the FL can be met.

- B. Rezone: An FL shall only be established upon approval by the City Council as a rezone according to the provisions of Chapter 17.22, "Zoning Amendments", of this Title and as may be required elsewhere in this Title. City Council rezone approval of the FL shall be by development agreement.
- C. Concurrent Preliminary Subdivision (Optional): At the applicant's option and with the approval of the Planning Director, the applicant may submit a preliminary subdivision application to be processed concurrently with an FL rezone. In the case of concurrent applications, Planning Commission approval of a concurrent preliminary subdivision shall be contingent on the City Council's approval of the FL rezone.

(City Code § 17.130.060.020)

BACKGROUND:

The applicant is requesting the Planning Commission approve a subdivision amendment application for two properties located at 10537 S 3010 W and 10555 S 3010 W. The proposed amendment will create four lots from Wheadon Acres Subdivision lots 14 & 15A. Two of these lots will be flag lots. The applicant also filed a rezone application associated with the subject properties under file No. PLZBA202400056 to rezone the properties to the Flag Lot Overlay Zone and allow for the creation of two flag lots.

The Wheadon Acres Lots 14 and 15A Amended Subdivision will have two regular lots (Lots 101 and 102), and two flag lots (Lots 103 and 104). Lots 101 and 102 will be 0.335 and 0.381 acres, respectively. Lots 103 and 104 will be 0.50 and 0.685 acres, respectively. The flag lots 103 and 104 will share a firetruck turnaround and a driveway that will be 20 feet wide. The driveway will have access from 3010 W.

STAFF FINDINGS, CONCLUSIONS & RECOMMENDATION:

Findings:

- Both this application and the mentioned rezone application are part of a development agreement.
- Without the flag lot overlay and development agreement, the properties would not meet the minimum requirements to have flag lots.
- Lots 101 and 102 will be under the lot size requirement to qualify for farm animal rights. The development agreement addresses this and removes the incompatible land use fencing requirements between all four properties and also restricts farm animal rights for all four properties in the amended subdivision.
- The agreement does not change the incompatible land use fencing requirement between the subject properties and properties outside the amended subdivision.
- The Director of Planning approved this application be processed concurrently with the flag lot overlay rezone application.
- The Planning Commission may approve the subdivision amendment contingent on the City Council's approval of the flag lot overlay zone change.

Conclusion:

- The proposed preliminary subdivision application meets the City Code requirements and as such should be approved.

Recommendation:

- Based on the Findings and Conclusions listed above, Staff recommends that the Planning Commission take comments at the public hearing and **approve** the Application, unless during the hearing facts are presented that contradict these findings or new facts are presented, either of which would warrant further investigation by Staff.

ALTERNATIVES:

- Approve an amended Application.
- Deny the proposed Application.
- Schedule the Application for a decision at some future date.

SUPPORT MATERIALS:

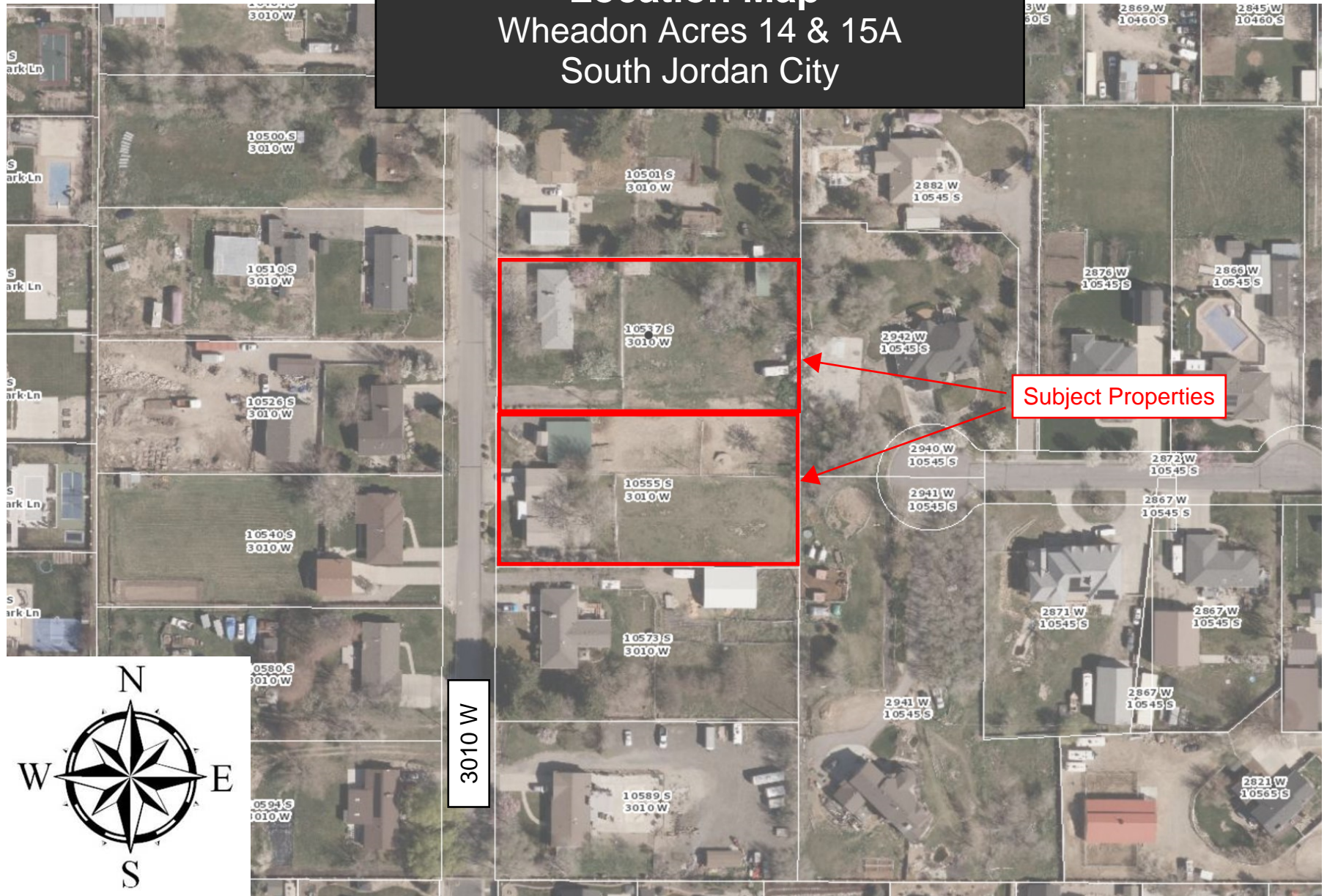
- Location Map
- Current Zoning Map
- Future Land Use Map
- Proposed Subdivision Amendment Plat

Miguel Aguilera

Miguel Aguilera
Planner I, Planning Department

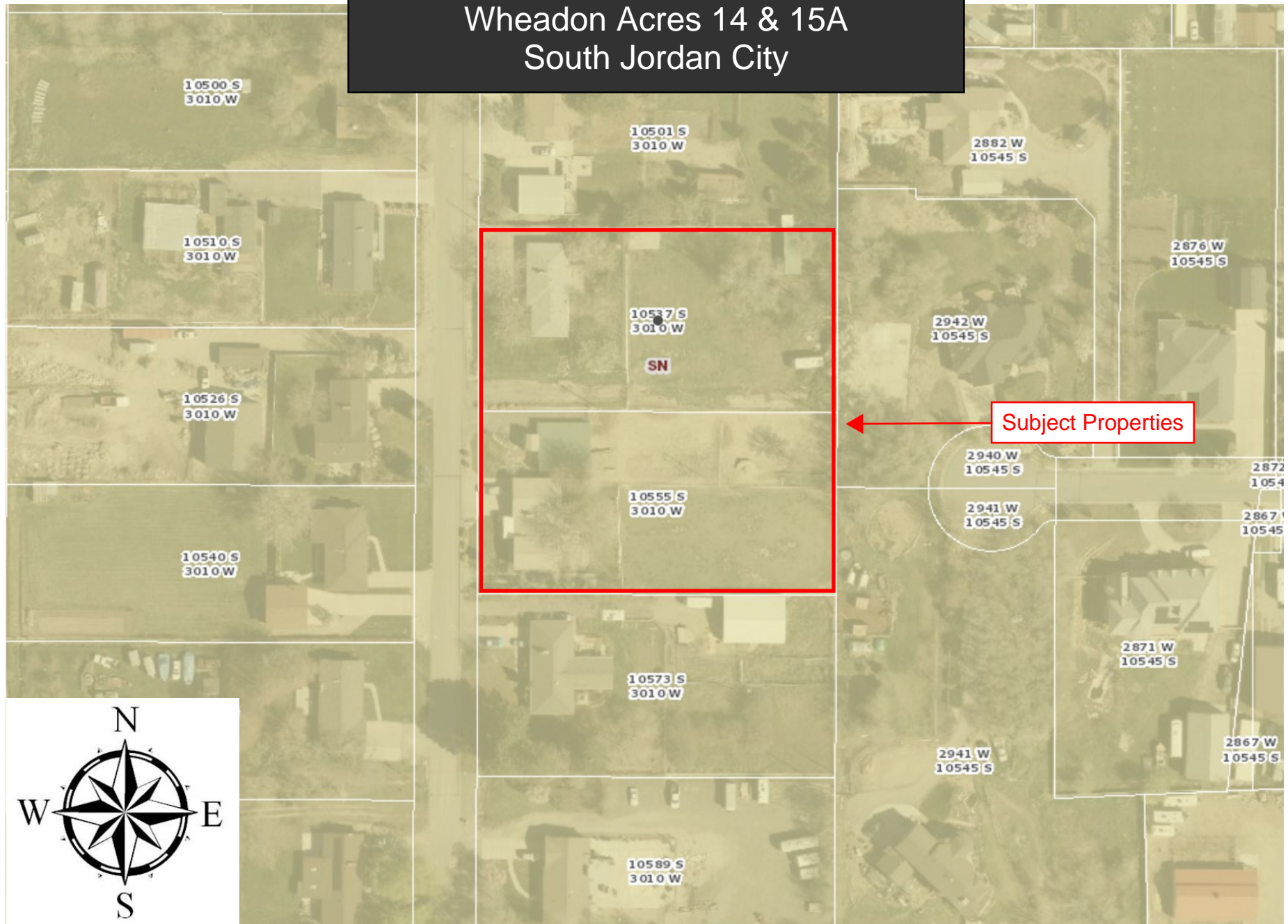
Location Map

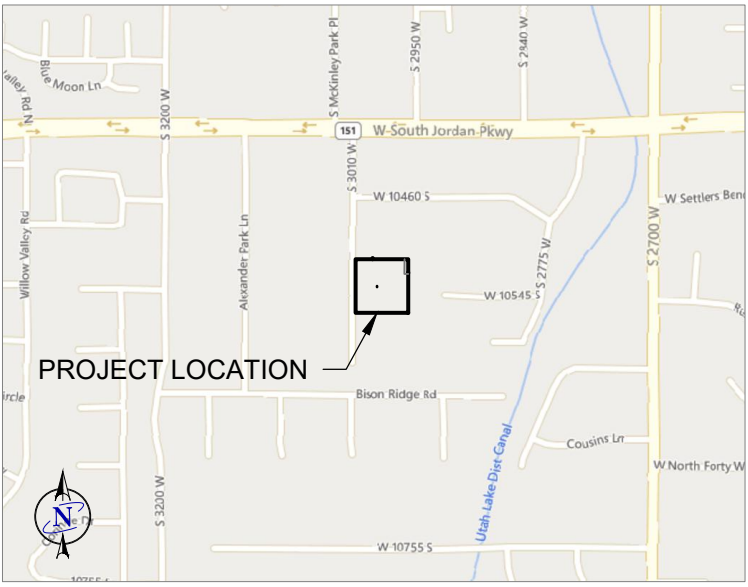
Wheadon Acres 14 & 15A
South Jordan City



Land Use Map (SN)

Wheadon Acres 14 & 15A
South Jordan City





VICINITY MAP N.T.S.

WHEADON ACRES LOTS 14 & 15A AMENDED FINAL PLAT

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN,
SOUTH JORDAN, UTAH

SURVEYOR'S CERTIFICATE:

I, JARED ASHTON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NO. 12411560 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER KNOWN AS:

WHEADON ACRES LOTS 14 & 15A AMENDED

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.



JARED ASHTON
UTAH PROFESSIONAL LAND SURVEYOR
LICENSE NO. 12411560

PROPERTY DESCRIPTION DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WEST 1320.04 FEET AND NORTH 00°00'31" EAST 295.94 FEET FROM THE CENTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 14, WHEADON ACRES SUBDIVISION ON RECORD AT THE SALT LAKE COUNTY RECORDERS OFFICE AS ENTRY #2317193; THENCE ALONG THE SOUTH LOT LINE OF SAID LOT 14 WEST 285.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, SAID POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF 3010 WEST STREET; THENCE ALONG SAID RIGHT OF WAY NORTH 00°00'31" EAST 290.40 FEET TO THE NORTHWEST CORNER OF LOT 15A OF SAID WHEADON ACRES SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 15A EAST 285.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 15A; THENCE ALONG THE EAST LINE OF SAID LOTS 14 & 15A SOUTH 00°00'31" WEST 290.40 FEET TO THE POINT OF BEGINNING.

CONTAINS 82,764 SF OR 1.90 ACRES MORE OR LESS

OWNER'S DEDICATION AND CONSENT TO RECORD:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

WHEADON ACRES LOT 14 & 15A AMENDED

AND DO HEREBY CONVEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20____

OWNER

OWNER'S ACKNOWLEDGEMENT:

STATE OF _____)
COUNTY OF _____) SS.

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____ IN THE STATE OF _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE/SHE IS THE _____ SIGNING THE FORGOING OWNER'S DEDICATION WHO DULY ACKNOWLEDGED BEFORE ME THAT HE/SHE DID EXECUTE THE SAME FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSION IN UTAH
RESIDING IN _____ COUNTY

MY COMMISSION NO. _____ PRINTED FULL NAME OF NOTARY

1 OF 1

WHEADON ACRES LOTS 14 & 15A AMENDED

SITUATED IN THE NORTHWEST QUARTER OF SECTION 16,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
SOUTH JORDAN CITY, SALT LAKE COUNTY, UTAH

OWNER / DEVELOPER
DANIEL MILAR



10430 South 2700 West, South Jordan, Utah 84095
Phone: (801) 253-0248 Fax: (801) 253-6139

SHEET

PL1

LEGEND

- SECTION CORNER (FOUND)
- STREET MONUMENT (FOUND)
- SECTION LINE
- CENTERLINE
- BOUNDARY LINE
- EASEMENT LINE
- SETBACK LINE
- (M) MEASURED
- (R) RECORD
- SET REBAR AND CAP (PROTERRA)

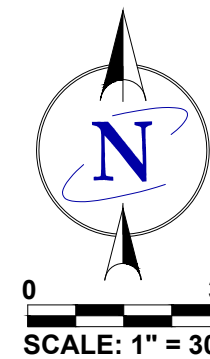
GENERAL NOTES:

- THIS PLAT IS SUBJECT TO A DEVELOPMENT AGREEMENT WITH SOUTH JORDAN CITY.

WEST QUARTER CORNER OF SECTION 16
TOWNSHIP 3 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
(FOUND MONUMENT)

1320.44' (M)
BASIS OF BEARINGS
WEST 2640.48'(M)

CENTER OF SECTION 16
TOWNSHIP 3 SOUTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
(FOUND MONUMENT)



Parcel #27-16-178-051
Mark & Rachel Smith
Family Trust
2944 W 10545 S

Parcel #27-16-178-045
Brent C. Higbee
2941 W 10545 S

P.O.B.

N00°00'31"E
295.94'

Lot 16A
Wheadon Acres
Subdivision

LOT 101
14,572 SF or 0.335 Acres
10537 S. 3010 W.

LOT 103
21,780 SF or 0.500 Acres
10541 S. 3010 W.

FIRE TRUCK TURN AROUND
& UTILITY / ACCESS EASEMENT
IN FAVOR OF LOTS 3 & 4
5,117 SF or 0.117 Acres

LOT 102
16,589 SF or 0.381 Acres
10555 S. 3010 W.

LOT 104
29,823 SF or 0.685 Acres
10551 S. 3010 W.

Lot 13
Wheadon Acres
Subdivision

SOUTH VALLEY SEWER DISTRICT

HEALTH DEPARTMENT

OFFICE OF THE CITY ATTORNEY

CITY PLANNER

SOUTH JORDAN CITY MAYOR

SALT LAKE COUNTY RECORDER

RECORDED NO. _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED
AT THE REQUEST OF: _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ DEPUTY SALT LAKE COUNTY RECORDER

PUBLIC UTILITY APPROVAL
CENTURYLINK: _____ DATE: _____
COMCAST: _____ DATE: _____
DOMINION ENERGY: _____ DATE: _____
ROCKY MTN. POWER: _____ DATE: _____
OTHER: _____ DATE: _____

CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED
THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH
INFORMATION ON FILE IN THIS OFFICE.

SOUTH JORDAN CITY ENGINEER

APPROVED THIS _____ DAY OF _____, A.D., 20____.

SOUTH VALLEY SEWER DISTRICT

APPROVED THIS _____ DAY OF _____, A.D., 20____.

REPRESENTATIVE

APPROVED AS TO FORM THIS _____ DAY OF _____,
A.D., 20____.

ATTORNEY FOR SOUTH JORDAN CITY

APPROVED AS TO FORM THIS _____ DAY OF _____,
A.D., 20____.

CITY PLANNER

APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 20____.

ATTEST: CITY CLERK

MAYOR