



Staff Report

Coalville City
Community Development Director

To: Coalville City Mayor and City Council
From: Don Sargent, Community Development Director
Date of Meeting: February 13, 2023
Re: Plat Amendment and Street Vacation Petition – Indian Hills Phase 3
Action: Public Hearing and Possible Approval

Subdivision Plat Amendment and Street Vacation Petition

REQUEST: Continue the review, discussion and conduct a public hearing on the proposed amendment to the Indian Hills Phase 3 Subdivision Plat and petition for a street vacation/re-alignment of a portion of Settlers' Drive. This item is scheduled for a public hearing and possible approval.

BACKGROUND: The applicant and petitioner, North Summit Recreation District (NSRD), Ron Boyer, filed an application for a plat amendment and petition for a public street vacation associated with Parcels CT-348-X, IH-3-59-IH-64-X and CT-340-X. The project site is shown on the Aerial Map as *Attachment A*.

Attachment B includes the existing 1979 recorded subdivision plat for Phase 3 of the Indian Hills Subdivision with the subject property identified. This portion of the subdivision property, including the platted lots and associated street right-of-way, was sold by the original developer to the North Summit School District who in turn sold the property to the North Summit Recreation District in 2013. The property is approximately 2 acres in size.

Attachment C includes the proposed plat amendment drawings with supporting information from the applicant.

Attachment D includes the petition for the street vacation (re-alignment) request with supporting information from the petitioner.

Attachment E includes the site plan of the proposed park expansion improvements from the recreation district showing new street connections to Antelope Drive, Settlers Drive, and Pioneer Drive with Beacon Hill Drive.

The property is zoned High Density Residential (R-4) with a public facility overlay and is therefore eligible for the uses proposed by the applicant for the park improvements through the Low Impact Permit process.

On December 19, 2022 the Planning Commission conducted a public hearing and unanimously recommended approval of the plat amendment and public street vacation (re-alignment) to the City Council.

On January 23, 2023 the City Council conducted a work session to review and discuss the proposed project and directed Staff to draft a plat note addressing access for Phase 3 of the Indian Hills Subdivision Lots 46 -58 (13 lots).

ANALYSIS: Section 8-2-030 of the development code identifies the process and procedures for a plat amendment which is essentially the same as the minor subdivision review and approval process in accordance with the subdivision standards of the code.

Currently the entire Indian Hills Subdivision is only served with one access which does not comply with current development code for emergency access and circulation. As shown on the overlay map included as *Attachment F* the proposed site plan and new street alignment would provide connections to Pioneer Drive, Settlers Drive, and Antelope Drive with Beacon Hill Drive. These connections would provide second access to the existing Indian Hills Subdivision as well as the future Phase 3 lots.

Section 10-3-180 of the development code and Section 10-9a-609.5 of the state code identifies the process and procedures for street vacations. The Planning Commission considered the following questions from the code sections in reviewing the public street vacation petition:

1. Is there good cause for the street vacation action?
2. Will the action be detrimental to the public interest, or will any person be materially injured by the proposed vacation?

It was the decision of the Planning Commission to recommend approval of the plat amendment and street vacation to the City Council with the following findings:

1. There is good cause for the street vacation action as it will provide and improve access to the existing Indian Hills Subdivision.
2. The action will not be detrimental to the public interest, nor will any person be materially injured by the proposed street vacation as the re-aligned public street will provide second access from the Indian Hills Subdivision, including Phase 3, to Beacon Hill Drive which currently does not exist.

As directed by the City Council at the January 23, 2023 work session, Staff prepared the following plat note addressing access for Phase 3 Lots 46-58 (13 lots):

This Note is to recognize that Indian Hills Subdivision Plat 3 was recorded on the 24th day of November 1979, with the Plat showing only one access which was consistent with the ordinances at the time of approval. The current petition and amended plat of the North Summit Recreation District would provide a second access to Plat 3. Coalville City hereby

recognizes the approved Plat 3 as it is presently platted in connection with this amended plat. Any subsequent changes to Plat 3 would require the Indian Hills Subdivision Plat 3 to become compliant with the Coalville City ordinances at the time of such changes and subject to approval from the City Council at the time.

In the event the property owner of the Phase 3 lots (Crittenden Family) does not support the proposed plat amendment and street vacation/alignment, it is the opinion of Staff that the existing road stub-out would need to be maintained and connect with either Settlers' Drive or Beacon Hills Drive and the lots remain as configured as shown on the subdivision plat overlay as Attachment G.

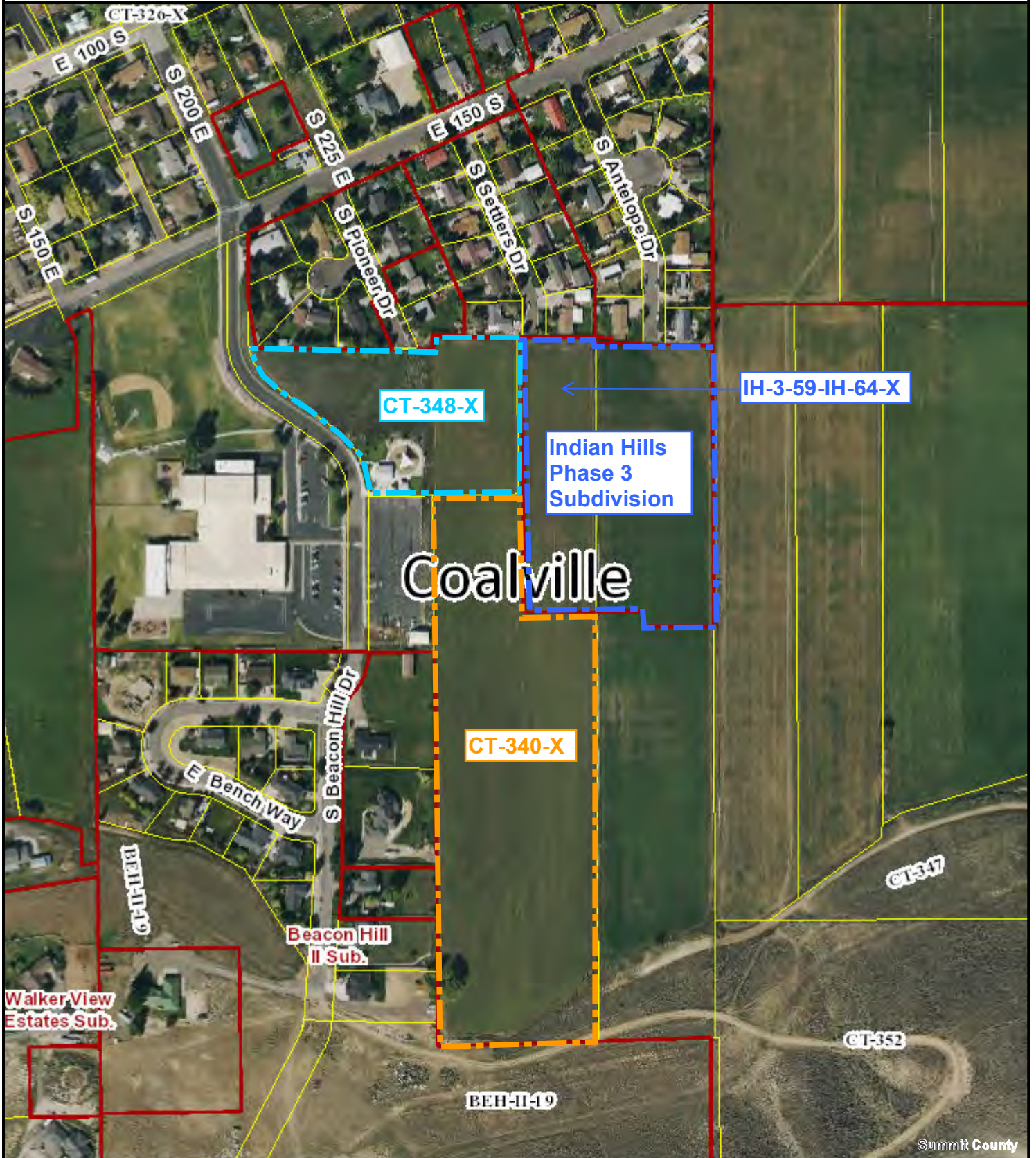
RECOMMENDATION: Staff recommends the City Council review and discuss the proposed plat amendment and street vacation petition, conduct a public hearing, and address the circumstances of the existing subdivision plat for possible approval of the project as proposed or modified.

As an alternative action, the City Council may provide additional direction to Staff and/or the applicant regarding the plat amendment and public street vacation petition for continued review and consideration at a subsequent meeting.

ATTACHMENTS

- A.** Aerial Map
- B.** Indian Hills Phase 3 Subdivision Recorded Plat
- C.** Proposed Plat Amendment
- D.** Public Street Vacation Petition
- E.** Proposed Park Improvement Site Plan
- F.** Context Aerial Overlay Map
- G.** Overlay of Subdivision Plat

Aerial Map



1 in = 376 feet
 Imagery courtesy of Google



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.

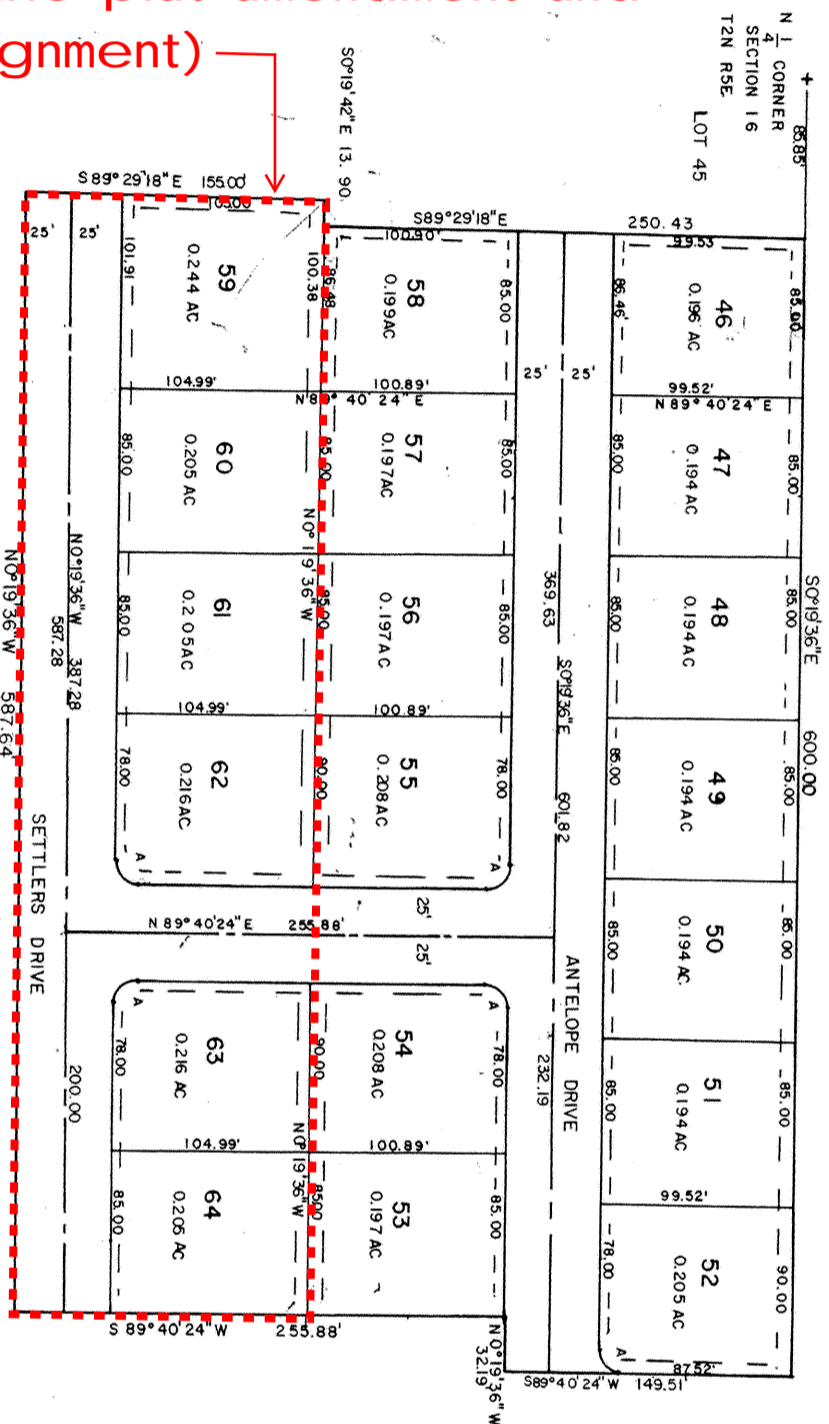
SERIAL # IH-3-LOT#

NOTE: LOTS 46 thru 58 ARE ASSESSED UNDER IH-3-46-58
 LOTS 59 thru 64 ARE ASSESSED UNDER IH-3-59-IH-64-X

INDIAN HILLS SUBDIVISION PLAT 3 A SUBDIVISION OF PART OF SECTION 16 T2N R5E SLB 8 M COALVILLE, UTAH

SCALE 1" = 50'

NOVEMBER 1979



NOTE
 ALL LOTS HAVE A 50' UTILITY EASEMENT ON FRONT LOT LINES
 AND A 75' UTILITY DEANS EASEMENT ON
 BACK AND SIDE LOT LINES AS SHOWN

CURVE DATA
 A 4190'00'
 R=12100'
 L=11885'

CITY COUNCIL

APPROVED AND ACCEPTED BY THE COALVILLE CITY COUNCIL
 THIS 19TH DAY OF November, 1979

W. L. ...
 COALVILLE CITY MANOR

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF LOT 45, INDIAN HILLS SUBDIVISION, PLAT 2, ACCORDING TO THE OFFICIAL PLAT AS RECORDED IN SUMMIT COUNTY, UTAH, WHICH IS THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, AND RUNNING THENCE S69°40'24"W 250.00' TO POINT A; THENCE S89°40'24"W 149.51' TO POINT B; THENCE N07°19'36"W 32.19' TO POINT C; THENCE S89°40'24"W 155.00' TO POINT D; THENCE S89°29'18"E 200.00' TO POINT E; THENCE S89°29'18"E 200.00' TO POINT F; THENCE S89°29'18"E 200.00' TO POINT G; THENCE S89°29'18"E 200.00' TO POINT H; THENCE S89°29'18"E 200.00' TO POINT I; THENCE S89°29'18"E 200.00' TO POINT J; THENCE S89°29'18"E 200.00' TO POINT K; THENCE S89°29'18"E 200.00' TO POINT L; THENCE S89°29'18"E 200.00' TO POINT M; THENCE S89°29'18"E 200.00' TO POINT N; THENCE S89°29'18"E 200.00' TO POINT O; THENCE S89°29'18"E 200.00' TO POINT P; THENCE S89°29'18"E 200.00' TO POINT Q; THENCE S89°29'18"E 200.00' TO POINT R; THENCE S89°29'18"E 200.00' TO POINT S; THENCE S89°29'18"E 200.00' TO POINT T; THENCE S89°29'18"E 200.00' TO POINT U; THENCE S89°29'18"E 200.00' TO POINT V; THENCE S89°29'18"E 200.00' TO POINT W; THENCE S89°29'18"E 200.00' TO POINT X; THENCE S89°29'18"E 200.00' TO POINT Y; THENCE S89°29'18"E 200.00' TO POINT Z; THENCE S89°29'18"E 200.00' TO POINT A; CONTAINING 5.489 ACRES

SURVEYOR'S CERTIFICATE

I, DEAN HILL, A REGISTERED AND LICENSED SURVEYOR, HOLDING CERTIFICATE NO. 2268 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HAVE SURVEYED AND HEREWITH AND HAVE SUBMITTED SAID TRACT OF LAND AND STREETS TO BE HEREINAFTER BE KNOWN AS INDIAN HILLS SUBDIVISION, PLAT 3 AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT
 SIGNED THIS 17TH DAY OF November, 1979

Dean Hill
 DEAN HILL
 LULLETT ENGINEERING



OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HEREBY GRANT THE SAME TO BE SUBMITTED TO THE CITY OF COALVILLE, UTAH, TO BE HEREINAFTER KNOWN AS INDIAN HILLS SUBDIVISION, PLAT 3, SO HEREBY DEDICATE FOR PUBLIC USE, AND DO WARRANT TO DEFEND AND SAVE THE CITY HARMLESS AGAINST EASEMENTS OR OTHER INCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, CREATION AND MAINTENANCE OF THE STREETS AND SIDEWALKS, DRIVEWAYS AND THE DEDICATED STREETS SHOWN
 IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS 17TH DAY OF November, 1979

Donald W. Stet
 DONALD W. STET
 RESIDENT

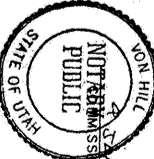
John T. ...
 JOHN T. ...
 SECRETARY

ACKNOWLEDGEMENT

STATE OF UTAH, SS
 COUNTY OF DAVIS, SS
 ON THIS 17TH DAY OF November, 1979 PERSONALLY APPEARED BEFORE ME RONALD W. STOUT AND GARY V. SMITH, NOTARY PUBLIC, THAT THE ABE PRESENT AND SECRETARY OF THE TRIPLE S DEVELOPMENT INC. A UTAH CORPORATION OF THE BOARD OF DIRECTORS AND SAID RONALD W. STOUT AND GARY V. SMITH KNOWLEDGED THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

Residence: Coalville, Utah



RECORDER

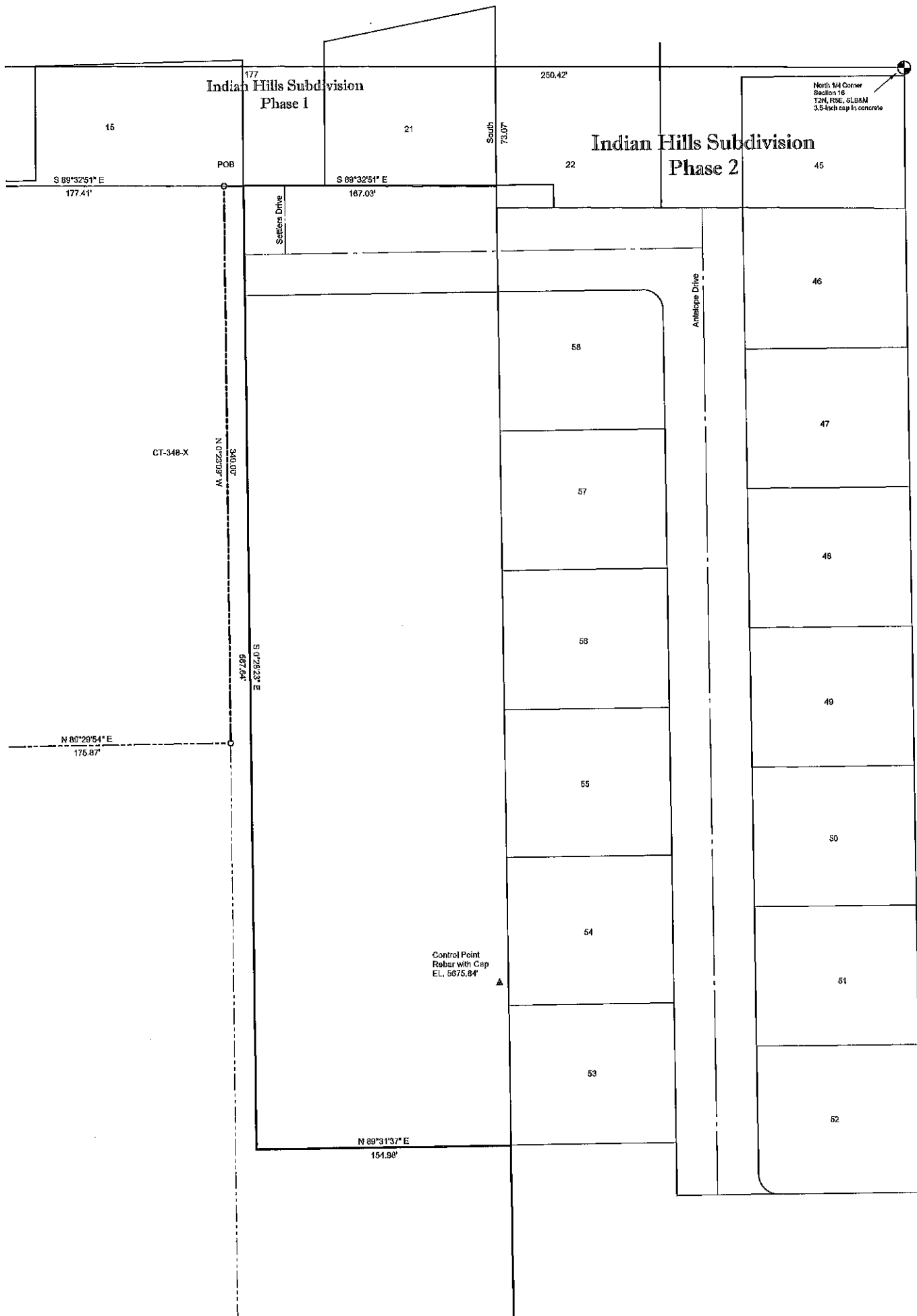
ENTRY NO. 118984 FEE PAID 18.50 FEE FOR RECORD AND RECORD THIS 24 DAY OF November, 1979 AD AT 3:10.5 IN BOOK OF PAGE

Michael ...
 RECORDER

Property subject to the plat amendment and street vacation (re-alignment)

ATTACHMENT B

ATTACHMENT C





To the attention of Coalville City Council and Coalville City Planning Commission,

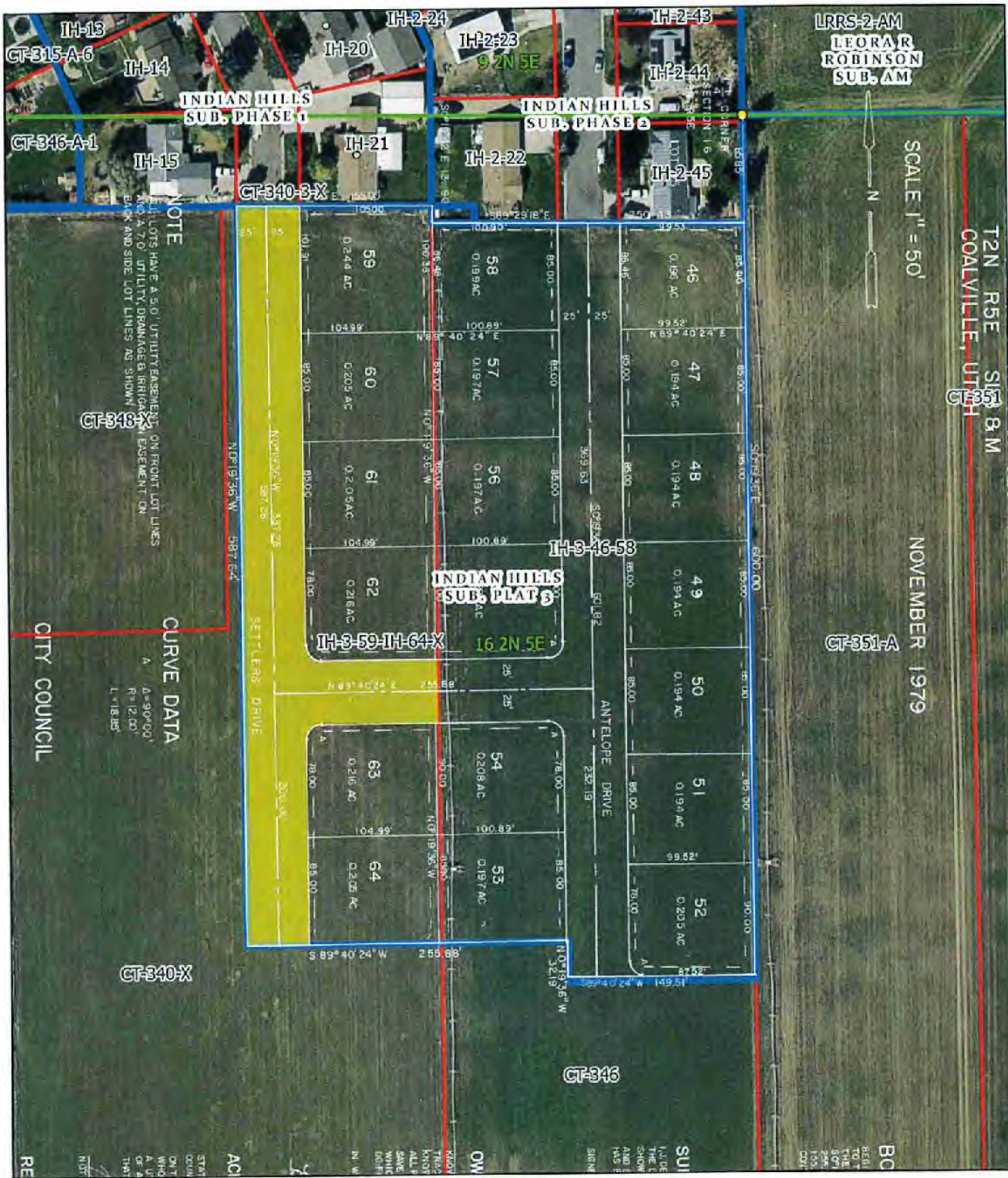
North Summit Recreation Special Service District is requesting to vacate 587' of a Settlers Drive and 130' of the cross street from Settlers Drive to Antelope Drive. Both streets are listed on an approved subdivision plat but have not been developed since approval in 1979. The property is currently used for agricultural purposes. The Recreation District has proposed a different cross street between Settlers Drive and Antelope Drive to be at the northern end of the parcel.

The Recreation District is asking for this closure to accommodate the construction of two softball diamonds and a multipurpose field that would be built on IH-3-59-IH-64 and CT-340-X. The initial design could not be constructed without an overlap of the fields on lots 62-64 and a portion of a cross street to Antelope Drive and several feet of Settlers Drive. The Recreation District is also not interested in developing the current building lots on the parcel for housing, which makes the street impractical to develop.

The property IH-3-59-IH-64 and CT-348-X was purchased by North Summit Recreation from North Summit School District in 2013 for \$250,000 for the purpose of athletic fields for the North Summit community. The project has gone in different directions since the original purchase, but in 2022 the Recreation District was awarded a \$1.1 million RAP Recreation grant for the purposes of developing softball fields for the community.

The property on each side of the streets we are asking to vacate is owned by North Summit Recreation District. As of now, the only development around the proposed street vacations have been in place for over 35 years and will not be affected by the streets being vacated. The intent to develop the adjacent property of CT-348-X and CT-340-X as an athletic field has been in the works since 2013. The Recreation District, in partnership with Summit County, does have the funds to complete the project, but it cannot currently progress until the street vacation and subdivision amendment are approved by the Coalville City Council.

ATTACHMENT D



1 inch equals 100 feet

proposed right of way vacation



Specifically describe how your proposal meets the standards for approval as stated in the applicable Zoning Ordinance:

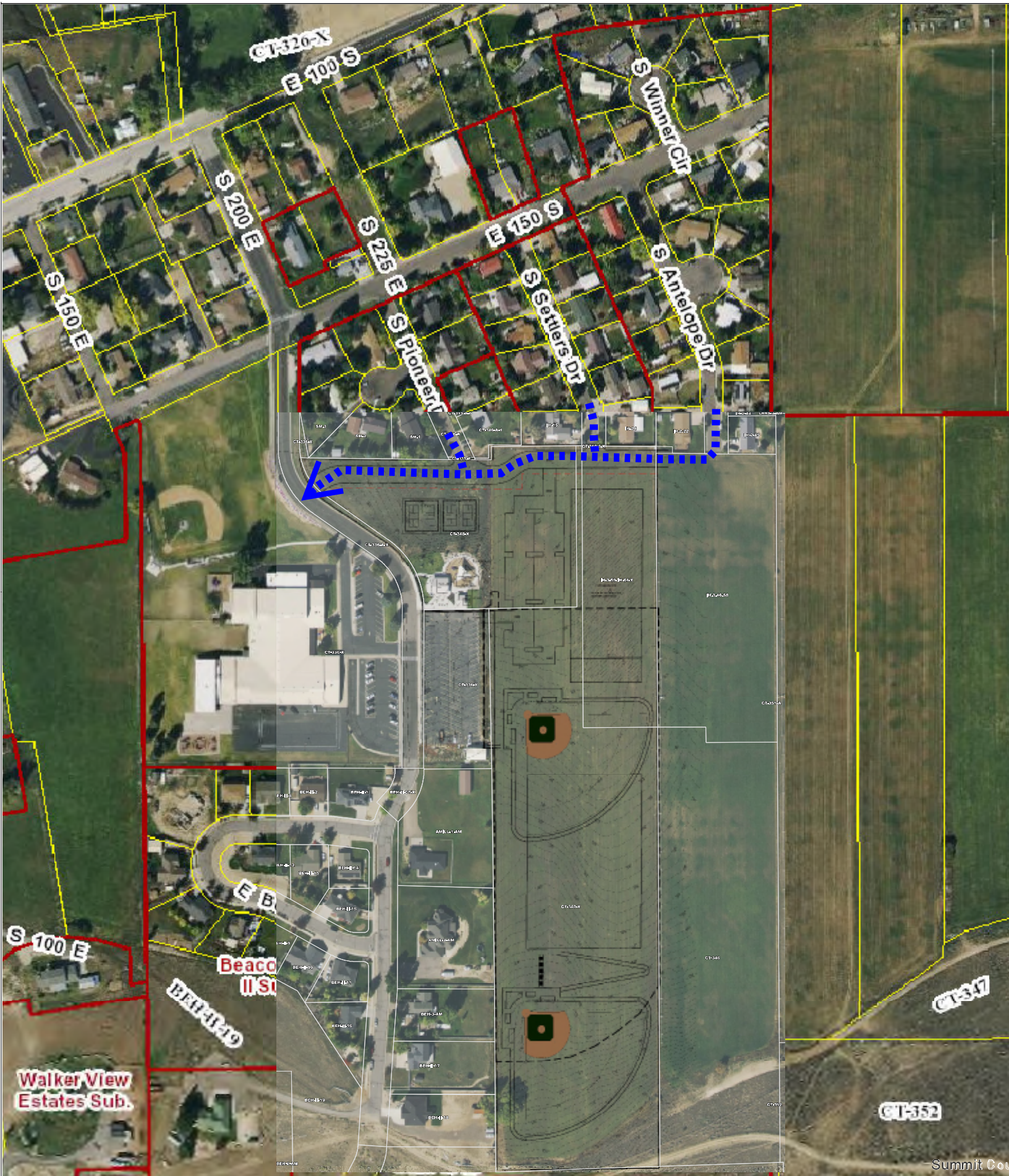
The request to vacate the platted street of Settlers Drive on Indian Hills Plat 3 is required for the North Summit Recreation District to fully utilize the property as a public facility. The land was purchased with the intent of being used for public athletic fields, however with a design of fields that would fit on the parcel and adjacent parcels CT-340-X and CT-348-X, it became apparent that the current platted street would interfere with the park development. North Summit Recreation District owns property on both sides of the street that is requested to be vacated.

To leave the street as platted would create a dead end to the outfield of a softball diamond. The Recreation District does not plan on developing the current subdivision for housing and is also applying to amend the subdivision plat for Indian Hills 3 to remove lots 59 through 64. That application also asks to move the platted connector road from Antelope Drive to Settlers Drive to the northern end of the plat.

In accordance with Coalville City Code 10-3-180, the Recreation District maintains that there is good cause for the action, and it would not be detrimental to the public interest. In fact, the action increases the use of the land for public purposes as a public recreation area.



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SERIAL # IH-3-LOT#

NOTE: LOTS 46 thru 58 ARE ASSESSED UNDER IH-3-46-58
 LOTS 59 thru 64 ARE ASSESSED UNDER IH-3-59-IH-64-X

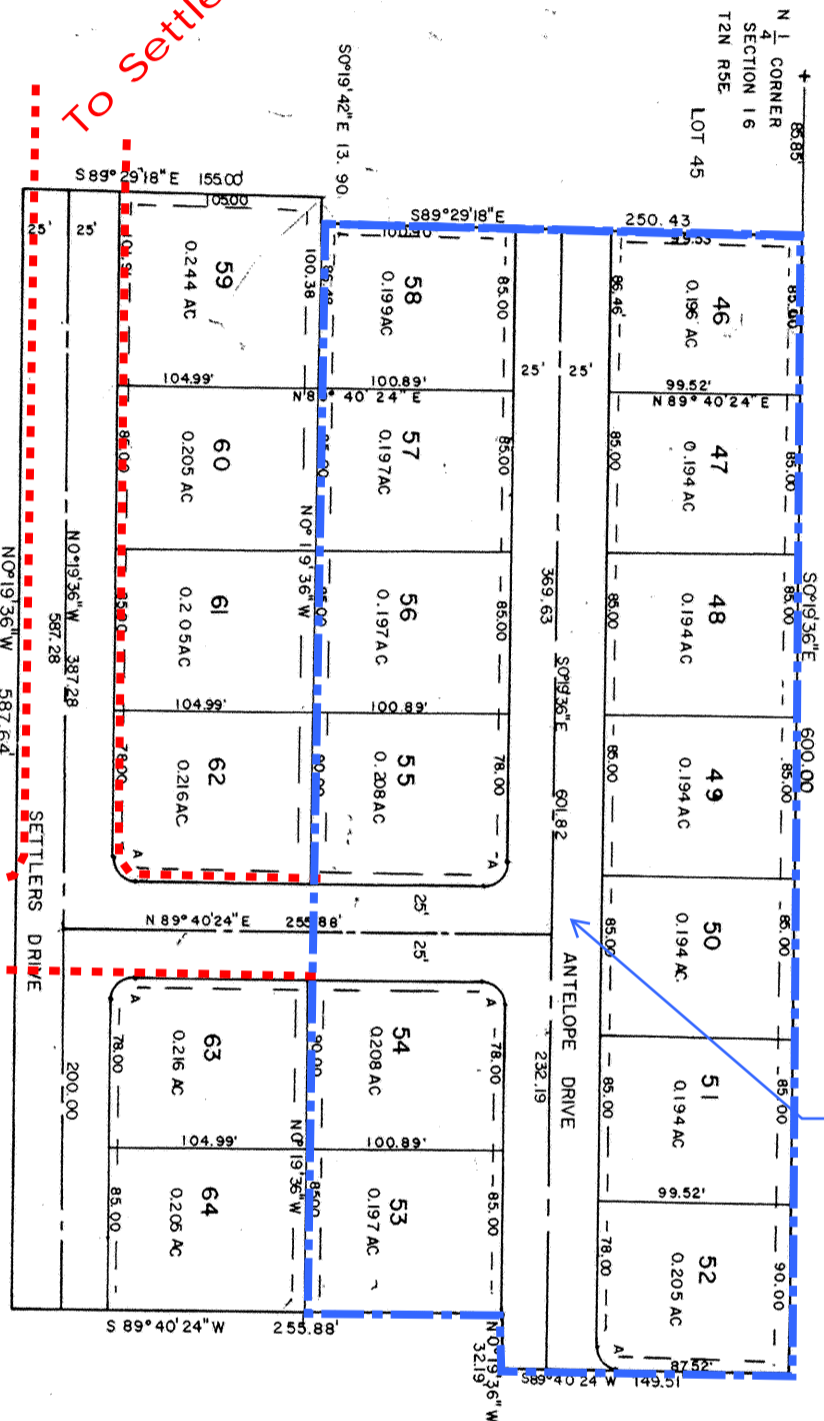
ATTACHMENT G

INDIAN HILLS SUBDIVISION PLAT 3
 A SUBDIVISION OF PART OF SECTION 16
 T2N R5E SLB 8 M
 COALVILLE, UTAH

SCALE 1" = 50'

NOVEMBER 1979

Lots 46-58 (13 Lots)
 Crittenden Family



NOTE
 ALL LOTS HAVE A 5.0' UTILITY EASEMENT ON FRONT LOT LINES
 AND A 7.0' UTILITY, DRAINAGE & IRRIGATION EASEMENT ON
 BACK AND SIDE LOT LINES AS SHOWN

CURVE DATA
 A 1.90°00'
 R 112.80'
 L 118.85'

CITY COUNCIL

APPROVED AND ACCEPTED BY THE COALVILLE CITY COUNCIL
 THIS 19TH DAY OF November 1979

W. Allen Barr
 COALVILLE CITY MAJOR

BOUNDARY DESCRIPTION
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 45, INDIAN HILLS SUBDIVISION, PLAT 2, ACCORDING TO THE SURVEY THEREON, THENCE S89°40'24" W 149.34' THENCE S89°40'24" W 149.34' THENCE S89°40'24" W 149.34' TO THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, THENCE S89°40'24" W 149.34' TO THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, THENCE S89°40'24" W 149.34' TO THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, THENCE S89°40'24" W 149.34' TO THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, THENCE S89°40'24" W 149.34' TO THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, THENCE S89°40'24" W 149.34' TO THE NORTH 1/4 CORNER OF SECTION 16, T2N, R5E, SLB 8 M, COALVILLE, UTAH, CONTAINING 5.483 ACRES

SURVEYOR'S CERTIFICATE

I, J. DEAN HILL, A REGISTERED LAND SURVEYOR, HOLDING CERTIFICATE NO. 2286 AS PRESCRIBED BY THE STATE OF UTAH, DO CERTIFY THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN HEREON, BEGINNING AND ENDING AS SHOWN AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS TO HEREFTER BE KNOWN AS THE TRACT OF LAND SHOWN ON THIS PLAT AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED THIS 17TH DAY OF NOVEMBER, 1979
J. Dean Hill
 HILLWEST ENGINEERING
 REGISTERED LAND SURVEYOR
 No. 2286
 STATE OF UTAH
 J. DEAN HILL

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREFTER BE KNOWN AS SHOWN ON THIS PLAT, DO HEREBY DEDICATE FOR PUBLIC USE OF THE PUBLIC ALL PORTIONS OF SAID TRACT OF LAND SHOWN ON THIS PLAT, BEGINNING AND ENDING AS SHOWN AND HAVE CAUSED THE CITY ENGINEERS TO MARK THE BOUNDARIES OF SAID TRACT OF LAND AND STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION AND MAINTENANCE OF THE STREETS AND DO HEREBY DEDICATE THE EXHIBENT AS SHOWN.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS THIS 17TH DAY OF NOVEMBER, 1979
Donald W. Barr PRESIDENT
Shirley Z. Barr SECRETARY
 TRIPLE S DEVELOPMENT

ACKNOWLEDGEMENT

STATE OF UTAH SS
 COUNTY OF DAVIS
 ON THIS 17TH DAY OF November, 1979 PERSONALLY APPEARED BEFORE ME RONALD W. STOUT AND GARY V. SMITH WHO BEING DULY SWORN DID SAY THAT THEY ARE PRESIDENT AND SECRETARY OF TRIPLE S DEVELOPMENT INC. OF VAIN CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF SAID CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF SAID CORPORATION AND SAID RONALD W. STOUT AND GARY V. SMITH ACKNOWLEDGED THAT SAID CORPORATION EXECUTED THE SAME.

R. D. Hill REGISTERED PUBLIC NOTARY PUBLIC
 My Comm. Expires 1982
 STATE OF UTAH

RECORDER

ENTRY NO. 17988 FEEMID 18.50 PEO FOR RECORD AND RECORDED THIS 24 DAY OF November, 1979 AD AT 3:20.5 IN BOOK OF PAGE

Shirley Z. Barr
 RECORDER