



Memorandum

To: Planning Commission
From: Thomas Dansie, Director of Community Development
Date: February 12, 2021
Re: **February 17, 2021 Planning Commission Meeting**
Final Subdivision Plat: Canyon Cottonwood Cottages

Overview

Luke Wilson is requesting approval of the final subdivision plat for the Canyon Cottonwood Cottages subdivision (the cottage housing development just north of the Silver Bear). The cottage project was approved through the Cottage Housing Development Overlay Zone and preliminary plat approval in 2019. The Town entered into a Development Agreement with the developer that, in addition to the requirements of the VR-CHD zone, governs the project. Issues such as density, layout, infrastructure, etc. were all reviewed and approved at the time of the zone change and preliminary plat approval.

The purposes of the final plat are to: 1) ensure the infrastructure shown on the preliminary plat has been installed, 2) ensure the project has been developed in compliance with the preliminary plat, Development Agreement, and VR-CHD zone, and 3) legally divide the property into individual lots.

Thus, the main issues for the Commission to consider with the final plat are completion of infrastructure, and compliance with the preliminary plat.

Applicable Ordinances

Staff recommends the Commission review the following ordinances prior to the meeting:

1. Chapter 10-14: Subdivisions

Staff Analysis

Infrastructure

The majority of the infrastructure in the development is private infrastructure. The public infrastructure associated with the project is limited to culinary water meters located at the front of the property. These have been installed in compliance with the preliminary plat.

The remaining infrastructure (driveways/parking areas, utilities, stormwater, etc.) is all private. All of this infrastructure has been completed, with the exception of paving the driveways and parking areas. Because the cottages are still under construction it is not feasible to pave the driveways and parking areas at this time. Staff notes that a Certificate of Occupancy for any individual cottage will not be issued until the driveways and parking areas are paved in accordance with the preliminary plat (the same with any other project with private driveways and parking areas).

The preliminary plat and Development Agreement require the developer to install and maintain erosion hazard mitigation infrastructure near the Virgin River. This infrastructure has been installed.

Compliance with Preliminary Plat and Development Agreement

The final plat must substantially conform to the layout, configuration, and development depicted on the preliminary plat. A copy of the preliminary plat is attached to help the Commission compare the development shown on the preliminary plat to that shown on the final plat. The two plats are substantially similar in lot layout and configuration. They both show the nine lots in generally the same locations. The required common area (shown as “amenity area” on the final plat) is in generally the same location and is of the same size shown on the preliminary plat. The driveways and parking areas are in the same locations on both plats.

The major difference between the two plats is that the preliminary plat shows the building footprint locations, while the final plat shows the actual lot boundaries (which are slightly larger than the building footprints shown on the preliminary plat).

The Development Agreement requires the final plat to contain notices about flood hazards on the property, the owner’s responsibility to maintain infrastructure and utilities, and a prohibition on commercial use (including nightly rentals). These notes are included on the final plat.

Other Issues

The Town Attorney has reviewed the final plat and has found it complies with all legal requirements for final plats. The Town Engineer is currently reviewing the plat for survey and engineering compliance. Staff will forward any comments from the Engineer to the Commission as they become available.

Sample Motion

The Planning Commission may wish to use the following sample motion language when taking action on this application:

*The Planning Commission recommends **approval/denial** of the final subdivision plat for the Canyon Cottonwoods Cottages. This motion is based on the following findings:*

[LIST FINDINGS]