

Mapleton City Council Staff Report

Meeting Date: August 20, 2013

Applicant: Mapleton Heights, LLC

Location: Approximately 3000 S Hwy 89

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: No

Zone: N/A

REQUEST

Consideration of an Annexation Petition to annex approximately 180 acres of property in unincorporated Utah County located at approximately 3000 S Hwy 89 into Mapleton City.

BACKGROUND AND PROJECT DESCRIPTION

On July 15, 2013 Bart Boggess, agent for Mapleton Heights LLC, submitted an annexation petition for 222 acres of property located just south of the Mapleton City limits. On July 26, 2013 the City received another petition from the Meyers/Scoville party for two parcels that were included in the 222 acre petition submitted by Mapleton Heights. On August 6, 2013 Mapleton Heights indicated that it was amending its petition to remove the Meyers/Scoville property to allow them to move forward under their own petition.

The Mapleton Heights petition now includes a total of 180.52 acres, 112.88 acres of which is owned by the project sponsor (see attachment "1"). The remaining 67.64 acres includes two parcels owned by Brigham Young University, one parcel owned by the Meyer Family Limited Partnership, two parcels owned by Ludlow Estates LLC, and approximately 2.39 acres of parcel gaps.

The project sponsor is also requesting that the Mapleton Heights LLC property be zoned Planned Development (PD-4) with the remaining parcels being zoned according to their current General Plan designations.

EVALUATION

Annexation Process: Below is a brief summary of the annexation process according to the Utah Municipal Code:

- 1) Submittal of an annexation petition with signatures from the owners of a majority of private real property (section 10-2-403).
- 2) City Council accepts or rejects the petition (must act at the next regular City Council meeting that is at least 14 days after receipt of the petition – section 10-2-405).
- 3) If accepted, within 30 days City reviews petition to determine if it meets the state code requirements. If rejected, the City informs the applicant within five days (section 10-2-405).
- 4) If the City determines that an accepted petition meets applicable standards, the petition is certified by the City Recorder. If it is determined that the petition does not meet applicable standards the petition is rejected (section 10-2-405).
- 5) If the petition is certified, a public notification process takes place (section 10-2-406).
- 6) A protest period occurs (section 10-2-407).
- 7) City Council holds a public hearing or hearings (10-2-407).
- 8) City Council takes final action to grant the petition and by ordinance annex the area, or to deny the petition (10-2-407).
- 9) Within 30 days of adopting an ordinance annexing an area, the City provides the necessary documents to the lieutenant governor's office (10-2-425).
- 10) Upon approval from the lieutenant governor's office, City files appropriate documents with Utah County Recorder and the Department of Health and sends out notices to each affected entity (10-2-425).

The purpose of this agenda item is to comply with step #2. The Council must act to either accept or reject the petition at this meeting. Failure to take action will result in the petition being considered accepted. **Accepting the petition does not commit the City to annexing the property, it just allows the process to move forward.** If the petition is accepted, staff will perform a more thorough review to determine whether the application complies with applicable state standards.

Annexation Policy: State law requires the City to adopt an annexation plan that includes a map of potential annexation properties and a statement of the criteria that will be used to guide annexation decisions. In accordance with state law, the City adopted an annexation policy in 2002. The policy identifies two primary annexation areas, Mapleton West and Mapleton South (see attachment “3”). The proposed annexation area is located in the Mapleton South area and is identified as a potential annexation candidate.

General Plan: The Land Use Element of the General Plan is designed as a guide to promote sound land use decisions. The Land Use Element includes a Land Use Designation Map that outlines the potential development potential of property throughout the City and within the annexation boundaries. The proposed annexation area contains land use designations including Medium Density Residential (approximately 3 units per acre), and General Commercial (see attachment “4”). The property owned by the project sponsor contains both General Commercial and Medium Density Residential.

The City Council does not need to agree on a zoning designation(s) for the annexation area or potential densities at this time. These discussions can take place after the Council determines whether to accept the petition.

Work Session: If the City Council accepts the petition, the applicant is requesting to have a discussion item on the next City Council agenda to begin discussions on the concept development plan for the project. Staff is supportive of this request.

STAFF RECCOMENDATION

Accept the annexation petition.

ATTACHMENTS

1. Mapleton Heights Annexation Petition.
2. Annexation Policy Map.
3. General Plan Land Use Designation Map.



**Mapleton City
Annexation Application**

RECEIVED

JUL 15 2013

MAPLETON CITY

*Received
8/12/13
CBO
amended application*

For Office Use Only

Petition Filing Date: 07/08/2013

Annexation Name: Mapleton Ridge

Fee: \$600 (up to 5 acres) \$25 per acre for the next 20 acres, \$14 per acre for the next 75 acres, and \$5 per acre for each additional acre thereafter.

Total Acreage: BB 180.78 Fee Paid: _____ Date Paid: _____

Receipt Number: _____

Name of Contact Sponsor: Mapleton Heights LLC

Authorized Agent (if applicable): Bart Boggess

Phone #: (801) 916-9900 Fax #: (801) _____ Address: 304 South Alpine Drive, Alpine, Utah 84004

Name, Address and Phone Number of Licensed Engineer or Land Surveyor:
Kyle M. Spencer, 1040 E. 800 N., Orem, UT 84097, (801) 380-2118

Engineer of Land Surveyor's Signature: *Drew O. Stone*

Date of Engineer's Signature: 7/08/2013

General Location of Proposed Annexation: Approximately 3000 South, Highway 89

What percent of the Private Real Property within the proposed Annexation is represented by the signatures of the Owners? _____

What percent of the value of Private Real Property within the Annexation Plat is represented by the signatures of the Owners? _____

Annexation Application Continued

Total number of acres included in Annexation: ^{BB} 180.78 Zoning Requested: See Addendum

Total number of parcels included in Annexation: _____

Consisting of the following parcels Tax I.D. Numbers: Acres: Owner:

See Addendum

Other Approvals Sought, if any:

Type of Approval	Date of Application	File Number	Date of Approval
General Plan Amendment			
Any Other Approvals			

Application Submittal Requirements

All fees, an Annexation Petition, an Annexation Plat (mylar), and the Annexation Information Requirements listed below are required of all proposed annexations regardless of size. In addition to the following information, the applicant may be required to provide additional information if the staff, Plan Review Committee, Planning Commission, or City Council find the information to be necessary to evaluate the merits of the proposed annexation.

Petition:

This petition must include the signatures of the owners of a majority of the property included in the Annexation, representing at least 1/3 of the assessed property valuation according to the last County Assessment rolls. The petition must also designate up to five signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.

Plat:

A Plat of the area proposed to be annexed drawn by a licensed engineer or land surveyor must also accompany this petition. Please identify on the Plat each parcel included in the Annexation and on each parcel label the owner's name, the Tax Identification Number, acreage, and the proposed Zoning. Five (5) copies that are twenty-four by thirty-six (24 x 36) inches.

Annexation Information Requirements:

The petition and plat must be accompanied by the Annexation Information Requirements listed below, as required by Mapleton City.

_____ A description of the area included in the proposal for Annexation, identifying the existing land use(s) including residential and nonresidential uses, and those proposed by the petitioners.

_____ Current population of the area.

_____ A statement of compliance with the Mapleton City General Plan, including goals, policies and land use, and how the proposed area, and the proposed land use(s) will contribute to the achievement of the goals and policies of the Mapleton City General Plan.

_____ An analysis of the tax consequences to residents of the area proposed for annexation, as well as to the residents of Mapleton City and Utah County.

_____ An identification of the demands for City provided facilities and services to the area proposed for annexation, at the existing and proposed land use(s), including potable water, irrigation water, street improvements, storm drainage, fire protection, police and ambulance protection, sewer facilities, parks and recreation, and garbage removal.

_____ Water rights conveyance will be at the time of subdivision, building permit, or project approval.

see addendum

Applicant Certification:

I certify under penalty of perjury that this application and all information submitted as a part of this application is true, complete and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Mapleton City may rescind any approval, or take any other legal or appropriate action.

Signature: *Paul Pegg*

Title: manager Date: July 15, 2013

Petition for Annexation into Mapleton City, Utah County, State of Utah

Name of Plat Map: MAPLETON RIDGE

Engineer – Surveyor: BRAND D. TUTTLE, P.E. Brand D. Tuttle

Date of Engineer's Signature: 7/08/13

List of Sponsors (maximum of five):

(printed name and address)

1. _____
2. _____
3. _____
4. _____
5. _____

Contact Sponsor (please print):

Name: Mapleton Heights LLC

Address: c/o Bart Boggess, 304 South Alpine Drive, Alpine, Utah 84004

Phone: 801-916-9900

Approximate acreage: BB 180.78, consisting of the following parcels (Tax ID Number):

Parcel Acres Owner (please print)

1. _____ ; _____ ; see attached
2. _____ ; _____ ; _____
3. _____ ; _____ ; _____
4. _____ ; _____ ; _____
5. _____ ; _____ ; _____
6. _____ ; _____ ; _____
7. _____ ; _____ ; _____
8. _____ ; _____ ; _____

(SEE REVERSE SIDE FOR SIGNATURES)

MAPLETON RIDGE ANNEXATION PLAT

A PARCEL OF LAND LOCATED IN THE SOUTH 1/2 OF SECTION 22 AND THE NORTH 1/2 OF SECTION 27, TOWNSHIP 8 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND BRASS CAP MARKING THE NORTH 1/4 CORNER OF SAID SECTION 27, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE HORIZON HEIGHTS SUBDIVISION;

THENCE N.89°18'14"E. ALONG THE SECTION LINE AND THE SOUTH BOUNDARY LINE OF THE HORIZON HEIGHTS SUBDIVISION 2658.10 FEET TO A BRASS CAP MARKING THE NORTHEAST CORNER OF SAID SECTION 27 SAID POINT ALSO BEING AND THE NORTHWEST CORNER OF MAPLETON VILLAGE ANNEXATION; THENCE ALONG THE MAPLETON VILLAGE ANNEXATION FOR THE NEXT SIX CALL, 1) THENCE S.00°03'04"E. ALONG THE SECTION LINE 1352.20 FEET; 2) THENCE S.89°21'33"W. 2654.95 FEET; 3) THENCE S.00°11'08"W 85.75 FEET; 4) THENCE S.89°29'56"W. 245.69 FEET; 5) THENCE S.00°00'34"E 1079.85 FEET; 6) THENCE S.87°55'14"W 664.84 FEET; THENCE N.23°20'54"W. 642.60 FEET; THENCE N.28°01'02"W. 699.21 FEET; THENCE N.28°10'55"W. 2246.13 FEET; THENCE N.89°23'24"E. 1203.78 FEET; THENCE N.00°06'58"W. 665.49 FEET; THENCE N.89°18'30"E. 1340.93 FEET; THENCE S.00°16'51"E. 1340.14 FEET TO THE POINT OF BEGINNING. CONTAINING 222.00 ACRES OF LAND.

*Amended
8/13/13
by email CB*

Mapleton Annexation Information

1. **Description and Proposed Uses**

Introduction & Overview - The proposed annexation includes approximately 180.52 acres adjacent to the southern boundary of Mapleton City (the "Annexation Area"). Of this area, 112.88 acres will be developed as part of the Mapleton Ridge Master Plan ("Mapleton Ridge"). Mapleton Ridge will incorporate "conservation design principles in its physical layout. By doing so, Mapleton Ridge will be able to preserve the scenic beauty of the area. The remainder of the Annexation Area will be zoned for use in accordance with the current General Plan, which includes low and medium density residential along Highway 89. Table 1 further identifies the parcels to be annexed, along with their respective size, owners, value, and anticipated zoning classification.

Table 1: amended Annexation Area Overview

PARCEL ACREAGE AND OWNERSHIP SUMMARY

Petitioner's Acreage			
Parcel 1	31.37 Acres	13.81%	
Parcel 2	20.00 Acres	9.23%	112.88 Acres*
Parcel 3	20.84 Acres	9.61%	
Parcel 4	9.57 Acres	4.42%	62.53%
Parcel 5	31.10 Acres	13.81%	
Additional Taxed Acreage Included in Annexation Area			
Parcel 6	20.22 Acres	9.22%	
Parcel 7	20.00 Acres	9.79%	65.25 Acres
Parcel 8	19.23 Acres	8.87%	
Parcel 9	5.42 Acres	2.50%	36.14%
Parcel 10	0.38 Acres	0.18%	
Totals	178.13 Acres	98.67%	

Acreage Differential Yet To Be Accounted For In Area Total

2.39 Acres (subject to verification and allocation by survey to existing Parcels)

Total Area Represented by Annexation Map 180.52 Acres

*All acreages subject to verification by field survey and final Annexation Plat submittal.

Mapleton Ridge will be primarily comprised of residential uses and open space. It is also anticipated that religious facilities will also compliment the residential areas.

Current Conditions -Currently most of the acreage is zoned industrial. In addition there is a gravel pit on the property. The remainder of the property on the north end is zoned transitional residential.

Description of Proposed Master Plan – Mapleton Ridge will be comprised of three main areas: estate residential, single family residential, clustered single family residential.

Estate Residential - 1 to 3 DU's/Ac

Single Family Residential - 4 to 6 DU's/AC

Clustered Single Family Residential - 6 to 8 DU's/Ac

2. Current Population

The current population of the area is zero.

3. Compliance with the General Plan

Currently, the Mapleton City General Plan anticipates the proposed areas to be incorporated with the majority of the Annexation Area being Medium Density Residential, the portion along Highway 89 being General Commercial, and a portion being Low Density Residential. It is the intent of the applicant to provide a mix of housing types, ranging from large lot single-family housing to some limited multifamily. The average density within the Annexation Area is consistent with the existing General Plan, but the Town Center portion of Mapleton Ridge contains a pocket of higher density.

4. Service Demands

The portion of the Annexation Area owned by the project sponsor anticipates service requirements for approximately 398 households. An estimate of the number of households for the property not owned by the project sponsor is not included at this time. This increase in population will necessitate an expansion of both water and sewer services. To provide these services, upgrades to both the city's sewer and water systems will be required; Mapleton Ridge intends to participate fully in helping provide these services to meet the needs of future residents.

It is anticipated that these facilities will be funded through an impact fee reimbursement plan for the expenditures required of the developer for the new facilities.

Estimated Culinary Water Demand

(492 units) x (4.0 persons per units) x (100 gallons per person per day)= 196,800 gallons per day, or

(561 units) x (4.0 persons per units) x (100 gallons per person per day)= 224,400 gallons per day with use of TDRs

Estimated Sanitary Sewer Flow

(492 units) x (4.0 persons per units) x (100 gallons per person per day)= 196,800 gallons per day, or

(561 units) x (4.0 persons per units) x (100 gallons per person per day)= 224,400 gallons per day with use of TDRs

Estimated Irrigation Water Flows (Seasonal April-October)

(492 units) x (4.0 persons per units) x (100 gallons per person per day)= 196,800 gallons per day, or

(561 units) x (4.0 persons per units) x (100 gallons per person per day)= 224,400 gallons per day with use of TDRs

Electric

Properties will connect to Utah Power and Light or Strawberry Power.

Storm Drainage

Mapleton Ridge will to connect to the City system.

Natural Gas

Mapleton Ridge will be serviced through Questar Gas

Telecommunications

Telephone: Qwest; High Speed Internet: Qwest D.S.L. AT&T (future), Spanish Fork (future).

Garbage

Mapleton Ridge will be serviced by Mapleton City.

5. Analysis of Tax Consequences

The applicant intends that this project exhibit characteristics of "sustainable

growth, not just environmentally, but economically as well. Through impact and development fees, Mapleton Ridge will effectively "pay its own way" by generating the necessary funds to meet its needs.

Additionally, the potential commercial uses within Mapleton Ridge will provide a source of tax revenue for Mapleton City.

6. Water Rights

Water rights, including irrigation company shares and Strawberry Water Users Association shares, will be conveyed to Mapleton City at the time of subdivision, building permit, or project approval, as per Mapleton City ordinance.

Mapleton

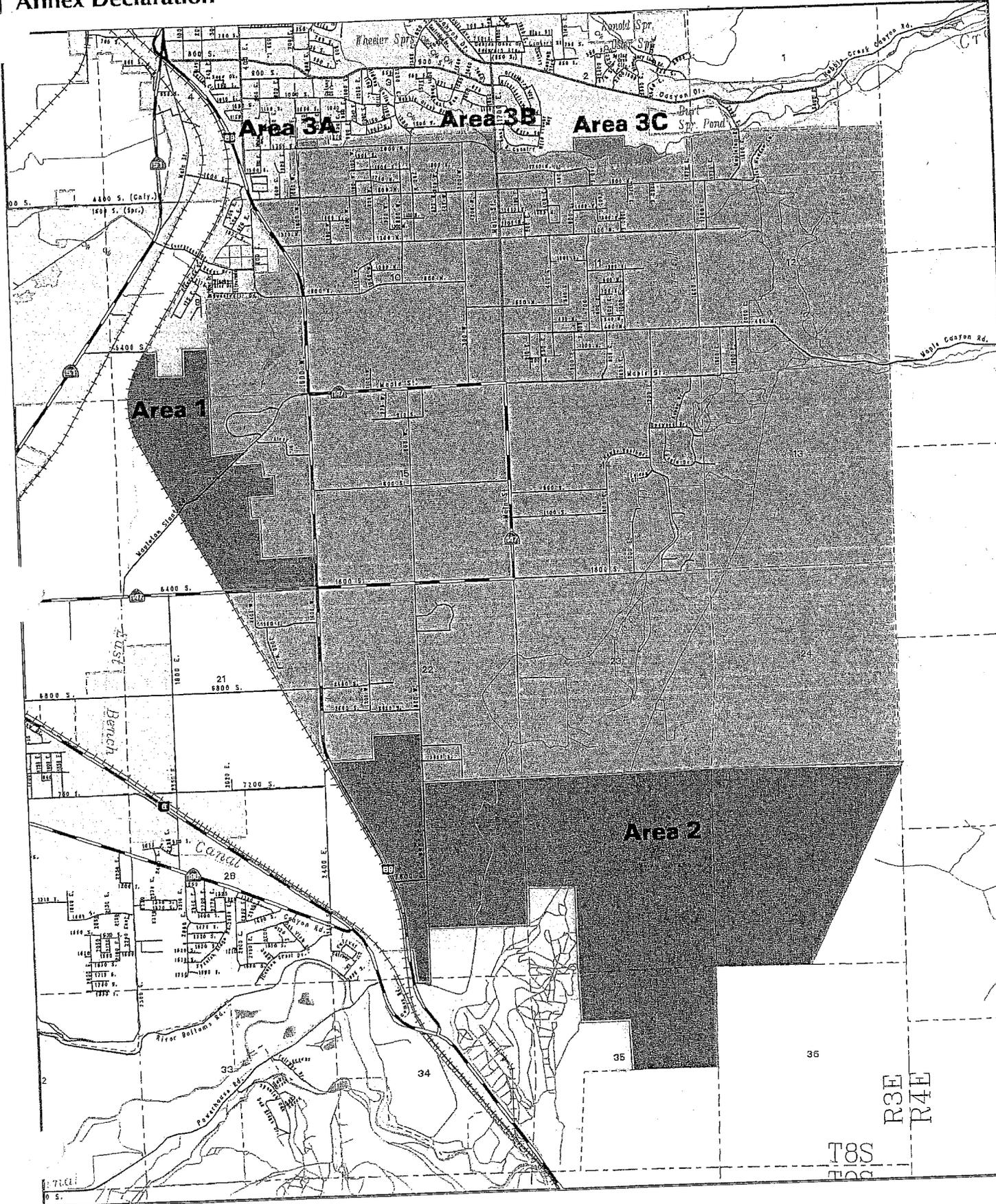
Attachment "2"

Annex Declaration

-  Annexation Declaration
-  De-annexation Declaration
-  Incorporated Cities



Scale 1:40000



Attachment "3"

General Plan Land Use Designations

