

MAPLETON CITY
CITY COUNCIL MINUTES
May 20, 2014

PRESIDING AND CONDUCTING: Mayor Brian Wall- arrived at 7:25 pm

Members in Attendance: Ryan Farnworth
Scott Hansen
Jim Lundberg
Mike Nelson
Jonathan Reid

Staff in Attendance: Cory Branch, City Administrator- arrived at 7:45 pm
Camille Brown, City Recorder
Gary Calder, Public Works Director/City Engineer
Sean Conroy, Community Development Director

Minutes Taken by: Camille Brown

Mayor Pro-tem Jonathan Reid called the meeting to order at 7:00 pm. Cl. Farnworth gave the invocation and Sean Conroy led the Pledge of Allegiance.

OPEN FORUM: No comments were made.

The Agenda Items were not heard in the same order as shown below:

Item 1. Approval of City Council Meeting Minutes – May 6, 2014
Motion: Cl. Farnworth moved to approve the May 6, 2014 City Council Minutes.
Second: Cl. Nelson seconded the motion.
Vote: Passed 5:0

Item 2. Consideration of a Resolution approving the Final Plat for the *Ponderosa* Subdivision consisting of twenty four lots located at approximately 700 North Main Street in the Residential Minor-Agricultural (RA-2) zone.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. Sean stated that the project site is approximately 10.65 acres located in the RA-2 zone. The developer is proposing 24 lots which includes connections to both Main Street and 800 North. Lot sizes will vary from .37 acres to .51 acres. Staff is recommending approval with the outlined conditions.

The applicant was at the meeting, but did not have any further comments to add.

Motion: Cl. Nelson moved to approve the final plat for the *Ponderosa* Subdivision consisting of twenty four lots located at approximately 700 North Main Street in the Residential Minor-Agricultural (RA-2) zone and that 800 North become a two way street.

Second: Cl. Farnworth seconded the motion.

Cl. Hansen Aye

Cl. Nelson Aye

Cl. Lundberg Aye
Cl. Reid Aye
Cl. Farnworth Aye
Vote: Passed 5:0

Resolution No. 2014- 26

Item 3. Consideration of a Resolution approving the Final Plat for the Stonebridge Subdivision Plat “A” consisting of 28 lots located generally at 650 West between 800 North and 1200 North, and an amendment of the Transportation Master Plan to accommodate a minor alignment of local access streets within the project area.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. The applicant is proposing 28 lots located at 650 West between 800 North and 1200 North and also an amendment to the Transportation Master Plan to accommodate an alignment of local streets within the project area. The proposed area is 13.2 acres and is located in RA-2 zone. The subdivision has been approved but is not recorded.

Cl. Lundberg inquired about the stub street and 500 West street. The applicant would like to see the plat approved as designed.

Mayor wall arrived at 7:25 pm

Cl. Hansen stated that he would be in favor of a stub street. This would be a good design for future build out.

Jesse Warren, stated that he would like to propose a plan for a road at 500 west to Maple Street. His family owns land that has been in Mapleton City for 100years. It is still in operation as an active feed lot, and he would like a note on the mylar that they are in operation 24 hours a day, 7 days a week. He would also like a privacy fence that would protect them and any future property owners.

Michael Stark, 434 North 300 West, stated that he uses 800 North daily and inquired if it is in the plan to widen this road. Mr. Conroy stated once the subdivision is approved and started that the road will be widened. The developer stated that he would put up a privacy fence for Mr. Warren.

Cl. Farnworth inquired who the stub street would benefit. Cl. Lundberg, stated that he believes a stub street would benefit the city.

Cl. Farnworth stated that with the boundary line issues, these would need to be resolved prior to the subdivision being recorded.

Richard Holley stated that his father has land on the southern boundary of the piece of property and they would like to make sure that the boundaries are correct before this is approved. The developer stated that he would survey the property to align boundaries.

Motion: Cl. Lundberg moved for a resolution approving the Final Plat for the Stonebridge Subdivision Plat “A” consisting of 28 lots located generally at 650 West between 800 North and 1200 North, and an amendment of the Transportation Master Plan to accommodate a minor alignment of local access streets within the project area. Additional provisions that the developers comply with all recommendations from city staff, a note be added to the mylar stating that an active livestock feed yard is to the east of the property, that the developer provide a privacy fence as he represented, and that the stub street to the east be required as shown at the council meeting.

Second: Cl. Farnworth seconded the motion.

Cl. Lundberg Aye
Cl. Reid Aye
Cl. Farnworth Aye
Cl. Hansen Aye
Nelson Aye

Vote: Passed 5:0
Resolution No. 2014-27

Item 4. Consideration of approval for Mapleton City to donate \$250 to the Utah State Veterans Nursing Home located in Payson, Utah

Mayor Wall reviewed what was discussed at the South County Mayor’s meeting. There has been a new Veterans Nursing Home constructed in Payson and the cities are being asked to donate \$250 in order to purchase on- premise electric golf carts for transportation purposes within the facility.

Motion: Cl. Nelson moved to approve Mapleton City to donate \$250 to the Utah State Veterans Nursing Home located in Payson, Utah

Second: Cl. Reid seconded the motion.

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Nay

Cl. Nelson Nay

Vote: Passed 3:2

Item 5. Consideration of a Resolution amending Exhibit “B” (Concept Plan) and Exhibit “C” (Conditions Precedent) of the Development Agreement for the Whisper Rock project located at approximately 190 N 1100 W in the PRD-1 Zone related to the proposed clubhouse amenities and the project trail system.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. He reviewed the plan and what is being proposed with the clubhouse, amenities, front porch alignment and limited common space.

Public hearing was opened at 7:55 pm.

Steve Maddox, representing Edge Homes, stated that himself and the developer had a neighborhood meeting 2 weeks ago. He is not the developer of the subdivision, but he is the builder of the new homes that will go in. He has looked at the alterations of the subdivision and they are not trying to change density and lot sizes. There are budget challenges with having a pool when you can only use it 4 months out the year. Pools are a large safety concern for builders and cities when the subdivision is wide open to the public. The builder is very aware of the concerns he has heard from the neighborhood loud and clear. Cl. Lundberg stated that he sees the park as being more of an incentive than a detriment to the area.

Jess Christen, 186 North 1100 West stated that this subdivision was marketed at a 55+ community and that if changes are made, then all you have are half acre stamp size lots. The size of clubhouse and trail alignment is very big to the neighborhood, the lots should not be less than half acre. Homes should look better than the three homes that were recently built.

Cl. Lundberg stated that there is really nothing the city can do about how the subdivision was marketed.

Barbara Jensen, 1276 East Maple St. stated that she was here the night that the lots were discussed and went from 2 acres to half acre lots and that it was going to be a retirement community. She would like to know why this was done with false pretenses of a retirement community.

Mayor Wall stated that this was marketed as a retirement community, but they are not selling.

Cl. Lundberg stated it was marketed this way and it is not working. Legally the city cannot impose that this remain a retirement community.

Adam Green, 352 North 1100 West stated that one of the things to consider is to have this item go back to the Planning Commission to see what the impacts of these items are to the subdivision. The dynamics of a traffic study, greater than 30 homes needs two points of access and there are 80 homes being proposed with one access. He stated that he does not believe it to be safe only having one access point. Just having a double wide road does not meet the fire code.

Mayor Wall stated that when another land owner develops that the road will connect to the north.

Cl. Lundberg, stated that we are not here to consider an approval of a final plat, the developer has rights to develop, those are rights they have already obtained in the past.

Michael Stark, 434 North 1040 West stated that with the limited common space you would need to change the CC&Rs. He has reviewed the code and this proposal modifies limited common space. He believes this is a rezoning, and would like the Planning Commission to rehear this item.

Stave Maddox talked about fencing, the HOA becomes the managing agency and many HOA associations have a hard time policing neighbors. Anything visually impacted will be controlled by the HOA.

Ingrid Nemelka, 1128 West 50 North stated that there are only two of the five homes occupied by owners and the others are rented out. She pays a fee every month and there is no organization.

Cl. Reid stated that the CC&Rs have to be enforced, owners will enforce.

Norma Shelline 1129 West 50 North, stated that they live in the first of the 5 homes against the fencing, and the limited common area is very appealing and they like it open and think it's a nice fit for the area.

Geoff Wright, 272 North 1100 West stated that initial documents had no fencing along 1100 West. They do not think that these changes will be for the good and it could damage the looks of the current subdivision. This subdivision was marketed as a 55+ retirement community. The current homes that have been built and are just sitting with no one looking to buy them. He is afraid of what type of neighbors this could bring to the area. When they built their home they were hoping that this would remain an upscale neighborhood.

Lea Wright, 272 North 1100 West stated that they did have a meeting with the developer and they do not think as residents that they should have to support his financial woes. She also stated that maybe there is an alternate use for the land instead of adding more homes.

Jerry Snyder, stated that the pool isn't a big factor for him. He does not want to see fenced in boxed backyards. He does not think this would be a good look for Mapleton City and he does not know how the HOA could maintain the back yards. He believes that having fenced in backyards would be an eye soar to Mapleton. He would also request that a new traffic study be done for this area.

Jess Christen, stated that he would ask the council to do more research and not act on this item tonight. **Steve Maddox**, repeated that a neighborhood meeting was already held and he does not think that holding another one would do any good. He is running against time now. He stated that the type of homes they are looking to build will make the subdivision more inviting and not decrease property values.

Paul Evans, 165 West Maple St. stated that this would be a buffer change by keeping the homes along the fence and then fencing in the backyards.

Barbara Jensen, stated that she is not happy about the fact that there will be 50 more homes in the area, but she would love to see the project get finished and having it all complete would make a much better view for her.

Public hearing was closed

Cl. Farnworth, stated that looking at the four options, the PRD 1 zone was created for this development, and the only option that significantly affects the PRD 1 zone is the fencing, the minimum 15 ft. involving patio fencing would be going against the PRD 1 zone, back of house to edge of patio. He does not believe the other options affect the PRD 1 zone.

Cl. Lundberg, stated that this would be the minimum fencing requirement.

Cl. Farnworth stated that he sees that fencing is the biggest issue and it needs to be defined.

Motion: Cl. Lundberg moved to approve a resolution amending Exhibit "B" (Concept Plan) and Exhibit "C" (Conditions Precedent) of the Development Agreement for the Whisper Rock project located at approximately 190 N 1100 W in the PRD-1 Zone related to the proposed clubhouse amenities and the project trail system as submitted tonight as a condition that part of the improvements of putting in the fencing, the builder provide and complete the common area as it relates to homes.

Second: Cl. Nelson seconded the motion.

Cl. Farnworth Nay

Cl. Hansen Nay

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Nay

Vote: Failed 3:2

Motion: Cl. Lundberg moved to approve the proposal for the reduction in size of the clubhouse, amend the trails alignment, amend the set back to the front porch and continue the larger limited common areas subject to staff analysis. The fencing issue will be discussed at the next meeting.

Second: Cl. Reid seconded the motion.

Cl. Farnworth Nay

Cl. Hansen Nay

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Vote: Passed 3:2

Resolution No. 2014-28

Item 6. Consideration of a request to rezone approximately 2.99 acres of property located at 1345 South and 1500 East from Critical Environmental (CE-1) to Agricultural Residential (A-2). The request would also require a General Plan Amendment from Critical Environment to Rural Residential.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. The applicant is proposing to rezone approximately 2.99 acres in the CE-1 and A-2 zones. The applicant's entire parcel is 10 acres. Just east of the pond, the property slopes steeply upwards along the Mapleton bench. The property does not have frontage on a City street but is accessed by way of an easement. This request would allow for landscape improvements, the existing CE-1 zone has been drawn based on old property boundaries, not topographic features and the key reason is to protect undisturbed areas of the environmental sensitivity of the CE-1 zone.

Public hearing was opened, no comments were made

Motion: Cl. Farnworth moved to approve rezoning approximately 2.99 acres of property located at 1345 South and 1500 East from Critical Environmental (CE-1) to Agricultural Residential (A-2). The request would also require a General Plan Amendment from Critical Environment to Rural Residential.

Second: Cl. Nelson seconded the motion.

Cl. Hansen Aye

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Vote: Passed 5:0

Ordinance No. 2014-06

Item 7. Consideration of a request to rezone approximately .48 acres of property located at 1420 West and 1600 North from Residential Agricultural (RA-1) to General Commercial (GC-1). This request would also require a General Plan amendment from Medium Density Residential to General Commercial.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. This item is a cleanup item that was discovered when the owner of the building was going to do upgrades to his business.

Public hearing open, no comments were made

Motion: Cl. Nelson moved to approve rezoning approximately .48 acres of property located at 1420 West and 1600 North from Residential Agricultural (RA-1) to General Commercial (GC-1). This request would also require a General Plan amendment from Medium Density Residential to General Commercial.

Second: Cl. Reid seconded the motion.

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

Vote: Passed 5:0

Ordinance No. 2014-07

Item 8. Consideration of an ordinance amending Mapleton City Code 17.15 outlining standards for the use of xeriscape (drought tolerant) landscaping in City parkways

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. There has been a lot of discussion with water conservation and the city code did not have provisions for xeriscape options in the city. Photos were shown of different options for the parkstrips.

The public hearing was opened, no comments were made.

Motion: Cl. Nelson moved to approve an ordinance amending Mapleton City Code 17.15 outlining standards for the use of xeriscape (drought tolerant) landscaping in City parkways with a change to 17.15.120 b #3 be stricken and add with mulch and that it may not be used as only material.

Second: Cl. Farnworth seconded the motion.

Cl. Nelson Aye

Cl. Lundberg Nay

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

Vote: Passed 4:1

Ordinance No. 2014-08

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Mayor Wall, reported that the water rate open houses went well on Monday and thanked staff for their hard work and efforts to answer residents questions.

Cory Branch, stated that the citywide clean up seemed to be received well throughout the city as all three (3) dumpsters were full. He also reminded the Mayor and Council of upcoming events through May and that EBCo is looking at alternative financing options for their project which will be discussed at the July 1st City Council meeting.

Motion: Cl. Nelson moved to adjourn the meeting.

Second: Cl. Farnworth seconded the motion.

Vote: Unanimous

Meeting adjourned at 10:30 pm.

APPROVED: June 3, 2014

Camille Brown, City Recorder