

MAPLETON CITY
PLANNING COMMISSION MINUTES
January 9, 2014

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: John Gappmayer
Golden Murray
Thomas Quist
Keith Stirling
Alternate – Justin Schellenberg

Staff in Attendance: Sean Conroy, Community Development Director

Minutes Taken by: April Houser, Executive Secretary

Chairman Lewis called the meeting to order at 6:30pm. Thomas Quist gave the invocation and Golden Murray led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Rich Lewis was nominated as the Planning Commission Chairman for 2014.

Motion: Commissioner Murray nominated Rich Lewis as the Planning Commission Chairman for 2014.
Second: Commissioner Gappmayer
Vote: Unanimous

Golden Murray was nominated in as the Planning Commission Vice-Chairman for 2014.

Motion: Commissioner Stirling nominated Golden Murray as the Planning Commission Vice-Chairman for 2014.
Second: Commissioner Gappmayer
Vote: Unanimous

Item 1. Planning Commission Meeting Minutes – December 12, 2013.

Motion: Commissioner Gappmayer moved to approve the December 12, 2013 Planning Commission Minutes.
Second: Commissioner Murray
Vote: Unanimous

Item 2. Consideration of Preliminary and Final Plat approval of the “Silverado Plat A” subdivision consisting of fourteen lots located generally at 500 West 1600 South, and a request for a Transferrable Development Right Receiving Site Overlay Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The proposed development is just over 15 acres in size, with a majority of the property having a TDR-R

Overlay in the A2 Zone. The applicant would like to do fourteen (14) 1-acre lots. The new street running north and south on the property would be approximately 500 West. Before the development is recorded the currently proposed Lot 1 would need to have the "flag lot" layout fixed. The City is hoping to go back to more of a rural feel with the improvements in this development. This would consist of an asphalt road at approximately 34' in width with a concrete strip, an 11' swale and 5' sidewalk. The future 1200 South street will be a wider asphalt width with curb and gutter, as this will be more of a major street in the city. Each lot will have small retention basins as opposed to one large basin to handle all of the rain water for the entire development. Part of the Development Review Committee (DRC) comments will be to provide a Geotech Report before the development is finalized. **Commissioner Stirling** stated that in this area there is typically standing water in the later summer months. He wanted to make sure the water coming off these lots would not be contaminated in regards to Storm Water Management. Sean stated that this approach is a low impact way of handling storm water. From a snow removal standpoint it is a much better situation to have a park strip type area like is being proposed in this development.

Dave Hunter, developer, stated that this was an approved project before the economy started having issues a few years back. They originally had two retention ponds set out in their proposal and was directed by the city to consider doing retention areas on each lot. They feel this is meeting the direction that staff has given them. Test pits were dug the beginning of September for this project. **Commissioner Stirling** had some concerns with flooding on these homes. **Commissioner Schellenberg** asked what the City plans to do with the raising of streets as they move north from this area. Sean stated that he was not exactly sure how this was going to be addressed, but that the Breckenridge development sloped their street back down as it headed north.

Chairman Lewis opened the Public Hearing. **Ron Jensen** has a concern with the raised road. He already has one with the street behind him, and does not want another one to the side of him. He said the water will almost surface during the summer months in this area and feels the developers should be held liable if there are flooding issues. Mr. Jensen thinks this should be looked at a little more before decisions are made, and wants everything to work right. **Ronald Duffin** stated that their water is so horrible now with iron that they can hardly stand it. He feels a development here will make this problem worse if there are not adequate wells and wants the City to address it. He has lived here 50 years and has watched this property fill with water from the flow off the mountains and the springs in the area. There is a huge amount of water that sits out on this ground and is there clear through the spring thaw. He has watched water on the south side of the street in this area fill homes with a foot of water. Ronald does not think basements should be allowed in this area. This problem continues as far south as you want to go. Sean stated that the city well does meet all state health standards, but that the City has taken the initiative to budget a significant amount of money to address this situation. We are taking steps to correct this issue. As far as the subdivision plat goes, there will be documentation on the plat indicating that this development is in a high water area, and that installing basements would be at the property owners own risk. Each individual lot is required to have a test pit dug on it before any building permits are issued, and must ensure that the home is built 3' above the highest water level mark. **Brendon McFarron** does not really know how much of this has been voted on, but he has 2 concerns. The first is wanting to maintain the feel of Mapleton by keeping the lots larger and more rural. He does not want to see another street installed that is like the one in the Breckenridge Estates development. His second concern is the water in his basement, and says there is water there on a regular basis and hopes this development will not worsen this problem for him. **Scott Liggett** stated that a lot has happened since this property was originally approved for development years ago. He has a drainage concern as well, but feels that the city needs to consider more area of land being affected than that of just the development. When you start displacing all this ground water it has to go somewhere. The run off water will be displaced to the neighbors. He feels that the excuse of the sewer line location should not dictate how we allow future developments to go in, leaving the previously built homes to suffer. He objects to having the 1-acre lots feeling it does not maintain the rural feel Mapleton is known for. His children have to go to Sierra Bonita Elementary

School since all of the capacity is reached at Mapleton Elementary School. He does not feel the current Adequate Public Facilities can be met with another development going in here. Commissioner Stirling gave a brief history of how the Transferrable Development Right (TDR) Program works, and in order to preserve the mountain side this was a sacrifice that had to be made. Ron Jensen stood again and stated that Ivory Homes said their street would not go over 4'-6' in height and it's over 9'. He wonders what way this sewer is going to run, and if it is going to be the same way. Mr. Jensen thinks there needs to be some more options with this. **Kim Gardener** moved to Mapleton for the rural community. He agrees with everything his neighbors have stated previously. Mr. Gardener is also concerned with traffic. The partial vertical streets being installed in this development will be approximately 26' wide. Sean stated that every property owner has the right to develop. The city as far as preserving open space only has so many options. There are a lot of clustering options allowed, so a developer can propose a development like they are doing. Kim wanted to ensure vehicles would not be stored on the east/west running streets in the area. Ron Duffin stood again and wondered if there were plans for the traffic flow in this area. They have a hard time getting out of their lots as it is. 1600 South can not handle all of this traffic. He wonders how emergency vehicles will be able to get up and down this street. Sean stated that street widening is typically done as developments take place. Currently he is certain that we are far from a level of failure on this street. **Mrs. McFerron** wonders what the city's plan is to complete some of the developments in the area that have been started but not completed. She is curious about the construction process, and wondered if the rezone by her home had been approved for the use of TDR's. They feel like there is not adequate room to add an additional lot between her home and the proposed street, and would object to a home and lot being put there. Sean stated that building permits can be applied for once the improvements have been installed. He feels the road width will be substantially less, giving it a much more rural feel, than that of Breckenridge Estates. **Cory Bird** wonders what the plan is in regards to pressurized irrigation, and will it be operable. All the city is requiring at this point is for the dry lines to be installed so that when the water becomes available these areas can connect. **Commissioner Gappmayer** felt if property owners had concerns on where the water would be coming from that they should address it with the City Engineer, or other city officials. **Marylin Stirling** has a question about the impact on their property with having this development elevated directly next to theirs. Sean stated that the street will go up through the development and back down when it reaches the north end of the property. She is concerned about this happening and does not appreciate it at all. Sean reiterated that there will be no elevation change when it reaches their property. The applicant stated that the intent is to bring it back down to match the existing elevation on the property. Commissioner Stirling asked if there was any history or evidence that these types of on individual lot retention basins work properly. Sean stated that the literature on this is pretty substantial. This is not a new road design feature. More rural roads have a similar design. The city feels this would be appropriate. There are requirements in the City Code that require the property owners to maintain their park strip area. Commissioner Schellenberg feels this design could be successful if there are proper rules in place when the development is recorded. There will be a deed recorded on the land stating how this will be maintained. Sean stated that it is not the Commission's responsibilities to look at the buildings being put on this property, but to decide if it meets the City Codes. No additional comments were given and the Public Hearing was closed.

Sean stated that any property in the A2 Zone is eligible to apply to use TDR's. Commissioner Stirling wanted to make sure the improvements are installed correctly over time.

Motion: Commissioner Murray moved to recommend approval to the City Council for the Final Plat of the "Silverado Plat A" subdivision consisting of fourteen lots located generally at 500 West 1600 South, and a request for a Transferrable Development Right Receiving Site Overlay Zone with the recommendations listed below:

1. Any outstanding issues raised in the Development Review Committee (DRC) minutes dated December 10, 2013 shall be addressed prior to plat recording.

2. This approval is contingent upon an amendment to the Transferrable Development Right (TDR) Ordinance allowing the use of TDR's on rezoned property.

Second: Commissioner Gappmayer

Vote: Unanimous

Item 3. Consideration of an Ordinance amending Mapleton City Code (MCC) Chapters 17.03, 17.04, 17.16, 17.20, 17.24, and 18.82.170 modifying the city's bonding requirements for subdivision improvements, and Chapter 18.64.040 regarding the allowed number of stories for mixed-use buildings in the General Commercial (GC-1) Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. Recent changes in State Law indicate that the developer has the option to construct the improvements before the plat gets recorded, or that if he waits until it is approved, must provide the appropriate bonding. The current durability bonds can no longer exceed 10%, where the City currently collected 20%. The one year timeframe and 10% allowance is State Code, so it is not flexible. There is also a proposal eliminating the 3 story limit on the cap of 45' on the building height limit. Changing this would not cause any additional issues with emergency services, as their vehicles are equipped to handle that height.

Chairman Lewis opened the Public Hearing. No comments were given and the Public Hearing was closed.

Motion: Commissioner Gappmayer moved to recommend approval to the City Council of an Ordinance amending Mapleton City Code (MCC) Chapters 17.03, 17.04, 17.16, 17.20, 17.24, and 18.82.170 modifying the city's bonding requirements for subdivision improvements, and Chapter 18.64.040 regarding the allowed number of stories for mixed-use buildings in the General Commercial (GC-1) Zone.

Second: Commissioner Quist

Vote: Unanimous

Item 4. Consideration of recommendations to the City Council on amendments to Mapleton City Code (MCC) Chapter 21.04, STORMWATER PROVISIONS.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. These proposals will essentially piggy back onto the current Construction/Landscape bond collected on each building permit when it is pulled. Staff does not see the need to utilize this bond for the purpose of the Land Disturbance concerns happening very often. This was felt to be the best option for the city. The recommendation for this came out of an annual review the state did on our current process. It was recommended to eliminate 21.04.090 Paragraph B regarding Civil Citations.

Chairman Lewis opened the Public Hearing. No comments were given and the Public Hearing was closed.

Motion: Commissioner Murray moved to recommend approval to the City Council of an Ordinance amending Mapleton City Code Chapter 21.04, STORMWATER PROVISIONS as discussed.

Second: Commissioner Gappmayer

Vote: Unanimous

Item 5. Planning Commission Training

Sean Conroy, Community Development Director, went over a brief training for the Commissioners in attendance regarding information that is located on the City's website. He covered the Community Development link in particular, giving the Planning Commissioners some direction as to where they can go to find information beneficial for items they are reviewing.

Item 6. Adjourn.

Motion: Commissioner Murray moved to adjourn the meeting at 8:45pm.

Second: Commissioner Stirling

Vote: Unanimous

April Houser, Executive Secretary

Date: