

**MAPLETON CITY**  
**PLANNING COMMISSION MINUTES**  
February 28, 2013

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**PRESIDING AND CONDUCTING:** Rich Lewis

**Commissioners in Attendance:** Leslie Jones  
Golden Murray  
Keith Stirling

**Staff in Attendance:** Sean Conroy, Community Development Director

**Minutes Taken by:** April Houser, Executive Secretary

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Vice-Chairman Lewis called the meeting to order at 6:30pm. Golden Murray led the Pledge and Leslie Jones gave the invocation.

*Items are not necessarily heard in the order listed below.*

**Item 1. Planning Commission Meeting Minutes – February 13, 2013.**

**Motion:** Commissioner Jones moved to approve the February 13, 2013 Planning Commission Minutes.  
**Second:** Commissioner Murray  
**Vote:** Unanimous

**Item 2. Consideration of a request to rezone 1.095 acres from A-2 to RA-2 and for Preliminary and Final Plat approval for a one lot subdivision located generally at 340 East Maple Street.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. This application includes two parts. One is for a rezone; the other is for Preliminary and Final Plat. The General Plan shows this area as being Low Density Residential, so staff is supportive of the RA-2 rezone request. The applicant is proposing a 1-acre lot. It will be a single lot subdivision with the remaining property being left in the A-2 Zone. The 42' area to the east is there in case it is needed for access to the remaining portions of the property in the future. **Commissioner Stirling** feels when the remainder of the property is developed it would likely be most beneficial to keep the road to the west of this lot. He noted that the north/south lane is over ½ mile and does not want to land lock properties to the west.

**Chris Colgrove**, applicant, stated that they are trying to provide for maximum accessibility to the remainder of the property for the benefit of future development. He feels this placement is best for both the city and property owner. They understand the need of future roads on the property, and feel they will be able to provide ample access to the property when it is developed.

**Vice-Chairman Lewis** opened the Public Hearing. **Tracy Shultz** stated that her mother owns the property adjacent to this. She was curious how future development and lot size would be in this area, which Sean briefly went over for her. Mrs. Shultz had a concern with her mother's mailbox being moved. No additional comments were given and the public hearing was closed.

**1<sup>st</sup> Motion:** Commissioner Stirling moved to recommend approval to the City Council of an ordinance rezoning 1.095 acres from A-2 to RA-2 located generally at 340 East Maple Street.

**Second:** Commissioner Jones

**Vote:** Unanimous

**2<sup>nd</sup> Motion:** Commissioner Stirling moved to approve the Preliminary and Final Plats for a one lot subdivision located generally at 340 East Maple Street, with the recommendations listed below:

1. The Preliminary and Final Plat approvals are contingent upon the City Council approving the rezone request.
2. All outstanding issues raised in the Development Review Committee (DRC) minutes dated February 20, 2013 shall be addressed prior to plat recording.
3. The Final Plat shall be revised to reflect the actual proposed location of the Lot 1 presented at the hearing.

**Second:** Commissioner Jones

**Vote:** Unanimous

**Item 3. Consideration of Preliminary and Final Plat approval for the Sweet Water Estates Subdivision consisting of nine (9) lots located in the Residential and Agricultural (RA-2) zone.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The language concerning cul-de-sac was included as part of the packet this evening. The long range Master Plan does not have any thru streets proposed where this development is taking place. The city engineer did require a bulb on 800 East that will help provide access to the neighbor to the south. Staff recommends approval with the conditions listed in the report. The applicant was not in attendance at this time so the Commission went on to the Public Hearing portion of the meeting.

**Vice-Chairman Lewis** opened the Public Hearing. **Gary Antinino** stated that he was a previous and future resident of Mapleton. A handout was given to everyone from in attendance from Mr. Antinino, and made part of the packet for this evening. His grandfather purchased approximately 48 acres of property in this area. He used the property as farm land. They object to a cul-de-sac due to it creating a landlocked portion of their property. The cul-de-sac is inconsistent with the City's Transportation Master Plan. There is a lack of how their property can be developed in the future. This proposal will greatly affect the value of his parent's property. The City Code's affected are not consistent. He feels traffic circulation is very important, and cul-de-sacs should be avoided. If this plan is approved as proposed the city will possibly end up with two cul-de-sacs in this area. This plan is unacceptable to the Antinino's, and should be to Mapleton City. He does not feel present benefits should outweigh the city's future and what is acceptable. Gary stated that the applicant did meet with him and his father when laying out the property, and would prefer the city to allow the applicant to put in a partial street. His parent's home is in the History of Mapleton book, and they would hate to lose this home to a road. Mr. Antinino does not feel this development is best for the property and feels he has provided the Commission a glimpse into the future. The plat plan before them is not in the best interest of the Antinino's, the City or the developer. He provided a couple of options he feels would be best for development in this area.

**Brad Morgan**, applicant, stated that he did try and work with the Antinino's on this. The new layout has the sewer going out to 1200 North, which the city felt was a much better plan. They were asked to bulb out the road on 800 East to help give the Antinino's property access when they develop. He feels they

have about 600-800 feet of frontage. They are not trying to be bad neighbors. They are going to resurface half of 1400 North, and they feel like they have done everything they have been asked to do. He has tried to make sure their voices were heard, and he is not trying to force them to move forward with the development of their property, but he does not feel they were willing to work with him. **Commissioner Murray** asked how the knuckle adds access to the property, and the applicant stated that it came as directive from the Development Review Committee (DRC) to install it. They plan to develop the lots, build the homes, and follow the process all the way through. **Vice-Chairman Lewis** had a concern with the grey water system that runs by his neighborhood which is to the east of this property. The applicant stated that this will stay in place and they plan to tie everything together and get a better angle for those currently utilizing this system. He feels this concern is taken care of. This property was formerly owned by the Bona family, and Mr. Morgan purchased it a couple months.

**Paul Antinino** stated that they were not able to participate and recommended doing the half road. If they try to lay out a cul-de-sac that is feasible, it would come thru lot 3 of the original proposal. Part of the home, trees and shed will have to be removed. He suggested again that they just build a half road, and felt that they should not be forced to develop if they are not ready. The city does have provisions in the ordinance that allows for  $\frac{1}{2}$  plus 5' street, but they try to avoid this since its possible the street will stay that way forever. Sean stated that it could be an option, but the City Council would have to approve it.

**Brad Morgan** stated that when they redesigned this layout and was told by Gary Calder, the City Engineer, that this would meet all city codes. He clarified that the sewer will connect to 1400 North. **Gary Antinino** stated that he does not feel bad for the cost Brad Morgan has paid out to redesign the property. He would propose the L shape road and eliminate the cul-de-sac. That would eliminate both concerns, and would give frontage for all of the lots. He feels this would be a half plus 5' road. **Cecil Jacobsen** lives adjacent to the proposed cul-de-sac. He would like to know what the plan is for the frontages on the property. He is in favor of the Antinino's proposal. Brad stated that proposed lots 3 and 7 will front into the cul-de-sac. They are trying to get all the homes within the cul-de-sac to face inward. The city code would have to be followed regarding fencing. **Cindy**, daughter of Nino Antinino, stated that this property is her parents and they as children are not able to help out. She asked Mr. Morgan if he has ever been a resident in Mapleton. Sean stated that there are issues with both half streets and cul-de-sacs. The City Council will be the ultimate decision maker. **Nino Antinino** moved to Mapleton when he was 5 years old. He is now pushing 90 and he loves Mapleton and the north side. He was here before any of the subdivisions went in. He accepted the plot that was originally there. He feels the new City Council wants to reverse it to help the developer and not the resident. He wants to protect his family's rights. **Commission Murray** feels they can not land lock the property with the new design. He asked Mr. Morgan if it would work going back to the  $\frac{1}{2}$  road. Brad stated that the City Engineer, Gary Calder, stated that he did not want a  $\frac{1}{2}$  road. He was willing to trade the cost of infrastructure for one lot, but the Antinino's would not go for it. He is trying to do the best he can. He can not pay the whole burden and feels they could work together if the Antinino's were willing to do their part as well. Both intentions are good, but Mr. Morgan does not know when they will be developing their portion of the property. The road is about \$275k in this development. **Brad Antinino** stated that they would be handing over another piece of property to the applicant if they switched it for a lot. Sean reminded the Commission that they are not here to look at economics. **Vice-Chairman Lewis** stated that the issue is between the recommendation of a cul-de-sac or half plus 5' road. Sean stated that there are options. **Commissioner Stirling** stated that the Antinino's deserve a level or respect, as well as the developer for following the city codes in regards to developing. Commissioner Stirling asked if there was anything Mr. Antinino could do to work with the developer. He feels if they sat down and worked through this they could come to an agreement. He feels the  $\frac{1}{2}$  plus 5' road is the lesser of two evils. He thinks they can negotiate it and work something out. Brad Antinino would like this proposal denied. Sean stated that could motion continue this project with a date listed so as not to drag Mr. Morgan out any longer than possible. Brad Morgan stood and stated that he does not want to be the bad guy in this situation. He does not feel

delaying it is going to resolve anything. He has tried to negotiate, and it does not work, nor does he feel it will work. No additional comments were given and the Public Hearing was closed.

**Motion:** Commissioner Jones recommends approval to the City Council for the Preliminary and Final Plat for the Sweet Water Estates Subdivision consisting of nine (9) lots located in the Residential and Agricultural (RA-2) Zone, with the recommendation listed below:

1. Unless the two parties work out an alternative agreement that is able to be met by the City Council Meeting on March 19, 2013, at which time this development will be heard.
2. All outstanding issues raised in the Development Review Committee (DRC) minutes dated January 29, 2013 shall be addressed prior to plat recording.

**Second:** Commissioner Stirling

**Vote:** Unanimous

**Item 4. Consideration of an ordinance amending Mapleton City Code Chapters 13.20.060 and 17.28.050 related to reimbursement opportunities for the installation of public infrastructure improvements associated with subdivision development.**

**Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The current code allows the developer to be reimbursed for up to 20 years after the infrastructure is installed. This would pertain to all improvements. The city is proposing 5 years for roads and 10 years for sewer and water.

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

**Motion:** Commissioner Jones recommends approval to the City Council for an ordinance amending Mapleton City Code Chapters 13.20.060 and 17.28.050 related to reimbursement opportunities for the installation of public infrastructure improvements associated with subdivision development.

**Second:** Commissioner Stirling

**Vote:** Unanimous

**Item 5. Adjourn.**

**Motion:** Commissioner Jones moved to adjourn the meeting at 8:00pm.

**Second:** Commissioner Stirling

**Vote:** Unanimous

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April Houser, Executive Secretary

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Date: