

MAPLETON CITY
PLANNING COMMISSION MINUTES
April 24, 2014

PRESIDING AND CONDUCTING: Vice-Chairman Golden Murray

Commissioners in Attendance: Justin Schellenberg
Keith Stirling

Staff in Attendance: Sean Conroy, Community Development Director
Brian Tucker, Planner

Minutes Taken by: April Houser, Executive Secretary

Vice-Chairman Murray called the meeting to order at 6:34pm. Justin Schellenberg gave the invocation and Keith Stirling led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Alternate Commissioner Justin Schellenberg was seated as a voting member.

Item 1. Planning Commission Meeting Minutes – April 3, 2014

Motion: Commissioner Stirling moved to approve the April 3, 2014 Planning Commission Minutes.
Second: Commissioner Schellenberg
Vote: Unanimous

Item 2. Consideration of Preliminary and Final Plat approvals for the Virginia Estates Subdivision consisting of two lots located at approximately 2975 South and Highway 89 in the Agricultural-Residential (A-2) Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The property currently has one existing home, so this is just a request to create one new lot. The Planning Commission has granted a Variance for this development since it was unable to meet the street frontage requirements. Some of the issues are the subdivision ordinance requiring water and sewer to be installed across the development. The existing sewer is nearly 1,000 feet away at this time. Several years ago the City entered into a Development Agreement with the developers of the EBCo property, and are anticipating that we will see the construction of this development within the next year. The applicant, based on this, is requesting an exception to the ordinance, allowing them to install a septic tank until the property to the south is developed. They City has asked that there be a condition put upon the subdivision that when the sewer becomes available within 300' of the property, that both Lots 1 and 2 connect to it. If the property owners fail to do so the City has the ability to turn off their culinary water service until they connect to the sewer. The Commission can discuss what kind of conditions they want to put in place if the EBCo development were not to move forward. The Trail Master Plan does show a trail going along the Highway so the applicant is willing to dedicate a 15' easement for the trail, however, they do not plan to install the trail at this time. This item will be required to be approved by the City Council as well. Sean stated that it is likely that the improvements to the south will come through in the future. The cost

to install the infrastructure for the EBCo development is large, but all indications show that they do intend to do it. The current home is connected to the city water, but uses a septic tank as well. **Commissioner Schellenberg** asked for clarification on what type of septic tank would be installed, and Sean stated that the Health Department would dictate that. Commissioner Schellenberg felt that bonding should be required that would guarantee that if the properties to the south do not develop, the applicant would be required to install them as currently required under City Code. Bonds are typically done with a Letter of Credit. **Commissioner Murray** asked if there were any concerns with the property remaining on a septic system if the developments to the south are not installed in a timely manner. The 15' Public Utility Easement (PUE) that is being required for the future trail, would be in addition to the PUE for the area which UDOT will need in the future for Highway 89.

Dennis Gore, applicant, currently owns the property. They are trying to give their daughter a lot to build a home on. He built his home in 1984 and has been on a septic system the entire time. There is approximately 150' of water line running to his property. Mr. Gore does not feel it makes financial sense to require them to install pipe that could be abandoned when the property to the south develops. They are hoping that they can forgo installing these lines at this time. The Gore's are not selling lots or trying to make money, and would appreciate whatever they can get in order to allow their daughter to build on this property.

Vice-Chairman Murray opened the Public Hearing. **John DeHas** is the property owner to the north and is in support of the development. His septic tank has been in since 1975 and has had no problems. No additional comments were given and the Public Hearing was closed.

Commissioner Schellenberg asked if the property to the south was part of EBCo, and Sean stated that it is not, but the proposal for annexation of this property has taken place with the City. The size of the developments to the south will require upsizing of lines in order to accommodate their developments. **Commissioner Stirling** asked if Mr. Gore would be required to pay a reimbursement to whoever installed the lines when he connects, and Sean stated he would as other developments similar to this do. This area is still very rural, but there is a lot that could be taking place within the foreseeable future. **Commissioner Murray** did not feel requiring additional bonding was needed.

Motion: Commissioner Stirling moved to recommend approval to the City Council of the Preliminary and Final Plat for the Virginia Estates Subdivision consisting of two lots located at approximately 2975 South and Highway 89 in the Agricultural-Residential (A-2) Zone, with the conditions listed below:

1. All outstanding issues raised in the Development Review Committee (DRC) minutes dated April 8, 2014 shall be addressed prior to plat recording, unless any of the requirements are waived by the City Council.
2. The applicant may install a septic tank for use on Lot 1. However, the applicant agrees that both lots will connect to a new sewer main within three months of it coming available. If the lots do not connect within three months, the City shall turn off the culinary water service to the lots.

Second: Commissioner Schellenberg

Vote: Unanimous

Item 3. Consideration of Preliminary and Final Plat approvals for the Harvey Subdivision Plat "B", consisting of four lots located generally at 400 South Main Street in the Residential-Agricultural (RA-1) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. This is the remaining parcel from the Harvey Subdivision Plat A. It is a rural property that is relatively flat. It is a 4.1 acre parcel and

is zoned RA-1, which is a one-acre per lot zone. Each proposed lot would have in excess of the 125' frontage requirement. The street being proposed would be a definite benefit for the City. A letter was given to the City from Mike and Jean Aiello who have cattle in this area that are held in with an electrical fence. They would propose a 6' privacy fence be installed to keep their animals and future residents of these lots from having issues. The ditch in this area will likely be piped, but that issue will need to be addressed by Mapleton Irrigation. The City has no requirement that a fence be built. **Commissioner Schellenberg** asked if there is a concern with maintaining that the Temporary Turn Around not be landscaped in a way that would prohibit its use. Brian stated that the City has the easement in place allowing it to be used, if needed, for emergency vehicles. The City would be responsible for snow removal since this would be a city street. There will be a park strip that should be sufficient for any snow that would need to be moved off of the street. Brian stated that the Engineering would address the turn around on the construction drawings. **Commissioner Stirling** asked which way the Pressurized Irrigation was flowing in this area, and Sean stated that it flows to the north at this time. The proposed Storm Drain is a sump system, and calculations will need to be provided showing that this is sufficient. Commissioner Schellenberg felt that retention/detention basins would be more logical. The applicant will be required to get approval from UDOT in regards to tying in to Main Street.

Brent Tuttle, with Northern Engineering, stated that this property falls in place with the layout submitted back in 1998 when the Harvey A Subdivision was completed. The Geotech Report that has been done does show that a sump system would be sufficient in this area. The sections on the latest plan submittal indicate what UDOT asked the applicants to put on the drawings. The irrigation ditch will be piped. Mapleton Irrigation will sign the plat, so doing that will show their approval on what is being required in regards to the ditch.

Vice-Chairman Murray opened the Public Hearing. **Richard Howell** stood on behalf of Mike Aiello and stated that he has had issues in the past where there was a development put in next to his animals, which is the reason he is asking that they install a privacy fence. The current ditch, as it is today, could seep into the east lots in the proposed development. For this reason they would request piping the ditch. **Shawn Bonnett** stated that he agrees with Mike Aiello. He proposes that privacy fencing be installed along the border of the development. **Debbie Harvey**, current owner of the property, stated that in 1998 this property was allowed to be in the RA-1 Zone. They have paid lots of taxes on this land, and feel this would be a nice addition to the area. She feels the ditch should be capped, but does not agree with the fencing being asked by the surrounding property owners. Mrs. Harvey stated that it should be the responsibility of the homeowners to decide if they want to install a fence around their lot. No additional comments were given and the Public Hearing was closed.

Commissioner Stirling asked if there was any fencing in the area currently. Brian stated that there is a field fence along the north. The gentleman in this area stated that there is also electrical fencing along the south of the proposed development. Mr. Howell stated that he has had water seep into his basement during wet times, but has not had a problem for several years.

Motion: Commissioner Schellenberg moved to approve the Preliminary and Final Plat for the Harvey Subdivision Plat "B", consisting of four lots located generally at 400 South Main Street in the Residential-Agricultural (RA-1) Zone, with the conditions listed below:

1. All outstanding issues raised in the Development Review Committee (DRC) minutes dated February 12, 2014 and April 8, 2014 shall be addressed prior to plat recording.
2. A letter be sent to the Irrigation Company asking that the irrigation ditch be piped, or safety fencing be installed if piping is not required, to ensure safety in the area.

Second: Commissioner Stirling

Vote: Unanimous

Item 4. Consideration of recommendations to the City Council regarding an ordinance amending Mapleton City Code 17.15 outlining standards for the use of xeroscaping (drought tolerant) landscaping in City parkways.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The City currently has requirements on park strips that they have grass and trees installed in these areas. Staff is proposing that the option be allowed for developers to xeriscape in the park strip areas. This would be allowed as an alternative, so the ordinance would state that 30% of the park strip area be covered in shrubbery or plants, so that these areas are not covered with solid hard surface materials. In the future they would like to have discussion on the ability to use xeroscaping in the front yards, but at this time it is only for park strip areas. CC&R's would still govern developments, but could not be less restrictive than the City's ordinance. **Commissioner Schellenberg** recommended that in Section 17.15.120B to state "*satisfies*" instead of "*includes*" on the last line of the paragraph.

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

Motion: Commissioner Schellenberg moved to recommend approval to the City Council of an ordinance amending Mapleton City Code 17.15 outlining standards for the use of xeroscaping (drought tolerant) landscaping in City parkways, and that alterations to the front yard landscaping requirements be considered in the near future, with the recommendations listed below:

1. Slopes will need special consideration on the stability of the materials being used, and steps be taken to restrict erosion of such materials.

Second: Commissioner Stirling

Vote: Unanimous

Item 5. Planning Commission Training.

Sean Conroy, Community Development Director, had no training for this evening but gave the Commissioners some updates on items taking place throughout the City. One of these items was the Canal Parkway Trail, and its timeline. Some consulting to help with Economic Development within the City will likely be coming forward in the future as well.

Item 6. Adjourn.

Motion: Commissioner Stirling moved to adjourn the meeting at 8:04pm.

Second: Commissioner Schellenberg

Vote: Unanimous

April Houser, Executive Secretary

Date: