

City Council Staff Report

April 15, 2015

Applicant: Cory Andersen

Location: 400 S Main

Prepared by: Brian Tucker,
Planner

Public Hearing: Yes

Zone: A-2, RA-1

Attachments:

1. Findings.
2. Project Plans.
3. DRC Minutes.
4. PC & CC Minutes.

REQUEST

Consideration of a Resolution approving the final plats for the Copperhead Estates subdivision plats A and B consisting of 12 lots. The request includes the rezone of approximately 3 acres from A-2 to RA-1, and the application of a TDR-Receiving Site Overlay to approximately 8 acres of property located at 400 South Main Street.

BACKGROUND AND PROJECT DESCRIPTION

The project site is approximately 8.04 acres and is located in the RA-1 zone at approximately 400 South Main Street. The project site consists of the remainder parcel from the one lot Harvey Subdivision Plat "A" approved and recorded in 1998 the Tew Property that includes the Tew Home at 377 South Main Street. The applicant is requesting approval to construct and dedicate 400 South Street and 170 East Street to provide frontage for 11 new building lots and for subdivision approval for 12 lots, including the new lot that the existing Tew Home will be located on.

In April of 2014 a 4 lot subdivision called the Harvey Subdivision Plat "B" was approved on this property but was never recorded. The owners of the property believe that 4 lots are not financially viable given the amount of infrastructure that would need to be constructed and have therefore proposed what they feel is a more viable alternative.

In January of 2015 the Planning Commission and City Council held public hearings on a proposed 7 lot subdivision on the 4.81 Acre parcel. The proposed subdivision would have made use of 4 TDR Certificates and would have included a 400 South Street and a 170 East Street to create frontage for the new lots. The Planning Commission recommended that the Council approve the 7 lot Copperhead Subdivision. The 400 South Street would have been constructed along the northern border of the property and this road, with respect to the Tew property and home it would be directly adjacent to, was the reason the City Council tabled the application. The Council wanted a legal opinion on the viability of the road relative to the existing home.

The developer/applicant has reached an agreement with the owners of the Tew property to build the road in the previous location with 5 additional lots on the Tew property. Plat A, including the 7 lots south of the proposed 400 South and the two easternmost lots north of the road, will be owned by the applicant. Plat B, including 2 new building lots and a lot upon which the existing Tew home will remain, will continue to be owned by the Tew's and will be recorded at a later date.

The improvements for the entire subdivision will be dedicated and installed as part of Plat A.

The City Council reviewed this application on January 20, 2015 and again on February 3, 2015. The Council continued the item to a future council date. The Council's main concern in January was with regards to the location of the proposed stub road in relation to an existing residence located just to the north of the proposed road.

EVALUATION

Proposed Road/ Setbacks: The proposed road (400 South) is located on the northern property line of the applicant's property. The northern curb will be approximately 15 feet from the northern neighbor's garage and approximately 35 feet from any living space in the residence. The applicant has met with the neighbor and the neighbor is now supportive of the location of the proposed road.

Mapleton City Code, Section 18.20.080 addresses non-conformities resulting from public action and states that when "area or yard setbacks of a legally established lot are reduced as the result of conveying land to a federal, state or local government for a public purpose, such as a city street for use by the general public, such lot and yards shall be deemed to be in compliance with the minimum lot size and yard setback standards of this title without any need for a variance". This language suggests that when city streets are created that serve the general public the setbacks and lot area may be reduced without the requirement of a variance.

The existing Tew home meets the setback requirements as it exists on a standard interior lot with only one frontage. The proposed subdivision would make this home a corner lot and the second "front yard" required of corner lots would not meet the required 30' and would instead measure approximately 15'. While a private developer rather than the City is initiating the request to construct a street in this case, the road will be conveyed to the "local government" in this case Mapleton City. As a dedicated city street it will serve not only the future residents but also will serve to create additional connectivity within the city. The means of ingress and egress for future city residents will be greatly increased when property to the east is developed. Section 18.20.080 is intended to support the orderly development of property within the city when the need for or desire to increase public infrastructure conflicts with the typical zoning standards.

General Plan Goals: The Land Use Element of the General Plan includes a number of Goals and Policies that apply to this application. The Goals and Policies most applicable to this application are as follows:

Goal #5: Encourage the transfer of TDR's off the mountainsides.

Policy A: Mapleton City has adopted a transfer of development right ordinance.

Policy B: Mapleton City shall vigorously support its' TDR Ordinance

Goal #9: Encourage the cluster concept of city planning and development.

Policy D: Encourage clustered subdivisions

Policy F: **Encourage** clustering of residential units on non-environmentally sensitive portions of parcels and the use of dedications, **transfers of development rights**, and money-in-lieu of dedication **to achieve on and off-site environmental, open space, corridor and conservancy objectives.**

The proposed development furthers General Plan Goal #5 by transferring potential development from the mountainside through the Use of TDR's. The proposed development furthers General Plan Goal #9 by clustering units off-site in non-environmentally sensitive areas to protect open space objectives on the foothills.

General Plan Map: The General Plan indicates that this property should develop in a "low density residential" manner. The General Plan indicates that "low density residential" should consist of lots between 1/2 and 1 acre. The characteristics of the "Low Density Residential" land use category indicated by the General Plan "include low density single family homes with ample open spaces and setback requirements meant to provide adequate spacing between dwellings, and houses of worship. A higher density than one dwelling per acre may be allowed pursuant to a development agreement or with the use of "Transferable Development Rights" (TDR's) and zone overlay of TDR-R. In order to allow animals and residential agricultural uses on all lots, lots smaller than 21,780 square feet should not be allowed, even with TDR's or development agreements. The preservation of animal rights and residential agriculture is appropriate, as are developments sensitive to the agricultural environment.

The proposed development is in line with the density objectives of the "low density residential" designation as lots vary from .50 to .66 acres. The sizes of the lots, along with the setback and maximum height requirements provide reasonable assurance ensure a relatively rural residential feel for potential resident along with those existing land owners. Animal rights and residential agriculture are available for every potential lot owner. Animal and agricultural rights of existing landowners are preserved by the relative lack of housing density and the opportunity for potential lot owners to conduct small scale agricultural activities that include the right to reasonable number of animals.

Master Transportation Plan/Street Design: The Mapleton City Transportation Master Plan does not indicate that a road in this location is required, however a street constructed as proposed in this subdivision application would provide access to undeveloped and underdeveloped property located to the east of the project area. The transportation map shows primary access to the area bounded more or less by Maple Street and 900 South and by Main Street and 1200 East as having future access from a future major local street off of East Maple Street. The additional access created by this previously unforeseen connection would be welcome for creating interconnectivity for this largely inaccessible area. The proposed street design is a standard design for a local access street.

Zoning: Lots located within the RA-1 zoning district with the TDR Receiving Overlay Zone have a minimum lot area requirement of 21,780 square feet and a minimum width of 100 feet as allowed by Mapleton City Code (MCC) Chapter 18.32.050. If the zoning is changed to include the TDR-Receiving Overlay the proposed lots comply with these requirements.

Rezone Review Criteria: MCC Chapter 18.12.010.B outlines the guidelines that shall be used to determine whether or not a rezone request is in the interest of the public and is consistent with the general plan. The guidelines are as follows:

1. Public purpose for the amendment in question.
2. Confirmation that the public purpose is best served by the amendment in question.
3. Compatibility of the proposed amendment with general plan policies, goals, and objectives.
4. Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.
5. Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.
6. Adverse impacts on adjacent landowners.
7. Verification of correctness in the original zoning or general plan for the area in question.
8. In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.

As previously stated, the staff believes that the public purpose, as outlined in the general plan is best furthered by rezoning the property to include the TDR-R Overlay. The goals and policies of the general plan are furthered as the rezone is the second step in transferring potential development from the environmentally sensitive foothills and mountainsides into non-environmentally sensitive areas. As it is located in a large area the general plan map designates as appropriate for "low density residential" and as it is located in an area with ample public service infrastructure it is not a "leapfrog" development. While adjacent landowners may not like the idea of seven new homes, the density of the proposed subdivision is low by any reasonable definition and preserves animal and agricultural rights of both existing and future owners.

General Subdivision Review Criteria: MCC Chapter 17.04.050.B outlines the review standards that shall be used by the Council in making its determination. These standards are shown in attachment "1". The proposed project complies with these standards.

STAFF RECCOMENDATION

Adopt a Resolution approving the rezone of approximately 3 acres from A-2 to RA-1, the application of a TDR-Receiving Site Overlay to approximately 8 acres of property located at 400 South Main Street and the final plats of the Copperhead Estates Subdivision, Plats A and B, consisting of 12 lots with the attached findings and condition.

SPECIAL CONDITION

1. Any outstanding issues raised in the DRC minutes dated February 12, 2015 shall be addressed prior to plat recording.

Attachment "1" Findings for Decision		
No.	Findings	
1.	The plans, documents and other submission materials (including technical reports where required) are sufficiently detailed for proper consideration.	✓
2.	The submitted plans, documents and submission materials conform to applicable city standards.	✓
3.	The proposed development conforms to city zoning ordinances and subdivision design standards.	✓
4.	There are not natural or manmade conditions existing on the site or in the vicinity of the site defined in the preliminary plan that, without remediation, would render part or all of the property unsuitable for development.	✓
5.	The project provides for safe and convenient traffic circulation and road access to adjacent properties under all weather conditions.	✓
6.	The project does not impose an undue financial burden on the City.	✓
7.	The location and arrangement of the lots, roads, easements and other elements of the subdivision contemplated by the project are consistent with the city's general street map and other applicable elements of the general plan.	✓
8.	The project plan recognizes and accommodates the existing natural conditions.	✓
9.	The public facilities, including public utility systems serving the area are adequate to serve the proposed development.	✓
10.	The project conforms to the intent of the Subdivision Ordinance as described MCC Chapter 17.01.	✓

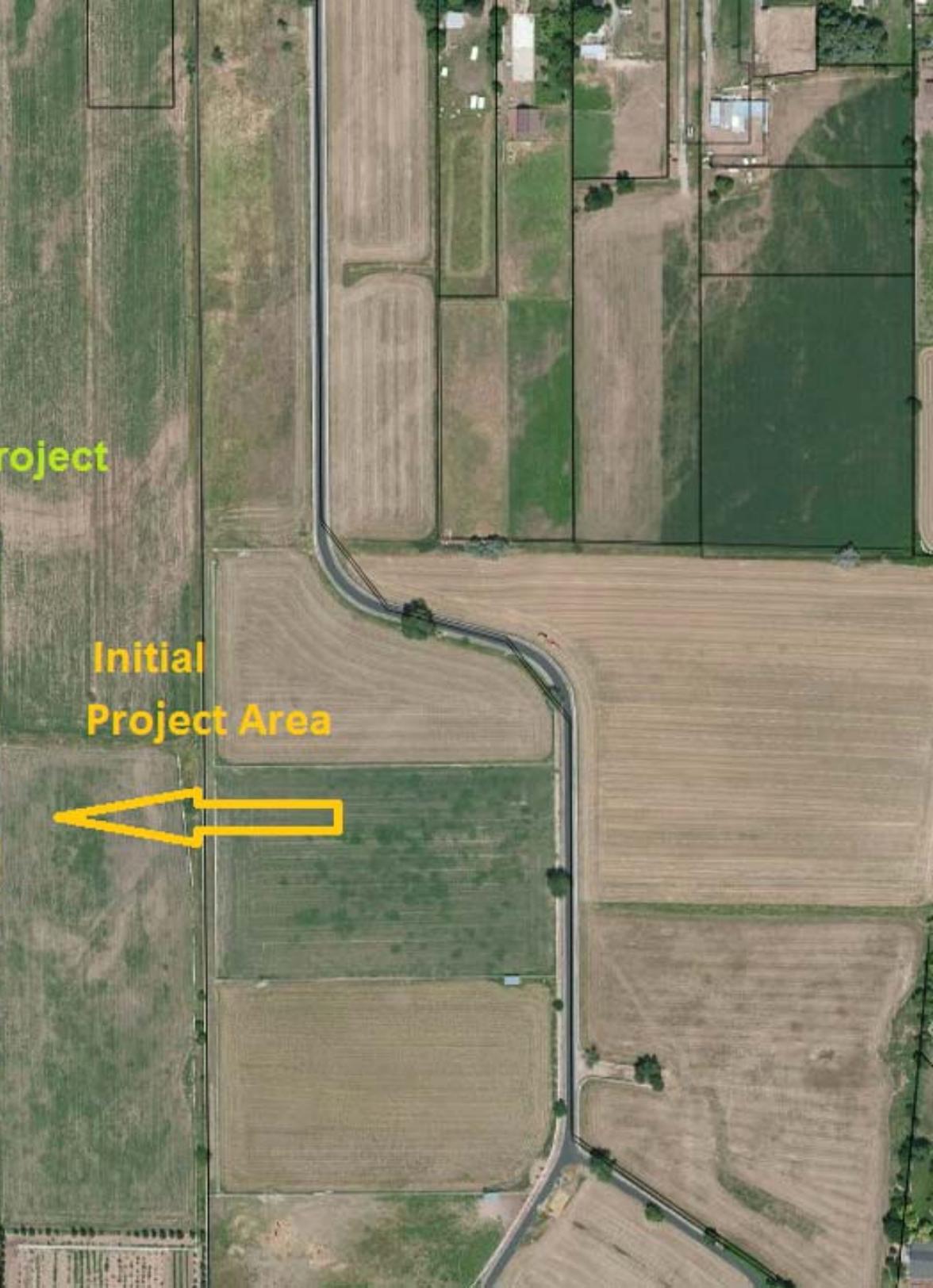
Main Street

MAIN

Additional Project Area



Initial Project Area



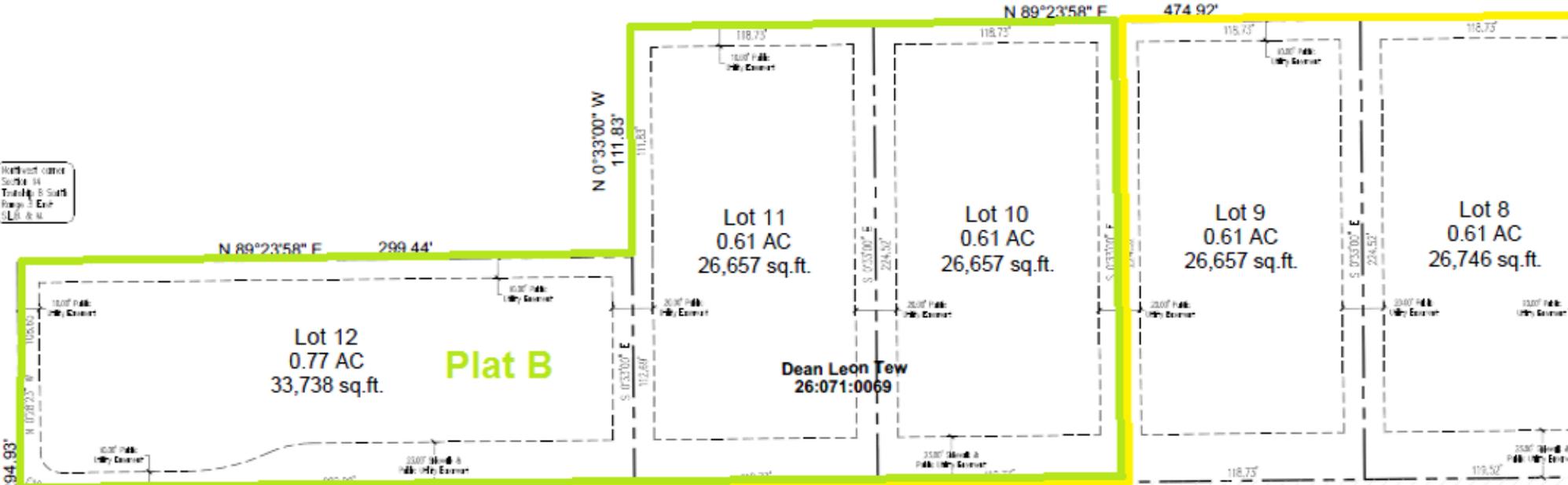


TH
40'

Northwest corner
Section 34
Twp 14 N, S. 34 E
Range 3 E
S.L.R. & S.

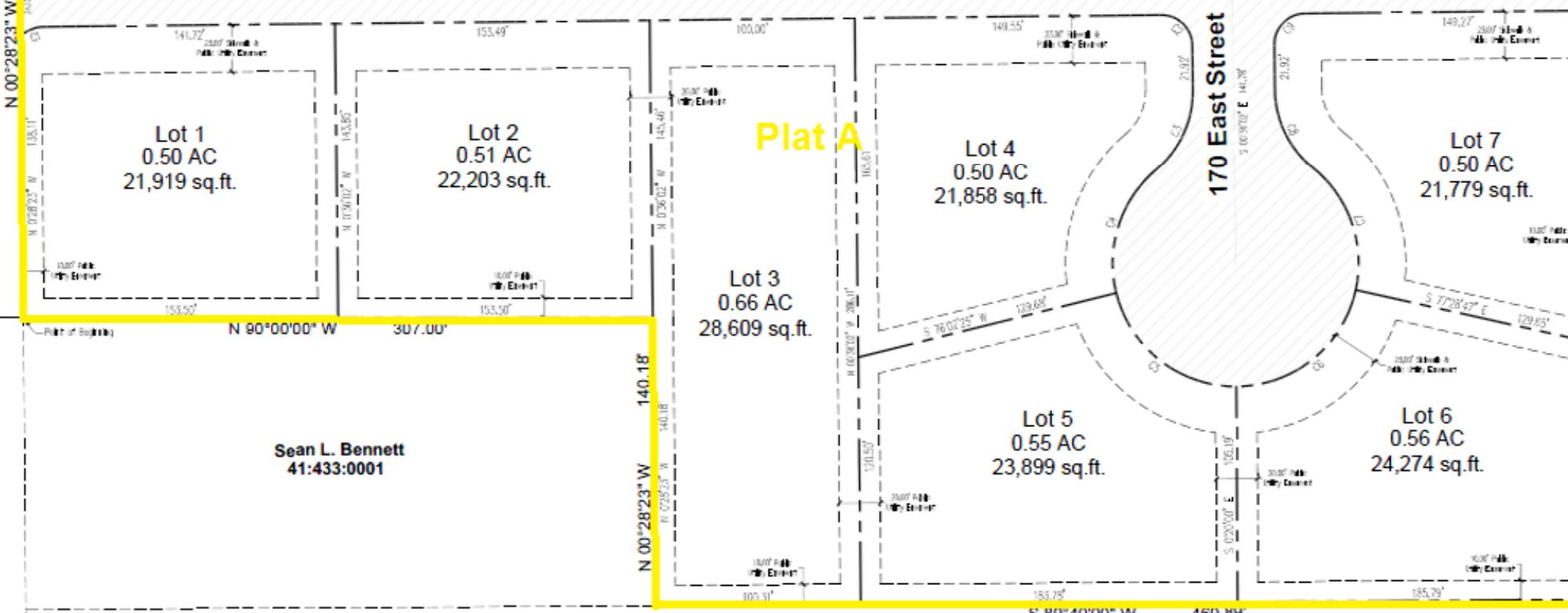
Main Street

114.57'



400 South Street

400 South Street



90°00'00" W

N 00°28'23" W

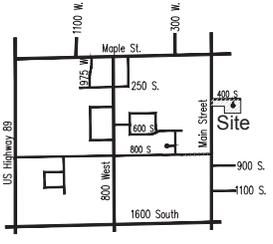
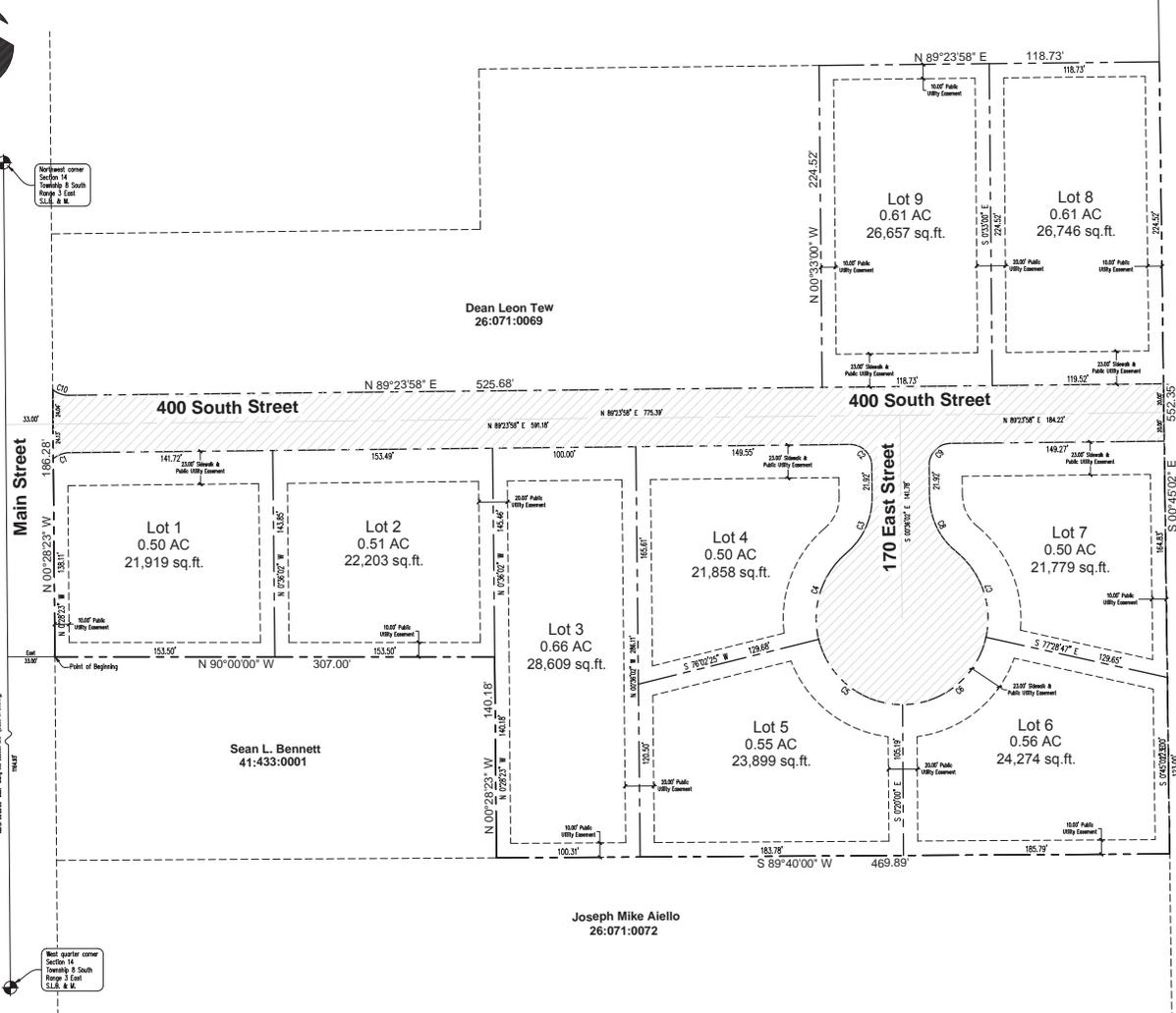
S 89°40'00" W

170 East Street

114.57'



1" = 40'



Vicinity Map

Curve	Radius	Length	Chord	Bearing	Delta
C1	18.00'	12.41'	12.19'	S 89°26'31" W	37°54'25"
C2	15.00'	23.56'	21.21'	N 49°26'02" E	107°00'00"
C3	50.00'	44.05'	42.64'	N 49°26'02" E	59°38'14"
C4	60.00'	66.80'	63.46'	S 17°57'33" W	63°50'07"
C5	60.00'	79.80'	74.19'	S 87°08'48" E	76°22'25"
C6	60.00'	80.79'	74.82'	S 87°08'48" E	77°08'47"
C7	60.00'	66.80'	63.23'	N 19°16'47" E	63°30'58"
C8	50.00'	44.05'	42.64'	S 25°02'41" E	59°38'14"
C9	15.00'	23.56'	21.21'	S 44°23'58" W	107°00'00"
C10	18.00'	12.37'	12.06'	S 71°01'50" E	39°08'25"

Duane L. Madsen
26:071:0094

Surveyor's Certificate

I, Roger D. Dudley, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12288... AS PRESERIBED UNDER THE LAWS OF THE STATE OF UTAH... I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAN AND THAT THIS PLAN IS TRUE AND CORRECT.

Boundary Description

Commencing at a point located North 02°28'23" West along the Section line from the West quarter corner of the Section 14, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence North 02°28'23" West 186.283 feet; thence along the arc of a 18.00 foot radius curve to the left 12.30 feet (chord bears South 71°01'50" East 12.36 feet); North 89°23'58" East 525.68 feet; thence North 02°03'00" West 224.52 feet; thence North 89°23'58" East 118.73 feet; thence South 02°45'02" East 552.35 feet; thence South 89°40'00" West 469.89 feet; thence North 02°28'23" West 140.18 feet; thence South 90°00'00" West 307.00 foot more or less to the point of beginning.

Area: 263,726 sq. ft. or 6.04 Acres
Basis of Bearing is North 02°28'23" West along the Section line from the West quarter corner to the Northwest corner of said Section 14.

DATE _____ SURVEYOR _____
(See Seal Below)

Owner's Dedication

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREBY AND SHOWN ON THIS MAP, SUBJECT TO ANY CONDITIONS AND RESTRICTIONS STATED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE AND ACCEPT THE SAME AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS _____ DAY OF _____ A.D. 20____

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }
On the _____ day of _____ A.D. 20____, personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

(Notary's full name) _____ A notary public commissioned in Utah _____ (commission number)
My Commission Expires _____ (signature)

Acceptance of Legislative Body

THE _____ OF _____ COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC THIS _____ DAY OF _____ 2015.

MAYOR _____
CITY ENGINEER _____ ATTEST _____ CITY RECORDER _____
(See Seal Below) (See Seal Below)

Planning Commission Approval

APPROVED THIS _____ DAY OF _____ A.D. 20____, BY THE _____ PLANNING COMMISSION.
COMMUNITY DEVELOPMENT DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

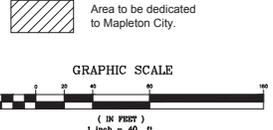
Conditions of Approval

PLAT "A"

Copperhead Estates

Mapleton _____ Subdivision Utah County, Utah
Scale: 1" = 40 Feet

Century Link Approved this _____ day of _____ A.D. 20____	Rocky Mountain Power Approved this _____ day of _____ A.D. 20____	Questar Gas Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute derogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's Right-of-Way department at 1-800-366-6532.
Century Link Representative _____	Rocky Mountain Power Representative _____	Questar Gas Representative _____ Date _____
Comcast Approved this _____ day of _____ A.D. 20____	Mapleton Irrigation Company Approved this _____ day of _____ A.D. 20____	
Comcast Representative _____	Mapleton Irrigation Company Representative _____	



Prepared by:
Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
office 801-224-1252
fax 801-224-1264

Occupancy Restriction Notice
ORDINANCE NO. _____ OF _____ UTAH COUNTY, UTAH, RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN THIS SUBDIVISION. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY _____

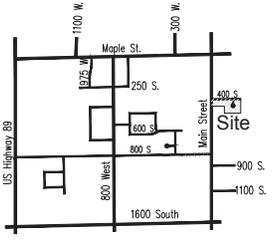
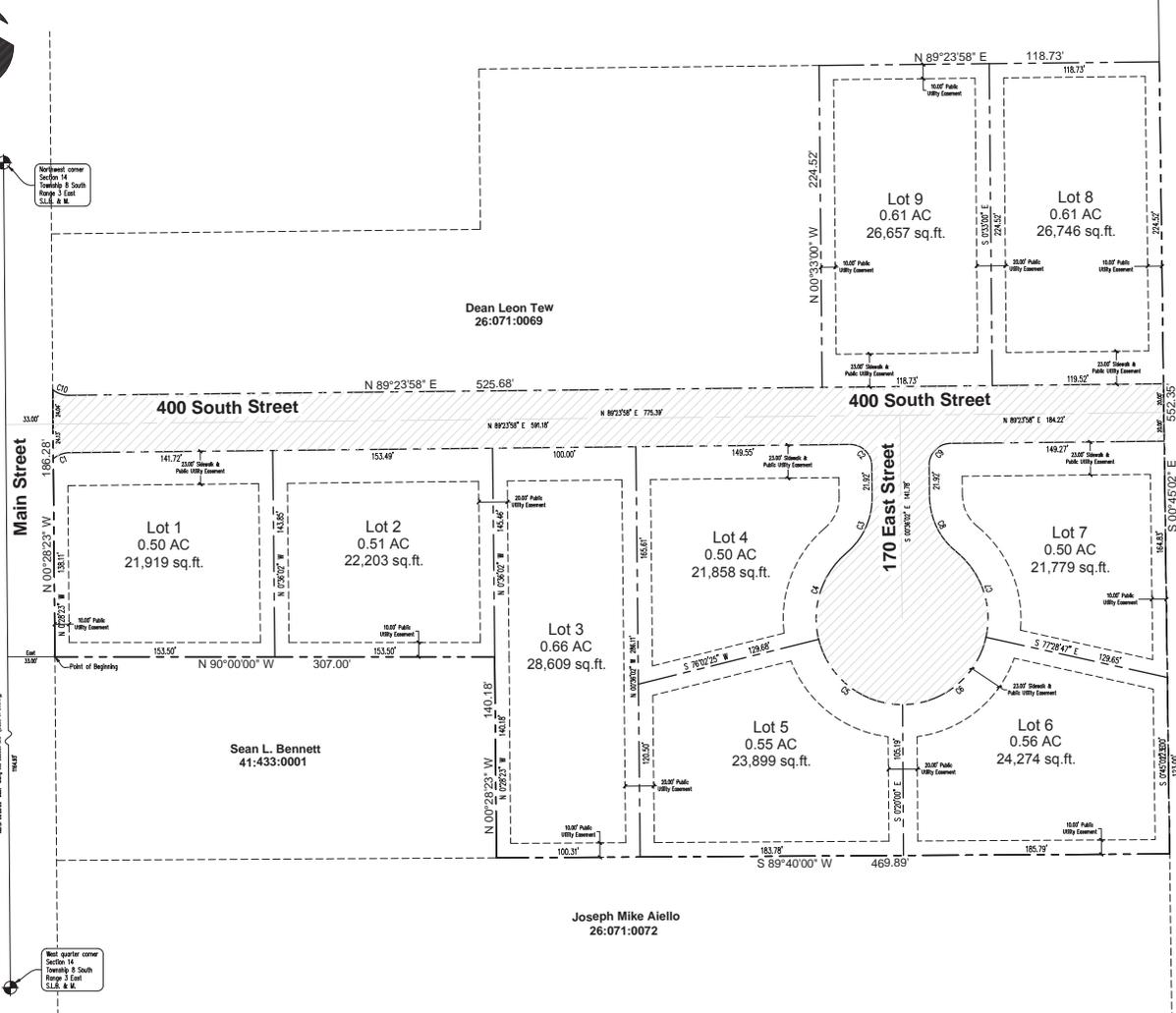
Acknowledgement (PERSONAL)
STATE OF UTAH S.S.
ON THE _____ DAY OF _____ A.D. 20____, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THIS FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION EXPIRES : _____ NOTARY PUBLIC (SEE SEAL)

Acknowledgement (CORPORATE)
STATE OF UTAH S.S.
ON THE _____ DAY OF _____ A.D. 20____, PERSONALLY APPEARED BEFORE ME, _____ WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, THE SAID _____ IS THE PRESIDENT AND HE THE SAID _____ IS THE SECRETARY OF _____ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS AND SAID _____ AND _____ EACH DULY ACKNOWLEDGE TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION.
CORPORATE SEAL _____
NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____ RESIDING AT _____

SURVEYOR'S SEAL _____
NOTARY PUBLIC SEAL _____
CITY-COUNTY ENGINEER SEAL _____
CLERK-RECORDER SEAL _____



1" = 40'



Vicinity Map

Curve	Radius	Length	Chord	Bearing	Delta
C1	18.00'	12.41'	12.19'	S 89°26'31" W	30°54'25"
C2	15.00'	23.56'	21.21'	N 49°26'02" E	107°00'00"
C3	50.00'	44.05'	42.64'	N 49°26'02" E	50°39'14"
C4	60.00'	66.80'	63.46'	S 17°57'33" W	63°50'07"
C5	60.00'	79.80'	74.19'	S 87°08'48" E	76°22'25"
C6	60.00'	80.79'	74.82'	S 87°08'48" E	77°08'47"
C7	60.00'	66.80'	63.23'	N 19°16'47" E	63°30'58"
C8	50.00'	44.05'	42.64'	S 25°02'41" E	50°39'14"
C9	15.00'	23.56'	21.21'	S 44°23'58" W	107°00'00"
C10	18.00'	12.37'	12.06'	S 71°01'50" E	39°08'25"

Duane L. Madsen
26:071:0094

Surveyor's Certificate

I, Roger D. Dudley, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12288... AS PRESERIBED UNDER THE LAWS OF THE STATE OF UTAH... I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE LAND SHOWN ON THIS PLAN AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAN AND THAT THIS PLAN IS TRUE AND CORRECT.

Boundary Description

Commencing at a point located North 02°28'23" West along the Section line from the West quarter corner of the Section 14, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence North 02°28'23" West 186.283 feet; thence along the arc of a 18.00 foot radius curve to the left 12.30 feet (chord bears South 71°01'50" East 12.36 feet); North 89°23'58" East 525.68 feet; thence North 02°03'00" West 224.52 feet; thence North 89°23'58" East 118.73 feet; thence South 07°40'00" West 469.89 feet; thence North 02°28'23" West 140.18 feet; thence South 90°00'00" West 307.00 foot more or less to the point of beginning.

Area: 263,726 sq. ft. or 6.04 Acres
Basis of Bearing is North 02°28'23" West along the Section line from the West quarter corner to the Northwest corner of said Section 14.

DATE _____ SURVEYOR _____
(See Seal Below)

Owner's Dedication

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREBY AND SHOWN ON THIS MAP, SUBJECT TO ANY CONDITIONS AND RESTRICTIONS STATED HEREON, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS, AND EASEMENTS AND DO HEREBY DEDICATE AND ACCEPT THE SAME AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC.

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS ____ DAY OF _____ A.D. 20____

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }
On the ____ day of _____ A.D. 20____, personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

(Notary's full name) _____ A notary public commissioned in Utah _____ (commission number)
My Commission Expires _____ (signature)

Acceptance of Legislative Body

THE _____ OF _____ COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF _____ 2015.

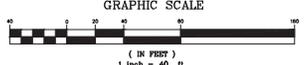
MAYOR _____
CITY ENGINEER _____ ATTEST _____ CITY RECORDER _____
(See Seal Below) (See Seal Below)

Planning Commission Approval

APPROVED THIS ____ DAY OF _____ A.D. 20____, BY THE _____ PLANNING COMMISSION.
COMMUNITY DEVELOPMENT DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

Conditions of Approval

Area to be dedicated to Mapleton City.



Century Link
Approved this ____ day of _____ A.D. 20____
Century Link Representative _____
Comcast
Approved this ____ day of _____ A.D. 20____
Comcast Representative _____

Rocky Mountain Power
Approved this ____ day of _____ A.D. 20____
Rocky Mountain Power Representative _____
Mapleton Irrigation Company
Approved this ____ day of _____ A.D. 20____
Mapleton Irrigation Company Representative _____

Questar Gas
Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute derogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's Right-of-Way department at 1-800-366-6532.
Questar Gas Representative _____ Date _____

Prepared by:
Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
office 801-224-1252
fax 801-224-1264

Occupancy Restriction Notice
ORDINANCE NO. ____ OF _____ UTAH COUNTY, UTAH, RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN THIS SUBDIVISION. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY _____

Acknowledgement (PERSONAL)
STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THE ____ DAY OF _____ A.D. 20____, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THIS FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.
MY COMMISSION EXPIRES : _____ NOTARY PUBLIC (SEE SEAL)

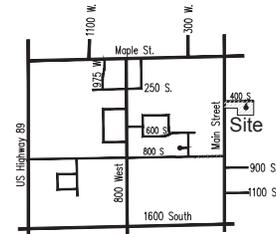
Acknowledgement (CORPORATE)
STATE OF UTAH } S.S.
COUNTY OF UTAH }
ON THE ____ DAY OF _____ A.D. 20____, PERSONALLY APPEARED BEFORE ME, AND _____ WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, THE SAID _____ IS THE PRESIDENT AND HE THE SAID _____ IS THE SECRETARY OF _____ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS AND SAID _____ AND _____ EACH DULY ACKNOWLEDGE TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION.
CORPORATE SEAL _____
NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____ RESIDING AT _____

SURVEYOR'S SEAL _____
NOTARY PUBLIC SEAL _____
CITY-COUNTY ENGINEER SEAL _____
CLERK-RECORDER SEAL _____

PLAT "A"
Copperhead Estates
Mapleton _____ Subdivision Utah County, Utah
Scale: 1" = 40 Feet

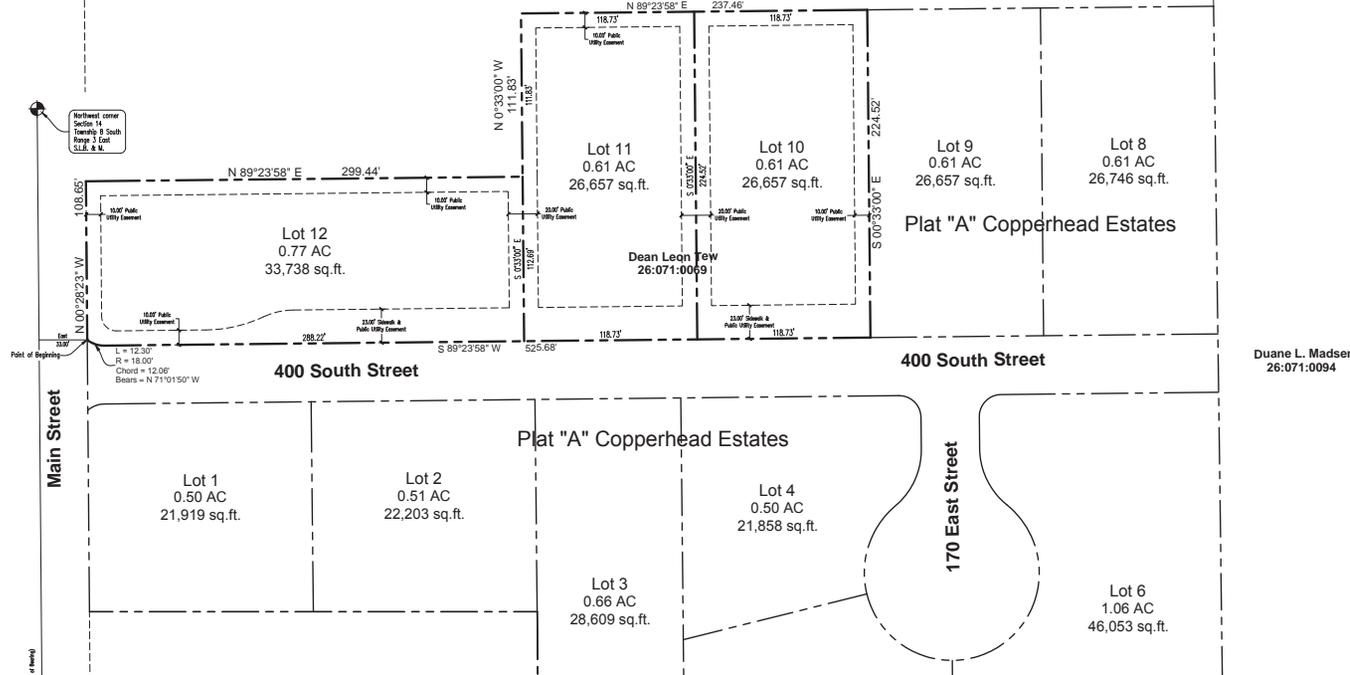


NORTH
1" = 40'



Vicinity Map

Thomas and Roberta James
26:071-0093



Duane L. Madsen
26:071-0094

Surveyor's Certificate

I, Roger D. Dudley, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 12288... AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH...

Boundary Description

Commencing at a point located North 02°28'23" West along the Section line 1355.21 feet and East 33.00 feet from the West quarter corner of Section 14, Township 8 South, Range 3 East, Salt Lake Base and Meridian...

Area: 87,055 sq.ft. or 2.00 Acres

Basis of Bearing is North 02°28'23" West along the Section line from the West quarter corner to the Northwest corner of said Section 14.

DATE _____ SURVEYOR _____
(See Seal Below)

Owner's Dedication

KNOW ALL MEN BY THESE PRESENTS THAT WE, ALL OF THE UNDERSIGNED OWNERS OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND SHOWN ON THIS MAP...

IN WITNESS WHEREOF WE HAVE HERETO SET OUR HANDS THIS ____ DAY OF _____ A.D. 20____

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }
On the ____ day of _____ A.D. 20____ personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

(Notary's full name) _____ A notary public commissioned in Utah _____ (commission number)
My Commission Expires _____ (signature)

Acceptance of Legislative Body

THE _____ OF _____ COUNTY OF UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS AND OTHER PARCELS OF LAND INTENDED FOR THE PUBLIC PURPOSE OF THE PERPETUAL USE OF THE PUBLIC THIS ____ DAY OF _____ 2015.

MAYOR _____
CITY ENGINEER _____ ATTEST _____ CITY RECORDER _____
(See Seal Below) (See Seal Below)

PLANNING COMMISSION APPROVAL
APPROVED THIS ____ DAY OF _____ A.D. 2015, BY THE _____ PLANNING COMMISSION.
COMMUNITY DEVELOPMENT DIRECTOR _____ CHAIRMAN, PLANNING COMMISSION _____

Conditions of Approval

PLAT "B"

Copperhead Estates

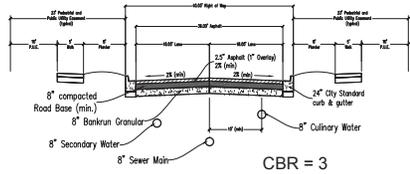
Mapleton _____ Subdivision Utah County, Utah
Scale: 1" = 40 Feet

Century Link Approved this ____ day of _____, A.D. 20____	Rocky Mountain Power Approved this ____ day of _____, A.D. 20____	Questar Gas Questar approves this plat solely for the purpose of confirming that the plat contains public utility easements. Questar may require other easements in order to serve this development. This approval does not constitute derogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set forth in the Owners Dedication and the Notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's Right-of-Way department at 1-800-366-6532.
Century Link Representative _____	Rocky Mountain Power Representative _____	Questar Gas Representative _____ Date _____
Comcast Approved this ____ day of _____, A.D. 20____	Mapleton Irrigation Company Approved this ____ day of _____, A.D. 20____	
Comcast Representative _____	Mapleton Irrigation Company Representative _____	

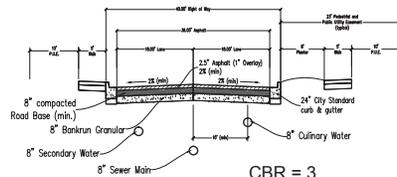
Note: This area is subject to the everyday sounds, odors, site, equipment, and all other aspects associated with an Agricultural lifestyle. Future residents should also recognize the risks inherent with livestock.

GRAPHIC SCALE
1 inch = 40 ft.

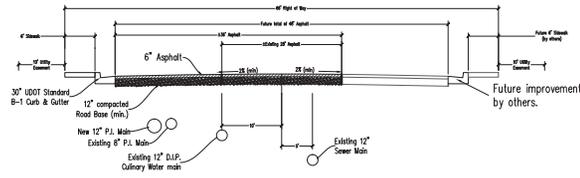
Prepared by: Dudley and Associates, Inc. 353 East 1200 South Orem, Utah 84058 office 801-224-1252 fax 801-224-1264	Occupancy Restriction Notice ORDINANCE NO. ____ OF _____ UTAH COUNTY, UTAH, RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN THIS SUBDIVISION. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY ANY BUILDING LOCATED WITHIN THIS SUBDIVISION WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY _____	Acknowledgement (PERSONAL) STATE OF UTAH } S.S. COUNTY OF UTAH } ON THE ____ DAY OF _____ A.D. 20____ PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME. MY COMMISSION EXPIRES : _____ NOTARY PUBLIC (SEE SEAL)	Acknowledgement (CORPORATE) STATE OF UTAH } S.S. COUNTY OF UTAH } ON THE ____ DAY OF _____ A.D. 20____ PERSONALLY APPEARED BEFORE ME, _____ WHO BEING BY ME DULY SWORN DID SAY EACH FOR HIMSELF, THAT HE, THE SAID _____ IS THE PRESIDENT AND HE THE SAID _____ IS THE SECRETARY OF _____ CORPORATION, AND THAT THE WITHIN AND FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS BOARD OF DIRECTORS AND SAID _____ AND EACH DULY ACKNOWLEDGE TO ME THAT SAID CORPORATION EXECUTED THE SAME AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID CORPORATION. MY COMMISSION EXPIRES _____ NOTARY PUBLIC RESIDING AT _____	CORPORATE SEAL _____	SURVEYOR'S SEAL _____	NOTARY PUBLIC SEAL _____	CITY-COUNTY ENGINEER SEAL _____	CLOCK-RECORDER SEAL _____
-----------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------	-----------------------	--------------------------	---------------------------------	---------------------------



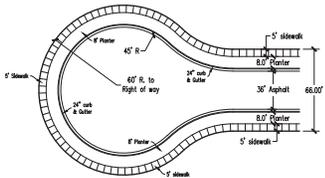
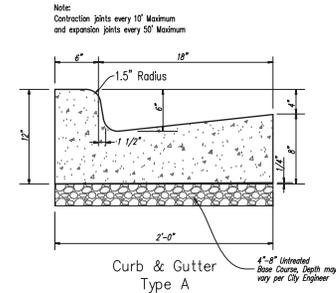
400 South Cross Section
The Minimum street grade is to be 0.400%



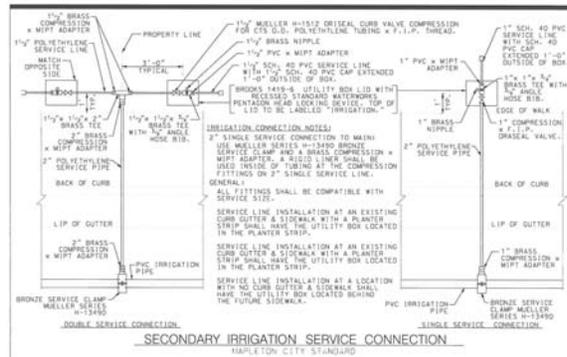
400 South Cross Section
(adjacent to Tew home)
The Minimum street grade is to be 0.400%



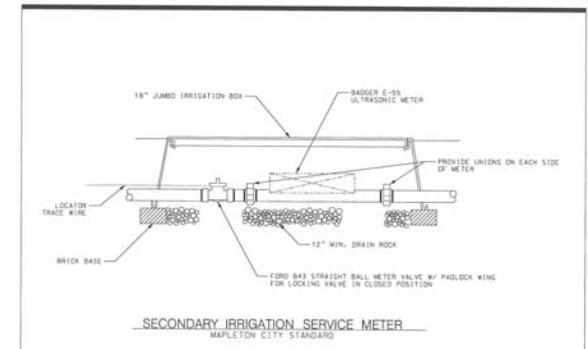
Main Street Cross Section
66' Collector (Traditional)
The Minimum street grade is to be 0.400%



Culdesac Detail



MAPLETON CITY CORPORATION
Standard Drawing Addendum
PRESSURIZED IRRIGATION-01
ADOPTED JULY 2010



MAPLETON CITY CORPORATION
Standard Drawing Addendum
PRESSURIZED IRRIGATION-02
ADOPTED MAY 2013

DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

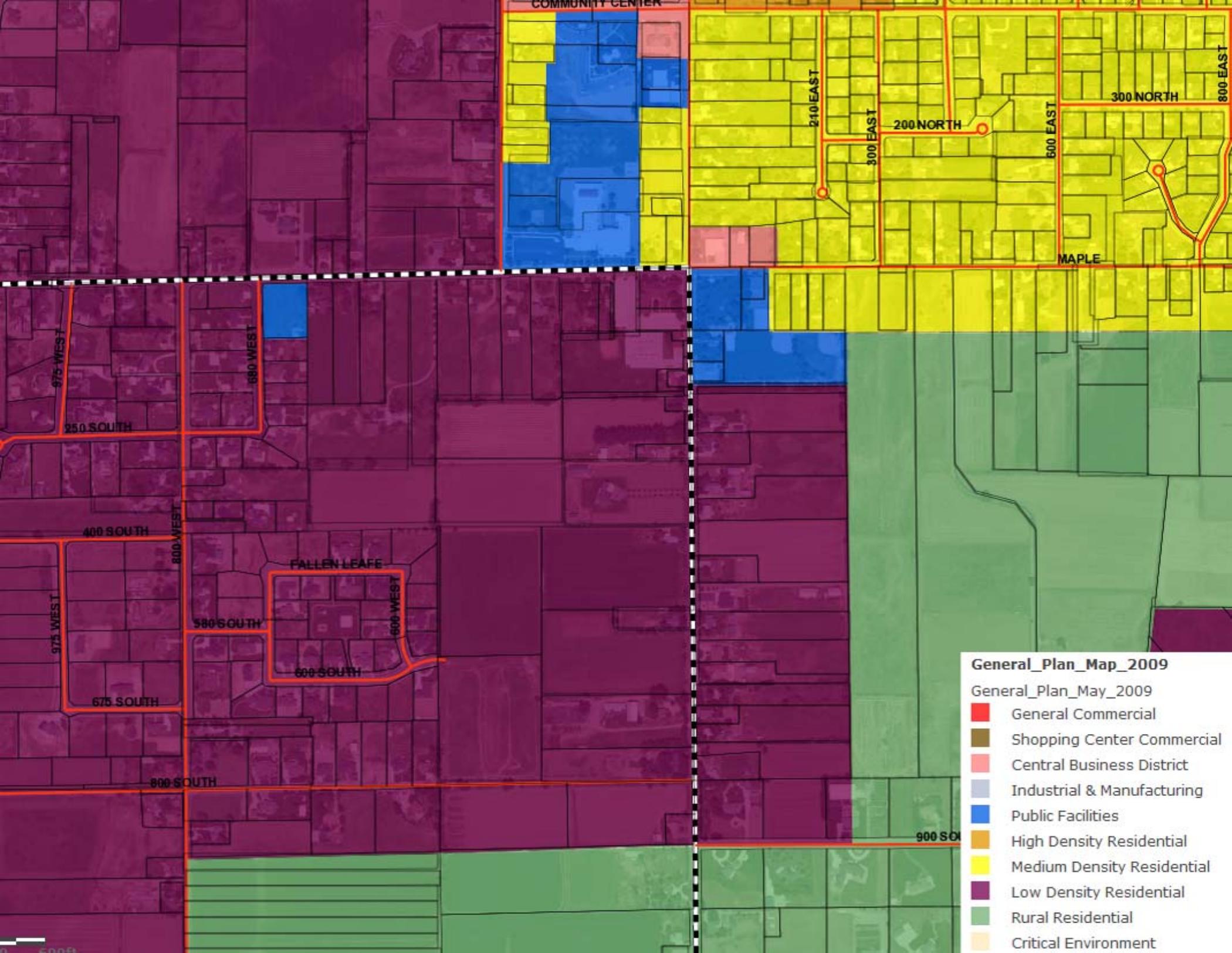
City
Detail Sheet

Revisions

Date
3-5-2015
Scale
not to scale
By
TD
Tracing No.
L - 12844

Sheet No.
C - 6.0

Refer to the APWA Standards and the Mapleton City Addendum for details such as fire hydrants, sewer laterals, PI connections, Water lines, etc. Not all city details are included in this document set.



COMMUNITY CENTER

210 EAST

300 EAST

200 NORTH

600 EAST

300 NORTH

800 EAST

MAPLE

975 WEST

680 WEST

250 SOUTH

400 SOUTH

800 WEST

FALLEN LEAF

580 SOUTH

600 WEST

675 SOUTH

600 SOUTH

800 SOUTH

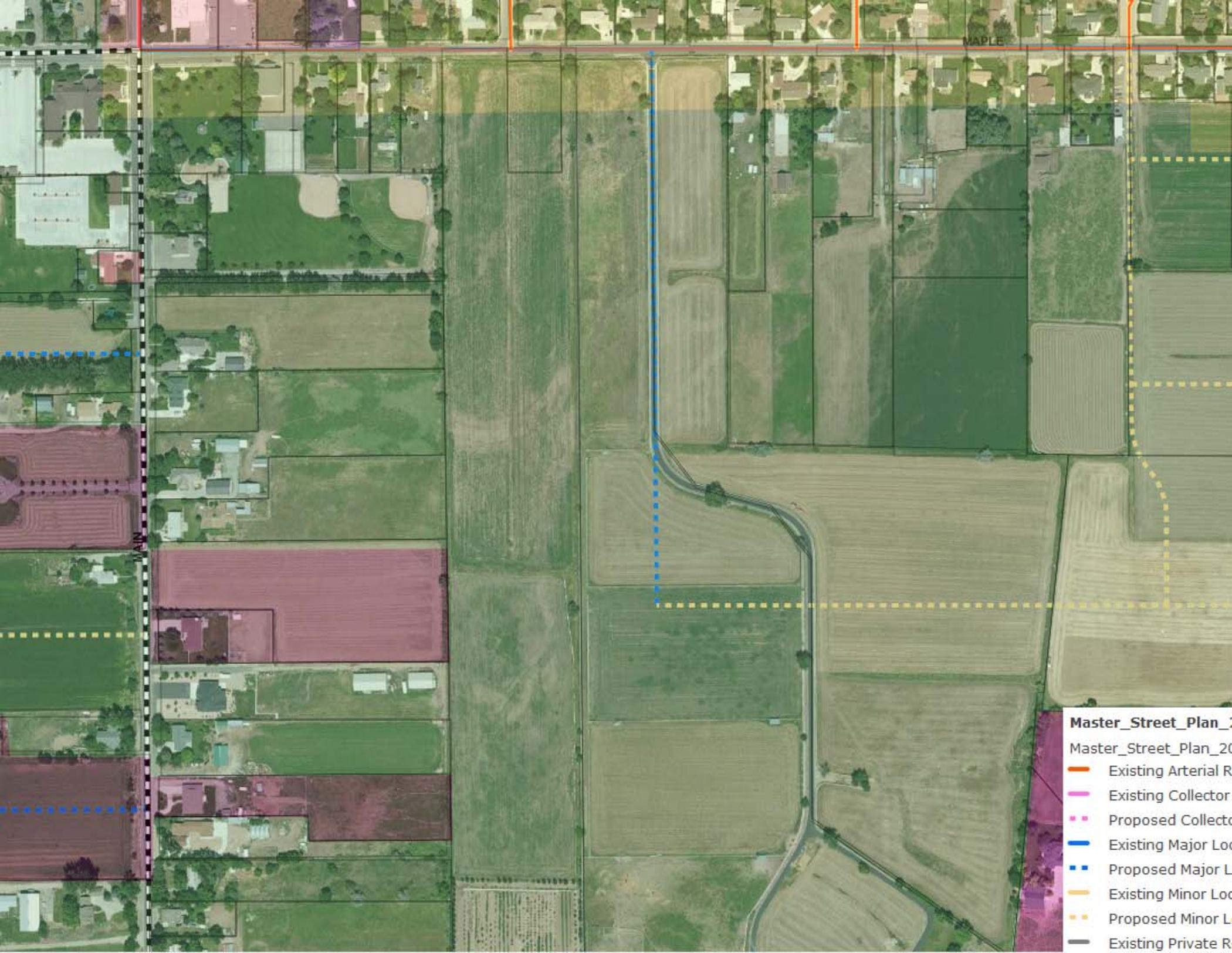
900 SOUTH

General Plan Map 2009

General Plan May 2009

- General Commercial
- Shopping Center Commercial
- Central Business District
- Industrial & Manufacturing
- Public Facilities
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Rural Residential
- Critical Environment

500ft



MAPLE

MAIN

Master_Street_Plan_20

Master_Street_Plan_20

- Existing Arterial Road
- Existing Collector Road
- Proposed Collector Road
- Existing Major Local Road
- Proposed Major Local Road
- Existing Minor Local Road
- Proposed Minor Local Road
- Existing Private Road

MAPLETON CITY
CITY COUNCIL MINUTES
January 20, 2015

PRESIDING AND CONDUCTING: Mayor Brian Wall

Members in Attendance: Ryan Farnworth
Scott Hansen
Jim Lundberg- arrived at 7:05 pm
Mike Nelson- Excused
Jonathan Reid

Staff in Attendance: Cory Branch, City Administrator
Gary Calder, Public Works Director/Engineer
Sean Conroy, Community Development Director

Minutes Taken by: Camille Brown, City Recorder

Mayor Wall called the meeting to order at 7:00 pm Garrett Haynie gave the invocation and David Wilson led the Pledge of Allegiance. The Mayor had one of the scouts in the audience come up and he told the council that they were from troop 127 and are working on their communications and citizenship in the community merit badges.

OPEN FORUM:

Dianne Groberg- 195 West 1200 North, stated that she lives on 2 acres and last August her water bill was \$800. That would be \$5,000 a year to keep her fields watered. She looked at the water usage per acre and they were not over using the water. She inquired what the city plans are for the Strawberry Water rights and also other irrigation water rights. Gary Calder explained that the city is working with the Department of Interior to see if it would be feasible to get rights to the Strawberry Water and also the city is working on an agreement with the irrigation company so that more water can go into the irrigation pond.

She also inquired if the city is going to change the water rates for those that have large lots, she thinks there should be different rates that are more affordable, because with these rates, they will not be able to water their field. Cl. Farnworth informed her that he has drip system in place that makes watering very effective and it is what most farmers use for their crops. He stated he would get that information to her.

Item 1. Approval of City Council Meeting Minutes –January 6, 2015

Motion: Cl. Hansen moved to approve the January 6, 2015 City Council Minutes with the changes made in line 75 to change from January 23rd to January 20th.

Second: Cl. Farnworth seconded the motion.

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Hansen. Aye

Cl. Farnworth Aye

Vote: Passed 4:0

ACTION ITEM:

Item 2. Consideration of a Resolution approving a TDR Receiving Zone Overlay and a Final Plat for the Copperhead Estates subdivision consisting of seven lots located at approximately 400 South Main Street in the Residential Agricultural (RA-1) zone.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. The project site is approximately 4.8 acres located in the RA-1 zone at 400 South Main Street. The Harvey subdivision Plat "A" was recorded in 1998. The applicant is requesting approval to construct and dedicate 400 South and 170 East to provide frontage for 7 new building lots.

In April of 2014 a 4 lot subdivision called Harvey Plat "B" was approved on this property but never recorded. The owners believe that 4 lots are not financially viable given the amount of infrastructure that would need to be constructed.

The General Plan goals were reviewed and the proposed development furthers the goals of general plan with goal #5 by transferring potential development from the mountainside through the use of TDRs also as per goal #9 by clustering units off-site in non-environmentally sensitive areas to protect open space objectives on the foothills.

The General Plan map was reviewed and it indicates that the subject property should develop in a "low density residential" manner. Low density residential lots should consist of lots between ½ and one acre. The proposed development is in line with the density objectives where lots will vary from .50 to .66 acres.

Public Hearing was opened at 7:27 pm.

Merilynn Tew 377 South Main stated that she is concerned because the proposed subdivision proposes a road that is right against her property line and she believes that this is much too close to her home and believes it would be dangerous as well.

Sean Bennett, 477 South Main stated that he is concerned about the proposed subdivision. He stated that he is against this because it was currently zoned this way to keep agriculture in mind. What is the intent, are there problems with the current way it is zoned, what is the benefit and what is the reason for this being done? In considering these questions he does not think that these lots need to be changed to benefit one person, the developer.

Mr. Bennett asked if the council had received two letters from other residence who go south for the winter and they concurred that they had.

Cl. Lundberg reviewed how the TDR ordinance works and how the city has to stick to the ordinance. The council has a duty to keep to the ordinance and to those that have TDRs. He himself also does not like patch work zoning, but some areas are already zoned for this.

Cl. Reid is concerned about the road being put in so close to the home of the Tew's. He believes the council needs more time to review this and get a legal opinion with regards to the road.

Motion: Cl. Farnworth moved to continue the item requesting that staff get a legal opinion regarding the road being too close to an adjacent home and for staff to work with developer.

Second: Cl. Reid seconded the motion.

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Hansen Aye
Cl. Farnworth Aye
Vote: Passed 4:0

DISCUSSION ITEMS:

Item 3. A discussion item to address a possible future recycling program

Cory Branch, City Administrator, introduced Scott Pepler, with Rocky Mountain Recycling and turned the time over to him.

Scott Pepler, introduced the opt-out recycling program for Mapleton City. He believes this would be a win-win for both parties. Discussions were held as to how this would affect the current trash collection and the city's involvement with South Utah Valley Solid Waste District. The Mayor and Council will review this and will get back with Mr. Pepler through Mr. Branch if the city becomes interested.

Item 4. A discussion item to address amendments to the Concept Plan for the Harmony Ridge (EBCO) development project located at approximately 5000 S Highway 89 and a discussion of other project related topics.

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance.

The original concept plan was reviewed and the proposed revisions were discussed. They believe that the changes that have been made are minimal and would not affect the project much.

Doug Palermo, introduced himself and stated that they have been talking to a lot of builders, and there will be approximately 730 units, that have been resized for better selling features and they will start at the bottom and work upwards.

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS:

Gary Calder informed the city council that he is still in discussions with the Department of Interior for use of the Strawberry Water rights and also the agreement with the Irrigation Company so that more water can flow into our irrigation pond.

CLOSED MEETING:

Motion: Cl. Farnworth moved to close the regular meeting and open a closed meeting pursuant to U.C.A. §52-4-205 for the purpose of discussing pending or potential litigation and an employee.

Second: Cl. Reid seconded the motion

Vote: Passed unanimously

Meeting adjourned at 8:58 pm.

APPROVED: February 3, 2015

Camille Brown, City Recorder

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

MAPLETON CITY

PLANNING COMMISSION MINUTES

March 26, 2015

16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: John Gappmayer
Justin Schellenberg
Keith Stirling

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

Minutes Transcribed by: April Houser, Executive Secretary

Chairman Lewis called the meeting to order at 6:30pm. Justin Schellenberg gave the invocation and Rich Lewis led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – February 12, 2015.

Motion: Commissioner Stirling moved to approve the February 12, 2015 Planning Commission Minutes.

Second: Commissioner Schellenberg

Vote: Unanimous

Item 2. Consideration of a rezone to include the TDR Receiving Zone Overlay, a revised plat for the Copperhead Estates Subdivision Plat “A” that includes two additional lots, and Preliminary and Final Plat approvals for the Copperhead Estates Subdivision Plat “B” consisting of three lots located at approximately 400 South Main Street in the Residential Agricultural (RA-1) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The property is about 400 South Main Street. The applicant has changed the scope of the subdivision and added the Tew property that is north of the previous proposed development. The property will now include approximately 8.08 acres. The initial project was for a 4 lot subdivision that was never recorded. After this time the Planning Commission heard a request for a 7 lot subdivision on this property. The Planning Commission passed it, but the City Council tabled the item. The applicant has since inquired the Tew property, and is now requesting a 12 lots subdivision. They are proposing to do this in 2 phases. Six (6) Transferable Development Rights (TDR’s) would be required in order to get this density. Plat A will be 9 lots, with an additional 3 with Plat B. All improvements will be installed with Plat A near the Tew property. There are 2 different street sections being proposed. Most of the streets will include a park strip with sidewalk on either side. The sidewalk next to the Tew home would come in right next to the curb. The applicant is currently asking for approval for Plat A at this time, and Plat B to be recorded at a later date. Commissioner Stirling asked if there as a time limit that Plat B would need to be recorded. Brian stated that there is a 2 year deadline, but that the date can be extended if requested. The RA-1 has a 1 acre standard for lots, allowing the TDR Overlay with the dedication of TDR Certificates. All lot area and width requirements would be met as proposed. Each lot would continue to have animal and agricultural rights. The General Plan would encourage the rezones. Staff would recommend the approval of the rezone and subdivision plats. Commissioner Schellenberg requested to abstain from this item since he owns property adjacent to this one.

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

53 **Motion:** Commissioner Gappmayer moved to recommend approval to the City Council of an ordinance to
54 include the TDR Receiving Zone Overlay, a revised plat for the Copperhead Estates Subdivision
55 Plat "A" that includes two additional lots, and Preliminary and Final Plat approvals for the
56 Copperhead Estates Subdivision Plat "B" consisting of three lots located at approximately 400
57 South Main Street in the Residential Agricultural (RA-1) Zone, with the attached findings and
58 conditions and approval of the TDR overlay zone to the City Council.
59 **Second:** Commissioner Stirling
60 **Vote:** 3:0:1 with Commissioners Lewis, Gappmayer and Stirling voting aye and Commissioner
61 Schellenberg abstaining.
62

63 **Item 3. Consideration of a request for a Conditional Use Permit to operate a private cemetery at 580**
64 **West Maple Street on approximately 8 acres of property.**
65

66 **Sean Conroy**, Community Development Director, went over the Staff Report for those in attendance. The property
67 currently has a barn and a couple of out buildings on it. This application was before the Planning Commission for a
68 zone change the previous month and did receiving approval from the City Council for such. The City is not a
69 partner in this project. It will be privately owned and operated. They are proposing a rod iron fence with stone
70 pillars along Maple Street, with some planter strips and hedges. They are proposing privacy fencing for the
71 neighbors to the east and the west. The cemetery will include a burial plaza and will have approximately 6,000
72 burial plots. A Conceptual Master Plan was included for the project. Street improvements of curb, gutter and
73 sidewalk, along with a decorative wall, will be installed. There will be a one way flow of traffic through the
74 cemetery. A couple photos of the proposed fencing were shown to those in attendance. As far a review goes, the
75 Planning Commission's discretion needs to decide if this request follows current ordinance standards. Each owner
76 will receive a certificate of ownership of their burial vault. There is no State Law requiring a certain depth of each
77 plot. Cemeteries are allowed as a Conditional Use Permit. The Planning Commission can decide if and when
78 certain conditions should be required. Staff included a summary of each of the items that could be a possible
79 concern in the Staff Report this evening. **Commissioner Stirling** wondered if the property would be using
80 Pressurized Irrigation to water the property. Sean stated that it is not currently available in the area. The water right
81 requirements are the same as those of residential units.
82

83 **Ben Peay**, applicant, did not have a lot of other information to provide. He wanted to thank the City Staff for all the
84 input they've received. He also wanted to show his appreciation to the neighbors he has been able to communicate
85 with to help them understand what will be taking place. Mr. Peay has a lot of information if needed. Restroom
86 facilities will be onsite, and installed with the 1st phase of the development. Gateway Mapping, who deals with
87 cemeteries all over the United States. Most of them do not have restroom facilities, but the applicant is willing to do
88 so if it is required. The barn on the property at this moment could work as an office and does have a restroom in it.
89 The barn on the property will stay in place as a feature of the cemetery. As the applicant has looked at it, there are
90 plenty of burial vaults needed without the area where the barn is located. It would allow equipment to be stored in
91 it. The other out buildings will remain as well, with some beautification being done. The view of Mapleton
92 Mountain from this area is amazing. **Commissioner Gappmayer** asked if the applicant had looked at how other
93 cemeteries address their fencing in regards to adjacent residential areas. Very few cemeteries provide privacy. They
94 are trying to make this a win for all the neighbors as well. They would like any input they have. **Commissioner**
95 **Stirling** felt a restroom facility would be a good thing to have on site for those working for the cemetery. The
96 applicant will work with staff on these recommendations. During the winter the restroom would be open only
97 during funeral services. Local Artist James Rieb has provided some renderings for Ben Peay. They want this to be
98 an amazing place for people to have. **Commissioner Schellenberg** clarified that there will be a \$25,000 Trustee
99 Fund, and then each portion of burial lots sold, up to \$100,000 will remain in place in order to ensure the long term
100 viability of maintenance on the property. He wanted to make sure that the City would not be held liable in the
101 future. Mr. Peay stated that at the completion of this cemetery the fund should have over \$1,000,000 worth of funds
102 in it. He feels this is plenty for long term maintenance of the cemetery. The applicant plans to leave this as an
103 endowment for long term maintenance. Most cemeteries have been in business for years, and only retain
104 approximately \$100,000 in funds. In the past there was no requirement of how cemeteries should look. They now
105 have sections that are designed to allow for easier maintenance. It facilitates easier maintenance long term. The
106 applicant will be maintaining the property, with at least one full time person to start. Ben stated that the State told
107 him that there is no information regarding water proof vaults. They want to provide every owner with the ability to
108 use any type of vault they would like to. Other cities in the past, when there is high water during the funeral, they do

109 not put the water in the grave. After the family has left they pump the hole and then put in the vault. It is a common
110 procedure in regards to high water. They are planning to put the power, water, irrigation, etc. along the area where
111 the trees are, installing a couple feet of gravel to help with drainage concerns.
112

113 **Chairman Lewis** opened the Public Hearing. **Steve Wiscombe** has lived in Mapleton 70+ years. He has a concern
114 about the water table in Mapleton. He knows over the years there are areas that have standing water, and believes
115 most of this property would be located in this area. He understands sub-water problems can be dealt with, but
116 standing water causes more issues. Mr. Wiscombe can imagine cemeteries take some time to get established. He
117 would have concerns about longevity of a cemetery and the security behind it. He is aware of the endowment fund,
118 but would be concerned with the cemetery being in place long term. Primarily the water issue would be the biggest
119 concern. Steve also had a minor concern about property values in the area. Ben Peay stated that the property has
120 been laser leveled in the past couple years, so they have tried to work out over the past couple years. **Beth Larsen** is
121 concerned about what the cemetery looks like while they get it going. She wants to know if it will be something
122 they can be proud of. She wants to ensure it looks good and is a positive thing for the town. Both the Springville
123 and Spanish Fork Cemeteries have been around for over 30 years. Phase 1 will take place just along the rear of the
124 proposed driveway, with Phase 2 remaining a hay field until time that it is developed. The applicant plans to
125 remove the Elm Trees that are there, and replace them with large beautiful trees. They want everything to look
126 beautiful, even in regards to the property owners in the neighborhood. Mr. Peay feels this will be a beautiful
127 cemetery, and people will want to be buried here. No additional comments were given and the Public Hearing was
128 closed.
129

130 Properties values are a difficult fact to pin down. The applicant had a local real estate agent do a report, and it
131 indicated that there is no impact, or a slight increase, in property values in these areas. Sean thinks you could find
132 evidence either way. Ben Peay stated that the studies came out to be 50/50 in regards to increasing or decreasing
133 property values. It really boils down to the buyer. Commissioner Schellenberg feels the condition of the cemetery
134 is a major part of this impact.
135

136 **Motion:** Commissioner Schellenberg moved to approve a Conditional Use Permit to operate a private
137 cemetery at 580 West Maple Street on approximately 8 acres of property, with the conditions
138 listed below:

- 139 1. A final plat shall be prepared for the property to be approved by the Community
140 Development Director and City Engineer, and shall be recorded with the Utah
141 County Recorder.
- 142 2. The cemetery shall comply with all applicable Utah State Code requirements and
143 Utah County Health requirements.
- 144 3. The applicant shall obtain a business license from the City prior to the opening of the
145 cemetery.
- 146 4. The applicant shall submit the required water shares/rights and pay applicable impact
147 fees prior to each phase of the proposed subdivision as determined by the City
148 Engineer.
- 149 5. The applicant agrees, at its sole expense, to defend, indemnify, and hold harmless the
150 City, its public officials, officers, employees, and assigns, from any liability; and
151 shall reimburse the City for any expense incurred, resulting from, or in connection
152 with any appeal, claim, suit or other legal proceeding, to attach, set aside, void or
153 annul any project approval.

154 **Second:** Commissioner Stirling

155 **Vote:** Unanimous

156
157 **Item 4. Adjourn.**
158
159

160
161 _____
April Houser, Executive Secretary

Date