

MAPLETON CITY

PLANNING COMMISSION MINUTES

February 12, 2015

PRESIDING AND CONDUCTING: Vice-Chairman Golden Murray

Commissioners in Attendance: Thomas Quist
Justin Schellenberg
Keith Stirling

Staff in Attendance: Sean Conroy, Community Development Director

Minutes Taken by: April Houser, Executive Secretary

Vice-Chairman Murray called the meeting to order at 6:30pm. 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 Thomas Quist was seated as a voting member this evening.

Item 1. Planning Commission Meeting Minutes – January 8, 2015.

Motion: Commissioner Stirling moved to approve the January 8, 2015 Planning Commission Minutes as noted.

Second: Commissioner Schellenberg

Vote: Unanimous

Item 2. (Continued 1/8/15) Consideration of an amendment to Mapleton City Code Chapter 18.77.060 regarding fencing standards in the Planned Residential (PRD-1) Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. Currently 2 phases of this development have been constructed. This subdivision includes about 16 acres, with 58 detached units. The request is to amend the ordinance in order to allow for rear yard fencing in addition to the small area that is currently approved for fencing. These fences would be done on a case by case basis for those property owners who desire to do so. Staff recommends approval of the proposed ordinance. The CC&R's could limit the fencing materials, or where fences are allowed, if they so choose. This is just giving the option in this zone, where it currently is not allowed. We are talking about interior fencing only at this time, as street frontage fencing has to be approved with each plat recording.

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

Motion: Commissioner Stirling moved to recommend approval to the City Council of an ordinance amending Mapleton City Code Chapter 18.77.060 regarding fencing standards in the Planned Residential (PRD-1) Zone.

Second: Commissioner Quist

Vote: Unanimous

Item 3. Consideration of a request for a General Plan amendment from Low Density Residential (LDR) to Public Facilities (PF) and a rezone from Residential Agricultural (RA-1) to Open

Space-Parks (OS-P) for an 8 acre property located at 580 West Maple Street. The intent of the rezone is to allow for the construction of a private cemetery on the property. The applicant is Ben Peay.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The property currently has a nice white split rail fence with a barn on it, and has been primarily used for agricultural purposes. At one time the applicant approached the City about a 13 lot subdivision on the property, but has since decided to pursue a private cemetery, which is the reason for the zone change tonight. In order for this use to be allowed, a General Plan and Rezone would be required. The cemetery would still need to be approved for a Conditional Use Permit (CUP) in the future if the City Council approved this request. Tonight the only items being proposed are the General Plan and Rezone. The applicant would predict approximately 6,200 cemetery plots on the property if approved for the OS-P Zone. There is a very obvious public service that could be gained with this type of request. Neighboring properties are mainly agricultural at this time. The City will not gain any funds from this request, as it is a private cemetery being requested. There have been reports about high groundwater elevations in the past. The applicant did prepare a Geotechnical Report, and no water was found at the depth of 8', but did note that the groundwater can fluctuate depending on the time of year. The City does have a test well about 1500 feet from this property. Since 2012 the depths of water have been as shallow as 12.4' to 16.5'. The concern of traffic on Maple Street would provide for a level of service (LOA) of 5,000-8,000 per day and is currently running at approximately 4,000. Cemeteries are not a cause for significant traffic increases. It is likely that a 13 lot subdivision would increase traffic in the area more than a cemetery at the full 6,200 plot build out. With the concept proposed the cemetery would be similar to the Salem City Cemetery, which has serviced them for over 100 years. **Commissioner Stirling** had a concern with the super high density of plots, and wondered if there would be fencing around the perimeter of the property, which Sean stated that there would.

Ben Peay, applicant, stated that they are here to look at the General Plan and Rezone. Gateway Mapping has done this design, which is located out of Utah. Mr. Peay feels this will be the nicest cemetery in Utah County. He feels this density is actually lower than most in the area. The applicant feels they are meeting a need that has been desired in Mapleton for many years. The plan right now is to keep the front 4 acres as the first phase, then extend north from there as needed. They plan to have a mausoleum as part of the cemetery as well, as it is becoming more popular now than it was in the past. **Commissioner Stirling** stated that back in 2006 when he was on the City Council they discussed the need for a cemetery, but was not sure why they did not continue with these discussions. Ben Peay stated that approximately 50% of the cemeteries in the United States are privately owned.

Vice-Chairman Murray opened the Public Hearing. **Gaye Law** has lived here for 60 years, and seen a lot of water in her basement during this time. Their gardens would be full of water, so she wants to lie that out. It is a serious issue and she knows the people will be in water that are buried here. She feels this would be a real mess for Mapleton if they let it go in. Mrs. Law hopes they will not approve this item. It is too bad when it comes to this and she feels there are better areas in Mapleton for a cemetery. **Mark Beutler** lives across the street, south of the proposed cemetery. He has lived there since 1976 and worked as an engineer for many years. He visited with Mr. Peay about his proposal. In the 1980's and early 1990's the water table at times was at the surface of the ground in this area. Mr. Beutler stated that in the last 6-7 years we have been in a dry cycle, but that this land is very capable of high water in the future. Mark read over some articles that were done back east regarding how homes within a 2 block radius of a cemetery can decrease property values. **Chad Warren** has seen groundwater on this property for years. He has lived here all his life and is a full time farmer. Mr. Warren said this property has had water over it in its entirety. Mapleton Irrigation has told Ben Peay about this groundwater problem, and Mr. Warren feels he is nuts and is asking for problems if he moves forward with this. There is a deeded easement to the north of this ground which is 16.6' wide, and Mr. Warren is concerned if this cemetery would fall within this right-of-way (ROW). He does not want his easement to be affected by this proposal. **Calvin Gabbitas** has owned the property by this for about 20 years. He has had 3 renters move because of the water in the basement of his home. The groundwater comes up out of the ground. Mr. Gabbitas sees this as being a real concern for the City. He feels the vaults should be leak proof. He stated that Ben Peay offered him \$80,000 for his property and feels it is extremely unrealistic. The bottom line is money and he is not very happy with the applicant. **Michelle Estes** has not been in her home very long but can understand why her home is built up. She feels the water table and cemetery discussions have taken place many times over the years. Mrs. Estes does not feel that anyone who grew up in Mapleton would want to be buried on Maple Street, feeling it is one of the busiest streets in the City. She would really hope that the

Planning Commission would take into consideration what the citizens have said this evening. **Jesse Warren** feels the City should look at the Holley property for a cemetery. His father farmed this property and that it had water table issues from the middle of June through September. Mr. Warren does not feel this should be approved. **Gary Nelson** has watched people drain their basement in this area for 20 years. He feels if they are thinking about putting a cemetery there, knowing the history with the water table, there is not a chance he would buy a plot there. **Denise Maingot** knows nothing about water tables but wanted to address the desires for cemetery in Mapleton. She likes the idea of accessing a cemetery off a main road, such as Maple Street, over those of a private area. Mrs. Maingot feels the builders would likely come up with a way to prevent water table issues, as they would want the business to succeed. She is an advocate for the cemetery if it is feasible. **Stacy Betts** has been a resident of Mapleton for over 30 years. He would like to be buried here. Mr. Betts feels if there is a private owner willing to take the risk of putting in a private cemetery they would suggest that they give him the opportunity to try and do just that. **Candice Carter** is not completely for or against the cemetery. She has only been here for two years and cannot speak against the water table issue. She feels the offer Mr. Peay gave her for their property was an honest one and that he was fair in the discussions he had with them. Mrs. Carter feels this is a noble thing to do, but has concerns with the life that is happening right next door to a cemetery. She trusts the City and the Planning Commission to do what is best. **Jim Salisbury** feels the applicant is a good person and that he knows a lot more about the water table than he is being given credit for. **Barbara Jensen** stated that the water table is dreadful in this area, and that Mapleton does need a cemetery, just not at this location. She feels this would be putting people in a well. **Rick Maingot** feels the largest concerns are water table and property values. He does not feel property values will be as affected as people feel, and that any location within the City would have this same response if it were proposed elsewhere. Mr. Maingot feels the standards could be put on the cemetery at time of Conditional Use Permit request. The zoning at this time would not really address the water table, but would be discussed more at the development level. If homes go in this area instead of a cemetery there would still be the water table issue mentioned this evening. **Ben Peay** stated that there is a big difference between and mausoleum verses a crematorium. He feels it is 50/50 outcome on all of the studies done in regards to property values next to cemeteries. As a developer and investor Ben Peay has looked at everything in regards to cemeteries. He feels Mapleton is a different place now than it was years ago. They have looked at everything and are very aware of the property. **Lawrence Haines** has been hoping for a cemetery in this area for a long time. He is familiar with all of the problems the Planning Commission faces. He admires those who have worked with the land themselves. Many of the problems in the past were caused by the irrigation water itself as a result of irrigating. Since Mapleton is now being built out more, he questions if the problem of flooding may subside somewhat. He feels the City needs a cemetery, and feels private cemeteries work very well. Lawrence feels Mr. Peay is an honest man, and hopes as a City we will work for the achievement of a cemetery. No additional comments were given and the Public Hearing was closed.

Staff would recommend that the Planning Commission look at the General Plan and Zone change this evening, and look for a recommendation based off of that. **Commissioner Stirling** appreciates all the public input, and wonders if there is some type of mitigation the applicant could do to keep the property from flooding. **Commissioner Schellenberg** feels the water table issue is more of an emotional reaction to mix in with the cemetery. A cemetery is not a unique thing. They are regulated, and if the property can meet these regulations, he has confidence that these guidelines will ensure its safety. He realizes there is a human nature component, but could find that the component is there regardless of the water table. Commissioner Schellenberg feels that the applicant has the greatest risk here. For the purpose of the meeting tonight he is in favor of the zone change. There will be questions and logistics when the Conditional Use Permit request comes around. **Commissioner Quist** feels a lot of the citizens would like a cemetery. He is also concerned about the water table, but feels for what is being done for right now this is strictly a General Plan and Rezone. Commissioner Schellenberg feels this is a choice for people, and that no one is forced to purchase a plot there. He does not feel this will harm the potential for additional cemeteries if they were requested in the future.

Motion: Commissioner Schellenberg moved to recommend approval to the City Council of an ordinance amending the Mapleton City General Plan from Low Density Residential (LDR) to Public Facilities (PF) and a rezone from Residential Agricultural (RA-1) to Open Space-Parks (OS-P) for an 8 acre property located at 580 West Maple Street.

Second: Commissioner Quist

Vote: Unanimous

Item 4. Adjourn.

April Houser, Executive Secretary

Date