

MAPLETON CITY

PLANNING COMMISSION MINUTES

March 26, 2015

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 previously 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 included 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 was 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 rezone. 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.

Motion: Commissioner Gappmayer moved to recommend approval to the City Council of an ordinance to include the TDR Receiving Zone Overlay, RA-1 zoning for the Tew property, 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, with the attached findings and conditions and approval of the TDR overlay zone to the City Council.

Second: Commissioner Stirling

Vote: 3:0:1 with Commissioners Lewis, Gappmayer and Stirling voting aye and Commissioner Schellenberg abstaining.

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

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

Ben Peay, applicant, did not have a lot of other information to provide. He wanted to thank the City Staff for all the input they've received. He also wanted to show his appreciation to the neighbors he has been able to communicate with to help them understand what will be taking place. Mr. Peay has a lot of information if needed. Restroom facilities will be onsite, and installed with the 1st phase of the development. Gateway Mapping, who deals with cemeteries all over the United States indicated that most do not have restroom facilities, but the applicant is willing to do 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. The barn on the property will stay in place as a feature of the cemetery. As the applicant has looked at it, there are plenty of burial vaults needed without the area where the barn is located. It would allow equipment to be stored in it. The other out buildings will remain as well, with some beautification being done. **Commissioner Gappmayer** asked if the applicant had looked at how other cemeteries address their fencing in regards to adjacent residential areas. Very few cemeteries provide privacy. They are trying to make this a win for all the neighbors as well. They would like any input they have. **Commissioner Stirling** felt a restroom facility would be a good thing to have on site for those working for the cemetery. The applicant will work with staff on these recommendations. During the winter the restroom would be open only during funeral services. Local Artist James Rieb has provided some renderings for Ben Peay. They want this to be an amazing place for people to have. **Commissioner Schellenberg** clarified that there will be a \$25,000 Trustee Fund, and then each portion of burial lots sold, up to \$100,000 will remain in place in order to ensure the long term viability of maintenance on the property. He wanted to make sure that the City would not be held liable in the future. Mr. Peay stated that at the completion of this cemetery the fund should have over \$1,000,000 worth of funds in it. He feels this is plenty for long term maintenance of the cemetery. The applicant plans to leave this as an endowment for long term maintenance. Most cemeteries have been in business for years, and only retain approximately \$100,000 in funds. In the past there was no requirement of how cemeteries should look. They now have sections that are designed to allow for easier maintenance. It facilitates easier maintenance long term. The applicant will be maintaining the property, with at least one full time person to start. They are planning to put the power, water, irrigation, etc. along the area where the trees are, installing a couple feet of gravel to help with drainage concerns.

Chairman Lewis opened the Public Hearing. **Steve Wiscombe** has lived in Mapleton 70+ years. He has a concern about the water table in Mapleton. He knows over the years there are areas that have had standing water, and believes most of this property would be located in this area. He understands sub-water problems can be dealt with, but standing water causes more issues. Mr. Wiscombe can imagine cemeteries take some time to get established. He would have concerns about longevity of a cemetery and the security behind it. He is aware of the endowment fund, but would be concerned with the cemetery being in place long term. Primarily the water issue would be the biggest concern. Steve also had a minor concern about property values in the area. Ben Peay stated that the property has been laser leveled in the past couple years, so they have tried to work out over the past couple years. **Beth Larsen** is concerned about what the cemetery looks like while they get it going. She wants to know if it will be something they can be proud of. She wants to ensure it looks good and is a positive thing for the town. Both the Springville and Spanish Fork Cemeteries have been around for over 100 years. Phase 1 will take place just along the rear of the proposed driveway, with Phase 2 remaining a hay field until time that it is developed. The applicant plans to remove the Elm Trees that are there, and replace them with large beautiful trees. They want everything to look beautiful, even in regards to the property owners in the neighborhood. Mr. Peay feels this will be a beautiful cemetery, and people will want to be buried here. No additional comments were given and the Public Hearing was closed.

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

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

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

Second: Commissioner Stirling

Vote: Unanimous

Item 4. Adjourn.

April Houser, Executive Secretary

Date