

MAPLETON CITY
PLANNING COMMISSION MINUTES
July 9, 2015

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: Golden Murray
Thomas Quist (Alternate)
Keith Stirling

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

Minutes Taken by: April Houser, Executive Secretary

Chairman Lewis called the meeting to order at 6:30pm. Golden Murray gave the invocation and Thomas Quist led the Pledge of Allegiance.

Alternate Commissioner Thomas Quist was seated as a voting member this evening.

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – June 11, 2015.

Motion: Commissioner Stirling moved to approve the June 11, 2015 Planning Commission Minutes.

Second: Commissioner Murray

Vote: Unanimous

Item 2. Consideration of a Preliminary and Final Plat approval for the Cherry Blossom Plat “A” Subdivision consisting of two lots located at approximately 1530 East between Maple Street and 400 North in the Agricultural Residential (A-2) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The parcel is about 12.77 acres in size in the A-2 Zone. The applicant is proposing two lots on this property, which meets the zoning requirements. Curb, gutter and sidewalk will need to be installed along the property on both Maple Street and 400 North, as well as some street dedications that will need to be made. Staff recommends approval of this proposal, with the condition that the outstanding Development Review Committee (DRC) concerns be addressed before the subdivision is recorded.

Cliff Petersen, representing the applicant, stated that the larger parcel is for the property owner, and the smaller lot will be sold.

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

Motion: Commissioner Stirling moved to approve the Preliminary and Final Plat approval for the Cherry Blossom Plat “A” Subdivision consisting of two lots located at approximately 1530 East between Maple Street and 400 North in the Agricultural Residential (A-2) Zone, with the condition that any outstanding issues raised in the Development Review Committee (DRC) minutes dates June 12, 2015 be addressed prior to plat recording.

Second: Commissioner Murray

Vote: Unanimous

Item 3. Consideration of recommendations to the City Council regarding the annexation of approximately 41 acres of property located at approximately 3050 South and 800 West and the zoning designations for each property within the annexation boundary.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This property has been discussed before. There is some sloping in different areas of the proposed annexation. Some history of the previous requests for the property was discussed. The applicants are asking for the property to be annexed in under both the RA-1 and RA-2 Zone Designations. Part of the main concern was that there was a 1-acre buffering with the lots to the north and east of the property. This would allow the same densities as were discussed previously, but no development plan would be adopted at this time. Sean went over the proposed recommendations that the Planning Commission could make on this request. The City Council would be the deciding body on this request. The allowance of the use of Transferable Development Rights (TDR’s) could be put in as part of the recommendation to the City Council, as well as asking that they not be allowed to utilize them on this property. The land is currently owned by both the Meyer Family and Central Bank. The Central Bank property is under contract for purchasing by the Boggus Group, which are the applicants requesting annexation in Item 4 this evening. **Commissioner Murray** mentioned that it may be more fitting to allow for the RA-1 Zoning on all of the property, then allowing for portions of the property to apply TDR’s if they wanted to get additional density.

Chairman Lewis opened the Public Hearing. **Jeff Palmer** owns the home to the east of the property. His only concern would be allowing TDR’s in the RA-1 area. He would prefer not to have headlights pointing in to his home when the property is developed. **Gayelynn Jensen** echoed the same concerns as Mr. Palmer stated. She would like the 1 acre buffering kept in place, without the possibility of lowering the density in these areas. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Murray moved recommend approval to the City Council for the annexation of approximately 41 acres of property located at approximately 3050 South and 800 West and the zoning designations for each property with the below condition:

1. That the zoning designation for the entire property be RA-1, and that the 1-acre buffering along the south and east of the subject property shown in the Staff Report this evening not be allowed to utilize Transferrable Development Rights (TDR's) in order to lower their density in this area.

Second: Commissioner Quist

Vote: Unanimous

Item 4. Consideration of recommendations to the City Council regarding the annexation of approximately 180 acres of property located at approximately 3000 South Highway 89, a development concept plan associated with the Mapleton Heights project (113 acres) and the zoning designations for each property within the annexation boundary.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. A section of this property was previously a gravel pit. Mapleton Heights is the project sponsor, with the 4 other property owners in the annexation area. They are proposing 285 units. The text and densities are quite similar to the Mapleton Village and EBCo Developments to the south of this property. The overall density is about 3 units per acre, with a 2 acre commercial lot. They would also be paying for a Trail Head Park that will connect the trail system to the Mapleton Lateral Canal Parkway Trail. This will be a nice amenity to the City. Sean went over the General Plan for this area. The majority of this site is already in the RA-2 Zone Designation, so what is being proposed is consistent with the General Plan Designation. Staff is proposing that the BYU and Ludlow properties come in with an A-2 Zoning at this time. The trail will come down Highway 89 and then through the development. Any stipulations in regards to fencing would be addressed at the time the applicant makes application for the subdivision. Staff is still hopeful the EBCo property to the south will be developed, which will install the required infrastructure to provide sewer and water to these properties. The PD-4 text would allow for the lot sizes being proposed.

Scott Hazard, representing Mapleton Heights and the Boggus Group, stated that they feel this plan is the product of a lot of discussions with the neighboring property owners and the City. He feels this is a slow moving project at the current time. **Commissioner Murray** stated that he liked the layout.

Chairman Lewis opened the Public Hearing. The property being annexed, as well as surrounding properties, can remain in green belt as long as they keep the property in its current status with Utah County. Most of the buffering around the Ludlow property will be the Lateral Trail. Ultimately it is the responsibility of each property owner if they want to install fencing around their land. The 800 West street has been in the county, but being used, for many years.

Once it is annexed into the City we would have control over Right-of-Ways (ROW) through the development. Any easement rights would continue to be maintained. The Planning Commission does not have authority to override any easements that are recorded. The developer will only be able to develop the areas that are part of their property. The Ludlow's largest concern would be people going on to their property. Sean reiterated that the each property owner is responsible for their own parcels. **Jeff Palmer** would not like the lots on the south of his home that are currently being shown as 1-acre to be allowed to utilize TDR's. Sean stated that some engineering has been done on the slope area throughout the property. Until the property is proposed for development it is likely no extensive work will be done. Scott Hazard stated that the preliminary study that has been done has led them to the current layout they are showing this evening. An 8% slope is typically the max allowed for street standards. They are considering the possibility of a mass grading for all the streets, but this will be done when they move forward with the development. Mr. Palmer is very happy with the concept plan being proposed. **Dennis Gore** owns the property to the north of this area. He is not sure what will be done around his property, but he has an irrigation ditch, and wants to ensure this is not affected when the property is developed. Discussions have taken place with UDOT to ensure the streets are consistent with any requirements they may have. **Gayelynn Jensen** had a concern that the City could possibly be over developing, causing issues with adequate public facilities in the future. She wants to make sure we plan accordingly. Sean stated that when the EBCo property develops, they are responsible to install required infrastructure to the south, and have worked very closely with Spanish Fork to meet the needs of the sewer and water for this entire area. No additional comments were given and the Public Hearing was closed. Sean stated that Mapleton City is in a good position with Spanish Fork, and feel they have no interest in participating in a regional sewer plant. Most of the existing sewer has 15-20 years of life left even if the southern section of the city develops more rapidly.

Motion: Commissioner Stirling moved recommend approval to the City Council for the annexation of approximately 180 acres of property located at approximately 3000 South Highway 89, a development concept plan associated with the Mapleton Heights project (113 acres) and the zoning designations for each property within the annexation boundary with the below special condition listed in the Staff Report this evening:

1. The final annexation map shall include the portion of Highway 89 that is adjacent to the property included in the annexation petition.

Second: Commissioner Quist

Vote: Unanimous

Item 5. Discussion of a Zoning Verification Letter issued by staff to the property owners located at 295 North and 297 North and Highway 89.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The structure on the property has always been utilized as a duplex as far as the City is aware. The history on the way Zoning Verifications work was given to those in attendance. The City determined that the lot split was illegal because the building did not comply with

interior side yard setbacks. The typical remedy is that the city does not issue building permits until the legalities of the property are addressed. Sean went over the 3 options identified in the Zoning Verification regarding how this property could be brought into compliance. Currently the two units share the same utilities.

Gayle Baum, Realtor, represents the property owner for the 297 North unit. There are some difficulties because the properties do share portions of the utilities. They are at a catch 22, and are looking for some guidance from the Planning Commission. The duplex was constructed in 1947. The property owner for 297 North is interested in selling the property at this time. **Mike Klauck**, the property owner of the 295 North unit, bought the property about 5 years ago from the Sayer family. He has since rented the home out, which has had tenants in it the this entire time. Each unit has its own power and gas meter, but share the same water meter and sewer lateral. He understands the concern by the 297 North unit. Mr. Klauck would just like to ensure his half of the building is kept safe and meets all building and safety codes. There is a masonry wall that adjoins the two units. If 297 was demolished the property lines could be adjusted, giving 295 the required 10' setback, if both property owners agreed. Sean stated that one possible option would be to allow for a remodel to take place, stating that if and when a new building is requested on the property that the non-conforming issues be addressed at that time. It is difficult because there is not a clear legal way to handle this property. Essentially the property owners could provide this to possible purchasers. The Planning Commission felt this was the most logical solution at this time. Mike Klauck had no objections to that proposal. If and when one of the units is demolished property lines would need to be adjusted in order to meet the current 10' side setback requirement. Either adjacent unit would need to be ensured for safety, and made structurally sound, if the connecting unit was torn down.

Item 6. Adjourn.

April Houser, Executive Secretary

Date