

# Mapleton City Planning Commission Staff Report

Meeting Date: February 25, 2010

**Applicant:** Rex Doman

**Prepared by:** Cory

Branch

**Council Action**

**Required:** Yes

**Public Hearing**

**Required:** Yes

## REQUEST:

Rex Doman requests project plan approval in order to allow for a retail/wholesale nursery on property generally located at 1600 South 1600 West, in the GC-1 (General Commercial) zone.

## FINDINGS OF FACT:

1. The Planning Commission and City Council approved a temporary use permit for a period of one (1) year and the applicant began the operation of the nursery on April 8, 2008.
2. On April 1, 2009 the City Council motioned to extend the existing temporary use permit until December 31, 2009 and that an agreement be entered into for the phasing and bonding of the improvements that need to be done to meet the existing code no later than August 31, 2009. (see Attachment 1 – City Council Minutes – April 1, 2009)
3. Attachment 2 includes the Development Concept submitted by the applicant on February 18, 2010. (see Attachment 2 – Development Concept)
4. Attachment 3 includes the research that has been completed regarding the subject property. (see Attachment 3 – Zone Verification)

## STAFF ANALYSIS:

1. Page 4 of the Development Concept cites that the improvements would be phased in a rational sequence and in a time-line supported by the natural profitability and growth of the business.
2. Section 18.64.030, Permitted Uses, allows for a retail or wholesale nursery as a permitted use.
3. Section 18.64.060, Project Plan Approvals, outlines the requirements for project plan approval in the GC-1 zone. (see Attachment 4 – Section 18.64.060)
4. Both US Hwy 89 (1600 West) and SR-147 (1600 South) are UDOT (Utah Department of Transportation) roadways. In recent months Staff has been informed that UDOT will be placing a traffic signal at the intersection of Hwy 89 and 1600 South. At this point UDOT plans to widen both sides of Hwy 89 to accommodate three lanes, one for thru traffic and right turns, one for left turns, and one for the opposing traffic. UDOT intends to expand the south side of 1600 South, leaving the north side of the roadway alone due to the proximity to the power lines and irrigation ditches.

## STAFF RECOMMENDATION:

It is the opinion of Staff that the proposed Developmental Concept doesn't demonstrate how substantial progress will be made towards each phase. It appears from the Development Concept that the applicant intends to phase the project in a time-line supported by the natural profitability and growth of the business. Staff recommends Denial of the proposed project plan, until the following conditions can be met:

1. Submit a phasing plan demonstrating how substantial progress will be made towards each phase. The phasing plan must address the time-line relating to the following issues:
  - When will a subdivision plat be submitted to the City addressing the concerns relating to the illegal lot splits of the subject property?
  - When will engineering drawings be submitted to the City detailing proposed curbs, gutters, sidewalks, water and sewer connections, landscaping, and piping of the irrigation canal, etc.?
  - When will bonding be submitted to the City?
  - What will be the time-line of the installation of the above improvements and infrastructure?

	<ul style="list-style-type: none"><li>• What will be the time-line of the construction of permanent restroom facilities?</li><li>• When will the driveway and parking be constructed of a hard surface material?</li><li>• When will the existing greenhouse and storage building receive a new façade?</li></ul> <p>2. Meet all requirements of Chapter 18.64 and Title 17.</p> <p><b><u>ATTACHMENTS:</u></b></p> <ol style="list-style-type: none"><li>1. City Council Minutes – April 1, 2009</li><li>2. Development Concept</li><li>3. Zone Verification</li><li>4. Section 18.64.060</li></ol>
--	---

**1600 South 1600 West –Project plan approval for a retail/wholesale nursery on property generally located at, in the GC-1 (General Commercial) zone. Applicant- Rex Doman**

Cory Branch, the Planning Director presented a staff report, which identified the city would normally require to be undertaken by the applicant as a condition of approving the project plan application.

One of the major concerns was the damage to the road (1600 south). The second access will be off highway 89 as approved by UDOT.

The public hearing was opened.

**Mike Tippets** stated that he thinks that the city needs more commercial areas and that this could be a potential important corner of Highway 89 and that Mr. Doman should conform with the code.

**Mark Whiting** stated that there seems to be a different attitude and vision in this City Council than others in the past. He thinks that there needs to be more commercial in Mapleton City and there needs to be a commercial corridor like Spanish Fork City has.

**Sallie Korman** stated that there may be a lot of citizens in Mapleton that do not want development at all, but the council needs to do what is right for the city.

**Mike Stewart** indicated that he is looking at Mapleton City as a place for his family to move to and he has always held it as a prestige place to live. He thinks that a nursery would make a great asset to the city and thinks that it is right type of business for Mapleton City and he would think it would be right of the city to meet Mr. Doman half way.

**Benden Hendry** stated that 1600 South as a whole is in bad shape and has been for awhile. He stated that it would be right of the city to let Mr. Doman “plant a seed” if you they will and allow him the time to see if the business will take off and get going. He supports giving the Doman’s a 5 year temporary permit or at least give him an extension on his existing temporary permit.

**Jean McCallister** inquired what the city planned to do with the property if Mr. Doman’s project is denied and how long the property would sit bare before something else is done with it. She also stated that at least while his business is on the land that a profit is being made instead of just having a vacant lot.

**Mark VanWagoner** stated that competition is good but when he started his business they had a plan and that they are conforming with the code. When certain conditions were met they made sure that the conditions were met. There is a difference in the zoning, his operation is in the A2 zone, and Mr. Doman is in a commercial zone and there are not as many requirements in the A2 zone.

**Laurie Whiting** indicated that having the nursery is going to bring some sort of revenue to the city. She also stated that Mr. Doman should be granted the opportunity to be allowed to show the city that he can bring a business to Mapleton and make sure that it is successful.

**Brian Bowers** stated that he has done business with Mr. Doman and said that he is a good businessman and would be an asset to keep the business in Mapleton.

**Rex Doman:** The applicant stated that he does have a plan -he is willing to show the city that he will run the business in good faith and build it to be something that is successful.

The public hearing was closed at 8:55 p.m.

Cl. Cobia stated that the improvements must be installed and he is sensitive to the Planning Commissions views. A seasonal permit – if you put the infrastructure in there it would be an asset to another business owner if another business were to come in. Cl. Christensen stated that it may be worth amending the code to reflect phasing for improvements. Cl. Wall stated that general plan was suppose to give some guidelines as to what type of development should go on that

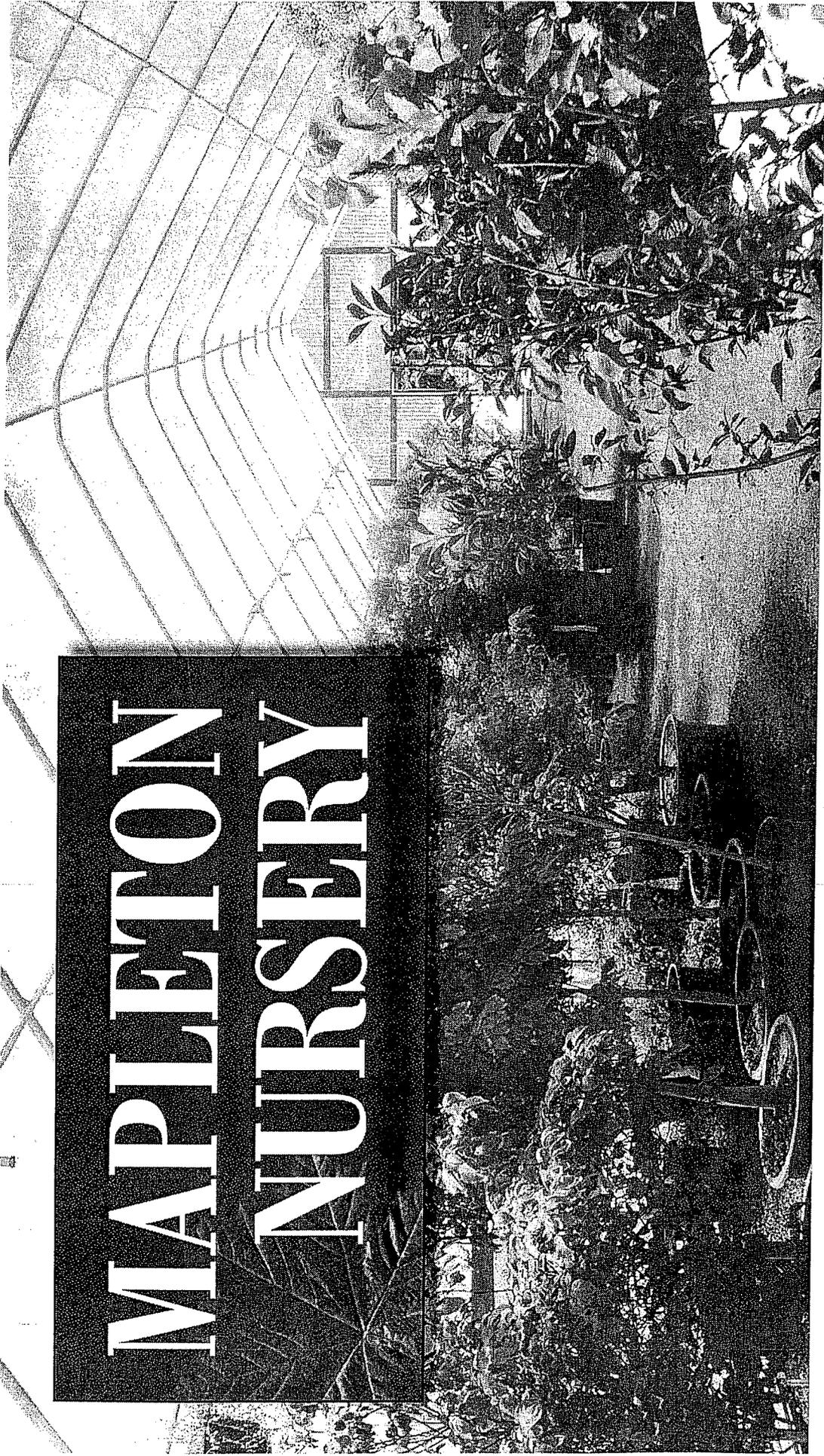
corner. If a nursery is going to be placed there, it should be an agriculture zone, because the curb, gutter and sidewalk will not be there. Clw. Tolley stated that curb, gutter and sidewalk along highway 89 may not be the right solution.

**Motion:** Cl. Cobia moved to (a) extend the existing temporary approval until December 31, 2009 and that (b) before August 31, 2009 an agreement be entered into for phasing and bonding of the improvements that need to be done to meet the existing code and (c) that no further changes be made to the existing code (d) that if condition B is not met the temporary use will cease December 31, 2009.

**Second:** Clw. Tolley seconded the motion.

**Vote:** Passed 3:1:1 abstaining vote

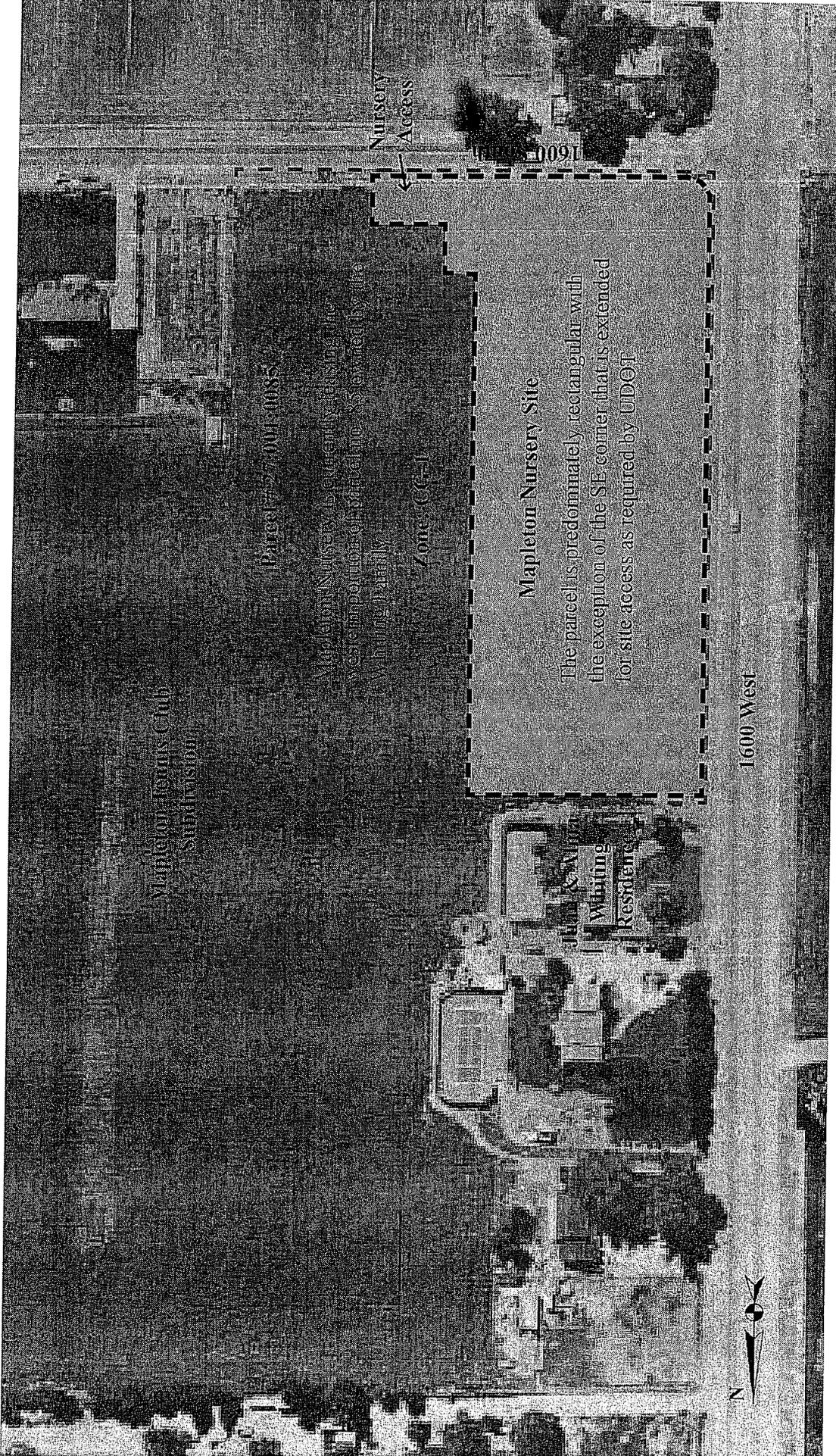
Cl. Nelson	Nay
Cl. Tolley	Aye
Cl. Cobia	Aye
Cl. Christensen	Aye
Cl. Wall	Abstained



*Developmental Concept*

02.17.2010





Parcel # 57-001-0088

Mapleton Nursery is currently zoned in the west portion of parcel no. 55 owned by the Whiting Family

Zone: CC-1

Mapleton Nursery Site

The parcel is predominately rectangular with the exception of the SE corner that is extended for site access as required by UDOP

1600 West

Nursery Access

10091

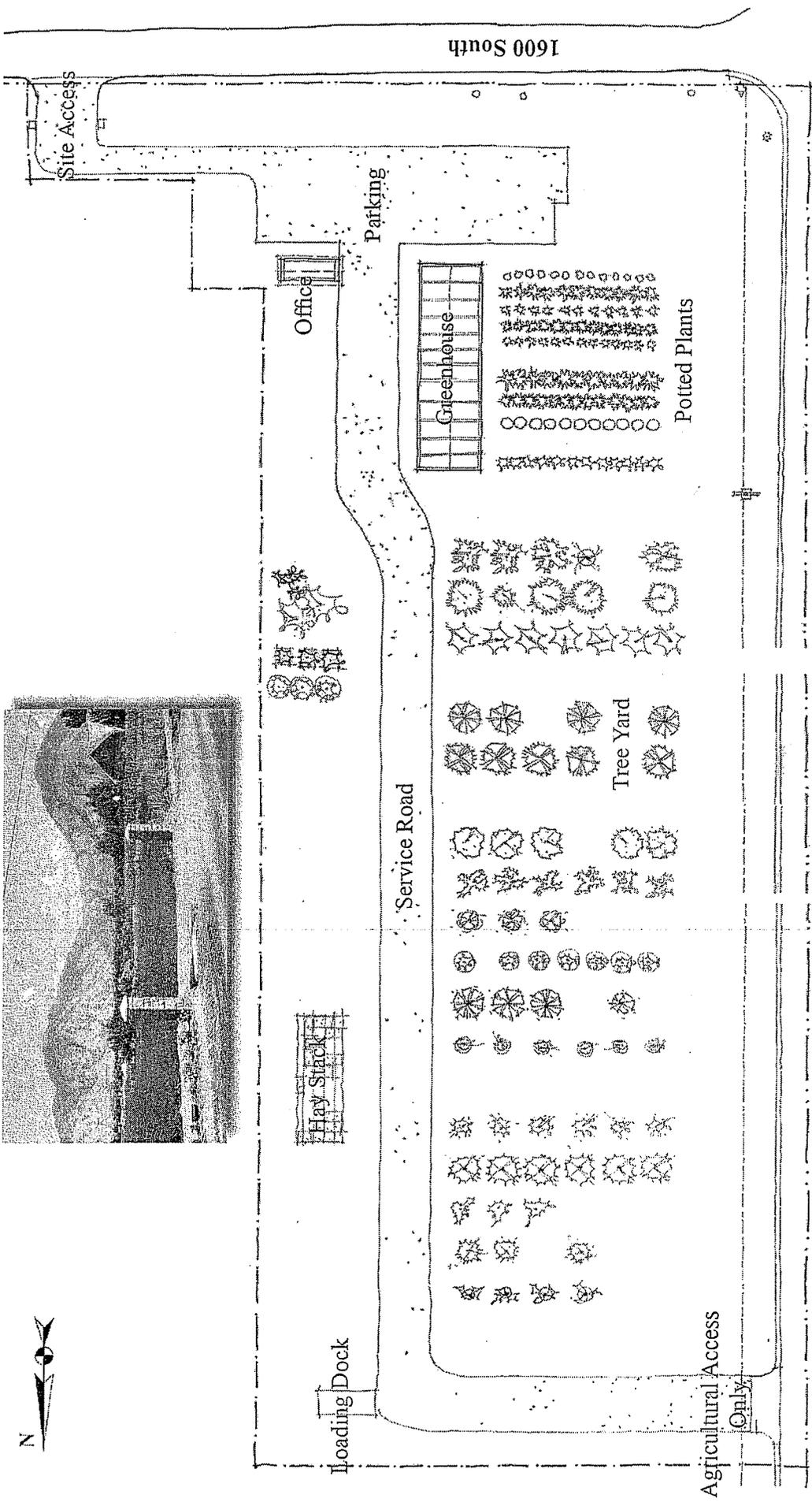
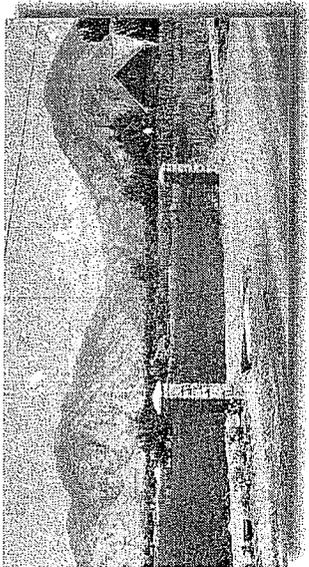


architectural  
**4-SITE**

02.17.2010

*Existing Site Context*

**MAPLETON  
NURSERY**

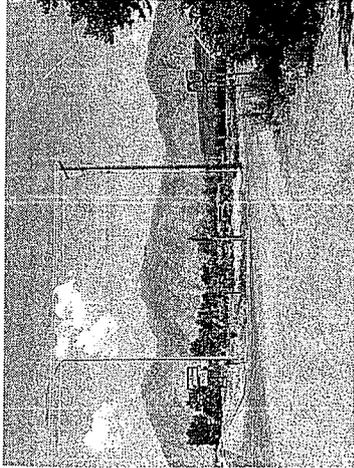


architectural  
**4-SITE**

02.17.2010

*Existing Site Layout*

**MAPLETON  
NURSERY**



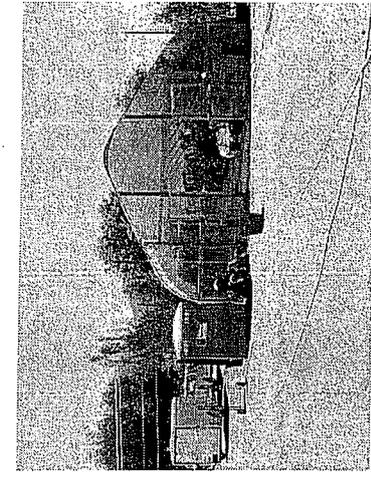
As illustrated, Mapleton Nursery is currently located in the NE quadrant of the intersection of 1600 West and 1600 South. The business operates seasonally and caters to both wholesale and retail customers; offering trees, shrubbery and other landscaping materials.

Mapleton Nursery enlisted the services of architectural 4-site to assist in the conceptual development of a future vision and architectural aesthetic for their business operations at this location.

The following pages illustrate the design components and concepts.

The site was reviewed and organized into public and private zones, separated by a new gateway structure. This feature will emphasize to patrons that staff nursery operations occur beyond the gateway. This will limit the trafficking of mud to 1600 South. A hard-scape materials enclosure will be added just beyond the gateway. An agricultural only access off 1600 West would also receive a gateway structure that would be chained off, and used by employee's only. The public zone is intended to accommodate both vehicular and pedestrian circulation, parking, and a new loading zone. Basic product storage will remain organized around the greenhouse.

The existing greenhouse and storage building would receive a new facade and covered porches; borrowing character and architectural detailing from the imagery of the Old West. A western facade provides a place for additional signage. Boardwalks would be added to delineate pedestrian paths. Covered areas will be used to provide a natural residential setting for product display.

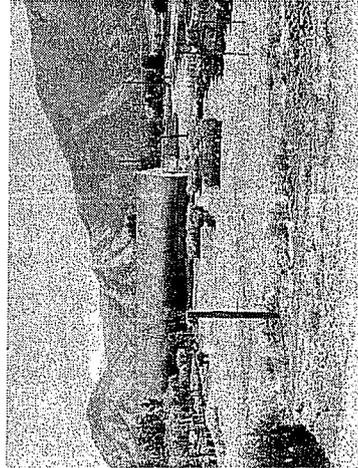
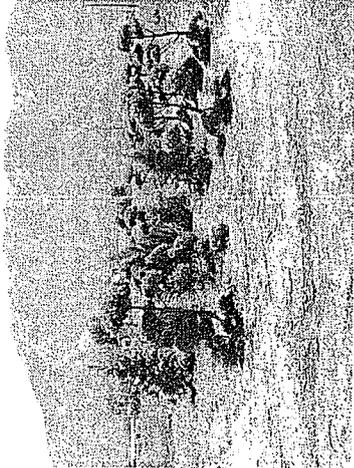


Hitching posts will line the boardwalks and provide vertical elements from which the owner could string holiday lighting.

Thematic parking lot lighting would also be added. Eventually a traditional pump-house would be built at the corner with a pond and a decorative water wheel. This structure is intended to create a pleasing visual element that draws customers in from the road and houses irrigation equipment. It will also provide additional porch-like display space.

As the business expands and the customer base evolves from seasonal patronage to year-round patronage, other improvements would be implemented, such as paving the parking lot, adding a public restroom and expanding retail display space.

All of the improvements discussed would be phased in a rational sequence and in a time-line supported by the natural profitability and growth of the business.

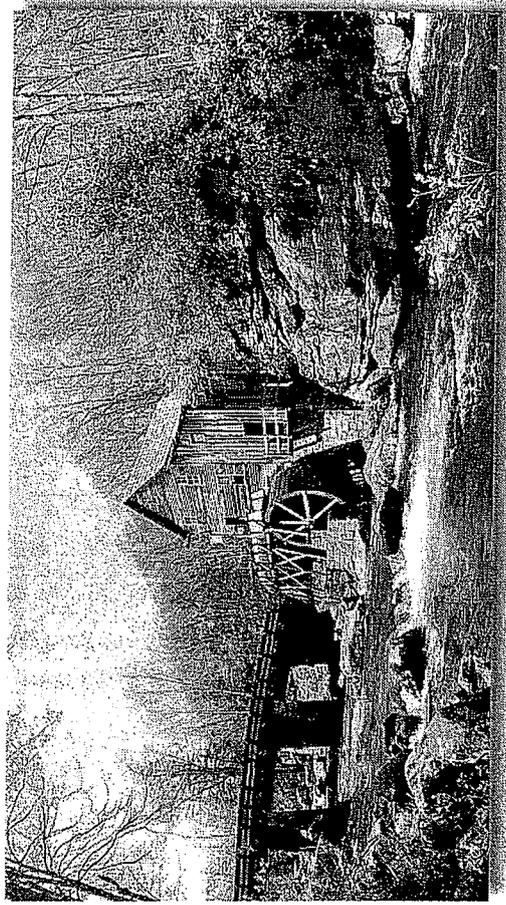
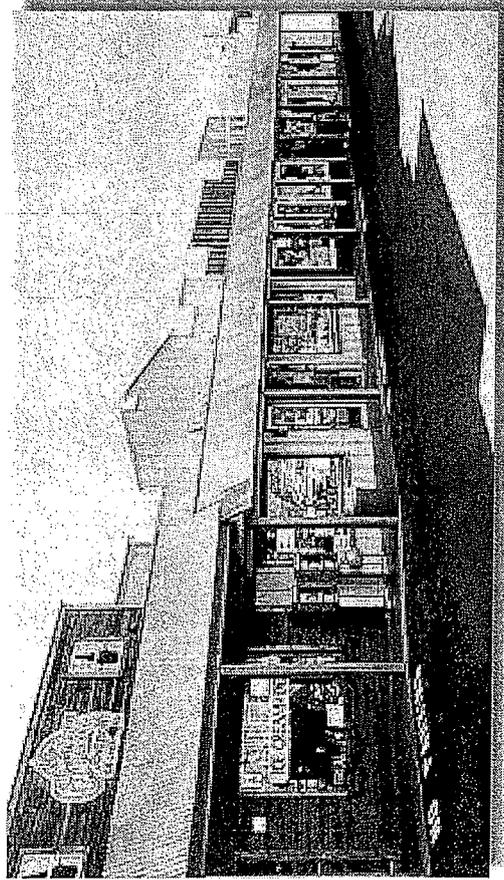
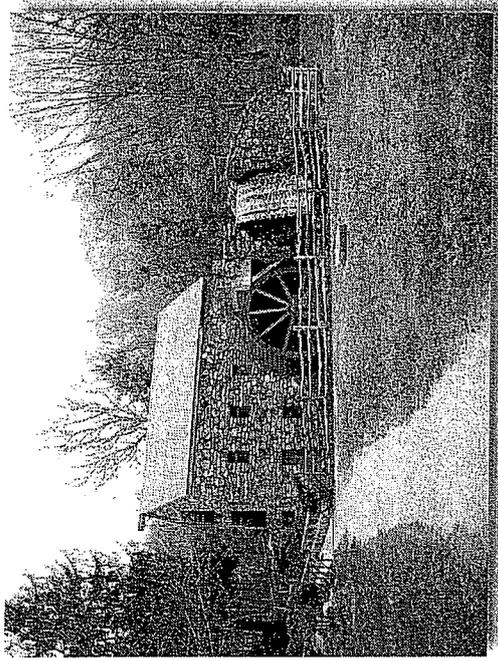
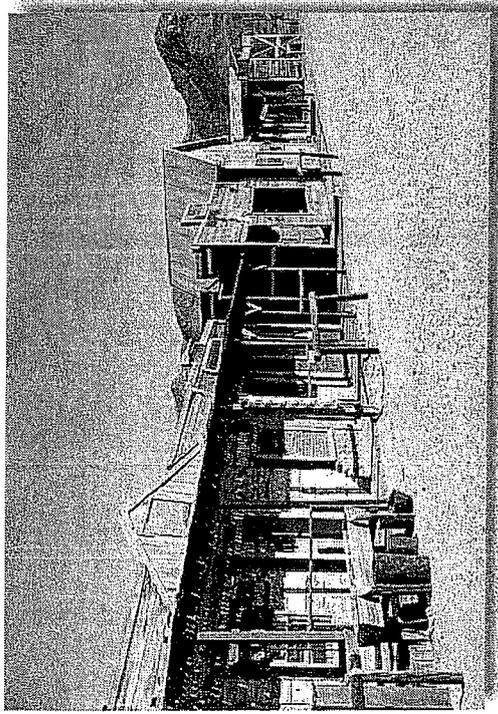
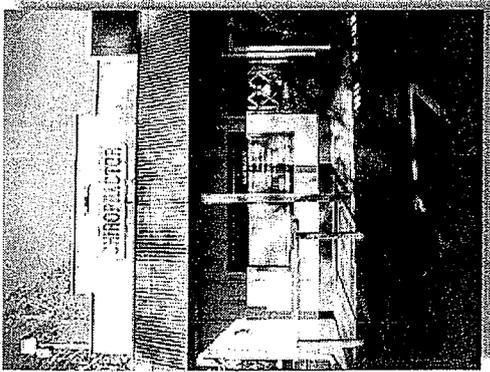


architectural  
4-SITE

02.17.2010

## Developmental Concept Narrative

MAPLETON  
NURSERY

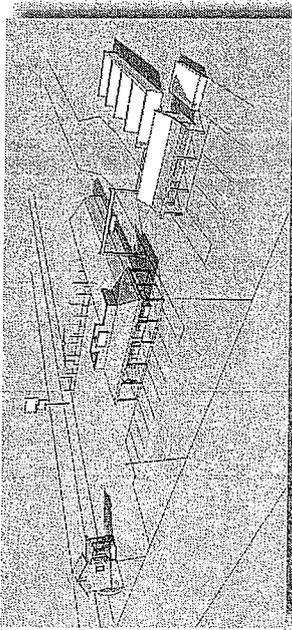
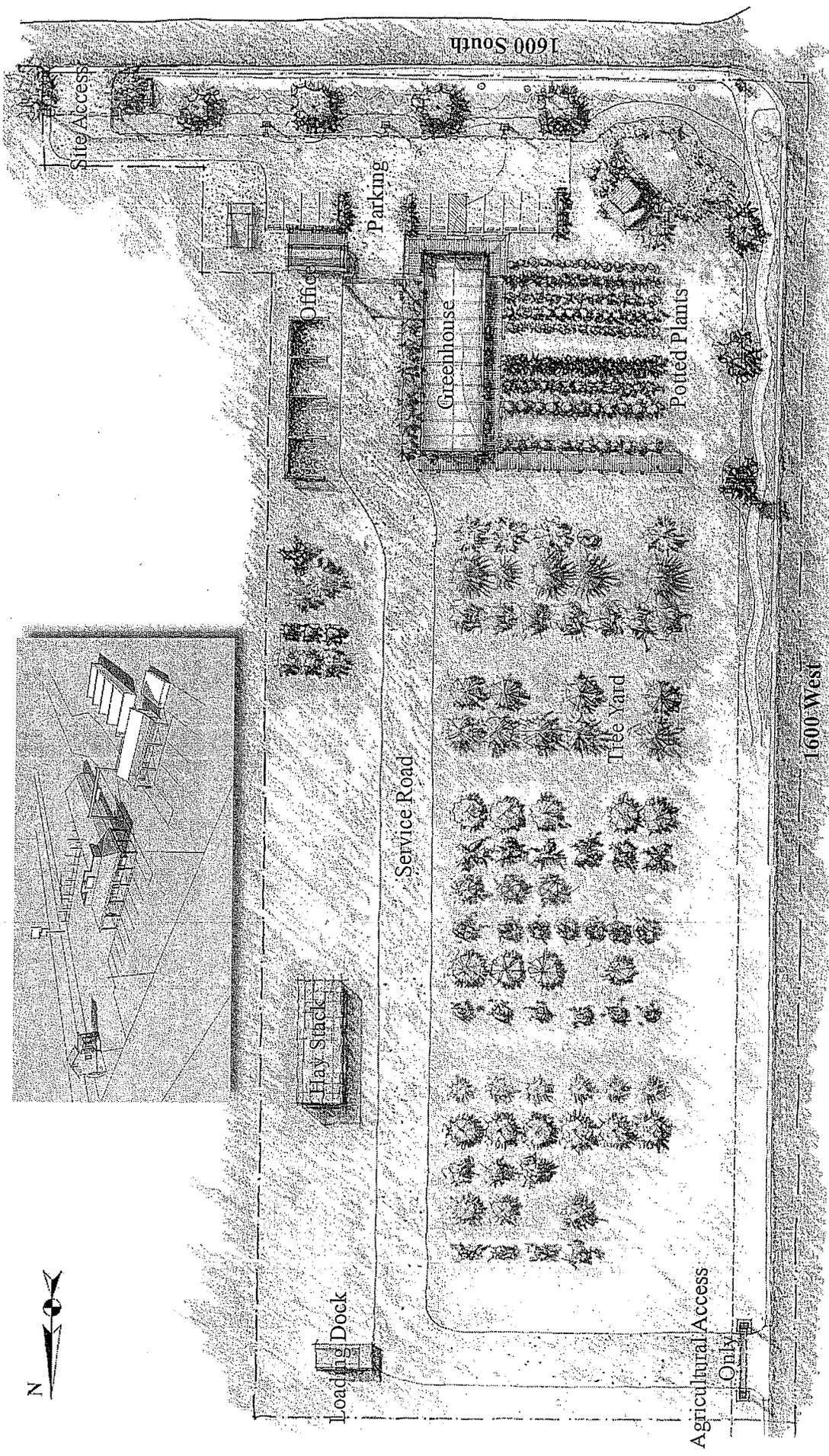


architectural  
**4-SITE**

02.17.2010

*Inspired by the Old West*

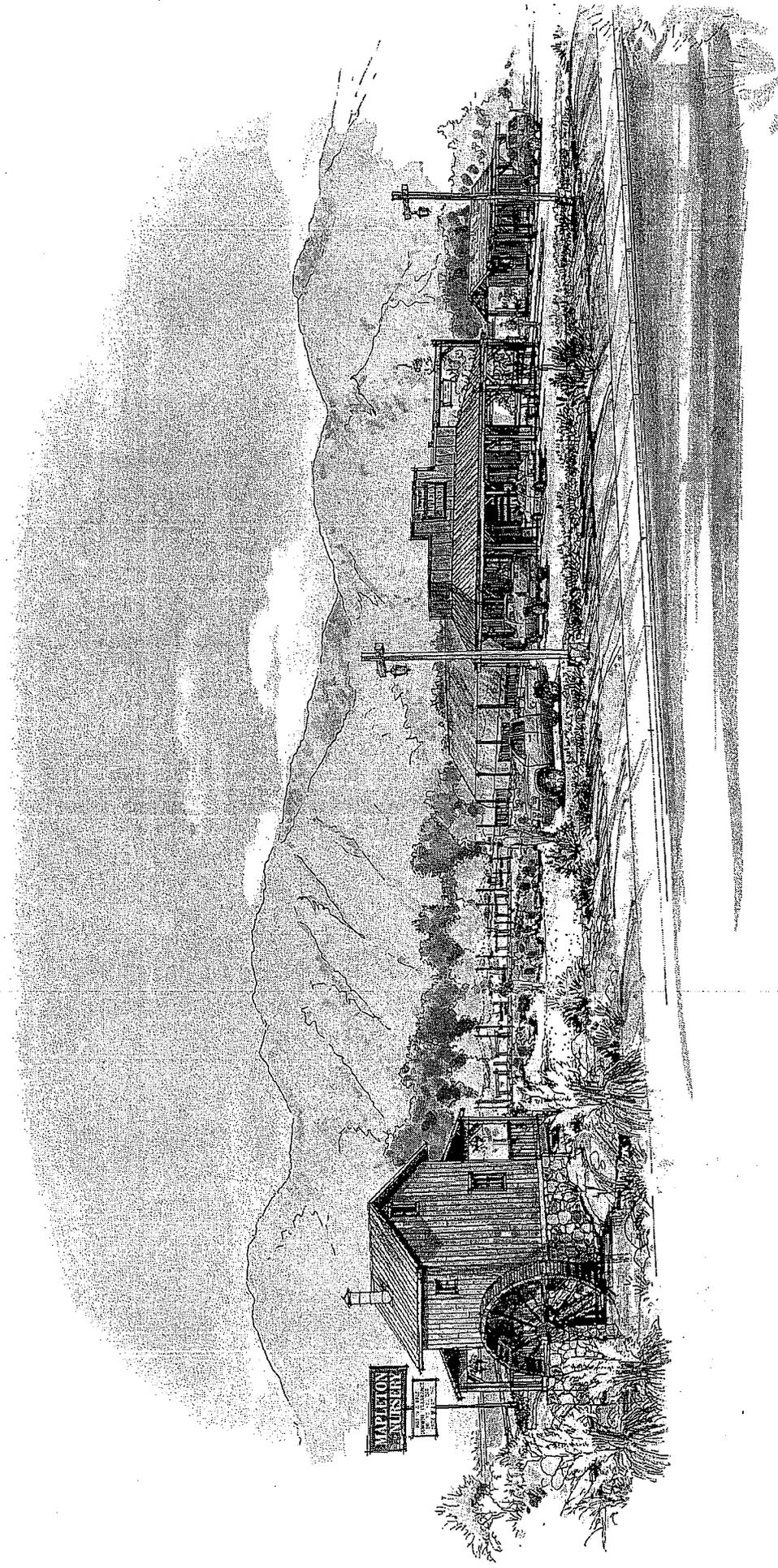
**MAPLETON  
NURSERY**



**MAPLETON  
NURSERY**

*Future Site Plan Development*

architectural  
**4-SITE**  
02.17.2010

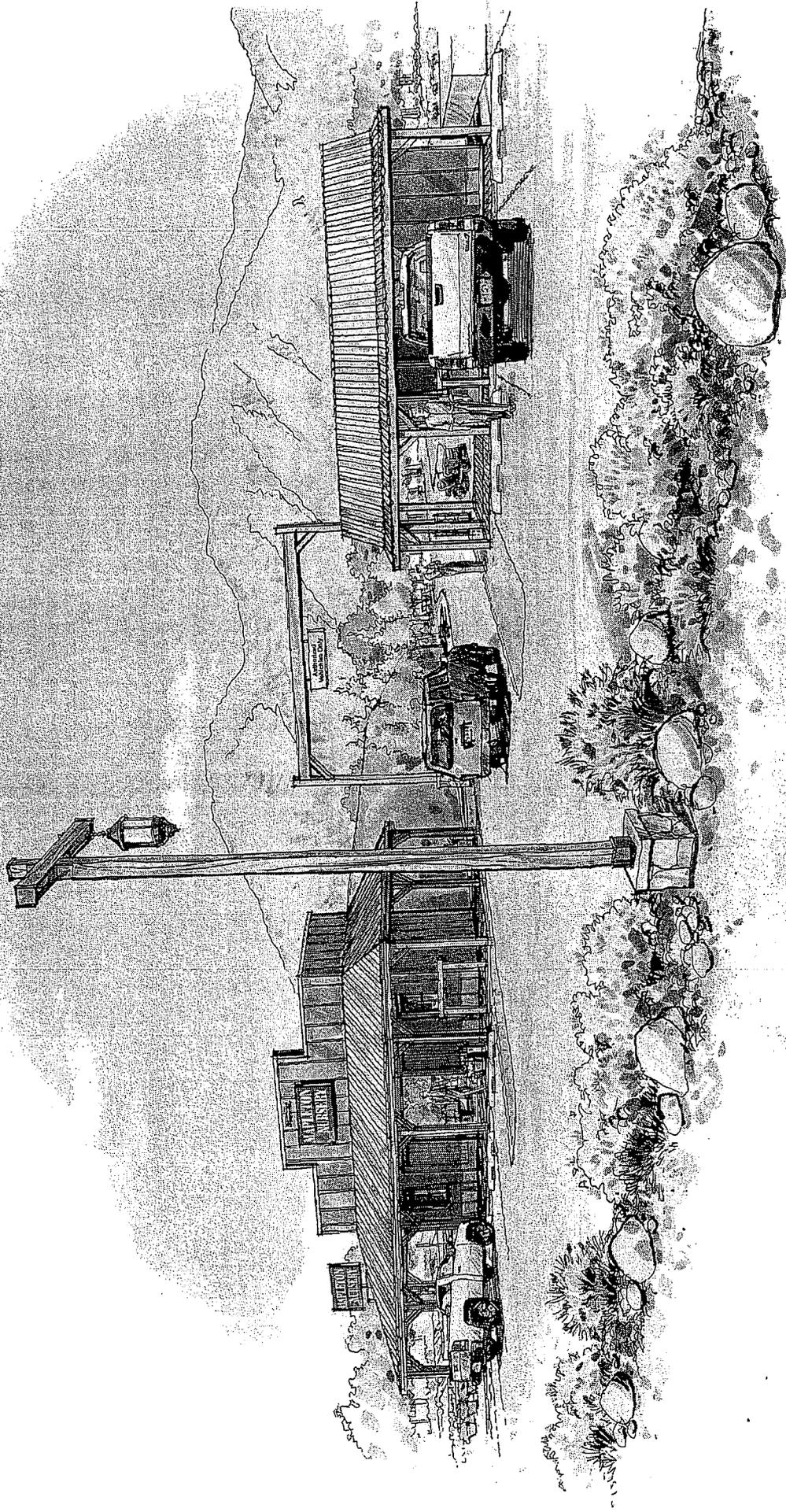


architectural  
**4-SITE**

02.17.2010

*vehicular view*

**MAPLETON  
NURSERY**



MAPLETON  
NURSERY

*Pedestrian View*

architectural  
**4-SITE**

02.17.2010



Mayor: Brian Wall  
 City Administrator: Robert P. Bradshaw, M.P.A.  
 Community Development: Cory Branch  
 Finance Controller: David E. Allen  
 City Engineer/Public Works Director: Gary Calder



Treasurer: Marian Everett  
 Recorder: Camille Brown  
 Police Chief: Dean Pettersson  
 Recreation Director: Stacey Child

## MAPLETON CITY CORPORATION

February 17, 2010

TO: Rex Doman  
 1513 East 320 North  
 Spanish Fork, UT 84660  
 (801) 722-8657

**RE: Zoning Verification**

**Utah County Tax ID#s: 27:001:0058, 27:001:0070, 55:326:0001, 27:001:0035, 49:294:0005, 49:294:0006, 55:428:0001, 27:001:0085, 27:001:0086, 27:001:0087.**

Dear Mr. Doman,

As per your request, I am writing you concerning the above-mentioned parcels. The following information has been compiled:

1. According to Mapleton City records, the subject parcels are located in the GC-1 (General Commercial) Zone, the RA-2 (Residential -Minor Agricultural) Zone, and the A-2 (Agricultural-Residential) Zone. There is no minimum lot size for the GC-1 Zone, *"except as may be dictated by off street parking requirements, adequate circulation, and property site utilization"*, but there is a minimum frontage of 75 feet for the GC-1 Zone. The minimum lot size for the RA-2 Zone is 14,500 square feet, with a minimum 100 feet of street frontage. The minimum lot size for the A-2 Zone is 2 acres, with a minimum 200 feet of street frontage.
2. The current zoning of the GC-1 and RA-2 parcels was approved by the City Council on October 2, 2007. Included in the approved rezone application was a concept plan (see Attachment #1 - Concept Plan). The concept plan showed Whiting Subdivision, Plat "A", Plat "B", and Paul Whiting Subdivision, Plat "A" to be included in the proposal.
3. Prior to the current zoning configuration of the subject parcels, all of the parcels were zoned A-2, since approximately 1970. Prior to that time, from approximately 1950-1970, the subject parcels were zoned RA-1 (Residential Agricultural District 1) from approximately 1950-1970. Prior to 1950, Mapleton did not have a zoning ordinance.
4. Mapleton City's Subdivision Code requires land splits to go through subdivision plat approval process with Mapleton City (See Mapleton City Code Title 17: DEVELOPMENT CODE, PART II: SUBDIVISIONS). Mapleton City Code 17.01.020: INENT states:

*"The intent of this title is as follows:*

*A. To facilitate the orderly development of the city.*

*B. To implement the city's transportation and circulation element of the general plan.*

C. To facilitate the development of a safe and efficient street system.

D. To facilitate the orderly transfer of the ownership of building sites in a manner consistent with state law.

E. To ensure adequate water, sewer, drainage, utilities, and other services to developing areas of the city.

F. To establish the rights, duties, and responsibilities of subdividers with respect to the development of subdivisions within the city.

G. To facilitate the development of a trail system.”

5. Mapleton City Code 17.02.010: SUBDIVISION PLATS REQUIRED; TO BE RECORDED states: “No person shall subdivide, as defined by section 17.32.010 of this title, any tract of land within the incorporated limits of the city; nor shall any person sell, exchange, purchase or otherwise convey a parcel of land which is part of a larger tract, if such sale or agreement would have the effect of creating a "subdivision" as defined by this title, unless and until a final plat, prepared in accordance with the provisions of this title, shall have been first considered by the planning commission and approved by the city council and recorded in the office of the county recorder.”
6. Mapleton City Code 17.04.090: AMENDING AND VACATING A SUBDIVISION PLAT states: “A petition to vacate, alter or amend an entire plat, or to vacate a street in a subdivision shall conform to Utah code. Petitions to adjust lot lines between adjacent properties, or petitions to combine lots in a platted and recorded subdivision shall require approval from the planning and zoning director, and the plat shall be signed by the planning commission chairperson, city council, and all other applicable signatures. Said amendment shall be drawn in final plat format to meet Mapleton City code. The plat shall include the lot or lots to be vacated. If adjusting a lot line or combining lots, the previous lot(s) shall be considered "vacated" and the new lot(s) in their new configuration shall be shown on the amended plat. The plat shall be given the same name as the subdivision that is affected, and shall be given the next available plat alphabetical designation. Prior to the recording of an amended plat, the notification process as described in section 17.04.080 of this chapter shall apply. Said amendments and lot line adjustments as herein defined, shall not create a new building lot, and the amendment or lot line adjustment shall not violate the lot requirements in the underlying zone. Appeals to decisions made to approve an amended subdivision plat shall be the same as described in section 17.04.080 of this chapter.”
7. According to Utah County records, all of the subject parcels come from an approximately 30.9-acre parcel (Utah County Parcel # Unknown) which was created in 1932 or earlier (see Entry # 42 - 1932), and was purchased by Ray S. Whiting and O. Juan Whiting in 1951 (see Entry # 2040 - 1951). See Attachment #2 for a map illustrating the parcel splits.
8. The following information applies to parcel # 27:001:0058:
  - a. According to Utah County records, the parcel is currently owned by O. Juan Whiting & Alma S. Whiting.
  - b. According to Utah County records, the parcel is approximately 0.605 acres in size, with approximately 120 feet of frontage on 1600 West Street (US Highway 89).
  - c. According to Utah County records, there is a home on the parcel (1375 South 1600 West) that was built in 1934, with an effective year built (i.e. addition or remodel) of 1975. The only building permit that Mapleton City has on file for the parcel is a permit for a

greenhouse, issued in August 1982. Prior to 1948, Mapleton City did not have a building code or issue building permits.

- d. According to Utah County records, the parcel was created by Warranty Deed (Entry # 4187) from Ray S. Whiting, Lora Whiting, O. Juan Whiting, and Alma Whiting to Whiting Farms, a corporation, recorded March 31, 1958. This deed created parcel #27:001:0058 and an approximately 30.3-acre parcel. This was the first split of the larger 30.9-acre parcel that the Whitings originally purchased (see Attachment #3 for a 1975 parcel map of the 2 parcels).
9. The following information applies to parcel # 27:001:0070:
- a. According to Utah County records, the parcel is currently owned by Peter N. Nugent and Onika R. Nugent.
  - b. According to Utah County records, the parcel is approximately 1.23 acres in size, with approximately 250 feet of frontage on 1600 West Street (US Highway 89).
  - c. According to Utah County records, there is a single family home on the parcel (1225 South 1600 West) which was built in 1978, with an effective year built (i.e. addition or remodel) of 1980. According to Mapleton City records, a permit for the single family home was issued on April 3, 1978.
  - d. According to Utah County records, the parcel was created by Warranty Deed (Entry # 9080 – 1978) from O. Juan Whiting and Alma S. Whiting to George M. Olson and Sharon Olson, recorded March 9, 1978. This was the second split of the 30.9-acre parcel that the Whitings originally purchased.
10. The following information applies to parcel # 55:326:0001:
- a. According to Utah County records, the parcel is currently owned by Mark S. Whiting & Judy B. Whiting.
  - b. According to Utah County records, the parcel is approximately 2.509 acres in size, with approximately 250 feet of frontage 1600 South Street (State Highway 147).
  - c. According to Mapleton City records, there is a single family home on the parcel (1320 West 1600 South). A building permit was issued for the single family home on April 6, 1994.
  - d. According to Utah County records, the parcel was created by subdivision plat (Whiting Subdivision, Plat "A"), recorded July 14, 1998 (see Attachment # 4 – Whiting Subdivision, Plat "A" – Recorded Plat).
  - e. According to Utah County records, the parent parcel was parcel # 27:001:0031, which was approximately 5.31 acres in size, with approximately 250 feet of frontage on 1600 South Street (State Highway 147). This parcel was created by Quit Claim Deed (Entry # 3177 – 1994) from O. Juan Whiting & Alma S. Whiting (by Attorney) to Mark S. Whiting and Judy S. Whiting, recorded January 11, 1994.
11. The following information applies to parcel # 27:001:0035:
- a. According to Utah County records, the parcel is currently owned by Mark S. Whiting & Judy B. Whiting.
  - b. According to Utah County records, the parcel is approximately 2.75 acres in size, with 0 feet of frontage on any public street (the parcel is landlocked).
  - c. According to Utah County and Mapleton City records, the parcel is currently vacant.
  - d. According to Utah County records, the parcel was created as a remnant of the recording of Whiting Subdivision, Plat "A", recorded July 14, 1998 (see Attachment # 2 – Current Parcel Map).
  - e. According to Utah County records, the parent parcel was parcel # 27:001:0031, which was approximately 5.31 acres in size, with approximately 250 feet of frontage on 1600 South Street (State Highway 147). This parcel was created by Quit Claim Deed (Entry #

3177 – 1994) from O. Juan Whiting & Alma S. Whiting (by Attorney) to Mark S. Whiting and Judy S. Whiting, recorded January 11, 1994.

12. The following information applies to parcels # 49:294:0005 and 49:294:0006:

- a. According to Utah County records, the parcels are currently owned by Sherri Lynn Whiting.
- b. According to Utah County records, parcel # 49:294:0005 is approximately 2.50 acres in size, with approximately 250 feet of frontage on 1600 West Street (US Highway 89). Parcel # 49:294:0006 is approximately 2.75 acres in size, with 0 feet of frontage on any public street (the parcel is landlocked).
- c. According to Mapleton City records, there is a single family home on parcel # 49:294:0005 (1295 South 1600 West). A building permit was issued for the single family home on June 12, 1997. Parcel # 49:294:0006 is vacant.
- d. According to Utah County records, parcels # 49:294:0005 and 49:294:0006 were created by Special Warranty Deed (Entry # 34535 – 2004) from Sherri Lynn Whiting to Sherri Lynn Whiting, recorded March 29, 2004. This deed created 2 metes and bounds parcels from what was once Lot 1 of Paul Whiting Subdivision, Plat "A". Mapleton City has no record of approving this Special Warranty Deed.
- e. According to Utah County records, the parent parcel of parcels # 49:294:0005 and 49:294:0006 was parcel # 49:294:0004, described as Lot 1 of Paul Whiting Subdivision, Plat "A", and was created by Quit Claim Deed (Entry # 4458 – 2002) from Paul S. Whiting to Sherri Lynn Whiting, recorded January 11, 2002. This deed temporarily combined the metes and bounds parcels mentioned in (f) below back to the description of Lot 1 of Paul Whiting Subdivision, Plat "A".
- f. According to Utah County records, the parent parcels of parcel # 49:294:0004 were parcels # 49:294:0002 (approximately 2.5 acres with approximately 250 feet of frontage on 1600 West Street) and 49:294:0003 (approximately 2.75 acres with approximately 0 feet of frontage on any public street), which were created by Warranty Deed (Entry # 42391 – 1998) from Paul S. Whiting and Catherine Leeta Whiting to Paul S. Whiting, recorded April 29, 1998. This deed created 2 metes and bounds parcels from what was once Lot 1 of Paul Whiting Subdivision, Plat "A". Mapleton City has no record of approving this Special Warranty Deed.
- g. According to Utah County records, the parent parcel of parcels # 49:294:0002 and 49:294:0003 was parcel # 49:294:0001, which was created by subdivision plat (Whiting Subdivision, Plat "A"), recorded April 9, 1997. (see Attachment # 5 – Paul Whiting Subdivision, Plat "A" – Recorded Plat).
- h. According to Utah County records, the parent parcel of parcel # 49:294:0001 was parcel # 27:001:0055 (the parcel was metes and bounds, but had the same acreage, frontage, and configuration as Lot 1 of Paul Whiting Subdivision, Plat "A"), created by Quit Claim Deed Entry # 25214 – 1997) from the O. Juan Whiting Family Trust to Paul S. Whiting and Catherine Leeta Whiting, recorded April 4, 1997. This parcel appears to have been created in preparation for the recording of Paul Whiting Subdivision, Plat "A".

13. The following information applies to parcel # 55:428:0001:

- a. According to Utah County records, the parcel is currently owned by Brent A. Whiting and Laurie B. Whiting.
- b. According to Utah County records, the parcel is approximately 2.5 acres in size, with approximately 250 feet of frontage 1600 South Street (State Highway 147).
- c. According to Mapleton City records, there is a single family home on the parcel (1406 West 1600 South). A building permit was issued for the single family home on July 22, 1998.

- d. According to Utah County records, the parcel was created by subdivision plat (Whiting Subdivision, Plat "B"), recorded July 14, 1998 (see Attachment # 6 – Whiting Subdivision, Plat "B" – Recorded Plat).
14. The following information applies to parcels # 27:001:0085, 27:001:0086, and 27:001:0087:
- a. According to Utah County records, parcel # 27:001:0085 is currently owned by Alma Snow Whiting, parcel # 27:001:0086 is currently owned by Oscar Juan Whiting, and parcel # 27:001:0087 is currently owed by O. Juan Whiting, & Alma S. Whiting, Trustees.
  - b. According to Utah County records, parcel # 27:001:0085 is approximately 8.06 acres in size, with approximately 671.89 feet of frontage on 1600 West Street and approximately 520.03 feet of frontage on 1600 South Street; parcel # 27:001:0086 is approximately 6.6 acres in size, with 0 feet of frontage on any public street (the parcel is landlocked); and parcel # 27:001:0087 is approximately 0.35 acres in size, with approximately 15.89 feet of frontage on 1600 South Street.
  - c. Currently the primary use of the parcels is agriculture. In addition, a temporary use permit was issued for a retail/wholesale nursery with an ending date of December 31, 2009.
  - d. According to Utah County records, the subject parcels were created by Warranty Deed (Entry # 55626-2009) from O. Juan Whiting and Alma S. Whiting, Trustees of the Whiting Marital Trust, and O. Juan Whiting and Alma S. Whiting, Trustees of the Whiting Children's Trust to Alma Snow Whiting, Trustee of the Alma Snow Whiting Trust, recorded May 19, 2009 (see Attachment # 2 – Current Parcel Map). Mapleton City has no record of approving this Warranty Deed. The parent parcel was parcel # 27:001:0066 (the remaining undeveloped metes and bounds parcel remaining after the recording of parcels 27:001:0058, 27:001:0070, Whiting Subdivision, Plat "A", parcel 27:001:0035, Paul Whiting Subdivision, Plat "A", and Whiting Subdivision, Plat "B").

#### Conclusions:

From the above facts, the following information has been compiled:

1. Mapleton City recognizes parcels # 55:326:0001 and 55:428:0001 as legal subdivision lots, based on the fact that they have remained unmodified since the original subdivision recordings of Whiting Subdivision, Plat "A", and Whiting Subdivision, Plat "B".
2. Mapleton City recognizes parcel # 27:001:0058 as a legally nonconforming parcel as to acreage and frontage.
3. Mapleton City recognizes parcel # 27:001:0070 as a legally nonconforming parcel as to acreage.
4. Mapleton City recognizes parcels # 27:001:0085, 27:001:0086, 27:001:0087, 27:001:0035, 49:294:0005, and 49:294:0006 as illegal lots, due to the fact that all of these parcels were created by deeds not approved by Mapleton City and because several of these parcels are landlocked and do not have the required zoning frontage on a public street. To remedy the situation of the illegal lots, an application for a subdivision should be made meeting all requirements of the Mapleton City Code.

**Severability & Appeals:**

The statements and interpretations of Mapleton City Code sections given in this letter are hereby declared severable, and the invalidity of any statements in this letter shall not affect the validity or enforceability of any other statements or parts thereof (see Mapleton City Code 1.01.060: PROVISIONS SEVERABLE).

If you have any additional information that may affect the conclusions of this letter, please contact Mapleton City Community Development Department. Additionally, please keep in mind that you do have the right to appeal the above decisions to the Board of Adjustment by filing an application with the Board within a period not to exceed forty-five (45) days from the above date, as per Mapleton City Code 16.04.050: APPEALS TO BOARD; TIME; PERSONS ENTITLED; TRANSMISSION OF RECORDS.

If you have any questions about this determination, please call me at (801) 806-9101 or e-mail me at [cbranch@mapleton.org](mailto:cbranch@mapleton.org).

Sincerely,



Cory Branch  
Planning Director

**ATTACHMENTS:**

1. Concept Plan - Received September 10, 2007
2. Parcel Map - Current
3. Parcel Map - 1975
4. Whiting Subdivision, Plat "A" - Recorded Plat
5. Paul Whiting Subdivision, Plat "A" - Recorded Plat
6. Whiting Subdivision, Plat "B" - Recorded Plat

WHITING CORNER DEVELOPMENT

Current Zone: RA-2  
 Location:  
 1600 South 1600 West  
 Mapleton, Utah  
 Owner / Developer:  
 Whiting Family  
 1295 South 1600 West  
 Mapleton, UT 84654  
 801-423-1300  
 Surveyor / Engineering / Planning:  
 A.L.M. & Associates, Inc.  
 2220 North University Parkway, 6D  
 Provo, Utah 84604  
 801-574-9282  
 801-574-0833 fax  
 amlmdev@aol.com  
 amlmdev@earthlink.net

Total Area:  
 1,121,269 sq.ft. / 25.74 ac. (100%)  
 Public Road Area:  
 194,652 sq.ft. / 4.47 ac. (17%)  
 Commercial Area:  
 228,718 sq.ft. / 5.25 ac. (20%)  
 Lot Area:  
 697,979 sq.ft. / 16.03 ac. (63%)  
 Number of Lots: 45 (2.8 ac./lot)  
 Proposed Lots: 14,500 sq.ft. / 0.33 ac. (3.4 ac.)

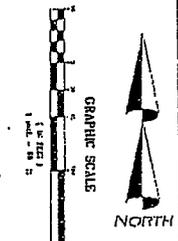
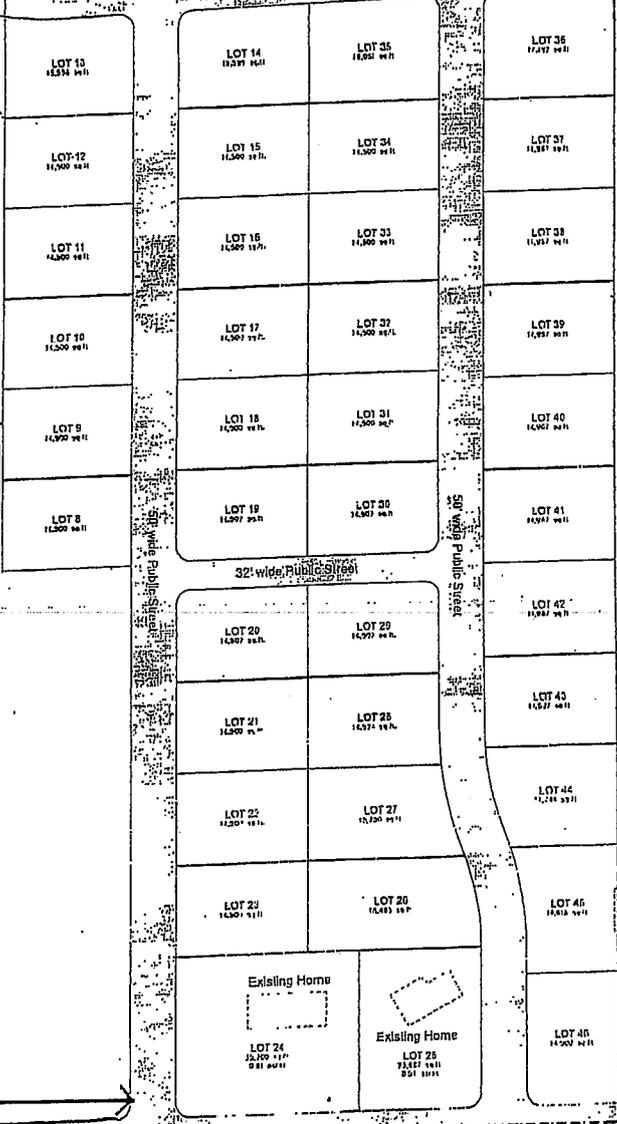
56' Wide  
 Master  
 Planned  
 Road  
 (By Others)

Existing Home  
 53,273 sq.ft.  
 1.2 ac.

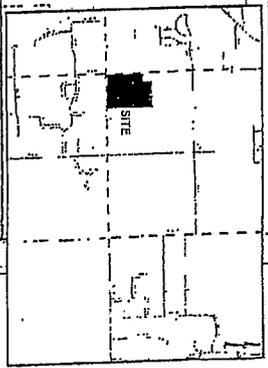
Existing Home  
 108,680 sq.ft.  
 2.5 ac.

Existing Home  
 23,077 sq.ft. /  
 0.53 ac.

Retention  
 Basin  
 17,000 sq.ft.  
 0.39 ac.  
 43,089 sq.  
 0.98 ac.



SEP 18 2011  
 MAPLETON CITY

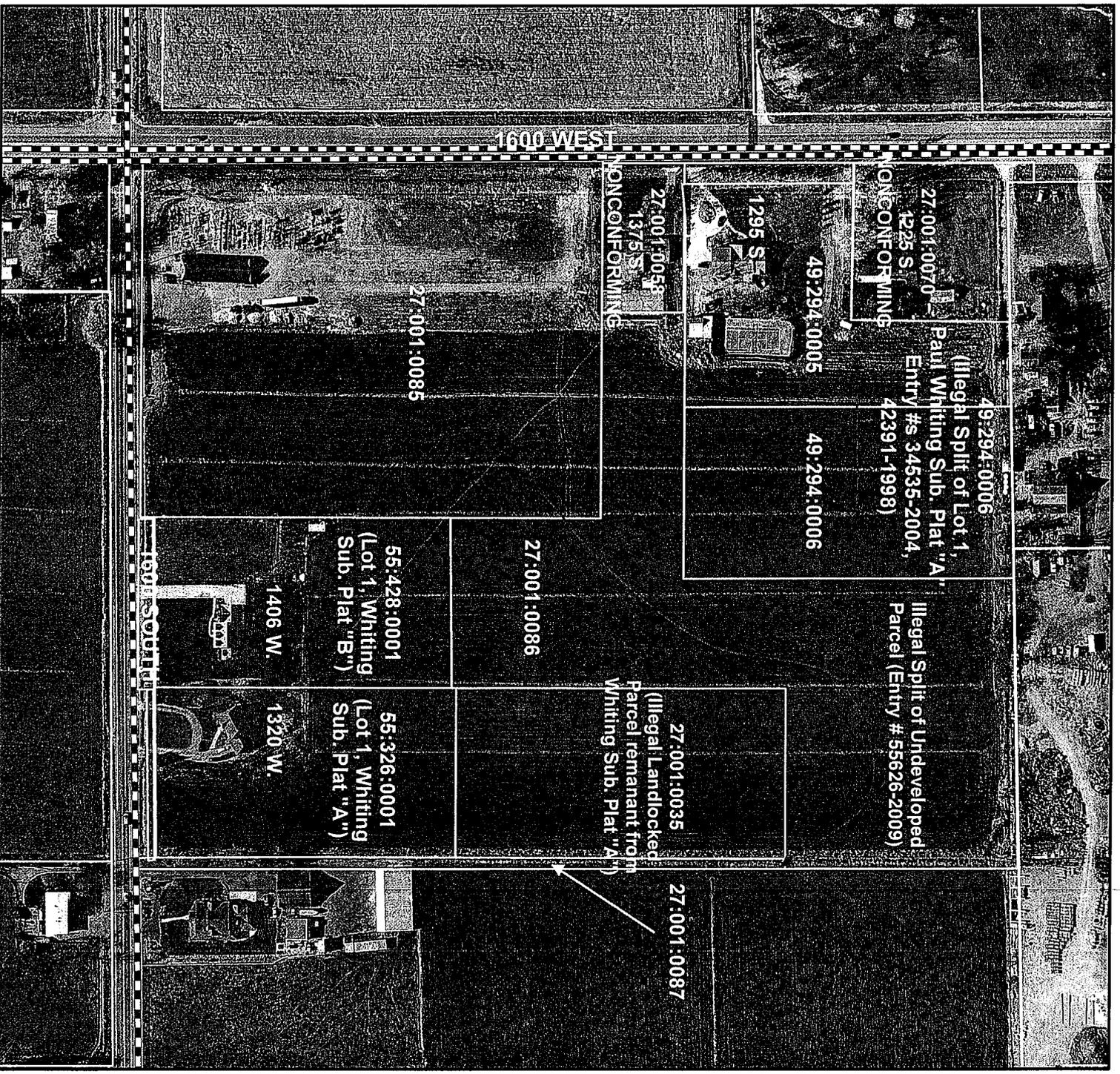


WHITING CORNER DEV.  
 WHITING FAMILY  
 CONCEPT PLAN

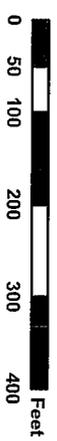


A.L.M. & ASSOCIATES, INC.  
 ENGINEERING • SURVEYING • DEVELOPMENT • PLANNING  
 2220 North University Parkway, Suite 6D Provo, Utah 84604





# Attachment #2: Current Parcel Map



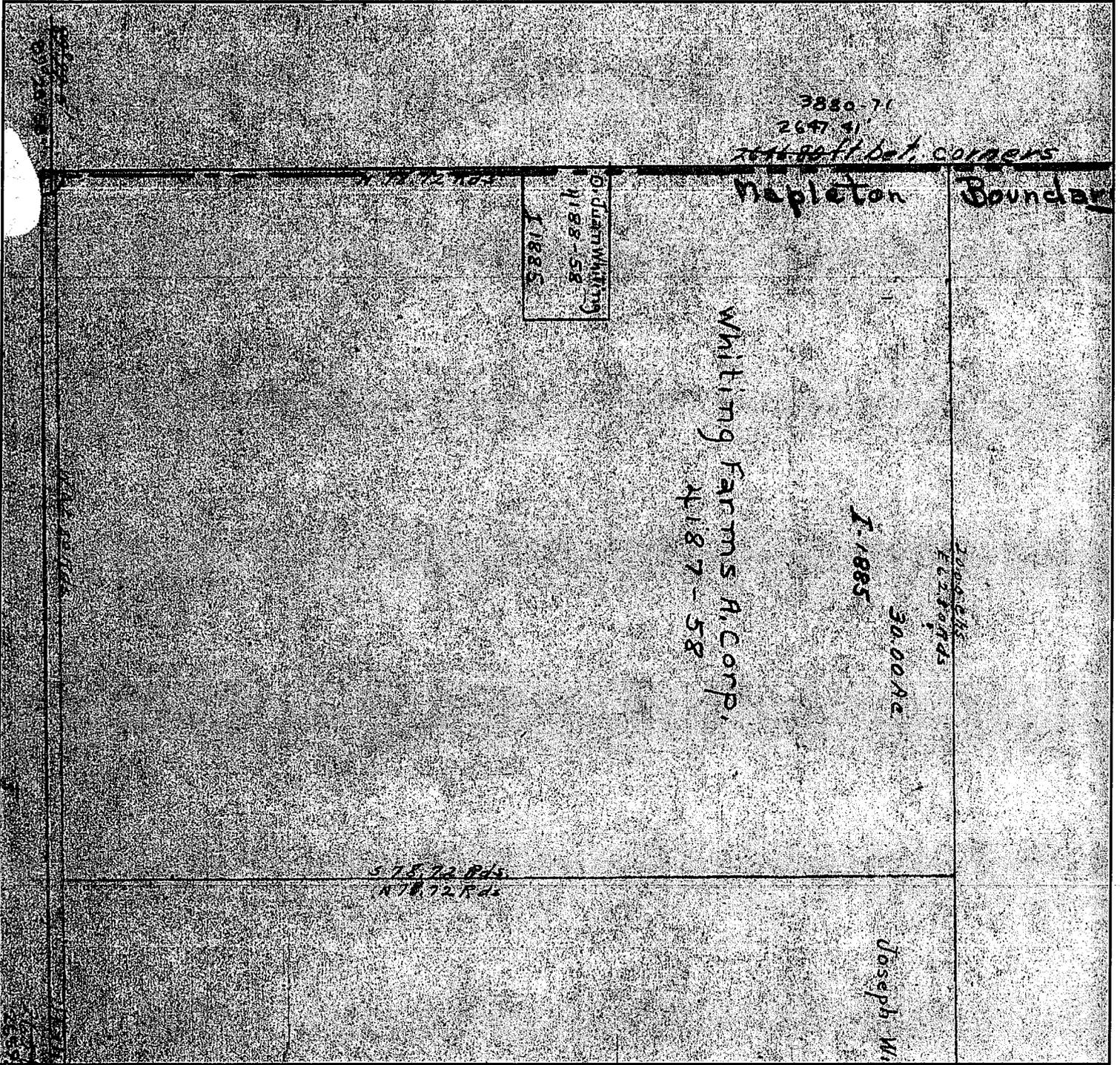
1 inch equals 200 feet

## Legend

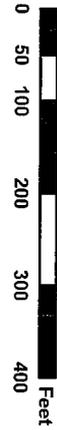
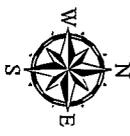
-  US or State Hwy
-  Parcels as of 2-3-10
-  Mapleton Boundary



**MAPLETON CITY CORPORATION**  
Mapleton City makes no warranty with respect to the accuracy, completeness, or usefulness of this map. For official verifications, contact the Community Development Department.



# Attachment #3: 1975 Parcel Map



1 inch equals 200 feet



**MAPLETON CITY CORPORATION**  
Mapleton City makes no warranty with respect to the accuracy, completeness, or usefulness of this map. For official verifications, contact the Community Development Department.







**18.64.060: PROJECT PLAN APPROVALS:**

- A. Concurrent with any request to rezone property to the GC-1 zone; or if the property is currently zoned GC-1, prior to any approval for a building permit or business license, a preliminary project plan shall be submitted to and approved by the Mapleton City planning commission. Said preliminary project plan shall be drawn to scale and shall contain the following information:
1. Location of all existing and proposed buildings and structures on the site, including an indication of the proposed uses;
  2. The location of all parking spaces as required by the planning commission, driveways, and points of vehicular ingress and egress;
  3. A conceptual signing plan showing the location and size of typical signs;
  4. A conceptual landscaping plan subject to the requirements in chapter 17.15 of this code showing planting materials to be used together with the location of fences, walls, hedges, and decorative materials;
  5. Proposed elevations of the buildings showing the general appearance and types of exterior materials to be used.
- B. Accessory structures less than five hundred (500) square feet in size shall be approved by the planning director as long as the structure does not encroach on any of the required parking or required landscape areas. Furthermore, building additions less than five hundred (500) square feet shall also be approved by the planning director so long as they meet the aforementioned criteria, and as long as the addition does not physically alter the character of the building. Accessory buildings and additions shall be architecturally compatible with the main structure, including exterior building materials and colors.
- C. Prior to the construction of any building or structure in the GC-1 zone, a final project plan shall be submitted and approved by the city council, after a recommendation from the planning commission. Said project plan shall be drawn to scale and shall contain all required information designated on the application checklist. The planning commission may require a traffic study be submitted prior to a final project plan recommendation.
- D. Any failure to submit a final project plan within one year of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void, and the planning commission may also take further action to rezone the property as per section 18.12.010 of this title.
- E. Any proposed change in the use of the property which will physically alter the character of the property, shall first obtain project plan approvals with all of the conditions related to the said approvals as described herein.