

**MAPLETON CITY
PLANNING COMMISSION MINUTES
October 23, 2008**

PRESIDING AND CONDUCTING: Chairman Oscar Mink

Commissioners in Attendance: Jared Bringhurst
Pam Elkington
Rick Maingot
Barbara Pratt
Skip Tandy
Leo Thomsen
Bill Bleggi (Alternate)

Commissioners not in Attendance: Steve Roden (Alternate)

Staff in Attendance: Matthew Brady, Planner I

Minutes Recorded by: April Houser, Executive Secretary

Call to order

Chairman Mink called the meeting to order at 6:30pm. Barbara Pratt led the Pledge and Skip Tandy gave the invocation.

Items below are not necessarily in the order they appear.

Item 1. Planning Commission Meeting Minutes – October 9, 2008.

Motion: Commissioner Pratt moved to approve the October 9, 2008 Planning Commission Meeting Minutes as corrected.

Second: Commissioner Thomsen

Vote: Unanimous

Item 2. Bruce Rees requests Final Plat approval of Breckenridge Lane Subdivision, Plat “A” (9 lots proposed), on property located generally at 1000 West 1600 South. The subject property is located in the RA-1 (Residential Agricultural) Zone.

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. The applicant is intending to install 1000 West and 1200 South streets as part of the development. They are proposing sidewalk on the Lot sides, and full width improvements to the curb on the other side of the street. The applicant is requesting reimbursement of the offsite improvements for the utilities being installed that future developers in the area will gain from. **Commissioner**

Pratt asked if the ditch on the property had been resolved. Matt stated that the City Engineer is comfortable with the project moving forward at this time. **Steve Hash**, representative of Bruce Rees, stated that this has been through both Planning Commission and City Council multiple times. The road has been moved to the east to accommodate neighbors on the east side in this area. The ditch and sewer problems have been solved with the Public Works Department. The ditch, which is not used for irrigation, will be piped under the road. The applicant has a signed easement in regards to the running of the sewer line through the Templeman's property. Mr. Hash stated that there will be openings and drop areas into the drainage ditch. Staff recommends approval of the proposed Final Plat. It was stated that gravel is the current code requirement for a temporary turn-around. **Chairman Mink** opened the Public Hearing. **Ron Jensen**, who lives east of the proposed subdivision, stated that the big drain is at nearly 0 at this time, with standing water. The drainage ditch on this property takes that water in, and is a big concern to Mr. Jensen. It is a high water area. No additional comments were given and the Public Hearing was closed. **Commissioner Tandy** asked if there was a note put on the plat that stated that this was located in a high water table area. Matt stated that there was – number 2 under the notes section states “No basements allowed due to high ground water”. Homeowners can install additional drainage means if desired to help mitigate potential flooding. Lot owners would need to bring in additional fill material if they need it to meet the slope requirements of building code. Commissioner Tandy stated that the city may want to consider requiring additional bonding in regards to bringing in fill. Matt felt that requiring the developer to bring in additional fill would be a reasonable condition to put on the subdivision. It is possible to record a document on each parcel in regards to fill, and the water table condition of the lots. The Transportation Master Plan does not show an alignment of 1000 West at this time. Steve Hash stated that the concern with the high water table has been addressed before, and wondered why it was not brought up in more concern before now. The only change between the Preliminary and Final Plat is the location of the road. Commissioner Pratt stated that the Planning Commission has only seen a previous version plan in which there was a 1200 West Street planned, not the current plan with 1000 West Street, which impacts the drainage ditch.

Motion: Commissioner Tandy moved to recommend a continuance of the Breckenridge Lane Subdivision, Plat “A” (9 lots proposed), on property located generally 1000 West 1600 South, with the condition that the applicant meet the requirements listed below:

1. Applicant to go back and visit with the City Engineer, and that staff convey the strong feelings of the Planning Commission regarding the need to relay to potential buyers the concern with the high water table.
2. City Engineer to make recommendations as to a base elevation of the homes, with consideration to the minimum main floor height.
3. City Engineer to look at drainage of the property to make sure the proposed storm drain will be enough to take care of it.

Second: Commissioner Pratt

Vote: 7:1:0 with Commissioner Bleggi, Bringhurst, Maingot, Elkington, Thomsen, Pratt and Tandy voting aye, and Commissioner Mink voting naye preferring to have a recommendation of approval with conditions given.

Item 3. **Steve Clement, agent for Van Rok, requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.22, Temporary Uses, in order to allow for**

a concrete batch plant to remain on a property until a proposed subdivision is completed.

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. There is currently a batch plant on the Mapleton Village property near the old Ensign Bickford property where Van Rok is currently mixing concrete. The applicant is supplying the concrete for the water tank that is being installed for Mapleton City. With the completion of the water tank coming in the near future, Van Rok would like to be able to continue using the area until future development of the property takes place. Staff is recommending this to be a Temporary Use at this time. Whether development takes place under Spanish Fork or Mapleton City boundaries, there will be a great deal of growth in this area in the future. With the restrictions proposed, this Temporary Use for a Batching Plant would most likely be allowed only in this area. **Commissioner Pratt** thought there should be a condition in regards to the renewal process. The Batch Plant would be required to get a Business License and pay sales tax to the City. This Temporary Use would be for a specified two (2) years in duration. **Commissioner Maingot** would like a document that states the specifics in regards to Temporary Uses in the future. This application has nothing to do with the installation of the Mapleton water tank.

Steve Clement, applicant, gave a presentation for those in attendance. There is a horseshoe berm around the current batching plant that is built to nearly 8' in height. Once the plant stops manufacturing the berm will be spread back over the area returning it to its natural state. There are misters at all drop points to help mitigate the dust. Twice a day, or as needed, the applicant uses a water truck to wet the road to help with dust as well. There is very little light put off by the plant. All of the waste from the plant is recycled into both road base and e-fill. The loudest piece of equipment on the job site is a generator. **Commissioner Maingot** asked if Jack Evans, agent with Presidio Capital, was concerned with the ¼ mile radius. Steve Clement did not feel Jack had a problem with it, but did not want to speak for him. Right now the batch is used as needed, mainly between the hours of 7am-5pm. The temperature does affect the hours of operation as well. **Commissioner Tandy** did not feel the decibels being shown were of any concern, even during the evening hours. The batching plant is currently allowed until the Mapleton Water Tank is completed. The applicant has permission to continue to use the property from Ensign Bickford. Product in the future may come from Van Rok's Provo or Santaquin pits. The applicant is hoping for about twelve (12) trucks to run four (4) loads per day. The batching plant has been working since the end of March 2008 without any known complaints. **Commissioner Elkington** asked why Mr. Clement would like to keep his batching plant here, of which he stated that he feels this is a good location, and it will help with keeping his guys busy. The batch plant is currently located in the PD-1 Zone.

Chairman Mink opened the Public Hearing. No comments were given and the Public Hearing was closed. **Commissioner Tandy** had a question regarding the ¼ to ½ mile radius requirement, and would like it to stay at a ¼ mile radius. There have been no specifics in regards to a cash bond amount. The applicant has a lease agreement, pending approval, for the continuance of a batching plant. Cory Branch, Planning Director, has worked with staff and the applicant in regards to the ordinance amendment being proposed.

Motion: Commissioner Maingot moved to recommend approval to City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter

18.22, Temporary Uses, in order to allow for a concrete batch plant to remain on a property until a proposed subdivision is completed, with the changes listed below to the Conditions of Approval provided in the Staff Report this evening:

1. Amend #4 to read that site-specific Temporary Use Permit and a site plan should be reviewed by the Planning Commission.
2. Amend #9 to read that a Lease Agreement shall be required between the property owner and business owner - end there.
3. Section 18.22.020(D8) to include "any other affected local governments".
4. Section 18.22.020(D10) to read "85 decibels as measured from ¼ mile away from the perimeter of the site."
5. Permanent buildings are prohibited.
6. Cash bond to be determined by the City Engineer only.
7. Applicant to obtain a Mapleton City Business License.

Second: Commissioner Thomsen

Vote: Unanimous

Item 4. *(Continued October 9, 2008)* **Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, regarding storage of trash, abandoned, wrecked, or junked vehicles, and blocking or impeding public streets, sidewalks, and park strips.**

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. The Planning Commission went over this amendment in length at the October 9, 2008 Planning Commission Meeting. Matt went over the specific items that were amended from the suggestions given that evening. **Chairman Mink** opened the Public Hearing. No comments were given and the Public Hearing was closed.

Motion: Commissioner Tandy moved to recommend approval to City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, regarding storage of trash, abandoned, wrecked, or junked vehicles, and blocking or impeding public streets, sidewalks, and park strips, with the conditions listed below:

1. 18.84.080 (7) & (9) to reflect 100 gallons.
2. 18.84.080 (3d) to be clarified.

Second: Commissioner Thomsen

Vote: Unanimous

Item 5. **Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, in order to allow for windmills for the purpose of wind energy.**

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance. Items 5, 6 & 7 this evening are all new Ordinance proposals. **Commissioner Pratt** felt a building permit should be required to ensure all codes are being met. **Commissioner Tandy** would like to see windmills allowed only between Mapleton City and the Power Company. **Chairman Mink** felt that we should not put obstacles in place that prohibit alternative energy throughout the city, nor

should we require a building permit. **Commissioner Elkington** felt there should be some more research done on this. Commissioner Pratt felt we could look at it in regards to single residence or commercial businesses. Chairman Mink opened the Public Hearing. **Royal Rose** stated that he is in favor of windmills. He felt they would be in limited places where there would be enough wind to make them workable. The height would need to be taller than the homes to be able to receive enough wind to make them workable. Utah does not require those with windmills to be paid for the excess power being generated at this time. It was recommended that Mr. Rose submit some suggestions and information to the City Engineer in regards to windmills. **Commissioner Maingot** felt that maybe the Green Committee could work with Mr. Rose in regards to the windmills, and putting some information together on them. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Pratt moved to continue an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, in order to allow for windmills for the purpose of wind energy in order to send it to the Green Committee and City Engineer for the gathering of additional information.

Second: Commissioner Elkington

Vote: Unanimous

Item 6. **Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, in order to allow for flag poles and flags in all zones.**

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance, and the ordinance being proposed. **Commissioner Tandy** felt that there should be some type of a permit required in regards to the structural review. **Chairman Mink** opened the Public Hearing. **Bob Lape** stated that the lights should not impede traffic or shine into the public Right-of-Way. No additional comments were given and the Public Hearing was closed. Commissioner Tandy feels any pole over 20' should require a structural review.

Motion: Commissioner Tandy moved to recommend approval to City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations, in order to allow for flag poles and flags in all zones, with the conditions listed below:

1. Under #3 "flag" be defined under section 18.08.149.
2. Add additional language that would reflect the concerns on lighting and illumination on adjacent properties or roadways.
3. Any flag pole over 20' in height be subject to a structural review at no cost.
4. Under #5 strikeout "valuation of poles".

Second: Commissioner Elkington

Vote: Unanimous

Item 7. **Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.08, Definitions, in order to redefine Section 18.08.005, Accessory Apartment, Section 18.08.010, Accessory Building, Section**

18.08.135, Dwelling Unit, Section 18.08.145, Family, and enact Section 18.08.149, Flag.

Matthew Brady (Matt), Planner I, went over the Staff Report for those in attendance, as well as the ordinance being proposed. The Commission felt uncle, aunt, nephew and niece should be included as part of the “family”. **Chairman Mink** opened the Public Hearing. **Bob Lape** asked if a stove in your basement is considered an Accessory Apartment. Matt stated we have a 2nd Kitchen Agreement for those types of situations.

Motion: Commissioner Pratt moved to recommend approval to City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter 18.08, Definitions, in order to redefine Section 18.08.005, Accessory Apartment, Section 18.08.010, Accessory Building, Section 18.08.135, Dwelling Unit, Section 18.08.145, Family, and enact Section 18.08.149, Flag, with the conditions listed below:

1. Remove 1(E) regarding student housing.
2. Remove 3(B).
3. Add in 3A the more distant relationships of “uncle, aunt, nephew and niece”.
4. 18.08.149 to be a fabric banner or bunting containing distinctive colors, patterns or symbols – end there.

Second: Commissioner Tandy

Vote: Unanimous

Item 8. Adjourn

Motion: Commissioner Elkington moved to adjourn the meeting at 9:46pm.

Second: Commissioner Bleggi

Vote: Unanimous

April Houser, Executive Secretary

Dated:

Oscar Mink, Planning Commission Chairman

Dated:

Matthew Brady, Planner I

Dated: