

# Planning Commission Staff Report

July 9, 2015

## Item 3

**Applicant:** Central Bank

**Location:** Approx. 3050 S  
800 West

**Prepared by:** Sean Conroy,  
Community Development  
Director

**Public Hearing:** Yes

**Zone:** N/A

**Attachments:**

1. Application  
Materials.
2. DRC Comments.
3. Annexation Policy  
Map.
4. General Plan Map.
5. Previous Proposal.
6. Previous Minutes.

### REQUEST

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.

### BACKGROUND AND PROJECT DESCRIPTION

On August 24, 2007 an annexation petition was submitted for two parcels totaling 41.47 acres located at approximately 3050 South and 800 West. The applicants were also requesting approval of a development agreement and a concept plan for a development project that included 78 lots and included the dedication of a one acre lot to the City. On January 23, 2008 the City Council conditionally approved the development agreement. However, the applicants ultimately withdrew their request and did not finalize the annexation petition or the development agreement.

On May 14, 2013 an applicant approached the City Council about reinstating the annexation petition. The applicant presented a concept plan similar to the concept plan reviewed by the Council in 2008. The Council was generally supportive of the application moving forward.

On August 20, 2013 the City received a new annexation petition for the 41.47 acres. The northern parcel is owned by the Meyer Family Limited Partnership and is approximately 21.3 acres in size. The southern parcel is owned by Central Bank and is approximately 20.2 acres in size. Both property owners have signed the petition.

On December 11, 2014 the Planning Commission reviewed a proposal that included a zoning designation of Residential-Minor Agricultural (RA-2), a Development Agreement and a Concept Plan. The development agreement and concept plan included the following (see attachment "5"):

- A base density of 63 lots with the ability to increase to a maximum of 70 lots with the use of 7 TDRs.
- The northern parcel would include a maximum of 28 lots. The northern parcel would include one acre lots along the north and east borders with a mix of 1/3 to 1/2 acre lots on the interior.
- The southern parcel would include a maximum of 42 lots, primarily 1/3 acre in size.
- Two access points off of 800 West were proposed as well as two stub streets to the adjacent properties to the west.

Several members of the public appeared before the Commission. Concerns expressed by the public and the Planning Commission included:

- Desire to have one acre lots as a buffer between neighboring properties on the east as well as the north.
- Concerns regarding the proposed connection to 2800 South near the northwest corner of the site.
- Concerns regarding the location of a stub street near the southwest corner of the site.
- A desire to have an access road off of 800 West that aligned with the existing 3050 South.
- Concerns about traffic on 800 West.

The Planning Commission continued the application with a request for changes (see attachment “6”). The Central Bank Parcel is now under contract with Mapleton Heights, LLC, the same entity that owns the property south of the project site that is also on this agenda for annexation. Since neither the Meyers family nor Mapleton Heights, LLC have plans to develop the property immediately, they are now requesting the following:

- Annex the property into Mapleton City.
- Zone the northern and eastern portions of the property RA-1 to ensure a one-acre lot buffer.
- Zone the remaining property RA-2.
- No development agreement or concept plan approval is proposed.

## EVALUATION

**Annexation Process:** State law requires the following steps for annexation approval:

- 1) Submittal of an annexation petition with signatures from the owners of a majority of private real property (**completed**).
- 2) City Council accepts or rejects the petition (**completed**).
- 3) If accepted, within 30 days City reviews petition to determine if it meets the state code requirements. If rejected, the City informs the applicant within five days (**completed**).
- 4) If the City determines that an accepted petition meets applicable standards, the petition is certified by the City Recorder. If it is determined that the petition does not meet applicable standards the petition is rejected (**completed**).
- 5) If the petition is certified, a public notification process takes place (**completed**).
- 6) A protest period occurs (**completed**).
- 7) Planning Commission holds a public hearing (**purpose of this meeting**).
- 8) City Council holds a public hearing or hearings (**Council will hold public hearing after Planning Commission has made recommendations**).
- 9) City Council takes final action to grant the petition and by ordinance annex the area, or to deny the petition (**pending City Council public hearing**).
- 10) Within 30 days of adopting an ordinance annexing an area, the City provides the necessary documents to the lieutenant governor’s office (**pending Council final action**).
- 11) Upon approval from the lieutenant governor’s office, City files appropriate documents with Utah County Recorder and the Department of Health and sends out notices to each affected entity (**pending Council final action**).

Mapleton City Code Chapter 20.04.030 outlines the following annexation process in addition to the state standards:

- 1) Development Review Committee evaluates nine specific topics related to an annexation application (**see attachment “2”**).
- 2) Planning Commission Review: The Planning Commission shall consider the DRC comments, together with testimony from the petitioner and other interested parties, and make a recommendation on the annexation and zoning districts to the city council (**this step is the purpose of this agenda item**).
- 3) City Council Review: A public hearing shall be scheduled before the city council to act upon the petition (**pending Planning Commission Review**).
- 4) City Council takes final action (**pending City Council public hearing**).

**Annexation Policy:** State law requires the City to adopt an annexation plan that includes a map of potential annexation properties and a statement of the criteria that will be used to guide annexation decisions. In accordance with state law, the City adopted an Annexation Policy in 2002. The policy identifies two primary annexation areas, Mapleton West (Big Hollow) and Mapleton South (see attachment “3”). The proposed annexation area is located in the Mapleton South area and is identified as a potential annexation candidate.

**General Plan & Zoning:** The Land Use Element of the General Plan is designed as a guide to promote sound land use decisions. The Land Use Element includes a Land Use Designation Map that outlines the development potential of property throughout the City and within the annexation boundaries. The proposed annexation area has a General Plan designation of Low-Density Residential, which equates to one unit per acre (see attachment “4”).

The applicant is proposing to keep the Low Density designation and RA-1 zoning (1 unit per acre) for approximately 13 acres and apply the Medium Density Residential and RA-2 zoning (3 units per acre) to the remaining 28 acres (see attachment “1”). Each owner would then approach the City with a subdivision plan at the time he/she was ready to move forward with a development.

Staff is supportive of allowing the annexation to move forward without a development agreement and concept plan for the following reasons:

- It appears neither property owner is ready to move forward with developing the property in the near term.
- It allows more flexibility to address various development proposals. For example, if a concept plan were approved that included 40 lots on the northern 20 acres and someone wanted to create only 2 large 10 acre lots instead, they would have to go through a process to amend the development agreement and concept plan.
- Many of the issues related to street location, traffic, utility services, etc. do not need to be resolved until a formal development application has been filed.

**Density:** The original development proposal from 2008 was for 78 lots with the use of TDRs. The proposal reviewed by the Commission in December of 2014 was for 63 units with the ability to

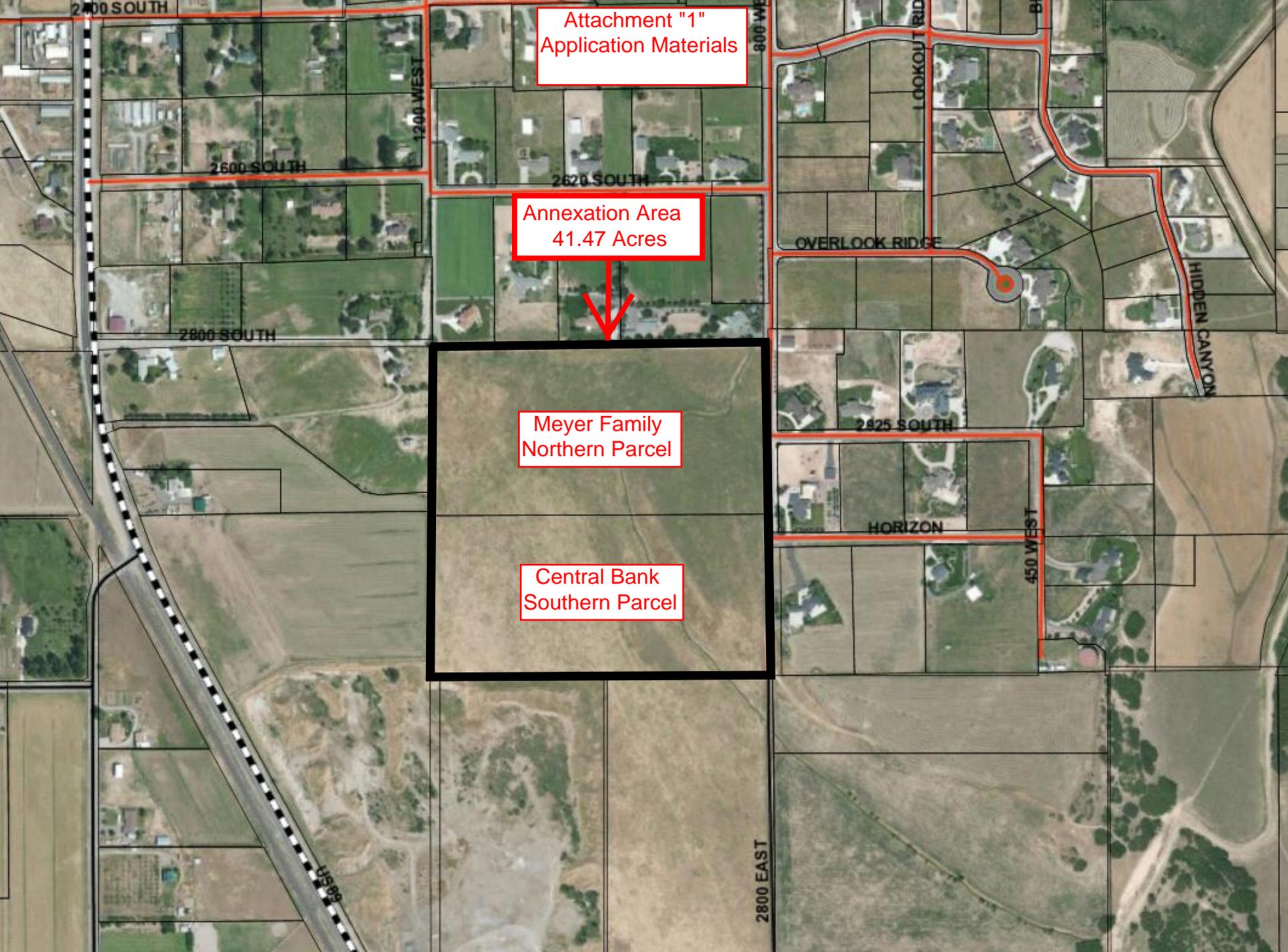
increase to 70 units with the use of TDRs. Since the current proposal does not include a concept plan, an applicant would only be limited by what is allowed in each zone. Depending on lot layout and on how much of the property was dedicated to the City, the current zoning proposal could yield anywhere from 60 to 77 units. This is within the density limits that previous proposals have included.

The Planning Commission should discuss the following options:

- 1) Recommend approval of the annexation to the City Council as currently proposed.
- 2) Recommend approval of the annexation to the City Council with a condition that the entire 40 acres remain in the Low Density Residential designation (RA-1 zoning).
- 3) Recommend approval of the annexation to the City Council with a condition that a larger portion of the property remain in Low Density Residential and a smaller portion in Medium Density Residential (RA-2) zoning.
- 4) Recommend that the City Council require a concept plan and development agreement.
- 5) Continue the application with a request for changes or additional information.
- 6) Recommend that the City Council deny the application.

### **STAFF RECOMMENDATION**

Staff recommends options 1, 2, or 3.



Attachment "1"  
Application Materials

Annexation Area  
41.47 Acres



Meyer Family  
Northern Parcel

Central Bank  
Southern Parcel

2400 SOUTH

2600 SOUTH

2800 SOUTH

1200 WEST

2620 SOUTH

OVERLOOK RIDGE

2925 SOUTH

HORIZON

450 WEST

2800 EAST

US 99

LOOKOUT RIDGE

HIDDEN CANYON

## Sean Conroy

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**From:** Dan Ford ·  
**Sent:** Monday, June 22, 2015 11:39 AM  
**To:** Sean Conroy  
**Subject:** Fwd: Fwd: map  
**Attachments:** central bank.pdf

Dear Mr. Conroy,

We are currently working with Central Bank to complete the annexation of the Central Bank and Meyers properties. Would you please consider this as formal notice to finalize the annexation process and put it on the agenda with the following terms.

1. Please bring in under the zoning shown on the attached map.
2. Please designate the area to be a TDR receiving site.
3. The annexation area will be for 63 home sites which can be increased with 15 TDRs to 78 home sites.

Please let me know if you need any additional information or have any questions.

Thank you,  
Dan Ford



**Dan | Ford**  
**KW Commercial**  
Mobile (801) 420-0137  
Fax (801) 850-5701  
[danfordre@gmail.com](mailto:danfordre@gmail.com)  
<http://dford.yourkwagent.com/>

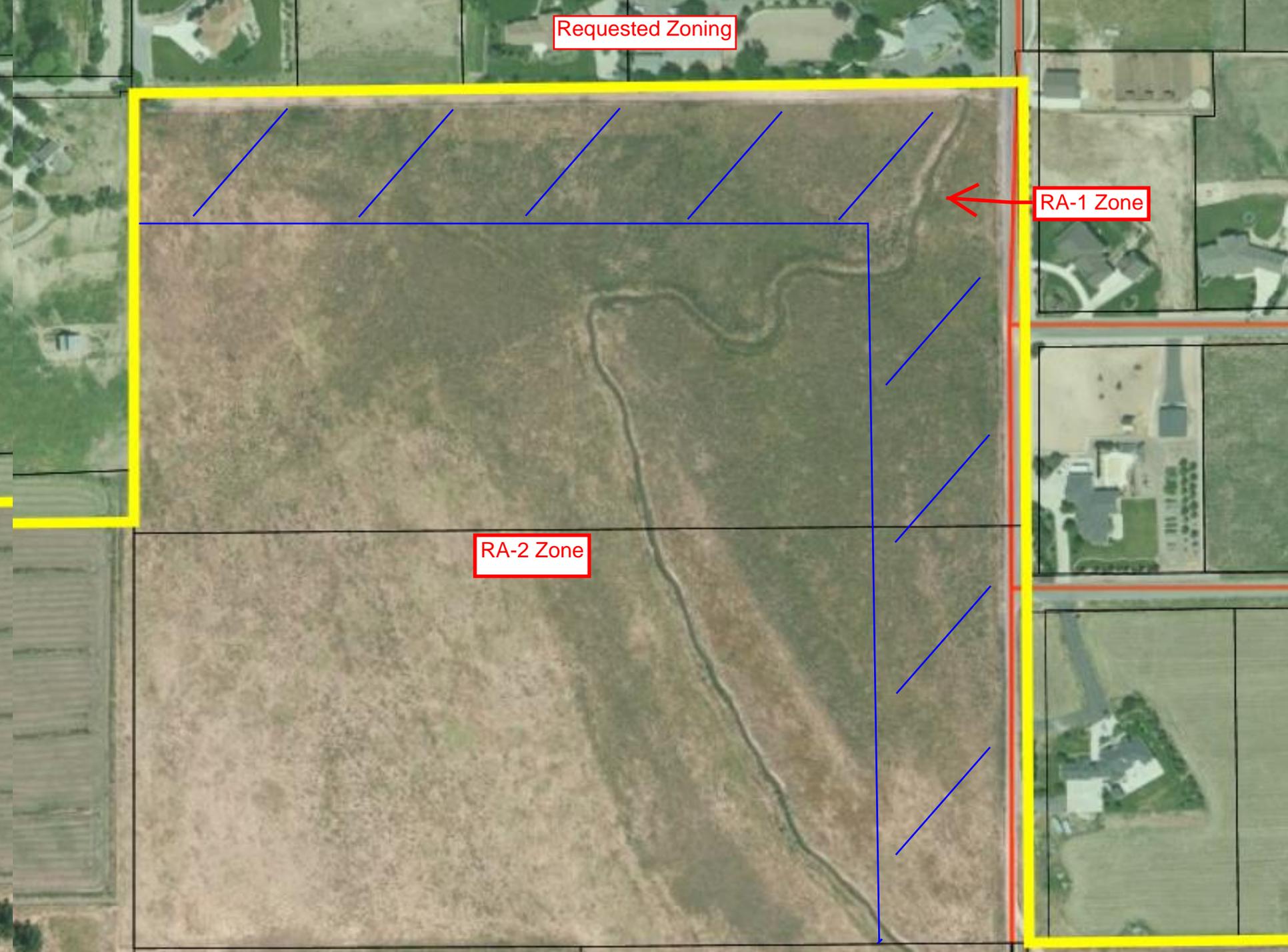
Keller Williams Westfield | 841 North 900 West | Orem, UT 84057

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Requested Zoning

RA-1 Zone

RA-2 Zone



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## MAPLETON CITY DEVELOPMENT REVIEW COMMITTEE MINUTES

June 30, 2015

125 West Community Center Way (400 North), Mapleton, Utah 84664

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Central Bank has submitted an annexation petition to annex approximately 41 acres of property located at approximately 3050 South and 800 West. The property is currently located in unincorporated Utah County. The applicant is also requesting a combination of RA-1 and RA-2 zoning.

According to Mapleton City Code (MCC) Chapter 20.04.030 the Development Review Committee is required to review nine topics associated with the project. These items are listed below followed by a brief response to each item.

*1. Whether the proposed property is within the growth management boundary of the general plan;*

Response: State law requires the City to adopt an annexation plan that includes a map of potential annexation properties and a statement of the criteria that will be used to guide annexation decisions. In accordance with state law, the City adopted an Annexation Policy in 2002. The policy identifies two primary annexation areas, Mapleton West (Big Hollow) and Mapleton South. The proposed annexation area is located in the Mapleton South area and is identified as a potential annexation candidate.

*2. Present and proposed land use and zoning;*

Response: None of the land in the proposed annexation boundary has been developed with structures. The use of land has been primarily agricultural in nature. The primary proposed land use would be single-family residential with undeveloped properties continuing to be used for agricultural purposes until developed. The General Plan land use designation for this property is Low Density Residential.

*3. Present and potential demand for various municipal services;*

Response: The proposed annexation area will create a demand for City services including the provision of culinary and secondary water, sanitary sewer, police and fire protection and general parks and recreational services. Annexation fees and/or impact fees will be required in order for the proposed development to pay its fair share for the provision of public services. Per the subdivision code and the proposed development agreement, the developer will be responsible for installing all required on and off-site utilities to service the project site.

*4. Distances from existing utility lines, public schools, parks, and shopping areas;*

Response: The closest water line is located in 800 West, however, there may be some challenges with obtaining sufficient water pressure without some offsite improvements. The closest usable sewer line is located at approximately 2600 South. There is no pressurized irrigation currently

available in the area. As mentioned in item #3, the applicant will be required to install all necessary on and off-site utilities to service the project site.

The development will be part of the Nebo School District, which includes four elementary schools, one junior high school and one high school in the area. Mapleton City has several parks that can be used and enjoyed by the residents of the proposed development. In addition, the proposed development agreement includes requirements for some recreational amenities in the project area including a bike/pedestrian trail system and a trail head park. Mapleton has limited shopping opportunities but several neighborhood, community and regional shopping areas are located in the vicinity.

*5. Specific time tables for extension of services to the area and how these services would be financed;*

Response: There is a possibility that water and sewer extensions will be installed by an adjacent developer to the south in the near future. However, if the adjacent developer does not extend the utilities prior to development of the subject property, the developer of the subject property would be responsible for installing all necessary utilities.

*6. Potential impact on existing and proposed streets;*

Response: 800 West is likely to experience the largest increase in traffic as a result of development of the subject property. However, as adjacent development occurs, development on the subject property will gain access to Highway 89, which will reduce trips on 800 West. Traffic impacts will be reviewed in more detail upon submittal of a subdivision application after annexation occurs.

*7. The effect that the annexation will have upon city boundaries and whether the annexation will create potential for islands, or difficult service areas;*

Response: The subject parcel is currently surrounded on three sides by Mapleton City. The annexation of the subject property will eliminate this unincorporated peninsula, and with the annexation to the south will eliminate all unincorporated property east of Highway 89.

*8. An estimate of potential revenue versus potential service costs.*

Response: The primary revenue sources that will come to the City as a result of the proposed development include property taxes and annexation/impact fees. Annexation/impact fees are imposed when property is developed to pay for all or a portion of the costs of providing public services to and for the new development. These fees are implemented to help reduce the economic burden on the City that result from population growth.

Providing additional rooftops in the City has a secondary benefit of increasing the potential for commercial opportunities, and therefore the potential for increased sales tax revenues in the City.

*9. Any agreements or requirements upon which the annexation is conditioned.*

Response: No development agreement or concept plan is currently being proposed. The Planning Commission and City Council may attached conditions to the approval provided the conditions are roughly proportionate to the impacts created by the annexation and future development of the property.



Attachment "4"  
General Plan Map

Rural Residential  
1 unit per 2 acres

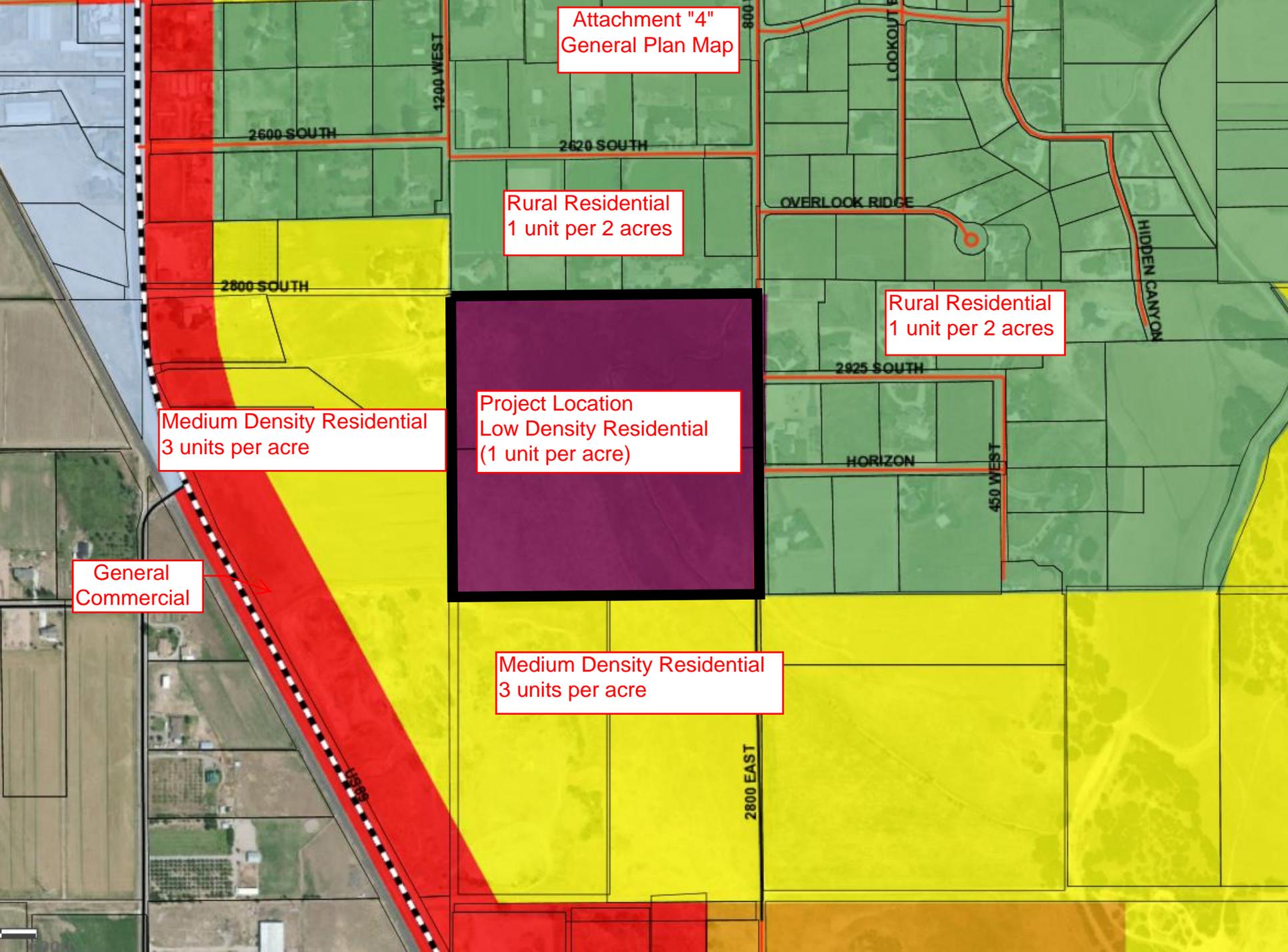
Rural Residential  
1 unit per 2 acres

Project Location  
Low Density Residential  
(1 unit per acre)

Medium Density Residential  
3 units per acre

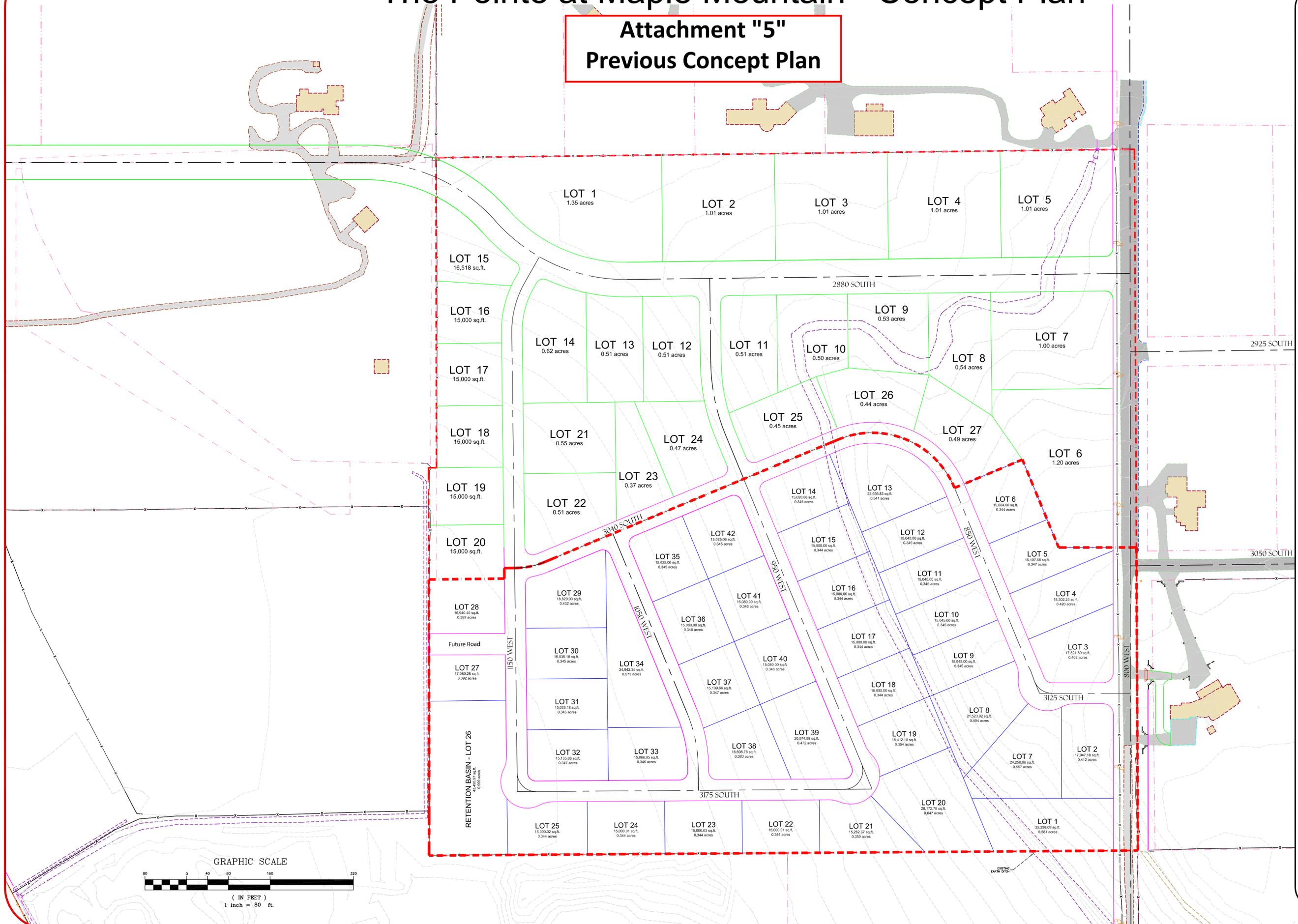
General  
Commercial

Medium Density Residential  
3 units per acre



# The Pointe at Maple Mountain - Concept Plan

**Attachment "5"**  
**Previous Concept Plan**



**A.L.M. & ASSOCIATES, INC.**  
ENGINEERING • SURVEYING • DEVELOPMENT • PLANNING  
2230 NORTH UNIVERSITY PARKWAY, BUILDING 6D, PROVO, UTAH 84604 PH: (801) 374-6262

THE POINTE AT MAPLE MOUNTAIN  
MAPLETON, UTAH  
CONCEPT PLAN

NO.	REVISION	DATE
1	Prel. Sub.	04/15/08

1  
OF 1 SHEETS  
PROJ # 720-1423

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 AUTHOR AND/OR THE  
 A.L.M. & ASSOCIATES, INC.  
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SEAL

**MAPLETON CITY**  
**PLANNING COMMISSION MINUTES**  
December 11, 2014

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**PRESIDING AND CONDUCTING:** Chairman Rich Lewis

**Commissioners in Attendance:** Golden Murray  
Thomas Quist  
Justin Schellenberg

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

**Minutes Taken by:** April Houser, Executive Secretary

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

*Items are not necessarily heard in the order listed below.*

**Item 5.** Consideration of recommendations to the City Council regarding a request to annex approximately 41.47 acres of property in unincorporated Utah County located at approximately 3050 South 800 West into Mapleton City. The request includes a General Plan designation of Medium Density Residential, a Zoning designation of Residential-Minor Agricultural (RA-2), a Development Agreement and a Concept Plan to include a maximum of 70 residential lots.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The project consists of two parcels. The northern parcel is owned by the Meyer Family and the southern parcel by Central Bank. With regards to Annexation Petitions the Planning Commission is a recommending body to the City Council on this item. The Mapleton Heights, Mapleton Village and EBCo properties will be located to the south of this property. A Development Agreement has been put in place for the EBCo property. Sean did a density comparison for those in attendance. The concept plan does have larger lots buffering the current properties to the north and east. The options for tonight can be recommendation of approval with changes, denial or continuance if there are items they Commission would like to receive more information on. Several letters have been received by the Commission in regards to this item. The lots sizes in Horizon Heights are at least 2 acres or larger in size, which is the development to the northeast. As part of the Development Agreement the City could require the use of Transferable Development Rights (TDR).

Stan Jenkins, with Central Bank, has had this property in their portfolio for a while. They are trying to finish the annexation so they can get this property marketed. The property is currently under contract. Raymond Dawson, with Edge Homes, recognizes that the property around them is more prestigious, and they want to help transition from those larger lots. They want to be good neighbors, and protect the desire of current property owners in the area.

**Chairman Lewis** opened the Public Hearing. **Julian Kau** lives to the northwest of this property. All of the lots along the proposed project are larger than 2 acres in size. They farm, and sometimes they smell and make noise due to farming, during the evening hours. He and his wife feel that a 2 acre transition would be more appropriate for the northern area. 2800 South is currently a private road, and would need to be improved. Irrigation is also a concern in regards to how water will flow in this area. He wants to make sure this flow will not be interrupted with this development. **Gayelynn Jensen** has 5.25 acres to the northeast of here. She has a concern with going from their 2+ acre lots to 1/3 acre lots, and has a concern with the traffic as well. Mrs. Jensen feels there should be a bigger buffer zone around Horizon Heights, and the traffic on 800 West needs to be addressed. They want to preserve their right to keep farming. **Carl Kuhni** is here representing Jeff Palmer this evening. Mr. Palmer is in opposition of this plan. He moved to this area to be in a larger estate lot area. The proposed subdivision would exit right into his driveway, shining their headlights on to the front of his home. His home sits on 3 acres, and he does not feel he should have to be punished by the access road to this development lining up with his home. Mr. Kuhni felt the street could line up with 3050 South and have a cul-de-sac in the area that would currently exit by Mr. Palmer. Carl does not feel that the 1/3 acre lots protect the property owners to the east. He wanted his objection to be on record. **John DeHas** lives next to the gravel road. The way it is being used now is like a race track. There needs to be a better way to use this small road to access this proposed development. Something would have to be done in this area. **Wynn Everett** lives down the street to the north of this development. He is not opposed to annexing more property into Mapleton, but feels they need to go about it in steps with conditions. To do all these projects would add almost 2,000 homes to Mapleton. He cannot imagine the impact this will have on Mapleton. Wynn understands Jeff Palmer's concern with the headlights potentially shining in his window, as they have this same problem with the Triple Crown Development. Sean stated that the street widths have not been determined at this time. The traffic on 800 West is already an issue, so it will need to be addressed before any developments go in. Mr. Everett also had a concern with the maintenance of the irrigation ditch in this area. He stated again that he is not opposed to this annexation, but wants to make sure all issues are addressed prior to the development being approved. **Dennis Gore** stated that ground costs so much money these days, and that property needs to be smaller in order for it to be affordable. He does not like smaller lots but feels it needs to be done in order to have places for people to live. Mr. Gore agrees with the cul-de-sac option mentioned by Mr. Kuhni. The properties off of 1600 West/Highway 89 needs to be taken in to consideration when determining where the street will be located. **Brett Hansen** moved in a year ago and is on 2.26 acres. He came to this meeting to better understand what is going on, and does have a concern as well with the irrigation water. He would like larger lots buffering the neighboring properties. The City ordinance currently allows for animal rights on anything over 1/2 acre in size. **David Porter** purchased the land to the southwest of this property. He has a concern with the traffic down to the Highway from this property. There is not much of a buffer around them. **Raymond Dawson** stood again and stated that they would typically put verbiage on the plat stating that these lots are in an agricultural area. Realistically this project would be years from full build out. Best case they would estimate building approximately 1 home per month. Mr. Dawson recognizes the concern with buffering of lot sizes by the existing homes in the area. This development is less aggressive than what was previously proposed. They would be happy to meet with Jeff Palmer and address his concerns. **Chairman Lewis** disclosed that he is the contractor for Jeff Palmer. The Meyer family does not plan to do any construction at this time. Sean stated that this is a Concept Plan only. The applicant would have to meet the requirements allowing irrigation service to those who currently have it. **Commissioner Schellenberg** would like to see the current stub street better laid out for access to Highway 89. **David Meyer** felt the applicants laid the information out well. No additional comments were given and the Public Hearing was closed.

Sean stated that this approval would set a potential lot number and general layout of the proposed development. **Chairman Lewis** has a concern with the buffering on the east side of the project. **Commissioner Murray** asked if the traffic on 800 West would be addressed, and Sean stated that it

would be at time of Plat approval. Commissioner Schellenberg felt that the stub street would be a better connection to Highway 89 than the proposed one to the northwest of the development. The buffering was a concern from the Commission feeling it should be part of the development in order to protect current properties in the area.

**Motion:** Commissioner Schellenberg to continue this item with the below items being addressed:  
1. There is lot size buffering on the east side of this development.  
2. Alignment of the intersection that enters/exits across from Jeff Palmer's home be relocated if possible.  
3. Address the road exiting to the west connecting with Highway 89.

**Second:** Commissioner Murray  
**Vote:** Unanimous

**Item 6. 2015 Planning Commission Meeting Schedule.**

**Motion:** Commissioner Murray moved to approve the proposed 2015 Planning Commission Meeting Schedule.

**Second:** Commissioner Quist  
**Vote:** Unanimous

**Item 7. Adjourn.**

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April Houser, Executive Secretary

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Date