

**MAPLETON CITY
PLANNING COMMISSION MINUTES
December 11, 2008**

PRESIDING AND CONDUCTING: Chairman Oscar Mink

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

Commissioners not in Attendance: Jared Bringhurst

Staff in Attendance: Cory Branch, Planning Director
Matthew Brady, Planner I

Minutes Recorded by: April Houser, Executive Secretary

Call to order

Chairman Mink called the meeting to order at 6:30pm. Bill Bleggi 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 – November 13, 2008.

Motion: Commissioner Thomsen moved to approve the November 13, 2008 Planning Commission Meeting Minutes.

Second: Commissioner Pratt

Vote: 6:0:1 with Commissioners Roden, Bleggi, Maingot, Thomsen, Pratt and Mink voting aye, and Commissioner Tandy abstaining due to his absence at the November 13, 2008 Planning Commission Meeting.

Item 2. (Continued 11-13-08) Shalese Scott, agent for Scotties Dog Grooming, requests approval of a dog grooming home occupation permit, located generally at 1363 North 1200 West. The subject property is located in the RA-2 (Residential-Minor Agricultural) Zone.

Matthew (Matt) Brady, Planner I, went over the Staff Report for those in attendance. The City Building Inspector has inspected the home and given recommendations to some changes that he

would like made, which are listed in the Staff Report this evening. The City Fire Chief feels the side entrance on the home is more appropriate for access to the Home Occupation, and would like a “No Exit” sign posted on the back door, as well as a stairway with handrail installed. **Commissioner Tandy** felt the applicant should include the stairway on their building permit, along with their plumbing and electrical, so as to remove any confusion on what needs to be done to be in compliance with the Home Occupation. **Commissioner Pratt** asked what the hours of operation were going to be. **Shalese Scott**, applicant, stood to answer questions for the Planning Commissioners. They would like to operate Monday thru Saturday from 9am-7pm. There are four (4), including Shalese, that would like to take part in this Home Occupation. Shalese and one sister live in the home, another sister in Saratoga Springs, and the last sister who lives in Orem at the current time while she attends school. Some of the Commissioners felt that only one member living outside the home should be able to take part in the Home Occupation. The applicants would like to do both small and large dogs. **Chairman Mink** opened the Public Hearing. **Richard Scott**, homeowner and father, has four daughters involved with this Home Occupation Permit request. He stated that the neighbors have not been contacted about the shrubbery that needs to be cut back. Shalese stated that with the colder weather the shrubbery is quite bare, and feels the 50% view would be met. The daughters are currently running a dog grooming business in Lehi at this time and would like to move it down this way. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Pratt moved to approve Shalese Scott’s Home Occupation Permit for Scotties Dog Grooming, located generally at 1363 North 1200 West, with the conditions listed below:

1. Building Official Items below:
 - a. Plumbing and electrical work must be completed in the dog grooming room, and a stairway must be completed outside the dog grooming room for safety purposes. These elements must pass a special inspection.
 - b. Stairways must be installed at both entrance/exits of the Home Occupation area.
 - c. The vegetation growing along the north side fence line must be trimmed back so as to be at least 50% open for clear vision to drivers backing out of the driveway.
 - d. Final inspection done by the Building Official.
2. Applicant must pass a Final inspection by the Fire Department Inspector.
3. Community Development Items below:
 - a. The homeowner’s must sign a notarized form stating that they are allowing the Home Occupation, per Mapleton City Code 18.84.380(D)(16). Mapleton City will provide the form.
 - b. Once all other conditions are met, the applicant must pay for a business license.

Second: Commissioner Thomsen

Vote: Unanimous

Item 3. Alan Stubbs requests nonconforming status for an illegal lot located generally at 676 North 1600 East (Utah County Parcel # 26:068:0061). The subject parcel is located in the A-2 (Agricultural-Residential) Zone.

Matthew (Matt) Brady, Planner I, went over the Staff Report for those in attendance. There were some legality issues with this lot when the Edmund's rezoned their property to the southeast of this parcel. The Radley family got a variance to build the home. The City Attorney recommended that the Stubbs' parcel not be part of the Sommer Estates Subdivision, since neither new property owner's were part of the illegal lot split. The staff recommends approval of this request, so the applicant can get future building permits. The applicant appears to have well over the required setbacks for the zone. With the Sommer Estates Subdivision not having installed any improvements at this time, staff would not recommend requiring the Stubbs' to install these improvements either. The City at some point could also do a Special Improvement District for areas like this in the future. **Alan Stubbs** stated that he concurs with the recommendation of staff. He is in no position to make improvements on the property at this time. Commissioner Thomsen gave a brief history of the property. The only issue the applicant was aware of when they purchased the property, was the approval of a variance on the frontage of the home. Mr. Stubbs' spoke with Mrs. Radley at great length about purchasing an additional 1 ½ acres of land, which Mrs. Radley was not willing to do at the time. The City now does Zone Verification Letters, for \$25, which will tell a property owner exactly what can be done with an in particular parcel.

Commissioner Elkington was seated as a voting member.

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

Motion: Commissioner Pratt moved to approve Alan Stubbs' request for nonconforming status for an illegal lot located generally at 676 North 1600 East (Utah County Parcel # 26:068:0061), with the conditions listed below:

1. The property owner not be required to enter into any signed agreement with the property owner of which this parcel was originally split from.
2. The property owner not be required to install any improvements at this time.

Second: Commissioner Thomsen

Vote: Unanimous

Item 4. Steve Clement, agent for Van Rok, requests project plan approval in order to allow for a concrete batch plant as a temporary use on approximately three (3) acres, generally located at 4000 South Main Street, in the PD-1 (Planned Development-1 Mapleton Village District) zone.

Cory Branch, Planning Director, went over the Staff Report for those in attendance. The Planning Commission and City Council approved the text for this applicant as outlined. Currently the applicant is involved with the city's water tank being installed on the hillside. Staff recommends approval of this request. Currently the Temporary Use Permit has not been issued. The applicant has been in operation for well over a year now without any complaints or

neighbor opposition. Spanish Fork City has also been contacted, and is willing to allow the applicant to continue accessing through their city limits as they are currently doing. **Steve Clement**, applicant, stated that he had a last minute request to enter into the job site straight through the Ensign Bickford property. The reason for the request is that it would help mitigate some vandalism they have been experiencing. Ensign Bickford is willing to give a written letter stating their approval in allowing Mr. Clements to do this. Access would still come through Spanish Fork City limits. This would involve relocation of the berms, still keeping all work on the 3 acre parcel as originally requested. The applicant would also like a small wash pit, conforming to air quality regulations. This piece of equipment is no louder than any of the other machines located on the property, so as not to exceed the decibel limit given as part of the Temporary Use Permit. The wash pit water will be recycled through the pond, remaining on the site. **Commissioner Tandy** thanked Mr. Clements for his honest open way that he has handled his request. **Commissioner Maingot** asked what would happen if the applicant violated the Temporary Use Permit. Cory stated that staff would see if all the conditions of approval are being met. If they were not the permit would be revoked, until the applicant came into compliance. Mr. Clement's stated that if the concrete were to build up, a breaker would be used to break it up and load it into a truck after which it would be hauled off – not crushed on site. **Chairman Mink** opened the Public Hearing. No comments were given and the Public Hearing was closed.

Motion: Commissioner Thomsen moved to approve Steve Clement's, agent for Van Rok, Project Plan in order to allow for a concrete batch plant as a temporary use on approximately three (3) acres, generally located at 4000 South Main Street, in the PD-1 (Planned Development-1 Mapleton Village District) Zone, with the conditions listed below:

1. The applicant must submit an updated site plan regarding the change in entrance to staff for approval prior to the Temporary Use Permit being issued.
2. Wash plant conform to current Air Quality Standards.
3. The settling pond to remain on-site with the water being recycled.
4. No crushing on-site other than breaking up the material from the settling pond and carrying it off site.
5. The applicant shall meet all conditions as outlined in Section 18.22.020, Uses Allowed, paragraph (D).

Second: Commissioner Maingot

Vote: Unanimous

Item 5. Rex Doman requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs, in order to allow for an increase in sign area within commercial zones.

Cory Branch, Planning Director, went over the Staff Report for those in attendance. Mr. Doman currently has a Temporary Use Permit for a Greenhouse/Nursery on the corner of 1600 South and Highway 89. The Planning Commission is advisory with this proposal. The applicant is proposing one (1) freestanding sign and one (1) monument sign for each five hundred (500) foot increment of frontage along a public street within all commercial zones. **Commissioner**

Tandy feels that what the applicant is requesting is what is typically done in most cities in the state. The Commission needs to decide what they would like to see regarding signage in Mapleton. The setbacks regarding sign location along with Highway is another issue the Commission needs to discuss, as to if a separate standard should be allowed. Whatever changes are made to the ordinance would be city wide in commercial zones. **Commissioner Maingot** would like to see a table with the proposed and current ordinance, as staff has provided in the past when proposed ordinances were being amended. The Commission would like to see in person, the sizes of signs, in order to better understand the dimensions they feel are best for Mapleton. **Rex Doman**, applicant, would like to get this proposal going, so they can have the ball rolling and ready by spring time. Mr. Doman feels that in order to get commercial projects in Mapleton, there are going to have to be better regulations on signs that are more helpful in advertising for local businesses. Cory would prefer signs to be under Permitted Uses with some specific guidelines, versus Conditional Use Signs. The applicant is willing to work with the Commission to come to a common ground in regards to what should be allowed. The applicant will also be coming in around February 2009 to get a permanent business license, since at the current time he's working under a Temporary Use Permit. The Commission felt there should be a work session to further discuss in detail, this ordinance and its proposals. Cory mentioned having some local sign companies attend the work session as well with examples and sizes of sign around this area. The Commission also recommended having Mr. Doman take pictures of signs around similar to those he's hoping to install on his property. Cory stated that Councilman Ben Christensen is working on this ordinance currently, in regards to a table showing current and proposed amendments. **Chairman Mink** opened the Public Hearing. No comments were given and the Public Hearing was closed.

Motion: Commissioner Tandy moved to continue Rex Doman's request to amend Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs, in order to allow for an increase in sign area within commercial zones until the February 2009 Planning Commission Meeting. This allowing the Commission to further review signage that they feel would be most appropriate for Mapleton, with a discussion to be held in regards to this at the Planning Commission Meeting held on January 22, 2009.

Second: Commissioner Roden

Vote: Unanimous

Item 6. **James Jeffers requests to amend Title 17, Development Code, Part II, Subdivisions, in order to enact Chapter 17.03, Condominiums, which would allow for condominium projects within the City.**

Staff and the Applicant have asked for a continuance of this item.

Motion: Commissioner Tandy moved to continue this item until the January 8, 2009 Planning Commission Meeting.

Second: Commissioner Pratt

Vote: Unanimous

Item 7. Cory Andersen requests a work session in order to discuss Whisper Rock Subdivision (58 units proposed), on property located generally at 1100 West Maple Street. The subject property is located in the PRC-5 (Planned Residential Community – 5) Zone.

This is a Work Session item, with no motion needed. Zoning to the north is A2 and Shopping Center Commercial and General Commercial to the west. The Planning Commission approved the original subdivision on February 22, 2007, with 25 lots with a park/basin on the corner of Maple and 1100 West. The applicant is proposing to rezone out of the PRC-5 Zone to the R-3 Zone. **Cory Andersen** stated that he is proposing smaller lots, with approximately 1400 square feet single family living, with unfinished basement, unless otherwise requested. They are hoping to draw in more of the Senior Living home buyers. All needs would be on the main level of the home. They do not want to do attached units, only single family living. The applicant is proposing to do a club house as well, with an indoor swimming pool. The development would be for those 55 years of age and older. **Chairman Mink** felt the layout gave the impression of a trailer park, and asked the developer if he could look into addressing that. The applicant would like to propose sumps in this area, instead of a retention pond. Chairman Mink also had a concern with the traffic going out onto Maple Street. **Commissioner Bleggi** had a concern with one entrance/exit throughout the development. The Development Review Committee (DRC) is recommending to points of access for the proposed project. The applicant stated that there will be a mile and a half walking path around the development. Mr. Andersen also stated that he recently held a neighborhood meeting with the residents in this area, and that most of them were okay with the density once they understood it'll strictly be senior living. When a traffic study was done, there were only 4 more trips per day reported in the senior development, than that of the originally approved subdivision with single family living on 24 lots. The applicant would prefer no on-street parking. Chairman Mink was concerned about the density. The applicant is willing to use Transferable Development Rights (TDR's) if needed.

Item 8. Adjourn

Motion: Commissioner Elkington moved to adjourn the meeting at 9:30pm.
Second: Commissioner Maingot
Vote: Unanimous

April Houser, Executive Secretary

Dated:

Oscar Mink, Planning Commission Chairman

Dated:

Cory Branch, Planning Director

Dated: