

MAPLETON CITY

PLANNING COMMISSION MINUTES

December 13, 2018

PRESIDING AND CONDUCTING: Chairman Golden Murray

Commissioners in Attendance: Sharee Killpack
Jake Lake
Christy Nemelka
Justin Schellenberg

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

Minutes Transcribed by: April Houser, Executive Secretary

Chairman Murray called the meeting to order at 6:00pm. An invocation and the Pledge of Allegiance was given.

Alternate Commissioner Jake Lake was seated as voting member this evening.

Item 1. Planning Commission Meeting Minutes – November 8, 2018.

Motion: Commissioner Lake moved to approve the November 8, 2018 Planning Commission Meeting Minutes.

Second: Commissioner Schellenberg

Vote: Unanimous

Item 2. 2019 Planning Commission Meeting Schedule.

Item 3. Consideration of a Home Occupation Permit for a by appointment only wedding dress consultation business at 290 East 200 North in the RA-2 Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The applicants are Melisa and Gerald Bone. There are a couple similar businesses in Mapleton currently. Client visits would be by appointment only, with each customer visiting approximately 2 times, and up to 5 customers per week. The typical standards would apply to the Home Occupation as those listed in the ordinance. There should be little to no overlapping of client visits. Staff would recommend approval with the conditions listed in the Staff Report. The wedding dresses would be purchased, not by consignment.

Motion: Commissioner Schellenberg moved to approve the Home Occupation Permit for a

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by appointment only wedding dress consultation business at 290 East 200 North in the RA-2 Zone, with the conditions listed below:

1. The applicant shall obtain a business license prior to opening for business.
2. The business shall operate on an appointment only basis to minimize the amount of traffic and on-street parking associated with the business.
3. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton City.
4. With exception of activities that are clearly incidental and secondary to the salon use, the Home Occupation shall be conducted within the confines of the structure.
5. No signs shall be placed on the property without a sign permit.
6. Violations of the terms of this use permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
7. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

Second: Commissioner Killpack

Vote: Unanimous

Item 4. Consideration of a request for approval of the Bentley Brook Subdivision Plat A, consisting of 10 lots located at 800 West Maple Street in the RA-1 Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The is on 11.38-acres on Maple Street, across from the new constructed Bluth Subdivision. The Bluth development did install a full width road, with the development taking advantage of that frontage on 6 of their lots. The first phase would be lots 1-6, with the second phase of lots 7-10. The currently zoning is RA-1, so no Transferable Development Rights (TDR's) will be required on this one. The street dedication for the Bluth Subdivision has not yet been recorded, so that will need to be done prior to this development being recorded. The Bluth development will put together a Development Reimbursement Agreement before they record the plat to be reimbursed for a portion of the full street width they installed. The improvements on Phase 2 will be on the adjacent property, so those negotiations will need to take place before the Final Plat is approved by Staff. Approval is recommended with the conditions listed in the Staff Report.

Commissioner Nemelka asked if the properties were the Bluth and Nielson properties, which Brian stated that they were. Preliminary Plats are approved by the Planning Commission, with Final Plat approval by Staff. If any significant changes were made to the Preliminary Plat, it would come back before the Planning Commission before Final Plat is approved. **Sean Conroy**, Community Development Director, stated that if lots are added, or road layouts are changed, the project would need to come back to the Commission. The applicant has stated that he understands the agreements he will need to get in place before the project is recorded, or Phase 2 moves forward. A hammerhead turnaround will be installed with Phase 1, if Phase 2 is not quickly developed. **Chairman Murray** asked if any of the Development Review Committee (DRC)

concerns had been addressed, and Brian stated that a fair number of them have been taken care of.

Chairman Murray opened it up for Public Comment. **Michael Crandall** owns the Bluth home, or the lion house, as some residents in Mapleton may know it by. They know the neighbor across the street has no access to his property. They have no intention of signing the Bluth Plat if an agreement is not signed. They want this property owner to work with the Bluth development to get this issue taken care of. Sean asked for some clarification on the Adverse Possession that Mr. Crandall stated he had. It was stated that it referred to Matt Baker's property, and not the City's. There is a 2'-3' section of property from the power poles to road that Michael Crandall feels he can gain by adverse possession. He does not want this property to move forward until the applicant meets with them. There was no one in attendance to represent the applicant. Sean stated that the boundary issues would have to be fixed before the plat is recorded. Adverse possession is not something the City would be involved in. **Commissioner Schellenberg** felt the item should be continued until the developer and Bluth's come to an agreement. The Planning Commission can give direction on this request. **Joe Scoville**, a representative of Mr. Lamar Nielson, was in attendance. They would like the project approved and are willing to possibly be part of the Bentley Brook development. No additional comments were made, and the public comment portion of the meeting was closed.

Motion: Commissioner Schellenberg moved to continue the Bentley Brook Subdivision Plat A, consisting of 10 lots located at 800 West Maple Street in the RA-1 Zone, with the hope that the developer and Bluth's can come to an agreement before it comes back for approval.

Second: Commissioner Lake

Vote: Unanimous

Item 5. Consideration of a Project Plan for a commercial mixed-use building located at 410 North Main Street in the Central Commercial (CC-1) Zone and a Variance request to the side yard setback. The building will include a small bakery and a second-story apartment.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This property is located just across the street from Central Bank. It has been vacant for many years. It is zoned Central Commercial (CC-1). The proposal would include a small artisan bakery, with a living area above it for the owner. Proposed elevations were included in the Staff Report this evening. Parking would be in the rear of the property. This would allow retail and service possibilities. This would be a permitted use in this zone. They are proposing the 6 required parking spaces. The applicant meets the requirements given by the City. In this case, due to the size of the site, a variance would be in favor by Staff due to the narrow lot layout. Staff feels this is a wonderful opportunity for the City.

Pamela Fredricksen, the applicant, gave some background on the history of her business. She wanted to go more retail with her business that she had previously owned in California. Pamela loves working with customers and would envision a country feel with European flare. The

Planning Commission seemed very excited about the proposal. *Sugardance Sweetery*, or *Fourth & Main* will likely be the name of the business. The property would be eCommerce, as well as a walk-in business. **Commissioner Nemelka** asked what type of traffic would be coming in and out of in the area. UPS deliveries would be the basic route of delivery. There will not be any parking on Main Street, but there is probably room for 2 on-street parking spaces on 400 North. This area would be marked, if the street parking were allowed. The sidewalk will be located on private property since the right-of-way (ROW) has already been dedicated. There is signage on the building, which will require a Sign Permit. The exterior will consist of board and bat painted an off-white color, with corrugated metal for the siding on the outside and patio area. The neighbors are in support of this project and variance request. The applicant does have a dumpster, which will be enclosed on the property.

- Motion:** Commissioner Killpack moved to approve the Project Plan for a commercial mixed-use building located at 410 North Main Street in the Central Commercial (CC-1) Zone and a Variance request to the side yard setback. The building will include a small bakery and a second-story apartment, with the below conditions:
1. The applicant shall comply with all outstanding Development Review Committee (DRC) comments.
 2. The minimum side yard setback shall be 8'4".
- Second:** Commissioner Nemelka
- Vote:** Unanimous

Item 6. Consideration of an amendment to the Transportation Master Plan to delete a minor local road at approximately 2200 East, south of Maple Canyon Road.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The City's Master Plan identifies a variety of roadways. Minor local roads are typically meant for internal traffic or connect between subdivisions. The City has recently settled the lawsuit with Wendell Gibby and has agreed that this stub street is no longer required between his property and the Roundy's. The Roundy's are aware of this request. **Commissioner Schellenberg** asked what this would do to the location of the trail. Sean stated that the trail was never located in this area and stated where it will run on the property. Commissioner Nemelka asked if the Roundy property will be accessed off 400 North when developed, and staff stated that it would.

Chairman Murray opened the Public Hearing. **Travis Nederhauser** is excited about the possible trail connection on the hillside. No additional comments were given, and the Public Hearing was closed. **Commissioner Nemelka** asked Sean to show those in attendance where the trail will run along this area.

- Motion:** Commissioner Killpack moved to recommend approval to the City Council for an amendment to the Transportation Master Plan to delete a minor local road at approximately 2200 East, south of Maple Canyon Road.
- Second:** Commissioner Nemelka

Vote: Unanimous

Item 7. Adjourn.

April Houser, Executive Secretary

Date