

MAPLETON CITY

PLANNING COMMISSION MINUTES

February 28, 2019

PRESIDING AND CONDUCTING: Chairman Therin Garrett

Commissioners in Attendance: Sharee Killpack
Jake Lake
Rich Lewis
Golden Murray
Christy Nemelka

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

Minutes Taken by: April Houser, Executive Secretary

Chairman Therin Garrett called the meeting to order at 6:00pm. An Invocation and Pledge of Allegiance was given.

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

Item 1. Planning Commission Meeting Minutes – January 24, 2019.

Motion: Commissioner Murray moved to approve the January 24, 2019 Planning Commission Meeting Minutes.

Second: Commissioner Killpack

Vote: Unanimous

Item 2. Consideration of a request for a Home Occupation Permit for Juliann Ogilvie Private Practice, a licensed clinical social worker business, proposed at 245 East Maple Street in the R-1-B Residential Zone.

Motion: Commissioner Murray moved to approve the Home Occupation Permit for Juliann Ogilvie Private Practice, a licensed clinical social worker business, proposed at 245 East Maple Street in the R-1-B Residential 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.

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4. The applicant shall maintain a copy of their current state license with the City.
5. With the exception of activities that are clearly incidental and secondary to the social work use, the home occupation shall be conducted within the confines of the structure.
6. No signs shall be placed on the property without a sign permit.
7. 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.
8. 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 3. Consideration of a request for a Home Occupation Permit for Kakova, an online lemon sage sales business, proposed at 1358 North 500 East in the R-2 Residential Zone.

Motion: Commissioner Murray moved to approve the Home Occupation Permit for Kakova, an online lemon sage sales business, proposed at 1358 North 500 East in the R-2 Residential 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 the exception of activities that are clearly incidental and secondary to the home office, 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 Preliminary Plat approval for the Valley View Estates Amended Subdivision, Plat B, a 2-lot subdivision located at 2044 West 1900 South in the RA-1 Zone.

Motion: Commissioner Murray moved to approve the Preliminary Plat for the Valley View

Estates Amended Subdivision, Plat B, a 2-lot subdivision located at 2044 West 1900 South in the RA-1 Zone with the condition that any outstanding issues raised in the Development Review Committee (DRC) minutes shall be addressed prior to plat recording.

Second: Commissioner Killpack

Vote: Unanimous

Item 5. Consideration of a request for Preliminary Plat approval for the Eastman 2100 South Subdivision, Plat A, a 2-lot subdivision located at 1730 South 2100 West in the RA-1 Zone.

Motion: Commissioner Murray moved to approve the Preliminary Plat for the Eastman 2100 South Subdivision, Plat A, a 2-lot subdivision located at 1730 South 2100 West in the RA-1 Zone with the condition that any outstanding issues raised in the Development Review Committee (DRC) minutes shall be addressed prior to plat recording.

Second: Commissioner Killpack

Vote: Unanimous

Item 6. Consideration of a request for Preliminary Plat approval of the Bentley Brook Subdivision Plat “A”, consisting of 6-lots, located at 800 West Maple Street in the RA-1 Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. A revised plat has been submitted removing 4 of the lots for Phase 1. Boundary line and reimbursement issues have been resolved according to the developer of this property and the Bluth Subdivision. The proposal meets the zoning standards for the RA-1 Zone. The alignment issues in the area can be addressed when the applicant comes forward with Phase 2. The power poles will be located within the park strip on the west side of the property. The developer of the Bluth property has assured Staff that everything is figured out with the boundary line and reimbursement concerns that were previously discussed.

Motion: Commissioner Killpack moved to recommend approval to the City Council for the Preliminary Plat of the Bentley Brook Subdivision Plat “A”, consisting of 6-lots located at 800 West Maple Street in the RA-1 Zone, with the conditions listed below:

1. Any outstanding issues raised in the Development Review Committee (DRC) minutes shall be addressed prior to plat recording.
2. The Bentley Brook Subdivision cannot be recorded until such time as the portion of 800 West constructed within the Bluth Subdivision boundary is dedicated to the City.

Second: Commissioner Nemelka

Vote: Unanimous

Item 7. Consideration of Preliminary Plat application for the Roundy Estates Plat “A” subdivision consisting of 1-lot located at approximately 2200 East Maple Canyon Road in the Critical Environmental (CE-1) Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The property owners have 32 acres of land in this area. They are proposing to create 1 new lot that is approximately 8.6 acres in size. The Roundy’s have been working with the Forest Service regarding the gate as access to the proposed lot. The access area would be paved to the new lot being created. The remaining property will stay intact. Staff recommends approval with the condition that they receive approval from the Forest Service to use the street on Maple Canyon Road as access and frontage to the lot. This property was never part of a Transferable Development Right (TDR) site. The City currently plows this area in the winter in order to access our water tanks. **Commissioner Murray** asked why this property did not take part in the TDR program. Sean stated that the TDR program was not required, but optional to property owners. This development would meet the requirements for development in the CE-1 Zone.

Evan Roundy, the applicant, felt this was a great use of the property. It would have very minimal impact on the property. A road maintenance agreement could be put in place by the property owner if the City felt it would be best. By splitting this lot off from the larger piece, it works better, as there are two different zoning designations on the property. Evan stated that the only way they could access the property is through the Forest Service. The meeting is in April 2019 to discuss this possible development between the Roundy’s and the Forest Service. **Mark Greenwood**, the Engineer for the Roundy’s, stated that the Forest Service felt more amenable when they offered to help pave the trail head in this area. This application would be subject to approval from the Forest Service. The property, if divided, would be addressed off Maple Canyon Road. **Commissioner Nemelka** asked for a little history as to why they could not access the property from the Gibby development. Sean stated that the connection area was rather steep in this area. A settlement was agreed upon between the City and Mr. Gibby no longer requiring a stub street to the Roundy property. Commissioner Nemelka asked the applicant why they were only requesting 1-lot when they could essentially have 2. Mark Greenwood stated that the Roundy’s are trying to do the best thing for the City, and the frontage requirement is a concern as well.

Motion: Commissioner Lake moved to approve the Roundy Estates Plat “A” subdivision consisting of 1-lot located at approximately 2200 East Maple Canyon Road in the Critical Environmental (CE-1) Zone, with the conditions listed below:

1. The applicant shall comply with all outstanding Development Review Committee (DRC) comments.
2. The applicant shall provide evidence of legal access through Forest Service property prior to plat recording.

Second: Commissioner Killpack

Vote: Unanimous

Item 8. Consideration of an amendment to Mapleton City Code (MCC) Chapter 18.92.030.B for site standards related to gas stations.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The Maverick Gas Station approached the City with interest to build a store at the corner of Highway 89 and 1600 South. They met with the City Council to discuss possibilities of allowing them to put the store toward the rear of the property. The City Council was in favor of this amendment referring to gas stations only. This proposal is an exception to those frontage standards for gas stations. This request would go to City Council for approval. Maverick is proposing some additional landscaping to help follow the spirit of the ordinance, as well as making the store more aesthetically pleasing. **Commissioner Killpack** asked why we wouldn't want Mapleton to be a little different, having the pumps in the rear.

Shay Bertola, with Maverick, stated that they worked with Sean on the landscaping. Business wise it makes more sense to have the gas canopies up front. The building would act as a better buffer from residents that will live to the east of this store. It is likely the store would be built within a year if this amendment were approved. There would be some walkability around the store, with a bonfire grill giving more meal options in the City. There would be one vacant commercial lot between this property and the Canyon View Medical Clinic currently being built.

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

Motion: Commissioner Murray moved to recommend approval to the City Council of an ordinance amending Mapleton City Code (MCC) Chapter 18.92.030.B for site standards related to gas stations.
Second: Commissioner Lake
Vote: Unanimous

Item 9. Consideration of an ordinance amending various sections of Mapleton City Municipal Code to eliminate the R-3 Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The R-3 is the highest density zone in the High Density Residential (HDR) General Plan Designation. Based on public outcry for the R-3 Zone, the City Council has expressed interest in eliminating the R-3 Zone. **Commissioner Lewis** asked if this would run the City into a problem long term lowering the areas available to apply TDR's throughout the City. Sean stated that there are still plenty of areas that TDR's could be utilized. There are no approved R-3 Zoning areas in the City. **Commissioner Killpack** feels there needs to be some areas that allow for this type of density in Mapleton. **Commissioner Murray** felt the Commission needs to try and balance the rights of property owners, as well as existing residents in the area. The Harvest Park Subdivision would average about 6-8 units per acre. Commissioner Killpack feels there needs to be some areas dedicated to this. She feels it is good to have a mix, giving more affordable options for people. She does not think having condos brings in "riffraff" but gives options to a younger generation.

The City needs a tax base and should keep an open mind. **Commissioner Nemelka** feels the R-2-B is a nice option to allow for a little higher density. She feels it is more acceptable to people who already live in Mapleton. She feels the zoning should extend across Highway 89 to the east. What is good in one area should be good in all. Commissioner Murray feels that the right place for higher density would be down at the south end of Highway 89. Development Agreements, with density, have already been established on the property at the south end of the City.

Chairman Garrett opened the Public Hearing. **Tammy Pugmire**, a member of the Mapleton Citizens for Responsible Development stated that they are a group of citizens consisting of residents in the South Hollow, Harvest Park, and Mapleton Grove subdivisions. Mapleton citizens do not want condominiums. Any additional R-3 Zoning that could be considered would be something this group would protest against. They do not feel that it is a good fit for Mapleton. **Scott Rosenvall** is part of this committee. He feels that no one he spoke with during the referendum discussions wanted condominiums in Mapleton. The City needs to do as much as they can to keep the rural feel of Mapleton. Mr. Rosenvall does not believe that all of the high density should be put on the south of Highway 89. He feels everyone throughout the City needs to share that zoning. **Karen Caswell** feels we keep Mapleton different by not allowing condominiums. She feels this will keep Mapleton rural. There is an expectation of the existing homeowners in the area. She never expected condos behind her home. This committee talked to residents all around the City, not just those west of Highway 89, and most people were not in favor of condos in Mapleton. **Alan DeVeritch** feels there is a true misconception on what the word condominium means. He cringes a little when he hears people say they do not want any condominiums. He feels there are definite positives to allowing for these types of homes. Alan feels that the architectural style should potentially be addressed, and not just the title of condominiums. **Carol Morgan**, another member of Mapleton Citizens for Responsible Development, would like to reinforce what her fellow members have said about the sentiment of restricting R-3 Zoning. The density is more of a concern to this committee, than the title of condominiums itself. Carol feels that there needs to be some consideration in possibly updating the General Plan. Sean stated that the City is holding a Public Open House in March and encouraged citizens to come share their concerns. No additional comments were given, and the Public Hearing was closed.

Affordable Housing is a state-wide issue of significance. They require the City's to remove impediments hindering from these types of developments. Cities need to address this and provide opportunities for everyone to be able to afford to live in their City. How we deal with this is something the City will continue to work through. **Commissioner Lewis** feels the Harvest Park Development is a good example of this. The City follows State Laws and will continue to work toward remaining this way. Commissioner Lewis would be in favor of getting rid of the R-3 Zone at this time. Sean is not concerned that removing this will put the City in any legal problems. **Chairman Garrett** was in favor of removing the R-3 Zone as well. **Commissioner Nemelka** asked if there would ever be a time that the City would consider R-2-B east of Highway 89. Sean stated that the City could propose this if it were something the citizens wanted to do. **Commissioner Killpack** feels there needs to be more options for similar developments as the R-3 Zone allowed. Commissioner Lewis felt the south Mapleton developments, when built out, will provide a more affordable home buying options in the City.

Motion: Commissioner Murray moved to recommend approval to the City Council for an ordinance amending Mapleton City Municipal Code to eliminate the R-3 Zone.
Second: Commissioner Lake
Vote: 4:1:0 with Commissioners Lake, Nemelka, Murray and Garrett voting aye and Commissioner Killpack voting nay feeling we need more affordable housing in this town that would be allowed under the current R-3 Zone.

Item 10. Adjourn.

April Houser, Executive Secretary

Date