

MAPLETON CITY
PLANNING COMMISSION MINUTES
April 11, 2013

PRESIDING AND CONDUCTING: Jared Bringhurst

Commissioners in Attendance: Leslie Jones
Rich Lewis
Golden Murray
Keith Stirling
Mike Tippetts

Staff in Attendance: Sean Conroy, Community Development Director

Minutes Taken by: April Houser, Executive Secretary

Chairman Bringhurst called the meeting to order at 6:30pm. Rich Lewis led the Pledge and Golden Murray gave the invocation.

Alternate Commissioner Golden Murray was seated as a voting member this evening.

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – March 28, 2013.

Motion: Commissioner Lewis moved to approve the March 28, 2013 Planning Commission Minutes.
Second: Commissioner Stirling
Vote: Unanimous

Item 2. Consideration of a request to convert an existing single family dwelling into a Residential Facility for Persons with a Disability located at 727 East 1100 South, and a request for a reasonable accommodation to allow up to 16 residents in the proposed facility.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. He gave a recap on the request before them regarding this item. The property is 2 acres in size. The Planning Commission reviewed this item on March 14, 2013 and continued it until this evening. The Public Hearing was held that night and closed. The applicant has agreed to have no on-street parking, and is willing to have a shuttle service if needed. Mr. Harper stated that they would have 5-6 employees if they were allowed to have 16 residents. The Commission could consider limiting the number of visitor and employee parking allowed on-site. Sean stated that there is substantial room for parking on the property. The applicant has said that a thorough evaluation will be done on each possible resident. The City is not allowed to do these, and rely on the State to handle this. **Commissioner Stirling** asked how annual checks would be monitored, and Sean stated that Staff would track these to ensure they were being done. No other jurisdictions with similar facilities saw any increase in crime or reason for needing additional public safety officers on duty. The City Attorney has reviewed all the public comments and felt the majority did not qualify as objective evidence. Staff recommends the Commission not to reopen

the Public Hearing, since it was noticed as such. The City Council will hold at least one Public Hearing on this item when it goes before them. The City Attorney recommends that only the four Commissioners present at the previous meeting be allowed to vote on this item, which would include Commissioners Murray, Stirling, Lewis and Bringhurst. **Commissioner Lewis** stated that he read every item on this Staff Report and visited one of the Treatment Facilities on the list. He talked with four of the surrounding residents and most of them stated that the residents were surprisingly well behaved, but did see an increase in traffic. There was a problem with theft on one of them, but it was from a counselor and not a resident. This was at the Anthem House in Orem. **Commissioner Stirling** would like the City to be notified if an applicant has been charged but not yet convicted. Commissioner Lewis stated that he did not feel this was legal. Sean stated that language to this affect would be alright. Commissioner Lewis would like to see a financial statement justifying the 16 beds. **Commissioner Murray** would like to see that no on-street parking be allowed. Sean stated that the street may need to be addressed as No Parking. This would need to be addressed with the City Council. Commissioner Lewis wondered what type of shuttle service would be provided, and where would it be located at, and Sean stated that it would be at a public area, and be arranged that way.

Motion: Commissioner Lewis moved to recommend approval to the City Council of a request to convert an existing single family dwelling into a Residential Facility for Persons with a Disability located at 727 East 1100 South, and a request for a reasonable accommodation to allow up to 16 residents in the proposed facility, with the recommendations listed in the Staff Report:

1. See justification for the need of 16 beds.
2. All traffic concerns are addressed.

Second: Commissioner Stirling

Vote: 4:0:2 with Commissioners Bringhurst, Lewis, Stirling and Murray voting aye and Commissioners Jones and Tippets abstaining.

Item 3. Consideration of Preliminary and Final Plat approval for the Harvest Park Plat "G" subdivision consisting of forty (40) lots located in the Specific Development Plan (SDP-1) Zone (approximately 1750 West Elm Street).

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This is part of Phase 4, which was part of the overall Master Plan. There is a small new park proposed as part of this phase that will double as a retention basin. Staff, the applicant, and Home Owners Association have met and feel this should be approved as long as some conditions are met that are listed in the Staff Report. There are only minor items remaining in regards to the Development Review Committee (DRC) comments. Staff has received a couple of calls with business owners in the I&M-1 Zone, and they are worried that residents moving in close to those areas will have issues with the type of work they are doing. Some type of a barrier may be a good recommendation to help prevent any concerns with this.

Kyle Spencer, with Northern Engineering, has been working with Harvest Park for many years. They are excited to bring in some additional development to Harvest Park. They have talked about a visual barrier between the residential lots and the I&M-1 area. The applicant is fully prepared to put in a sound and visual barrier fence. Sean asked if this would be done at once, and Kyle stated that it would likely be installed all at once, giving it more uniformity. This development will complete a couple road ties throughout the subdivision. They are excited to see more development with this project. Most of the items on the DRC Minutes are standard with most developments. **Commissioner Lewis** feels a uniform fence would be best all the way through this area. **Commissioner Tippets** asked if any wording could be put on the plat for potential buyers to know that they are building next to an industrial area. Sean felt this

was more of a disclosure that should come when purchasing the lot. Kyle stated that they could put some type of wording on the plat that states something in regards to sights, sounds and smells are possible in the subject area due to the Industrial Zoning nearby.

Chairman Bringhurst opened the Public Hearing. **Joseph Bellick** stated that he moved in to Harvest Park in 2006. He feels that the developers need to follow through on their promises. He feels funding is a problem, and has pictures to show a pattern of behavior by the developers. His objective again is that a few of the promises be taken care of before the City allows this item to move forward to the City Council. The developers had not installed the driveway allowing him to access his garage. He went over the history of his property and the issues he experienced with the developers. Mr. Bellick has a problem with the Club House not being completed. He feels the landscaping around the Club House needs to be installed and maintained. **Commissioner Jones** lives in the development and shares some of Mr. Bellick's frustrations. She said as a member of the HOA she has a better understanding of why they are where they are. There have been a number of discussions, and it is her understanding that this will be addressed any day now. Joseph is justified in his concerns, and Commissioner Jones stated that these items will be addressed. The HOA, which is now a Home Owner ran committee, is much more efficiently handling problems within the development. Mr. Bellick wanted to continue with his comments. He continued giving his history on his property and the issues with the developers and his landscaping. All he is asking is that he wants the developers to follow through on what they promised. Joseph would like the landscaping issues addressed, as well as the other items he has listed in letters to the HOA. No additional comments were given and the Public Hearing was closed. Commissioner Jones stated that as a member of the HOA they have thoroughly discussed the unfinished issues, some of which were listed on the DRC comments. These four items are addressed in the DRC requirements in regards to bonding in order to complete the unfinished items in the development. The HOA is fully aware of the concerns Mr. Bellick has expressed. Sean stated that the Commission is tasked with reviewing the development before them. The previous builder for the Townhomes is no longer an owner within the development for any further phases of the property. Commissioner Tippetts feels that the recommendations in the Staff Report should be sufficient.

Motion: Commissioner Lewis moved to approve the Preliminary Plat and recommend Final Plat approval to the City Council for the Harvest Park Plat "G" subdivision consisting of forty (40) lots located in the Specific Development Plan (SDP-1) Zone (approximately 1750 West Elm Street), with the conditions listed below:

1. The applicant shall submit a separate bond of \$75,000 for the resolution of a drainage issue on Little Willow Cove for landscaping and other improvements at the city-owned park.
2. Item 3 & 4 listed in the Home Owners Association Letter within the Staff Report are met.
3. That a visual and sound barrier fence be installed along the properties abutting the I&M-1 Zone.
4. A description on the Final Plat referencing the I&M-1 Zoning in the area.
5. All outstanding issues raised in the 2/12/13 Development Review Committee (DRC) minutes shall be resolved prior to plat recording.

Second: Commissioner Tippetts

Vote: Unanimous

Item 4 **Adjourn.**

Motion: Commissioner Jones moved to adjourn the meeting at 7:30pm.

Second: Commissioner Tippetts

Vote: Unanimous

April Houser, Executive Secretary

Date: