

MAPLETON CITY
PLANNING COMMISSION MINUTES
September 22, 2016

PRESIDING AND CONDUCTING: Chairman Lewis

Commissioners in Attendance: Therin Garrett
Sharee Killpack
Thomas Quist
Justin Schellenberg
Keith Stirling

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

Minutes Transcribed by: April Houser, Executive Secretary

Chairman Lewis called the meeting to order at 6:30pm. An invocation and Pledge of Allegiance was given.

Items are not necessarily heard in the order listed below.

Commissioner Quist and Killpack were seated as a voting members this evening.

Item 1. Planning Commission Meeting Minutes – August 11, 2016.

Motion: Commissioner Garrett moved to approve the August 11, 2016 minutes.
Second: Commissioner Schellenberg
Vote: Unanimous

Item 2. Consideration of a rezone to Residential-Minor Agricultural (RA-2) Zone and Preliminary approval for the Maple Lane Subdivision, Plat “C”, consisting of the reconfiguration of three existing lots and the addition of two additional building lots at approximately 1480 West 1600 North.

Brian Tucker, Planner, went over the Staff Report for those in attendance. We are looking at one existing home on 1500 West and two existing homes on 1600 North. The property is 2.65 acres in size. The property on 1500 West is zoned RA-2 and the property on 1600 North is RA-1. The RA-2 Zoning is consistent with the General Plan. Lots 1, 3 and 5 have existing homes on them. All lots are 1/3 acre or larger in size. Lot 2 has an existing shop on it, which is non-conforming under the current zoning. This proposed development will not make it any more non-conforming.

Planning Commission Meeting – September 22, 2016

The topic as to if the shop can remain on the new lot as proposed needs to be addressed, or if the lots need to be reconfigured to include it on a property where an existing home is located. **Commissioner Stirling** asked if the shop was structurally sound. Brian stated that he felt it would have met all building codes at the time it was constructed. **Commissioner Schellenberg** asked what the motivation was to create Lot 2 with the shop on it. **Commissioner Killpack** did not feel the shop should affect anything, and felt it was fine to have it there. There was a concern that a business could try and operate out of the shop, before a home was even built on the property. The code requires a primary structure, which would be a home in a residential zone, before an accessory structure would be permitted. This is why this conversation is taking place, as the proposed Lot 2 would have an accessory structure on it before the primary structure of a home is constructed.

Shiloh Sorensen, applicant, stated that when he bought the property they did look for a building permit on the lot for the shop, and felt there was one at the time. They have upgraded the property and the home. Countless Chinese elms were removed to beautify the property, as well as the removal of 2 to 3 different buildings that were not appealing to look at. The shop is large in nature, and very well overbuilt. The shop has 2x6 walls, with paint grade finishes on the inside. Mr. Sorensen would like to keep the shop for now, and does not plan on selling the lot on 1500 West at this time. There is a well in the area, and they have discussed possibly having a tree nursery on the property. He developed Maple Lane Plats A & B, as well as this proposed Plat C. He lives in this development, so he has personal interest in guaranteeing it remains beautified. This development would also give him the ability to clean up all the little remaining pieces that are throughout the property. Lot 2 is being proposed so that if Shiloh desired to in the future, he could sell the lot. Commissioner Stirling asked if a Transferable Development Right (TDR) would be required. Brian stated that under the current General Plan, TDR's would not be required.

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

Motion: Commissioner Schellenberg moved to recommend approval to the City Council of a rezone to Residential-Minor Agricultural (RA-2) Zone and Preliminary approval for the Maple Lane Subdivision, Plat "C", consisting of the reconfiguration of three existing lots and the addition of two additional building lots at approximately 1480 West 1600 North, with the conditions listed below:

1. Any outstanding issues raised in the Development Review Committee (DRC) minutes dated August 24, 2016 be addressed prior to plat recording.
2. The applicant shall receive Final Plat approval from the Development Review Committee (DRC) prior to recording.

Second: Commissioner Stirling

Vote: Unanimous

Item 3. Consideration of Preliminary Plat approval for the Maple Breeze Estates Subdivision Plat "A" consisting of fourteen lots, located at approximately 530 North Main Street in the R-2 Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. There is 5.37 acres of property for the proposed subdivision. All of the lots are close to 10,000 square feet or larger. The improvements will be installed along the 3 existing homes in the development, as well as along the portion of Main Street in the development. Each lots will have 80 or more feet of frontage, which is the requirement in the R-2 Zone. This development is in line with the surrounding properties. Commissioner Killpack thought the development looked good to her.

Tom Carter, the applicant, is trying to clean the block up and feels it is a nice subdivision for the area.

Chairman Lewis opened the Public Hearing. **Ed Reel** has the property to the east and has a concern with the fences and trees in the area. He wants to make sure they stay intact, or get repaired if damaged during construction. Ed does not want the same issue he has on the opposite side of his property from the adjacent developer. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Stirling moved to approve the Preliminary Plat for the Maple Breeze Estates Subdivision Plat “A” consisting of fourteen lots, located at approximately 530 North Main Street in the R-2 Zone with the below conditions:

1. Any outstanding issues raised in the Development Review Committee (DRC) minutes dated September 8, 2016 shall be addressed prior to plat recording.
2. In addition to the typical installation of improvements, curb, gutter and sidewalk shall be installed along Main Street in front of the homes located at 430, 458 and 486 North Main Street in accordance with previous Development Agreements.
3. The applicant shall receive Final Plat approval from the Development Review Committee (DRC) prior to recording.

Second: Commissioner Quist

Vote: Unanimous

Item 4. Consideration of an ordinance amending Mapleton City Code Chapters 18.50 and 18.52 creating and amending development standards for the Residential (R-2-B) and Residential (R-3) Zoning Districts.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The standards in the existing ordinances are difficult to meet and hard for staff to determine as to what would be expected, as they are a little unclear. There is no codified language as to the requirement of Transferable Development Rights (TDR) in this area on the west part of town. Right now we do have about 120 acres zoned R-2 throughout the City. R-3 has no areas throughout the City that currently fall under this zoning. These zones would be most appropriate west of Highway 89. R-2-B Zone would allow for single family detached, twin homes or duplexes where the R-3 Zone would allow for townhomes, apartments and condominiums. Both units

would start out with four units per acre. In both cases we have indicated that a bonus density could be given with the use of TDR's. The max density would be 12 units per acre. Some examples of how the TDR conversion would work was given for those in attendance. TDR's are not fractionable, so a full TDR would be required in these situations by rounding up the total required. Lot sizes are patterned similarly to those in the Harvest Park Development (SDP-1 Zone). 40' would be the max height allowance. Once the TDR's are all utilized the zoning ordinances would need to be re-addressed. **Commissioner Garrett** feels this proposal is fair, and is in favor of this ordinance amendment. The TDR's are all privately held, so the price paid for them is made determined between the buyer and seller.

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

Motion: Commissioner Schellenberg moved to recommend approval to the City Council of an ordinance amending Mapleton City Code Chapters 18.50 and 18.52 creating and amending development standards for the Residential (R-2-B) and Residential (R-3) Zoning Districts.

Second: Commissioner Quist

Vote: Unanimous

Item 5. Consideration of Preliminary Plat approval for the Willow Pointe Subdivision Plat "C" consisting of one new lot located at approximately 496 East 1200 North in the RA-2 Zone. The applicants are Don and Heidi Bleggi.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This project includes a parcel about 1.70 acres in size. The concept plan from the Sadey Subdivision was included with the Staff Report so that the Planning Commission could see how the property could potentially be developed in the future. The subdivision is consistent with the zoning. The new road is not needed for any significant public purpose, which is why Staff is not recommending the improvements be installed at this time. **Commissioner Garrett** stated that whatever is built on the property should meet the 30' setback requirement, which Sean stated they could make as part of the conditions this evening. No comments were made by the applicants.

Motion: Commissioner Garrett moved to approve the Preliminary Plat for Willow Pointe Subdivision Plat "C" consisting of one new lot located at approximately 496 East 1200 North in the RA-2 Zone, with the conditions listed below:

1. The applicant shall address all outstanding items of the Development Review Committee (DRC) comments dated August 17, 2016 prior to plat recording.
2. Final Plat approval from the Development Review Committee (DRC) must be obtained prior to plat recording.
3. Any structure being built on the property meet the 30' setback on the east side of Lot 4, ensuring room for any future street that may be installed.

Second: Commissioner Schellenberg
Vote: Unanimous

Item 6. Consideration of an application for a Home Occupation for a Preschool business at 2027 West Silver Leaf Drive in the SDP-1 Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The preschool being proposed would be for children ages 3-5 with up to 8 children per session. The City has received a couple calls with concerns about traffic in the area if the Home Occupation be approved. Condition 2 listed in the recommendations of approval addresses this concern. The proposed preschool will be located in the basement of the home.

Motion: Commissioner Quist moved to approve the Home Occupation for a Preschool business at 2027 West Silver Leaf Drive, with the conditions listed below:

1. The applicant shall obtain a Business License prior to opening for business.
2. Drop-offs and pick-ups shall be controlled by the license holder such that the preschool complies with the requirement that no more than 6 cars, including those owned by the property owner, may be parked at the home at any one time. The maximum number of children is limited by the maximum parking requirements.
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 preschool 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 Home Occupation 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 Home Occupation Permit will become null and void.

Second: Commissioner Garrett
Vote: Unanimous

Item 7. Adjourn.

April Houser, Executive Secretary

Date