

**MAPLETON CITY
PLANNING COMMISSION MINUTES
July 10, 2008**

PRESIDING AND CONDUCTING: Chairman Oscar Mink

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

Commissioners not in Attendance: Bill Bleggi (Alternate)

Staff in Attendance: Cory Branch, Planning Director

Minutes Recorded by: April Houser, Executive Secretary

Call to order

Chairman Mink called the meeting to order at 6:30pm. Pam Elkington led the Pledge and Barbara Pratt gave the invocation.

Items below are not necessarily in the order they appear.

Item 1. Planning Commission Meeting Minutes – June 26, 2008.

Motion: Commissioner Tandy moved to approve the June 26, 2008 Planning Commission Meeting Minutes.

Second: Commissioner Pratt

Vote: Unanimous

Item 2. Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.52, Residential Zone.

Cory Branch, Planning Director, went over the Staff Report for those in attendance. This proposal gives some clarification to the R-3 Zone Text. The request for Staff to look at the R-3 Zone text came after the applicant applied for his rezone in Item 3 of this evening's agenda. The Commission moved to go to Items 3 & 4 on the agenda before hearing this item. After Items 3&4 were heard this item was continued.

Motion: Commissioner Tandy moved continue this item until the August 14, 2008 Planning Commission Meeting.

Second: Commissioner Elkington

Vote: Unanimous

Item 3. (Continued June 12, 2008) Leland Bird, agent for Richard K. Miner, requests a rezone of approximately 2.5 acres from PO-1 (Professional Office - 1) to R-3 (Residential). The subject properties are located generally at 1590 West 2000 North.

Cory Branch, Planning Director, went over the Staff Report for those in attendance. This item was continued at the June 12, 2008 Planning Commission Meeting. The property is currently surrounded by both the A2 and RA-2 Zones, however most of the surrounding properties located in the A2 Zone are non-conforming, lacking the 2 acre lot size requirement. The applicant is proposing one point of access off 1600 West street in Mapleton. The Fire Marshall met with Cory Branch, feeling there needs to be two points of access onto the property. At this time the applicants are only going through the rezone process. The project will come back to the Planning Commission for Preliminary and Final Plat approval. All of the utilities are provided to the property by Springville City. Springville City has agreed to continue to supply the property with utilities for up to 17 units. Staff recommends approval of the rezone with conditions. The R-3 Text currently needs some clarification done to it. Safety issues needs to be greatly considered by the Commission this evening in regards to the recommendation for either approval or denial. **Commissioner Roden** asked if Staff had considered the fact that there is a school nearby, where children will be walking to and from, in regards to the increased traffic if this rezone and project plan are approved. **Chairman Mink** opened the Public Hearing. **Rob Miller**, architect for C&A Construction and Dr. Miner, showed a video concept for those in attendance. They are not specifically trying to get a definite layout of the development at this time. The entrance road meets all the current fire and safety standards. The applicants have been looking at different zones throughout the state, and have found this project as shown in the Concept Plan, would not be considered high density in most cities. These are nice homes and garages. There would be no on-street parking, except by visitors to the homes. There has never been a project like this yet in Mapleton. They feel they are compliant with the R-3 Zone as it is currently written. They would be concerned if they were told to cut down the density. Several people wanted to call and speak on their behalf, which they told not to since they feel that at the previous meeting on June 12th, most comments had been made and discussed in great length. Mr. Miller stated that there would be no need to go down this street, since it is virtually a dead end street. The traffic patterns in this area flow into Springville City. Mr. Miller does not think traffic will be a significant problem compared to that of an office building. **Kent Snyder**, owns the home that borders this property to the east, stated he owns a company by the name of "Construction Accounting Services". He does consulting and training seminars for multiple construction companies. Mr. Snyder sees construction companies who are community oriented, who care, and who are highly ethical. He feels this development is not taking into consideration the concerns of the community. No one in the neighborhood feels this will help to increase the value of their homes. Mr. Miller disagreed with the statement that was made stating that Mr. Miner is hoping to get pulled out of his slump, in hopes to make money on the property, which was a comment made by Mr. Snyder. **Commissioner Tandy** feels that no comments need to be

made in regards to one developer being better than another. Mr. Snyder feels this will be detrimental to the community. **Alan Poulsen**, Springville resident, was curious to the history of the PO-1 Zone. Cory Branch gave a history of the property that had been provided by Mr. Miner prior to the meeting. Mr. Poulsen asked if Springville Engineering would be involved in the infrastructure on the property, or if it would just be Mapleton's Engineering? Mr. Poulsen would also like to have Springville's input on infrastructure. Cory Branch stated that Springville City is aware of this proposal. Alan Poulsen feels that high density on this property would seem odd considering the density it is currently surrounded by. Alan Poulsen would hope that the Commission would consider orderly growth, congestion in streets, as well as something that stabilizes and improves property values. He is also in favor of a decision being made tonight. **Gay McCargue**, Mapleton resident, would like to take exception to Mr. Miller's comments that this road is a dead end street. It is actually a T street, which is greatly used. She would hope that if Mr. Miner is granted high density, that she would be able to do the same. **Brent Whipps** seconded everything that had been said. This proposal does not fit the personality of Mapleton. He has lived near units like this in the past that have decreased the property values of surrounding homes. **Rita Coppertiers**, Mapleton resident to the south, echoed Mr. Poulsen's comments. Her understanding is that this particular property was not reviewed recently when the General Plan for Mapleton was updated. The residents would like the property changed back to Medium Density on the General Plan. They would like this property to be consistent with the neighborhood around it. **Chris Miller**, Mapleton resident to the South, feels that this property may not be in the prime and pristine area of Mapleton. He feels the applicant is trying to put something in that does not fit. He does not want to have to look out his front door and see the view of the roof to these proposed units. Chairman Mink does not feel that anything over a single level home would block Chris Miller's view. Chris Miller strongly agrees that his property value will go down if this project moves through. **Commissioner Maingot** stated that no matter what project goes here it could possibly block Mr. Chris Miller's view. The applicant stated that the height of the roof for the proposal would be 4' lower than Chris Miller's porch. **Hal Burrows**, Springville resident to the bottom of the hill, stated that he disagrees with the road configuration, stating that there will be a traffic problem. The road is a contiguous road that ties into a main artery in Springville going both directions. There will be movement of children in this area. He feels this would be a spot zone, creating a precedence that cannot be changed by the City. He asked the Commission to take a serious look at this zone, and rezone it to something contiguous to what is around the property. Chairman Mink stated that the property as it stands is a spot zone. **Steve Edgert**, property owner to the north in Springville, is in favor of doing something with the property. It has been proven in the past to be a fire hazard. He would like to work with the developers to get the accurate area of the property line. Safety would be a concern, as well as the wooded area. He feels a good safety fence should be put up around the project. He is not against the property being developed, but felt the density was too high that is being proposed. **Kathy Brown**, Springville resident, is concerned about the safety. Many people run the stop sign on the corner up from her home, which is already a safety issue. The additional density will only add to this problem. Mrs. Brown also agreed with the comments made by the others. She does appreciate the cleanup effort made by C&A, and would prefer the property to remain Professional Office, or have a lower density residential. **Rod Goodman**, Springville resident, stated that his children walked to school at Sage Creek Elementary. It is a huge concern in regards to safety. This development could add a potential 30 cars traveling in this area in addition to the current traffic. Mr. Goodman feels that Public Safety vehicles would

have a hard time getting to the units that are proposed, and exiting the development as well. He feels single family homes should go in on the property. **Larry Burling**, Mapleton resident, stated that cars do run the stop sign at the intersection quite frequently. They do not allow their children to play on 1600 West due to the traffic. He does not feel the entrance proposed is safe. He feels it is too close to a 4-way intersection. Mr. Burling would prefer an Office Building on the property. **Wendy Taylor**, Mapleton resident, stated that on 2000 North cars travel very quickly. She feels the problems are more than just at the intersection. She would prefer it to be zoned the same density as what is around it. She feels the Professional Office is more appropriate than the high density being proposed. **Todd Baker**, Mapleton resident to the south, is opposed to the project and agrees with the comments made previously. He would suggest a different zone than R-3, feeling the zone should match what is already in the area. He would urge the Commission to consider the voice of the people. **Mike Sheryl**, Mapleton resident, stated that he is grateful the landowner is doing something with the property. He feels this proposal is too high of density for this property, and that the applicant is trying to put too much in one area. He would like the zoning to be that of the surrounding properties. **Jim Brown**, Springville resident, feels this proposal is a little scary for a lot of reasons. **Doreen Snyder**, Mapleton resident, felt she would rather have it Office Buildings, as long as the landscaping would be maintained. No additional comments were given and the Public Hearing was closed. **Rob Miller** stood again and stated that they would like multi-family housing in this area. There is a misunderstanding as to what high density is. This does not qualify as high density zoning. The applicants have met, and will continue to meet, all Public Safety requirements. The property will have a contiguous road that will allow all Public Safety vehicles to circle the development without reversing. He resents the comment made that they are trying to get away with all they can. They will do a good project. He does not feel the neighbors understand what it means to have an Office Building on the property in comparison to the proposed multi-family units. They are only asking for the R-3 Zone at this time. Mr. Rob Miller feels that those who stated they would prefer Office Buildings on the property would oppose it when the applicants come forth with proposals for Office Buildings. They are providing a good faith effort on the project. They cannot be held accountable for the poor design of the intersections and roads around their property. They are making what they consider a reasonable request. He feels fear is always worse than the reality of a project. They would like to move ahead with a recommendation of approval. It is not financially feasible to put in single family homes on the property. The applicants feel that what they are asking for what would be appropriate for this type of property. Chairman Mink stated that this is only a rezone. Everything else that has been shown; density, number of units, etc. will have to come back for approval at a later date. **Stan Williams** appreciates what the problem is the Commission has before them. He also understands what the applicants are trying to do. He hopes the Commission will be mindful of what the neighbors want in this area. **Commissioner Thomsen** stated that the Commission is just a recommending body, and that the City Council would be the final decision. **Commissioner Roden** feels life and safety needs to be considered. **Commissioner Pratt** has a concern with the R-3 Zone as it stands. She does not feel that the high density in other cities needs to be applied to Mapleton. Chairman Mink made four points:

1. The Commission is a recommending body.
2. That he cannot see how this development would detract from their neighborhood.
3. The property owners are only responsible for their property – property rights being king.

4. Staff evaluates these applications in great detail before these items come before the Planning Commission.

Commissioner Maingot feels C&A is a professional company, and would put a good project together. He does not feel it will detract as much as the neighbors believe. However, the problem he has is that the Commission is here to do what is right for the citizens as well as the applicants.

Motion: Commissioner Maingot moved to recommend denial to City Council of a rezone of approximately 2.5 acres from PO-1 (Professional Office – 1) to R-3 (Residential). The subject properties are located generally at 1590 West 2000 North, with the reasons listed below:

1. Due to increased traffic.
2. Neighborhood opposition.
3. Safety concerns.
4. Incompatibility with neighboring zones.

Second: Commissioner Bringham

Vote: Unanimous

Item 4. Brian Murray requests Preliminary and Final plat approval of Murray Farms Subdivision, Plat “D”, located generally at 77 South 1000 East. The subject property is located in the RA-2 (Residential-Minor Agricultural) Zone.

Cory Branch, Planning Director, went over the Staff Report for those in attendance. The Development Review Committee concerns were also addressed for those in attendance as well. **Commissioner Maingot** asked if the lot was actually in the A2 Zone. Cory stated that the property was actually rezoned to RA-2 in 1991 to include 280’ to the South of Maple Street from 800 East to 1200 East. The biggest topic of discussion is if the Commission wants to see a Preliminary Plat for both parcels of affected property, or just move forward with the proposed 1 lot subdivision. **Commissioner Pratt** stated that the applicant only wants a 1 lot subdivision with no intent at the time to further subdivide the property. The applicant is proposing to continue 1000 East to the end of the proposed lot. **Commissioner Tandy** asked if there would need to be a temporary turn around, which the applicants have agreed to do. **Brian Murray**, applicant, stated that he wants to do this 1 lot subdivision for his daughter. The only traffic would be those going to the new home. There is a fire hydrant on Brian Murray’s lot now, which is within 250’ of the proposed lot. Commissioner Maingot felt that the 1 lot subdivision was appropriate, without requiring any additional information regarding the remnant parcel. Cory Branch stated that a thorough investigation has not been done on the current non-conforming lot at 852 East Maple Street. If the Commission is not going to consider an overall Preliminary Plat, the non-conforming lot would not need to be addressed at this time. 1000 East will be extended to the end of the property. Curb, gutter and sidewalk will be put in to the east, and gutter to the west. Power will also be stubbed to both sides of 1000 East that is being installed. **Chairman Mink** opened the Public Hearing. **Michelle Jensen** asked that we be kind and approve the Subdivision. No additional comments were given and the Public Hearing was closed. Mr. Murray stated that the home on the proposed lot will face west with the garage to the North.

Motion: Commissioner Thomsen moved to approve the Preliminary and Final Plat of the Murray Farms Subdivision, Plat "D", located generally at 77 South 1000 East. The subject property is located in the RA-2 (Residential-Minor Agricultural) Zone with the conditions that the Development Review Committee (DRC) concerns be met from the July 2, 2008 Meeting Minutes which are listed below:

- a. Item 5 – 1 Water share to be surrendered to the City.
- b. Mayor Signature block required on Final Plat.
- c. Address for lot be 77 South 1000 East.
- d. Temporary turn around needs to be 90 feet in diameter. This needs to be shown on all pages.

Second: Commissioner Pratt
Vote: Unanimous

Item 5. (Continued June 26, 2008) Mapleton City requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.84, Supplementary Regulations.

Motion: Commissioner Tandy moved continue this item until the August 14, 2008 Planning Commission Meeting.
Second: Commissioner Elkington
Vote: Unanimous

Item 6.Adjourn

Motion: Commissioner Tandy moved to adjourn the meeting at 9:35pm.
Second: Commissioner Maingot
Vote: Unanimous

April Houser, Executive Secretary

Dated:

Oscar Mink, Planning Commission Chairman

Dated:

Cory Branch, Planning Director

Dated: