

**MAPLETON CITY  
PLANNING COMMISSION MINUTES  
March 12, 2009**

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**PRESIDING AND CONDUCTING:** Chairman Oscar Mink

**Commissioners in Attendance:** Jared Bringhurst  
Pam Elkington  
Rick Maingot  
Barbara Pratt – Left Meeting at 8:15pm  
Skip Tandy  
Leo Thomsen  
Alternate Mike Tippetts

**Staff in Attendance:** Cory Branch, Planning Director  
Scott Bird, Public Works Operations Director

**Minutes Recorded by:** April Houser, Executive Secretary

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**Call to order** *(Items below not necessarily heard in the order they appear)*

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

**Item 1. Trails Sub-Committee Meeting Minutes – January 12, 2009.**

**Motion:** Commissioner Pratt moved to approve the January 12, 2009 Trails Sub-Committee Minutes as corrected.  
**Second:** Commissioner Elkington  
**Vote:** Unanimous

**Item 2. Trails Sub-Committee Meeting Minutes – February 9, 2009.**

**Motion:** Commissioner Pratt moved to approve the February 9, 2009 Trails Sub-Committee Minutes.  
**Second:** Commissioner Elkington  
**Vote:** Unanimous

**Item 3. Planning Commission Meeting Minutes – February 26, 2009.**

**Motion:** Commissioner Pratt moved to approve the February 26, 2009 Planning Commission Minutes as corrected.  
**Second:** Commissioner Thomsen  
**Vote:** Unanimous

**Item 4. Rex Doman requests Project Plan approval in order to allow for a retail/wholesale nursery on property generally located at 1600 South 1600 West, in the GC-1 (General Commercial) zone.**

**Cory Branch**, Planning Director, went over the Staff Report for those in attendance. This is a required Public Hearing item this evening. The applicant's one (1) year time frame under a Temporary Use Permit is about to expire, which is the reason for the request this evening. There are currently no improvements along 1600 South, and only curb and gutter on Highway 89. Cory went over some of the requirements in the GC-1 Zoning Ordinance that would apply to the applicant's request this evening. Staff would like UDOT to take a look at this item before any infrastructure is installed along Highway 89. **Commissioner Tandy** asked why Staff was not recommending a decorative wall as screening around the Nursery. Cory stated that he did not feel it was necessary for compatibility at this time. Commissioner Tandy felt that the cost of improvements on Highway 89 would be approximately \$13,442.00 and \$15,600.00 on 1600 South, for a total of approximately \$29,040.00. He felt this would be a large amount of money for the applicant to pay out at this time, however he felt that it should be allowed as a phase out program. **Commissioner Maingot** felt the Commission should work with the applicant in making things less strict, in order to help more businesses succeed in Mapleton. **Commissioner Pratt** felt that the infrastructure should be installed at this time, since 1600 South will be a high traffic area when the new High School just west of there opens in September of 2009. She felt there was not enough information provided by the applicant to make sure he is meeting all the requirements of the zone.

**Rex Doman**, the applicant, stated that the ditch was Strawberry Water Users, and they are the last ones on that line. They would like to have a business that works here in Mapleton. Mr. Doman had Staker Parsons bid the infrastructure work which the city would like to have installed. The bid he received came in at \$82,000.00. **Commissioner Tandy** asked if the applicant had a schedule of completion. Rex stated that they did have one. **Scott Bird**, Public Works Operations Director, stated that there will be some major road work along the west side of Highway 89 being done within the next couple of years. The applicant is asking for time, and they will be accountable for following through with any requirements they are given by the City. Mr. Doman stated that they have had a professional survey done on the property, which shows them exactly where the property lines are. Commissioner Tandy felt an updated site plan should be provided to the City to make sure infrastructure is being installed in the correct locations. The applicant wants to pull in all the business that they can, keeping their prices competitive. Mr. Doman stated that they only want to landscape at this time. **Commissioner Pratt** felt the applicant should possibly consider continuing under a Temporary Use Permit at this time since they do not currently want to install the requirements of a Project Plan. Rex Doman stated that he would not mind doing that if he would still be able to install a permanent pole sign on the property. He stated that he has met with UDOT, and they did not feel there is a need at this time for a sidewalk along Highway 89. UDOT also owns 1600 South – State Highway 147.

**Chairman Mink** opened a Public Hearing. **Mark VanWagoner** stated that he is disappointed to start with. When he came in to apply for his permit to do his Maple Mountain Greenhouse and Strawberry Farm he was required to comply with all the requirements of the zone. He feels that Mr. Doman should be required to meet the requirements of his GC-1 Zoning. He feels that a year was enough time for the applicant to meet the zoning regulations. Mr. VanWagoner does not mind the competition, but is concerned with the inconsistency. He does not feel phasing is a good idea, since economic times make it hard to move forward with future phases. As a resident of Mapleton City since 1991, he feels like he is being slapped on the wrist. **Commissioner Tandy** said phasing is a common practice, since no one has all the money up front. He feels the Commission strives to be consistent. Mr. VanWagoner stated that Rex Doman's Temporary Use Permit expires on April 8, 2009. He wondered if the City would allow him to continue running his business on an expired permit. Mark VanWagoner also asked why the City would not allow him to have some offsite directional signage. Cory stated that cities typically allow for residential off-premise signage, not commercial. Mark Whiting stated that he appreciates the willingness of the Planning Commission to work with Mr. Doman. He would like the Commission to move forward with Project Plan approval, instead of a Temporary Use Permit. **Don Little** stated that he feels the

playing field should be level. He feels the rules should be followed, and if they are not, there should be a real good reason. **Lynette VanWagoner** had a concern with the fact that Mr. Doman had an out of state license plate on his truck, so she wondered how serious he was about working here in Mapleton. She feels Mr. Doman should obey all the Commercial Zone regulations, and if he can not afford to he should move into an Agricultural Zone. No additional comments were given and the Public Hearing was closed.

**Commissioner Tandy** asked if the applicant made application to amend the Temporary Use Ordinance before his Temporary Use expired, could he continue working until the application process was completed. Cory stated he would have to discuss it with the City Attorney, but he felt that if an application had been made prior to the expiration, the applicant could continue working until the item was resolved.

**Motion:** Commissioner Tandy moved to deny Rex Doman's Project Plan for a retail/wholesale nursery on property generally located at 1600 South 1600 West, in the GC-1 (General Commercial) Zone based upon the reason and recommendation listed below:

1. The applicant was not willing to meet Staff's eight (8) recommendations of approval at this time.
2. Applicant work with Staff to amend the Temporary Use Ordinance in the GC-1 (General Commercial) Zone.

**Second:** Commissioner Pratt

**Vote:** Unanimous

**Item 5.** **Rex Doman requests to amend Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs, in order to allow for an increase in sign area and height within commercial zones.**

*Alternate Planning Commissioner Mike Tippets was seated as a voting member at this time.*

**Cory Branch**, Planning Director, went over the Staff Report for those in attendance. Some different pictures were shown of examples for signage to those in attendance, from surrounding cities. Cory went through the proposed Sign Ordinance by section, with discussions when questions were asked. The Central Bank pole sign was assumed to be about thirty (30) feet in height and approximately 100'-120' square feet in dimension.

**Rex Doman**, the applicant, stated that he felt the proposed Ordinance met his desires on what he would need for appropriate signage for his business.

**Chairman Mink** opened the Public Hearing. **Mark VanWagoner** apologized for getting upset in regards to his comments during Item 4 above. He does not have any problems with signage on what Mr. Doman is trying to do. He feels it is a great way to advertise your business, and would still like off-premise signs to be allowed. **Mark Whiting** feels a pole sign is needed for Mr. Doman's type of business. He feels it will help business owners draw more out of town customers as well. No additional comments were given and the Public Hearing was closed.

**Commissioner Tippets** suggested the possibility of keeping off-premise signs to temporary signs in commercial zones only. **Commissioner Tandy** recommended that Staff look into off-premise signs and bring back suggestions at no cost to any applicants, in regards to proposals.

**Motion:** Commissioner Tandy moved to recommend approval to the City Council of an Ordinance amending Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs, in order to

allow for an increase in sign area and height within commercial zones, with the condition listed below:

- 1. Section **18.86.100 (21) Political Signs: (d)** read: *“may not be posted in a public right-of-way or on utility poles”*.

**Second:** Commissioner Tippetts  
**Vote:** Unanimous

**Item 6. Adjourn**

**Motion:** Commissioner Tippetts moved to adjourn the meeting at 9:00pm.  
**Second:** Commissioner Elkington  
**Vote:** Unanimous

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April Houser, Executive Secretary

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Dated:

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Oscar Mink, Planning Commission Chairman

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Dated:

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Cory Branch, Planning Director

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Dated: