

MAPLETON CITY
PLANNING COMMISSION MINUTES
June 13, 2013

PRESIDING AND CONDUCTING: Chairman Jared Bringhurst

Commissioners in Attendance: John Gappmayer
Rich Lewis
Keith Stirling
Mike Tippetts

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

Minutes Taken by: April Houser, Executive Secretary

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

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – May 16, 2013.

Motion: Commissioner Tippetts moved to approve the May 16, 2013 Planning Commission Minutes.
Second: Commissioner Gappmayer
Vote: Unanimous

Item 2. Consideration of an amendment to Mapleton City Code Chapter 18.76 regarding the use of Transferable Development Rights (TDR's).

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This amendment would allow the use of TDR's after a rezone has taken place if the initial rezone had been done under the direction of the current General Plan. **Commissioner Tippetts** felt this was a little arbitrary, and that it might open the city up to more issues. **Commissioner Lewis** agreed and felt if we amended the TDR ordinance any further it could be a problem. **Commission Gappmayer** asked why the city does not just rezone the properties to what the General Plan shows, then allow for the use of TDR's. Sean stated that they could include these recommendations to the City Council and that part of the drive with this request is to allow people to utilize the TDR's that are out there. The most recent General Plan map was approved in 2009, and is considered advisory.

Chairman Bringhurst opened the Public Hearing. **Troy Hulse** had a concern that this could upset citizens within the city. He feels that double dipping should not be allowed, and that rezones should not be allowed to take place until it fits your plan. Commissioner Stirling asked why the city would need to ensure that the TDR's be kept valuable, as he feels this is something that those individuals need to deal with and not the city. **Cory Andersen** stated that he developed the Silver Leaf subdivision. They developed under the Planned Residential Community (PRC) Zone. He stated that if properties were rezoned before the TDR ordinance came into affect, he would have no issue using TDR's in these areas.

Mr. Andersen feels that if it is in line with the General Plan, even though no rezone has taken place, they should not be punished for trying to develop their property under the General Plan guidelines. No additional comments were given and the Public Hearing was closed. Sean stated that this was discussed very briefly by the City Council, and does not want the Commission to feel like their hands are tied.

Motion: Commissioner Lewis moved to recommend denial to the City Council of an ordinance amending Mapleton City Code Chapter 18.76 regarding the use of Transferable development Rights (TDR's).

Second: Commissioner Stirling

Vote: Unanimous

Item 3. Consideration of Preliminary and Final Plat approval of the Diamond Back Plat "A" subdivision consisting of three lots located generally at 540 West 600 South, and a request for a Transferable Development Right Receiving Site overlay zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This development falls under what was discussed in Item 2 this evening. Sean stated that with the recommendation for denial on Item 2 this item should essentially be recommended for denial as well as it was not recommended for approval to allow for the use of TDR's on properties that had already been rezoned. This property was previously rezoned from A-2 to RA-1.

Cory Andersen, applicant, stated that this seems pretty easy and had nothing to add. Sean mentioned that this is a recommendation to the City Council.

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

Motion: Commissioner Gappmayer moved to recommend denial to the City Council for the Final Plat of the Diamond Back Plat "A" subdivision consisting of three lots located generally at 540 West 600 South, and a request for a Transferable Development Right Receiving Site overlay zone since they do not recommend allowing the use of TDR's after a rezone has already been approved since the time that the TDR Ordinance was created.

Second: Commissioner Tippetts

Vote: Unanimous

Item 4. Consideration of Preliminary and Final Plat approval of the Hafen Place Plat "A" Subdivision consisting of two lots located generally at 1471 West 1200 North in the RA-2 Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. It is a pretty straight forward subdivision.

Doyle Hatfield, applicant, stated that they have everything required by the city to develop this property.

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

Motion: Commissioner Tippetts moved to approve the Preliminary and Final Plat for the Hafen Place Plat "A" Subdivision consisting of two lots located generally at 1471 West 1200 North in the RA-2 Zone with the conditions listed below:

1. Any outstanding issues raised in the DRC minutes dated May 29, 2013 shall be addressed prior to plat recording.

Second: Commissioner Lewis

Vote: Unanimous

Item 5. Consideration or a request for a variance to reduce the required frontage for a parcel located in the Agricultural-Residential (A-2) Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The applicant is approximately 40' shy of having the amount of frontage needed to create one additional lot on his property. The Staff Report outlined that they do not feel there is any unreasonable hardships in regards to this property. Staff stated that there are alternative options that would allow the applicant to develop his property and does not feel a variance would be warranted for this request.

Dennis Gore, applicant, stated that they do not have the frontage for two lots. They farm the rest of the ground and can not get irrigation water on this piece. He stated that the property is more of a weed patch, and feels a nice home would be more appealing in the area. In order for the city to gain commercial businesses there needs to be more residents within the city, so denying possible residential homes takes from this. Mr. Gore stated again that he feels this makes a good use of the property and his neighbors would be in support of this. He feels installing a road would be a huge financial burden and that it would require him to cut into the rest of his property. With the use of a TDR the applicant could rezone to a 1-acre lot which would only require 125' of frontage.

Chairman Bringhurst opened the Public Hearing. **Stan Egan** stated that he would support this variance request. **John Dehas** has no objections to this proposal and would prefer a home over a lot full of weeds. **Troy Hulse** feels this is the type of request that should be approved. He has a problem when individuals rezone and rezone and rezone to smaller lots. No additional comments were given and the Public Hearing was closed. Chairman Bringhurst does not have a problem with the applicant's request. Sean stated that all variances are on a case by case basis. This could however set precedence for similar variance requests in the future. **Commissioner Gappmayer** feels the impact in this zone would be less drastic.

Motion: Commissioner moved to approve the variance to reduce the required frontage for a parcel located in the Agricultural-Residential (A-2) Zone due to the fact that the request is for a piece of property that has more ground than the zone requires and in this area of town it has no impact on the surrounding area, with support from the neighbors.

Second: Commissioner Lewis

Vote: Unanimous

Item 6. Adjourn.

Motion: Commissioner Tippetts moved to adjourn the meeting at 7:15pm.

Second: Commissioner Gappmayer

Vote: Unanimous

April Houser, Executive Secretary

Date: