

MAPLETON CITY

PLANNING COMMISSION MINUTES

January 8, 2015

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: John Gappmayer
Golden Murray
Justin Schellenberg
Keith Stirling

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

Minutes Taken by: April Houser, Executive Secretary

Chairman Lewis called the meeting to order at 6:30pm. Rich Lewis gave the invocation and Justin Schellenberg led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – December 11, 2014.

Motion: Commissioner Gappmayer moved to approve the December 11, 2014 Planning Commission Minutes as noted.

Second: Commissioner Murray

Vote: Unanimous

Item 2. Consideration of an amendment to Mapleton City Code Chapter 18.77.060 regarding fencing standards in the Planned Residential (PRD-1) Zone.

The applicant asked for this item to be continued.

Motion: Commissioner Murray moved to continue the consideration of an amendment to Mapleton City Code Chapter 18.77.060 regarding fencing standards in the Planned Residential (PRD-1) Zone.

Second: Commissioner Stirling

Vote: Unanimous

Item 3. Consideration of a rezone to include the Transferable Development Right (TDR) Receiving Zone Overlay, Preliminary and Final Plat approvals for the Copperhead Estates subdivision consisting of seven lots located at approximately 400 South Main Street in the Residential Agricultural (RA-1) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. This property was approved a few months back for 4 lots. At this time the new applicant is requesting to apply Transferable Development Rights (TDR's) in order to get 7 lots. The proposed development complies with lot size requirements in the General Plan area. The lots will have animal and agricultural rights. The project is not designated as sensitive land, and would allow for the use of TDR's. The City has received a couple letters from individuals opposed to the 1/2 acre lot proposal. There were concerns about property values, scenery disruption, and traffic concerns. Staff stated that property owners have the right to develop their land under current zoning ordinances. The TDR Ordinance was adopted in 2005. Property values are shown to actually increase due to new homes and more manageable lot sizes. There are height limits and setback requirements. Main Street is a state highway, and these additional homes being

proposed will not change the feel in this area. At this time no homes would be located on the north side of the proposed 400 South street. Currently there are no lots in this area that have applied the use of TDR's. Properties are only rezoned to TDR sites when requested by an applicant. The primary zones to utilize the TDR's are the A2 and RA-1 Zones. **Commissioner Stirling** stated his feeling that the TDR Ordinance was not created to allow individuals to rezone and then apply TDR's to get additional density. **Sean Conroy**, Community Development Director, stated that the City Council approved an ordinance to allow individuals to develop under their General Plan Zoning, and then apply for TDR's if desired. **Commissioner Schellenberg** owns property adjacent to the area, and would like to abstain from voting on this item. Commissioner Stirling asked if the concern to children walking along this area was a valid issue. Brian stated that sidewalk would be idea, but the best ways to get it is through land development.

Cory Anderson, applicant, stated that his opinion on this development is pretty straight forward. He will meet the true 1/2 acre lot size, and all applicable zoning ordinances. Cory has done a number of developments in Mapleton, and in his opinion this lot size is what individuals prefer to have.

Chairman Lewis opened the Public Hearing. **Shawn Bennett** purchased his home in 2011, which is the property that this development will wrap around. They are one of the smallest lots in the area on 1 acre. With the changing of this subdivision to 1/2 acre lots, the density will increase from 4 lots to 7 lots. He feels the scenic vistas start to go away when lots are put in all around them. Mr. Bennett feels that it could average 3-5 children per home and that with winter conditions pose a safety concern for those walking along Main Street. Shawn also had a concern with additional water drainage. He feels development should be done in a positive and well thought out way, and asked the Commission to keep Mapleton as it should be. **Kevin Tew** is here representing his mother, who owns property adjacent to this development. They feel that the street would be in about 12'-15' from Mrs. Tew's home. They hate to see the property zoned down further, and his mother would be opposed to seeing that. All of the lots in the area are larger in size. **Marilyn Raymer** is concerned with the smaller lot sizes, and would like them to remain at a 1 acre minimum. She stated that there is a lot of traffic on their street and does not see a need, other than financial, to reduce these to 1/2 acre lots. Mrs. Raymer would like it to stay at 1 acre lots, and asked the Commission to honor their request to leave it at 1 acre lots. **Ester Brophy** wonders if this rezoning sets precedence for other possible developments in this area. Brian stated that the General Plan shows everything around this parcel as low density, which would be 1/2 to 1 acre lot sizes. This request is a legislative decision, and Brian does not feel any precedence would be set if this rezone took place. The Brophy's like the open space, and would find it sad if this area was developed with smaller lot sizes. She also had concerns with the children walking on Main Street to school, and their safety. **Roger Comstalk** moved to the south end of the city where there was more open space. He does not see 1/2 acre lots being sufficient in having larger animals. He would prefer 1 acre lots. Mr. Comstalk would like to see sidewalks installed along Main Street. **Debbie Harvey** owns the property and rezoned it to RA-1 back in 1998. Mayor Young was the mayor at this time and a grant was given to put in sidewalk along one side of Main Street, but the citizens in this area fought it and the grant was lost. As far as flooding, they have not had any issues, even with flood irrigating. Mrs. Harvey feels 1/2 acre lots are better maintained, and does not feel they would be bad in the community. She stated that the TDR ordinance was created to preserve the mountain, not individual's view of the mountain. This exact same road was approved in April 2014 that is currently being proposed, so she does not feel there should be any issues with the road. **Randall Harvey**, property owner, stated that he felt it was 1998 when they rezoned this property. They were saddened that the citizens refused the sidewalk that could have been installed with a grant. Mr. Harvey feels the commission should consider the safety to children along Main Street. They have owned the property for 20 years, and have never had any issues with ground water. Randall stated that the landscaping is not cheap to maintain on 1 acre lots. He does not feel the 7 lots will block any more views than previously approved 4 lot development. There are multiple homes that are less than 1/2 acre in size. He sees this as being a very beautiful development. **Richard Howell** has a concern with the irrigation ditch. Mapleton Irrigation would be required to sign off on the Mylar stating their approval of the proposed improvements. **Cory Andersen** stated that the ditch was approved with piping of the stub road going in. He meets with Mapleton Irrigation shortly to determine what needs to be done. **Kathy Bennett** has a concern with water, although she has not had any issues previously. There will be sumps that take care of the water on the road. As proposed the plan is to retain the water on site. There will be a Geotech Report done on the property ensuring that there are no ground water concerns. There are no guarantees that properties will not flood as the property is, nor with homes. She has concerns of the safety for children along Main Street as well. No additional comments were given and the public hearing was closed. **Sean Conroy**, Community Development Director, stated that the Main Street concern is really outside the realm of this development. The applicant is providing improvements for the property they are developing. This

property was a 1 acre zoning when the TDR Ordinance was created. **Commissioner Gappmayer** stated that drainage studies will all be provided and reviewed before the plat is approved, of which Brian stated that it would. The drainage plan will take in to account the finding of these studies. Brian went over how drainage works in regards to retention and detention basins.

Motion: Commissioner Gappmayer moved to recommend approval to the City for a rezone to include the Transferable Development Right (TDR) Receiving Zone Overlay, Preliminary and Final Plat approvals for the Copperhead Estates subdivision consisting of seven lots located at approximately 400 South Main Street in the Residential Agricultural (RA-1) Zone, with the condition listed below:

1. Any outstanding issues raised in the Development Review Committee (DRC) minutes dated December 10, 2014 shall be addressed prior to plat recording.

Second: Commissioner Murray

Vote: 4:0:1 with Commissioners Gappmayer, Murray, Stirling and Lewis voting aye and Commissioner Schellenberg abstaining.

Item 4. Appointment of a Planning Commission Chairman and Vice-Chairman for 2015.

Motion: Commissioner Stirling moved to recommend Rich Lewis as the Planning Commission Chairman, and Golden Murray as the Planning Commission Vice-Chairman, for 2015.

Second: Commissioner Schellenberg

Vote: Unanimous

Item 5. Adjourn.

April Houser, Executive Secretary

Date