

MAPLETON CITY

PLANNING COMMISSION MINUTES

April 23, 2015

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: Golden Murray
Justin Schellenberg
Keith Stirling

Staff in Attendance: Brian Tucker, Planner

Minutes Taken by: April Houser, Executive Secretary

Chairman Lewis called the meeting to order at 6:30pm. Golden Murray gave the invocation and Keith Stirling led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – March 26, 2015.

Motion: Commissioner Murray moved to approve the March 26, 2015 Planning Commission Minutes.
Second: Commissioner Schellenberg
Vote: Unanimous

Item 2. Consideration of a request from Eckles Paving for a Conditional Use Permit to operate company use fuel pumps and storage tanks at their existing offices, located at 340 South 1600 West in Mapleton Utah.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The property is 5 acres in size. The first shop was built in 1986. They would like to put 2 fuel tanks out in their storage area for use of the business. No fuel will be used for retail purposes. Brian went over the above ground fuel tank regulations for the Planning Commission. The proposed site is 312 feet from both the Highway and Alvey Drive. It is over 125 feet from any building or property line, so all requirements are being met there. If the area where the fuel tanks are located is locked up, a crash gate would need to be installed so emergency vehicles could access the tanks if needed. A view obscuring fence will be required around the specific area where the tanks will be located, but the applicant may choose to install this around the entire property if desired. Staff would suggest if the Commission required landscaping, to have it related to the additional use on the property and the impact it will have. Approval is recommended, with the conditions listed in the Findings and Conditions in the Staff Report for this item. Brian went over these items for those in attendance.

Craig Olsen, with Eckles Paving, spoke to this item. The property will only have diesel fuel on site at this time. It is a very sophisticated system that they will be putting in. The only real issue is the ordinance that requires having fencing around the tanks. The applicant did some research on this and wondered if was completely necessary to put a site obscuring fence around the entire property versus the frontage area along Highway 89. No additional traffic will be created from the installation and accessibility of these tanks. **Commissioner Schellenberg** stated that he would prefer the slats along the front area only. He feels it would be better for it to be more visible. Brian stated that all of the properties along Alvey Drive are industrial in nature, and to the north is A-2 Zoning, so it could

potentially become commercial in the future. Staff is sensitive to the additional cost that could be incurred if a site obscuring fence around the entire property was required. There was one adjacent property owner who called in with a possible concern about seeing the fuel tanks if they were to ever construct a building next to this business. **Commissioner Murray** was also okay with the fence slat requirement, feeling that it should only be installed along the Highway. It was mentioned that if a business that was not compatible to this request were to come in by this property, the fence could possibly be slatted at that time.

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

Motion: Commissioner Stirling moved to approve the Eckles Paving Conditional Use Permit to operate company use fuel pumps and storage tanks at their existing offices located at 340 South 1600 West in Mapleton, with the findings and conditions listed below:

1. Fencing along east side of property be slatted.
2. The applicant shall obtain any permits required by any state or federal agency. The applicant shall present these permits to the Fire Marshall, Building Official, Community Development Director or designee. The applicant will complete any required inspections and receive any required clearances, approvals and permits prior to operation of the pumps or storage of fuel.
3. The maintenance and operation of the fuel tanks shall comply with the requirements of MCC Chapter 18.84.210.
4. When a fuel storage tank and pumps are out of service for ninety (90) days or more: flammable or combustible liquids shall be removed from the tank; all piping, including fill line, gauge opening, vapor return and pump connections shall be capped or plugged and secured from tampering; and vent lines shall remain open and operable.
5. If an aboveground tank and pumps are out of service for one year or more, the tank and pumps shall be removed.
6. The use shall be conducted in a manner consistent with the presentations and statements submitted in the application and at the public hearing, and any change in the use which would alter the findings or conditions adopted as part of this permit shall require approval of an amended use permit by the Planning Commission.
7. Violations of the terms of this use permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
8. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.
9. The applicant agrees, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition.
10. The fuel pumps and storage are for company use only. No retail fuel sales are permitted.

Second: Commissioner Murray
Vote: Unanimous

Item 3. Adjourn.

April Houser, Executive Secretary

Date