

MAPLETON CITY
PLANNING COMMISSION MINUTES
January 14, 2016

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: Therin Garrett
Sharee Killpack
Golden Murray
Justin Schellenberg
Keith Stirling

Staff in Attendance: Sean Conroy, Community Development Director

Minutes Taken by: April Houser, Executive Secretary

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

Items are not necessarily heard in the order listed below.

Item 1. Planning Commission Meeting Minutes – December 10, 2015.

Motion: Commissioner Murray moved to approve the December 10, 2015 Planning Commission Minutes.

Second: Commissioner Stirling

Vote: Unanimous

Item 2. Election of Vice-Chairman and Chairman of the Planning Commission for 2016.

1st Motion: Commissioner Stirling moved to nominate Rich Lewis as Chairman of the Planning Commission for 2016.

Second: Commissioner Murray

Vote: Unanimous

2nd Motion: Commissioner Schellenberg moved to nominate Golden Murray as Vice-Chairman of the Planning Commission for 2016.

Second: Commissioner Stirling

Vote: Unanimous

Item 3. Consideration of a review of a Conditional Use Permit issued on October 23, 2014 to operate an existing single-family residence as a short-term vacation rental located in the Agricultural-Residential A-2 Zone. The applicants are David and Ingrid Nemelka.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The original Conditional Use Permit (CUP) was approved in October 2014. The purpose of this meeting is a review of the CUP to see if the applicant has complied with the permit, or if any problems have arisen. The Planning Commission is bound by the standards in the City Code that allow for these types of uses in the A-2 Zone, as long as certain conditions can be met. Staff would recommend that the permit be allowed to continue to operate. **Chairman Lewis** asked if this is an annual review or a one year review. Sean stated that it currently is just a one year review. It seems to be enjoyed by those who have rented the facility, and people feel the full time manager on-site has helped to mitigate any issues that may arise.

Chairman Lewis opened the Public Hearing. **Dennis Tolley** lives to the south of the property. He understands this is a review for compliance of the property. Mr. Tolley read aloud a letter he wrote. He has a few objections to the permit continuing to operate. Dennis feels several neighbors expressed concern, and that no one would listen. He has noticed a different feeling in the neighborhood from a home neighborhood to that of a commercial one. Residents he spoke with do not like the thought that more of these types of CUP's will be allowed in the area. **TJ Uriona** lives just south of the subject property. Like Mr. Tolley, he does not feel there is a problem with gross violations. The issue he has is allowing for up to 50 people to occupy the home, and does not feel the home was originally designed for this and feels a more appropriate allowance would be 2 people per room. Mr. Uriona feels there should be some type of regulation in place if these types of uses are going to be allowed. Sean stated that the Fire Inspector and Building Official did sign off on the CUP before it was approved. **David Nemelka**, the applicant, stated that they will likely have a 35-45% yearly rental rate. He feels the on-site manager makes a massive difference. Mr. Nemelka feels all in all it has been an overall positive experience for everyone. The summer is the busiest time for rentals of the property. The 2 night rental requirement has helped eliminate the party rental situation. The parking is more than sufficient on-site, giving minimal impact on the neighborhood. They are grateful for the opportunity to be able to do this to cover the overhead of a home that currently cannot be sold. If and when the home sells, the property would no longer be allowed to continue this Conditional Use Permit. **Commissioner Killpack** can see both sides of the coin, and feels that a yearly review may be appropriate. Mr. Tolley stood again and commented that they have concerns with more of these types of uses being allowed in the area than they do allowing the Nemelka's to continue this use on their property. Dennis feels this is not an industrial or commercial community, but a residential family community. He wants to make sure there is a plan that Mapleton follows. Sean feels the concerns are legitimate, but reiterated that tonight is just the topic of allowing Mr. Nemelka to continue to allow his CUP to operate or not. The Planning Commission can, if they desire, ask the City Council to possibly consider removing these types of uses from the City Code. Sean stated that if the ordinance were changed, Mr. Nemelka would still be able to utilizing this use as he would be grandfathered in.

Commissioner Murray stated that property owners do have the right to do certain things on their own property. The conditions of approval would remain in place if the CUP continued to operate. **Commissioner Schellenberg** and the Planning Commission felt that the City Council should consider re-evaluating the ordinance.

Motion: Commissioner Schellenberg moved that the Planning Commission make no changes to the Conditional Use Permit, and recommended to the City Council that the Ordinance itself be re-evaluated.

Second: Commissioner Murray

Vote: Unanimous

Item 4. (TO BE CONTINUED) Consideration of a Preliminary Plat for the Whiting Cove subdivision consisting of 43 lots to be built in three phases, Final Plat approval for phase 1 consisting of 31 or the 43 lots, and the rezone of approximately 2.5 acres from General Commercial (GC-1) to Residential-Minor Agricultural (RA-2). The property is located at approximately 1400 West 1600 South and is owned by the Whiting Family.

ITEM TO BE CONTINUED.

Motion: Commissioner Murray moved to continue this item until a later date.

Second: Commissioner Stirling

Vote: Unanimous

Item 5. Review of MyMapleton Survey Results.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. A presentation put together by Decisionwise was given to those in attendance. A total of 556 responses were submitted, which was considered a good amount. The City received very high marks for the quality of City that people feel like Mapleton is. Commissioner Stirling commented that most of the responses were from the north end of the City where pressurized irrigation (PI) is already installed and felt that may be the reason the PI installation wasn't considered as high of a demand as other items. He felt that it would rate of higher importance if more of the south side citizens had taken the survey. Each section of the survey was discussed, with short explanations as to what the overall responses were.

Item 6. Adjourn.

April Houser, Executive Secretary

Date