

MAPLETON CITY

PLANNING COMMISSION MINUTES

January 25, 2018

PRESIDING AND CONDUCTING: Chairman Golden Murray

Commissioners in Attendance: Therin Garrett
Christy Nemelka

Staff in Attendance: Sean Conroy, Community Development Director

Minutes Taken by: April Houser, Executive Secretary

Chairman Murray called the meeting to order at 6:30pm. An invocation and the Pledge of Allegiance was given.

Items are not necessarily heard in the order listed below.

Alternate Commissioner Christy Nemelka was seated as a voting member this evening.

Item 1. Planning Commission Meeting Minutes – January 11, 2018.

Motion: Commissioner Garrett moved to continue the January 11, 2018 Planning Commission Meeting Minutes.

Second: Commissioner Nemelka

Vote: Unanimous

Item 2. Consideration of a request for a rezone to include the TDR-Receiving Zone and approval of the 2-lot Collard Subdivision Plat A, located at approximately 1500 East and 1200 North in the A-2 Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The subject property is just under 5-acres in size. The A-2 Zone requires a minimum of 2 acres per lot. They are requesting a Transferable Development Right Receiving Site (TDR-R) overlay. The concept plan showed how they could complete the property if they further developed down the road. This item will be a recommendation to City Council. Staff recommend approval this evening. The TDR-R overlay would apply to the entire parcel, with an additional TDR required when the future phase was developed.

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

Planning Commission Minutes – January 25, 2018

Motion: Commissioner Nemelka moved to recommend approval to the City Council for a rezone to include the TDR-Receiving Zone and approval of the 2-lot Collard Subdivision Plat A, located at approximately 1500 East and 1200 North in the A-2 Zone, with the special condition listed below:

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

Second: Commissioner Garrett

Vote: Unanimous

Item 3. Consideration of a request for a Home Occupation Permit for Reeds and Keys – Music with Staci, a music lesson business proposed at 2267 West Autumn Drive in the SDP-1 Zone.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The subject residence was recently constructed in Harvest Park. The business model has one-on-one lessons, with up to 25 lessons per week. The City does allow for Home Occupations, provided certain conditions are met. Where there will be visiting clientele, this request must go before the Planning Commission for approval. Staff went over the regulations for Home Occupations, and recommend approval of this item. The applicant was directed to meet with the Harvest Park Homeowners Association as well.

Motion: Commissioner Garrett moved to approve the Home Occupation Permit for Reeds and Keys – Music with Staci, a music lesson business proposed at 2267 West Autumn Drive in the SDP-1 Zone, with the conditions listed below:

1. The applicant shall obtain a business license prior to opening for business.
2. Drop offs and pick-ups shall be controlled by the license holder, such that the business complies with the requirement that no more than 6 cars, including those owned by the property owner, may be parked at the home at any one time.
3. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton City.
4. Except for activities that are clearly incidental and secondary to the business, the Home Occupation shall be conducted within the confines of the structure.
5. No signs shall be placed on the property without a sign permit.
6. 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.
7. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

Second: Commissioner Nemelka

Vote: Unanimous

Item 4. Consideration of a Preliminary Plat application for the Harvest Park Commercial South Plat “A” subdivision consisting of two commercial lots located in the General Plan Commercial (GC-1) Zone. The request also includes a Project Plan and Conditional Use Permit for two mixed use buildings.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The lower level of the building will be commercial with upper level residential apartments consisting of one and two-bedroom units. The property is zoned for commercial. The Planning Commission is the decision voting body on this item. The City Code does require a Conditional Use Permit (CUP) for mixed use buildings. Single family units must be located above commercial units in this zone designation. The Planning Commission can limit the number of residential units beyond 10 if they feel it is needed to meet safety needs. The City code parking requirement would require 99 spaces for the two buildings being proposed. The applicant is only proposing 87 spaces. The City code does allow for a shared parking agreement, or a reduction of parking up to 25%, if there are shared parking times. The proposed 87 spaces would equate to a 12% reduction. This request required a traffic study from a traffic engineer to ensure the proposal would meet sufficient parking stalls for the site. The study recommended 80 parking stalls. There is no on-street parking for Highway 89 or Harvest Parkway. Staff went over the approved Commercial Design Standards for the Commission. A 3D rendering of the proposed buildings was included in the presentation. Some concerns have been addressed to staff, which included traffic, parking and architectural compatibility with the existing Harvest Park Commercial standards. The Home Owners Association (HOA) has a concern with the north facing roof pitch, which they can speak to this evening during public comment. **Commissioner Garrett** asked if there were any red flags that Staff found when reviewing this proposal. Staff stated that most of the issues have been addressed.

Susan Palmer and Justin Johnston, the applicants, have been working with Staff for a few months now to meet the standards the City would want for this area. Susan is a resident of Mapleton, and wants to ensure this is a beautiful development. They want to create sufficient parking, and keep it where it can be used as a buffer from the residential units already in the neighborhood. Justin Johnston stated that there is a need for one and two-bedroom units. Some of these units may be occupied by individuals with only one vehicle, verse family units. The commercial space will be built out with tenant finishes finished to the type of business occupying the unit. The applicants feel there could be 5-6 separate businesses between the 2 units. This would allow them to accommodate various uses. They feel if they get the right mix of uses to keep their proposed parking stall total sufficient. **Chairman Murray** stated that the parking topic would need to consider if there are uses that extend past the 7pm stated time in the traffic study. Justin Johnston mentioned the possible policing of the parking stalls in the beginning to make sure residents of the Harvest Park development did not park in these stalls that are reserved for the residents and tenants of these buildings. The design of the buildings came from the Commercial

Design Standards, and does not know if 2 to 3-bedroom residential units would be the right fit. Mr. Johnston feels the elevations they have provided would beautify the area. There are separate CC&R's for the north commercial area then those of the Harvest Park SDP-1 area.

Chairman Murray opened this item up for public comment. **Ron Zundell**, President of the Harvest Park Homeowners Association (HOA), wanted clarification as to the number of bedrooms in each unit, and was told that these can vary from 1 to 2-bedroom units. They believe the commercial area has restrictions that require the applicants to work with the HOA. These would define the standards of the building regarding elevations and landscaping. The HOA feels the traffic study is inadequate. They believe Harvest Park could become a major thorough-fare to Spanish Fork Parkway. Overflow parking was a concern that individuals parking in these units may extend into the rest of the development in the area. Site lines to dumpsters was a concern, and the type of fencing that would go in around this project. They feel coordination between the applicant and themselves should be required. Adequate water lines and utilities have been a problem with the current commercial area, as well as issues with landscape maintenance. **Mike Hendron**, a resident of Harvest Park for about 10 years, has been on the HOA on and off during his residency in the development. He feels it would be important for the applicant to work in harmony with the HOA. The parking is a concern, and Mr. Hendron would like to make sure it gets taken care of before it becomes an issue. The dumpster location next to the residential homes, instead of against the units, are not felt to be appropriate. Mike felt residents would like the applicant to explore the possibility of an additional access on to Highway 89, but understands that this would require UDOT approval, which is not always easy to obtain. He would expect these developers to attribute something to this development, as they will have access to the parks, trails and amenities in the subdivision. **Joy Rollingshouse** has a concern with the access coming in through Harvest Park. The parking study gave an assumption that most of the parking units would only utilize one stall, which was concerning to her. Harvest Park has a lot of children, so the additional traffic was a worry for the safety of those in the area. **Steven White** has lived in Harvest Park for about 11 years. They are against the proposal for apartments as part of this proposed project. He did not feel that apartments were even part of the Master Plan for this area. If allowed it would change the atmosphere of the development. He does not like the flat roof lines, and feels they would not be consistent with the current buildings within the development. **Paul Newton** is a resident of Harvest Park would oppose this development, and recommended denial of this item. He does not feel the agreement put in place years ago would be consistent with the City's agreement when the Harvest Park Subdivision was approved. These units would take away from privacy at those homes around the proposed buildings. **Chris Flinn** is a new resident in Harvest Park. He was not aware that this type of project could be built in the area. He has concerns with traffic, and what type of businesses will go in these units. **Gary Dockter** has lived in Harvest Park for about 10 years, and is also a realtor for the development. They have a beautiful subdivision with amazing architectural detail. These standards have been carried through the current commercial units in the development, along with the Club House. There is a cottage type feel here, and Mr. Dockter felt the proposed units are contrary to what the development is about. He is not opposed to the commercial and residential units, but does have concern with the density. Getting out on to Highway 89 is already an issue, and this would increase the traffic utilizing the

area. He would like to keep continuity of the area in harmony with what already exists. **Alan Nielsen** has lived in Harvest Park for 11 years. There is a long and laborious history in Harvest Park. He does not feel the elevations of the development are very pleasing. Mr. Nielsen has concerns with safety, and the traffic already going through Harvest Park. He feels that unless there is a traffic light installed off Harvest Parkway there will be major accidents in this area. **Roxanne White** expressed her gratitude to the Commission for listening to their concerns. She echoes many of the comments shared tonight. She is opposed to this request, and felt that many the residents in this area would agree with the comments made this evening. Mrs. White feels the one car per apartment assumption would not be sufficient. She serves on the HOA, and on the PTA for Maple Ridge Elementary. There are concerns with traffic in the area, and she worries about the additional problems that could arise if this is approved. **Brian Bradley** agrees with most things that have been said this evening. The lack of direct access off Highway 89 is an issue. As a resident of Harvest Park, he is in favor of only allowing parking on one side of the street. **Ann Earl**, resident of Harvest Park, has concerns with the look of the proposed buildings. They have issues with the high-density units, feeling that they may lower the standards in the area. She encourages the denial of this proposal. **Nancy Pettal** has lived in Harvest Park for 5 years. She is not so much opposed to the development, but does not like the elevations, nor the idea of the one-bedroom apartments, feeling that it will cause a decline in property appeal if they are allowed. **Robin Conover** is a direct resident behind this proposal. For all the reasons given tonight he has major concerns. Privacy is a concern, and these types of units do not seem to be in conjunction with what is needed in Mapleton. Mr. Conover felt this development would go against what is desired in the area. Egress was also a concern. He would like to see something that adds to the community, and that the citizens would agree with. **Alice Brinkerhoff** has lived in Harvest Park for 5 years. They went through a great deal of work to meet the HOA standards for this development, and do not feel that the proposal is appropriate for the area. She feels the flatter roof lines are due to cost savings, not visual appeal. She has a concern with the fact that residents in Harvest Park plan to live there for many years, were the developers just plan to build and sell the property. This project will become the face of Harvest Park, and will define the development behind it. It would be ideal to have both accesses off Highway 89. Alice feels the project needs to be more compatible with the surrounding area. **Katherine Cook** represents the 10 homes on her street on Sunflower Lane. There are many problems caused by developers without boundaries. Residents east of Highway 89 have made comments about the Harvest Park development citizens as white trash. They have enough problems with lack of City support, and feel they are not important to residents outside their subdivision. Mrs. Cook would ask for less density in this area. To add to the already dense area would not be appropriate. **Miles Decker** has lived in Harvest Park for nearly 11 years. They saw the difference in this area when looking for homes, and chose to build here. He is happy to live in Harvest Park, but is disappointed with several things that have not happened in the development. They like the amenities that were offered at Harvest Park. They chose a lot at the corner of Elm Street and Silver Leaf Drive. There is a stop sign located there, and it is surprising how many people to not stop at this location as is, which would only become more dangerous if this proposal was approved. Mr. Decker would ask the Commission to vote no regarding this proposal. **Scott Folster** lives right next to the development, and is 100% against it for all the reasons that have been stated this evening. The streets are so narrow, and traffic safety is a huge

issue. He cannot imagine having one egress into this development. **Misty Wright** has lived in Mapleton a little over 5 years, and has served on the HOA. She would like to echo what has been said. She does not feel this is ready to be approved since the applicants have not met with the HOA. There needs to be some type of agreement to help maintain the landscaping in these commercial areas. She feels the number of parking spaces are being underestimated. The traffic study would not be accurate if it was only done over the course of one day. Mrs. Wright feels it would need to be done over different hours and times of the day. No additional comments were given and the public comment was closed.

Chairman Murray asked if the current CC&R's apply to this project. Based off the Development Agreement, it does not stipulate this area. Even the CC&R's for the north Harvest Park Commercial project are greatly different than the Harvest Park Subdivision ones. The CC&R's were never recorded on either of the commercial pieces, even when they were amended in 2017. The commercial project on the north side had no participation with the HOA when it was approved. This is something that needs to be addressed. **Commissioner Garrett** would like to see some legal information as to if this project would be subject to any of the regulations set by the HOA. UDOT requires 300' spacing between entrances/exits onto Highway 89, which cannot be met by this development. The City has approached UDOT about a traffic light at this location. When the traffic meets their standards, a light will go in. They are very rigid that their standards be met. **Commissioner Nemelka** felt that the December 21, 2017 traffic study would have been done when traffic could have decreased due to the lack of school for the Christmas Holiday Season. She feels another study should take place that would better represent a true traffic situation in the area. Commissioner Garrett would like clarification to the Conditional Use Permit section of the code regarding single family residential units on the 2nd or 3rd floor of the building. These are 2-story units, so additional units would not be allowed above any residential unit. The City Engineer could give his opinion as to if the proposed landscaping would be sufficient to maintain and store snow, even in heavy precipitation times. Staff stated that our code does not allow us to decipher between condos or apartment units. There is no differentiation between the two, which is standard for most cities. Chairman Murray had a concern with the parking stalls, since there are not defined businesses going in the project. Staff stated that the city recommendation is restrictive, so if parking is a concern the residential units should possibly be reduced. Even medical buildings could extend into the later evening hours, so the possible sharing of parking stalls may not be appropriate. Because there is no on slated businesses for these units, the commission felt inclined to require more parking stalls. Large construction and commercial vehicles could have a problem gaining access through this area, especially during the construction portion of project. Commissioner Garrett is torn on the elevation concern. He can see that it is near Harvest Park, but this is also a commercial zone, that is in line with the Commercial Design Standards. Commissioner Nemelka did understand the comments made that the higher pitch roofs do bring down density, and serves as a buffer area from commercial to residential. One option would be to have the corner building built like those in Harvest Park Commercial as a buffer to the residents living here. Direction could be given to have the architect bring back their reasoning for this type of project elevation.

Motion: Commissioner Garrett moved to continue the Preliminary Plat application for the Harvest Park Commercial South Plat “A” subdivision consisting of two commercial lots located in the General Plan Commercial (GC-1) Zone and the Project Plan and Conditional Use Permit for two mixed use buildings, with the recommendations listed below:

1. Legal interpretation of the CC&R’s be given to validate that they do not apply to this property.
2. Provide another traffic study over the course of multiple days and times for a more realistic evaluation.
3. A determination be made as to if the proposed landscape buffers are sufficient to hold any snow removal needed.
4. Construction access plan be provided.
5. Proposal on a possible pitched roof for the north building as a buffer to the rest of the Harvest Park development.
6. Determination on more business profiles, and how they compare with the estimated residential parking, giving a best/worst case situation. Return with a proposal that would be sufficient to a worst-case scenario.
7. Where the entrance crosses the HOA strip of property, as well as the commercial landscape areas, be addressed to help ensure maintenance of these areas.

Second: Commissioner Nemelka

Vote: Unanimous

Item 5. Adjourn.

April Houser, Executive Secretary

Date