

MAPLETON CITY
PLANNING COMMISSION MINUTES
August 14, 2014

PRESIDING AND CONDUCTING: Vice-Chairman Golden Murray

Commissioners in Attendance: Justin Schellenberg
Keith Stirling

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

Minutes Taken by: April Houser, Executive Secretary

Vice-Chairman Murray called the meeting to order at 6:30pm. Keith Stirling gave the invocation and Justin Schellenberg led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Alternate Commission Justin Schellenberg was seated as a voting member this evening.

Item 1. Planning Commission Meeting Minutes – July 17, 2014.

Motion: Commissioner Schellenberg moved to approve the July 17, 2014 Planning Commission Minutes.
Second: Commissioner Stirling
Vote: Unanimous

Item 2. Consideration of Preliminary and Final Plat approval for the Canto Subdivision located at 615 East Maple Street consisting of three lots and Final Plat approval for lot 1 of the subdivision.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The property is about 2.04 acres of size in the RA-2 Zone. The intent of the applicant is to eventually allow for 3 lots on this site. Currently they are hoping to subdivide off the lot where the home is located, which would be the final plat lot they are requesting this evening. It does comply with City Standards, and staff would recommend approval of both items this evening. The applicant had no comments to add.

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

Commissioner Schellenberg asked if there are any improvements being required at this time and Sean stated that there was not.

Motion: Commissioner Stirling moved to approve the Preliminary Plat of the Canto Subdivision consisting of three lots, and the Final Plat for the Canto Subdivision Plat “A” consisting of one lot with the below conditions:

1. All outstanding issues raised in the Development Review Committee (DRC) minutes dated July 22, 2014 shall be addressed prior to plat recording.
2. Lots 2 and 3 shall not be eligible for a building permit until a final subdivision plat has been recorded in accordance with Mapleton City Code.

Second: Commissioner Schellenberg
Vote: Unanimous

Item 3. Consideration of a request for a Home Occupation to operate a rifle training and sales business in the Agricultural-Residential (A-2) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The property is 602 West 2925 South at the residence of Brian Trapnell. Mr. Trapnell is specializing in one specific rifle weapon and site. They require a significant amount of training, which has to be conducted by someone with a Federal Firearm License. Generally speaking the business has to be conducted within the enclosed structure, with no more than one person not residing in the home as an employee of the Home Occupation. Background checks are conducted on all inhabitants of the home and all ordinances need to be followed in regards to Home Occupations. Brian went over the interpretation of sales. Staff has proposed some conditions if the request was to be approved this evening. One individual called with concerns about the type of item being sold more so than having a Home Occupation in her neighborhood. **Commissioner Schellenberg** asked if training will take place on site, since the applicant has an indoor firing range on their property. The Police and Fire Department will have to sign off on this Home Occupation permit before it is approved. Sean Conroy, Community Development Director, stated that Brian Trapnell could not be in attendance this evening and was in favor of the item being continued if there were questions that the Commission wanted to ask of him before moving forward. **Commissioner Stirling** felt it was best to continue this item until the applicant could be in attendance.

Vice Chairman Murray opened the Public Hearing. **Layne Ashby**, who built the range for the applicant, was in attendance to answer any questions in regards to the range. A trap like this can go 50,000 rounds before it would need to be reinspected. Mr. Ashby is in favor of this item, and feels Mr. Trapnell will be responsible. The system being proposed is a very specialized piece of equipment. No additional comments were given and the Public Hearing was closed.

Motion: Commissioner Stirling moved to continue the Home Occupation to operate a rifle training and sales business in the Agricultural-Residential (A-2) Zone until the applicant could be in attendance to answer questions from the Commission.

Second: Commissioner Schellenberg
Vote: Unanimous

Item 4. Consideration of a request for a Home Occupation to operate a “Special Occasion” dress rental and consignment business in the Residential-Agricultural (RA-1-C) Zone.

Brian Tucker, Planner, went over the Staff Report for those in attendance. The proposed business has two owners, one of whom does not reside within the home. Because not all of those engaged in the business, the business including customer visits, and the fact that the business includes the sale of goods it requires Planning Commission approval. The proposed hours of operation are Thursdays, Fridays, Saturdays and Sundays with listed hours on each day. The applicant is proposing to use 450 square feet of the home for this Home Occupation. The cap is 6 cars, including those of the owner and employee, to be allowed on site at any one time. Most of the conditions of approval are standard for Home Occupation permits. 3 letters have been received who are against the approval of this request stating they have parking and traffic concerns. Copies of these letters were given to the Commissioners in attendance.

Karen Schultz, applicant, is working with the home owner as part of this Home Occupation. She does not feel traffic will be of any concern, and that they hope to grow the business to one they can move to a commercial building. This business is based off consignment.

Vice Chairman Murray opened the Public Hearing. **Haylee Petersen** was discouraged from doing this type of business in Mapleton by staff in the past, and has since set up her business in a commercial zone in Springville that will open within the next couple weeks. She respected staff's opinion at the time and decided not to move forward with this type of business as a Home Occupation. Mrs. Petersen passed out pictures to those Commissioners in attendance showing a similar business and the traffic and parking concerns brought on by the business, and felt it not appropriate in a residential zone. **Ben Gardner** felt that when we start allowing a commercial business in a residential neighborhood that it opens a can of worms the City will not be able to get out of. He feels there will be teenage girls infiltrating a residential neighborhood, while texting and not paying attention to the rules of the road. He feels the applicants should take a year to save money so they can open their business in a commercial area. **Kathy Gardner** had a concern with how the applicant stated that most traffic would be unchaperoned, and worried teenage girls with their friends would be visiting the home multiple times before bringing a parent with them. **Karen Schultz** stood again wondering if these individuals speaking this evening were more concerned about how their requests were denied or discouraged in the past, or if they had real concerns in regards to this in particular Home Occupation. **Commissioner Schellenberg** hates to stifle a business that can operate under the guidelines given. Past history has not shown any issues with this type business and he would rather see a business make a go as long as they can stick within the guidelines of the Home Occupation license requirements. Commissioner Schellenberg hates to see this item shut down before it is even able to have a chance. He does not feel if they stay within the guidelines that he would be against living in a neighborhood with this type of Home Occupation taking place. He does not feel the negativity given from a competitor should be the defining measure that leads to denial of this request. Clients will enter the Home Occupation through a separate entrance in the basement. The code states that they must use the main entrance to the home, but Staff does not feel they should be restricted to this requirement. Sean does not see that there would be an issue as long as the business could be accessed through the front door of the home as well. Commissioner Schellenberg understands the concerns given, but has an issue with stopping the business because due to assumptions that they will not meet the permitted guidelines. He would prefer to allow them the chance to abide by these guidelines and have the chance to grow their business. Commissioner Stirling would like to address a way to limit the number of clients visiting the home at any given time, so as not to cause issues for the residents living in the neighborhood. Vice-Chairman Murray asked the applicant if it would work to be on an appointment based business. Karen stated that they would not be against it, and ensured that if the parking was to become a problem they would address it immediately. The applicant would be more in favor of an approval this evening, even if it means receiving approval with the stipulation of having it by appointment only. Haylee Petersen stood again and stated that she is not trying to stifle the applicant and is all for business. Ben Gardner also stood a second time saying that he does not feel the commission understands the impact of these inexperienced drivers and the risk of their neighborhood safety. This business needs to be in a commercial setting. **Nate Petersen** is all for entrepreneurship, and feels we need to have the same standards across the board when reviewing these types of Home Occupations in the City. No additional comments were given and the Public Hearing was closed. The Commission wants these types of businesses to succeed within the parameters of the ordinance.

Motion: Commissioner Schellenberg moved to approve the Home Occupation to operate a "Special Occasion" dress rental and consignment business in the Residential-Agricultural (RA-1-C) Zone with the findings and conditions listed below:

1. The applicant shall obtain a business license prior to opening for a business.

2. The Home Occupation be approved based on an “Appointment Only” schedule for their hours of operation in order to ensure that no more than 6 cars, including those of the homeowner and employee, are found on the property at one time as allowed in the Home Occupation Ordinance.
3. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton City.
4. 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. The business shall remain “occasional” in nature. Any increase in business hours or intensity must be approved by the Planning Commission.
7. Mapleton City Police and Fire Department approvals are required.
8. Violations of the terms of this Use Permit or other Ordinances of the City may constitute grounds for revocation of the permit and associated business license by the Planning Commission.
9. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.

Second: Commissioner Stirling
Vote: Unanimous

Item 5. Consideration of an ordinance amending Mapleton City Code Chapter 17.15.050 regarding front yard landscaping requirements for new single family dwellings.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The City’s current code requires that 75% of a front yard should be installed with sod. The City is encouraging water conservation, and feels this should be amended allowing for more options in regards to residential landscaping. This amendment would allow for a maximum of 75% sod, instead of the current 75% minimum. This proposal does not state a minimum percentage of sod required, but felt that if the commission had a concern with this that they could require a minimum amount if they so desired.

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

Commissioner Schellenberg would like to ensure we get nice xeroscaping done. He does not want it to be an experiment that turns out to be a negative aspect to the City. Vice Chairman Murray felt we should let the natural market forces drive people more toward xeroscape, limiting the things that are most important to the City. The Commission felt they should continue this item to look more into percentages being put in the ordinance.

Motion: Commissioner Schellenberg moved to continue this item of an ordinance amending Mapleton City Code Chapter 17.15.050 regarding front yard landscaping requirements for new single family dwellings until they can further look into percentages that would fit best for this area.

Second: Commissioner Stirling
Vote: Unanimous

Item 6. Planning Commission Training.

There was no official training. Sean gave an update on the Urban Deer population and Mapleton Canal Lateral Parkway Trail.

Item 7. Adjourn.

April Houser, Executive Secretary

Date: