

MAPLETON CITY
PLANNING COMMISSION MINUTES
January 28, 2016

PRESIDING AND CONDUCTING: Chairman Rich Lewis

Commissioners in Attendance: Therin Garrett
Thomas Quist
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. Therin Garrett gave the invocation and Keith Stirling led the Pledge of Allegiance.

Items are not necessarily heard in the order listed below.

Alternate Commissioner Thomas Quist was seated as a voting member.

Item 1. Planning Commission Meeting Minutes – January 14, 2016.

Motion: Commissioner Stirling moved to approve the January 14, 2016 Planning Commission Minutes as noted.

Second: Commissioner Schellenberg

Vote: Unanimous

Item 2. Consideration of a request from Pamela Schofield for a Home Occupation Permit to operate a *Montessori Preschool* at 257 North 300 East in Mapleton.

Brian Tucker, Planner, went over the Staff Report for those in attendance. Home Occupations are an approved use in every zone subject to certain standards. There would be a maximum of 8 students from the hours of 9am to 12pm. The home has had a basement entry installed, which will be used for access to the Home Occupation. Because clients will visit the home this item requires approval from the Planning Commission. Staff would recommend approval with the conditions listed in the Staff Report this evening. These conditions were discussed for all in attendance. The applicant stated that “Montessori” is a teaching method, which is the reason for the name.

Planning Commission Meeting – January 28, 2016

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

Motion: Commissioner Garrett moved to approve the Home Occupation Permit for Pamela Schofield to operate the *Montessori Preschool* at 257 North 300 East, 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 preschool 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. The maximum number of children is limited by the maximum parking requirements.
3. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton City.
4. With the exception of activities that are clearly incidental and secondary to the preschool use, 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 Stirling

Vote: Unanimous

Item 3. Consideration of a request from Dorothy Hildebrand for a Home Occupation Permit to operate an *Esthetics Salon* at 971 West 2000 North in Mapleton.

Brian Tucker, Planner, went over the Staff Report for those in attendance. This Home Occupation will be by appointment. The home is located on a ½ acre lot with plenty of off-street parking. This is a permitted use in this zone. It requires Planning Commission approval because there are client visits. Staff recommends approval with the conditions listed in the Staff Report this evening. These conditions were discussed for those in attendance. The applicant has her Master Esthetician's License.

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

Motion: Commissioner Stirling moved to approve the Home Occupation Permit for Dorothy Hildebrand to operate an Esthetics Salon at 971 West 200 North, with the conditions listed below:

1. The applicant shall obtain a business license prior to opening for business.
2. The business shall operate on an appointment only basis to minimize the amount of traffic and on street parking associated with the business.
3. Background checks for all employees and residents of the dwelling shall be maintained with Mapleton City.
4. The applicant shall maintain a copy of their current esthetician license with the City.
5. With the exception of activities that are clearly incidental and secondary to the salon use, the home occupation shall be conducted within the confines of the structures.
6. No signs shall be placed on the property without a sign permit.
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.

Second: Commissioner Quist
Vote: Unanimous

Item 4. Consideration of a review of a Conditional Use Permit (CUP) issued on December 11, 2014 to operate a Reception Facility located at approximately 1805 East 1200 North in the Agricultural-Residential A-2 Zone. The applicants are Mark and Lori Sheranian.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The approval of the Conditional Use Permit (CUP) required a 1-year review to determine if changes needed to be made the CUP. A list of the original conditions of approval given to the CUP was part of the Staff Report this evening. Part of those was that no more than 8 events are allowed per month. The applicant would like some flexibility with this, which Staff had some concerns with as it could have some impacts on the neighboring properties. The ordinance would have to be amended in order to change this section. For the most part staff has not received any complaints. There is a letter received from Mr. Eldon Taylor which was included in the Staff Report his evening. He talked in regards to one event he felt went beyond the allowed timeframe, which the Sheranian's sent in a reply to.

Lori Sheranian, the applicant, stated that they are no longer requesting that the amount of events allowed per month be changed, and feel they have complied with 100% of the conditions listed.

Chairman Lewis opened the Public Hearing. **Ranae Tedesco**, Eldon Taylor's daughter, stated that they have some discrepancies with the conditions set on the Conditional Use Permit (CUP). She stated that she is also speaking for Austin Sparry and Steve Martin, who could not be in

attendance, and felt they shared her same concerns. They had some concerns with alcohol being served on the property and noise concerns. They feel it is really loud, and do not feel the noise issue should only be a concern if it takes place from 10pm to 7am. Mrs. Tedesco feels the vehicles traveling to this property drive quickly. There are new families in this area, and they thought the street would be paved up to the barn, which has never taken place. Some neighbors felt it was an intrusion on their privacy with all the traffic and events taking place in this area last summer. Ranae feels if the CUP has alcohol and noise, it will affect property values for the neighbors in this area. **Commissioner Stirling** asked if Ranae Tedesco had proof that alcohol was served. She stated that the Sheranian's website better clarifies the use of alcohol if there is a certified bar tender on-site. Sean went over some of what Mrs. Tedesco considers discrepancies, and felt they were just misunderstandings. The conditions that were adopted when this CUP was approved are listed in the ordinance. **Lori Sheranian** asked where the other concerned individuals lived. It was stated that they are property owners of vacant lots in the area. There was one event on April 17, 2015 which was a Payson Temple reception that ended at 9:30pm. Mrs. Sheranian noted that all of their events have been finished by 10pm. They are the last people on earth that would want drunken individuals on the property, and feels they are being falsely accused. Lori also stated that the property outside the fence is not theirs. **Jamie Haslem** vouched for Lori, and stated that she can hear the music outside on her property, but not inside her home. She feels her brother-in-law would vouch for the applicant as well, that the noise is not a concern. No complaints, aside of Mr. Taylor, have been received. Lori Sheranian stood again and stated that they wanted to be good neighbors. They have hired people to help slow traffic in this area by using traffic flags, etc. She would never want anyone to get hit or hurt by those traveling to and from the Reception Center. Currently there is only one entrance and exit to the property off 1200 North. Mrs. Sheranian has asked the adjacent property owners if they had any concerns, aside of Mr. Taylor, and none of them have felt there was an issue. Mrs. Sheranian estimated they had approximately 50 events in 2015, with none of them exceeding the 10pm time frame. There have only been 2 events that ever served alcohol. They would hope by the end of 2017 to have only weddings that would not wish to serve alcohol. Ranae Tedesco reiterated her concern again with the traffic and safety in the area. Lori Sheranian stated again that they wanted to be good neighbors, and if there were good suggestions they would welcome them. No additional comments were given and the Public Hearing was closed.

Commissioner Schellenberg asked again if any complaints, aside of Mr. Taylor's, have been received. Sean stated that this is correct. **Eldon Taylor** stated that when this stream of traffic came down 1200 North it was a Saturday evening, and felt they had noise makers going on at the property that went into the early hours of Sunday. It was his impression that the event must have contained alcohol because of the noise. Mr. Taylor was concerned that residents who purchased his lots would have issues since he promised them a quiet residential area.

Motion: Commissioner Stirling moved that the Planning Commission determined that no changes to the Conditional Use Permit (CUP) are required.
Second: Commissioner Schellenberg
Vote: Unanimous

Item 5. Adjourn.

April Houser, Executive Secretary

Date