

Planning Commission Staff Report

January 10, 2019

Item 2

Applicant: Julie Smith,
Johnston Developments

LLC

Location: 600 S Slant Rd

Prepared by: Sean Conroy,
Community Development

Director

Public Hearing: Y

Zone: R-2

Attachments:

1. Application information.
2. Concept plan.

REQUEST

Consideration of a request to rezone approximately 6.51 acres of property located at approximately 600 South Slant Road from R-2 to Residential (R-2-B) with a Transferable Development Rights Receiving Site (TDR-R) and the review of a concept plan that includes 39 residential units.

BACKGROUND AND PROJECT DESCRIPTION

This property is a 6.51-acre triangular shaped parcel with frontage on Slant Road. In 2018, the applicant submitted an application to rezone the property to R-3 with a concept plan for approximately 78 residential units including both town homes and condominiums.

On June 14, 2018 the Planning Commission reviewed the rezone request and recommended denial of the request to the City Council. The Planning Commission determined that while some increase in density should be allowed, it was concerned with a density of 12 units per acre at this location. The Commission indicated that it would likely be supportive of a rezone request to R-2-B, which would allow densities of between four to eight units per acre.

On August 15, 2018 the City Council reviewed the request, including the Planning Commission's recommendation, and approved the request with the following conditions:

- The project shall have no more than 65 units; and
- No structure shall exceed two stories in height.

After the City Council's decision, a citizen group filed a referendum petition and successfully obtained the necessary signatures to place the Council's decision on an upcoming ballot. The referendum precludes a project from moving forward with the R-3 zoning, but does not preclude the applicant from revising the application and making a new request.

The applicant is now requesting that the property be rezoned to R-2-B with the intent to construct a residential project with approximately 39 lots that would include:

- 7 single-family detached lots;
- 10 twin home lots; and
- 22 town home lots.

EVALUATION

The Planning Commission is responsible for making a recommendation to the City Council regarding the rezoning of the property. The concept plan has been provided to demonstrate how the property may develop if the rezoning is approved. If the rezoning is approved, it would not automatically entitle the applicant to construct the project as shown in the concept. The applicant would need to submit formal subdivision and project plan applications, which would be brought back to the Planning Commission and City Council. While the Commission is not approving or denying the concept plan at this meeting, it can provide guidance and feedback on the plan.

A rezone request is considered a legislative decision. The Planning Commission and City Council generally have broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken (to approve or deny) will promote or protect the general welfare of the community, and is supported by city ordinances and policies. The Commission should evaluate the guidance given in the general plan as well as the standards adopted in the zoning ordinance when making its recommendation to the City Council.

General Plan: The purposes of a general plan include to establish a vision for how the City should develop over time and to promote the general public interest. The project site is designated in the general plan as High Density Residential (HDR). The purpose of this designation is *“to help provide affordable housing and will take place as a result of transfer of development rights, multi-family dwellings, or accessory apartments.”*

The following are goals and policies from the general plan that are applicable to this project that further address housing options within the City:

Land Use Element

Goal #10: Provide a reasonable choice of residential types throughout Mapleton.

Policy #10C: Mapleton will continue to encourage affordable housing opportunities that satisfy the physical, social, and economic needs of Mapleton’s residents by 1. Encouraging the development of housing for citizens with special needs, such as senior citizens; 2. Encourage the use of federal and state programs that help low and moderate income level home buyers purchase housing units and 3. Encouraging coordination with other agencies concerned with fair housing.

Housing Element

Goal #2: “Provide opportunities for a wide range of housing options at all income levels while protecting the rural, country, atmosphere of the city.”

Policy 2E: “Provide some opportunities for multi-family housing primarily in areas designated for higher density development along Highway 89, west of Highway 89 and at the southern end of the City.”

The project includes three separate housing types and is consistent with the general plan's goals of providing a variety of housing options. The request is also consistent with the HDR general plan designation.

Rezone Request: The zones that can potentially apply in the HDR areas include the Specific Development Plan (SDP), Residential (R-2), Residential (R-2-B) and the Residential (R-3). An applicant has the ability to apply for any of these zones, but it is the Commission and City Council's responsibility to determine if the requested zone and project are appropriate for the site. The Commission was not supportive of the previous request for the R-3 zone, but indicated that the R-2-B zone would likely be more appropriate.

Mapleton City Code (MCC) Chapter 18.12.010 states the following regarding zoning amendments in general:

"For the purpose of establishing and maintaining sound, stable, and desirable development within the city, it is declared to be the public policy that amendments shall not be made to the planning and zoning title and map except to promote more fully the intent of this title and the Mapleton City general plan or to correct manifest errors."

MCC Chapter 18.12.010.B then outlines the following guidelines that shall be used to determine whether or not a rezone request is in the interest of the public and is consistent with the general plan:

- 1. Public purpose for the amendment in question.*
- 2. Confirmation that the public purpose is best served by the amendment in question.*
- 3. Compatibility of the proposed amendment with general plan policies, goals, and objectives.*
- 4. Potential adverse effects to the city by creating "leapfrog" development or areas away from the existing "core" or center of the city.*
- 5. Potential of the proposed amendment to hinder or obstruct attainment of the general plan's articulated policies.*
- 6. Adverse impacts on adjacent landowners.*

MCC Chapter 18.50.020 further states that *"the objective in establishing the R-2-B residential zone is to provide a residential environment within the City which is characterized by a more compact, somewhat denser residential development and somewhat higher volume of vehicular and pedestrian traffic...and to utilize TDRs to achieve higher densities."* This zone allows a base density of four units per acre with the ability to increase to up to eight units per acre with the use of TDRs.

Concept Plan: Much of the public comment during the previous review focused on the inclusion of condominium units and the perceived incompatibility of the plan with the surrounding

neighborhoods. The current proposal would reduce the total number of units from 65, as approved by the City Council, to 39. Below is a comparison of the two proposals:

Zone	Total Lots	Single-Family Detached	Twin Homes	Town Homes	Condos
R-3 (previous approval)	65	0	0	42	23
R-2-B (current proposal)	39	7	10	22	0

The concept includes single-family detached lots that abut similar single-family detached lots in the DR Horton subdivision, and it no longer includes condominium units. The single family detached lots are larger than the average single family detached lots in Harvest Park and the twin home and town home lots are comparable in size with the twin home and town home lots in Harvest Park. The development is compatible with the neighborhood and consistent with the intent of the R-2-B zone.

The Commission should discuss the following questions:

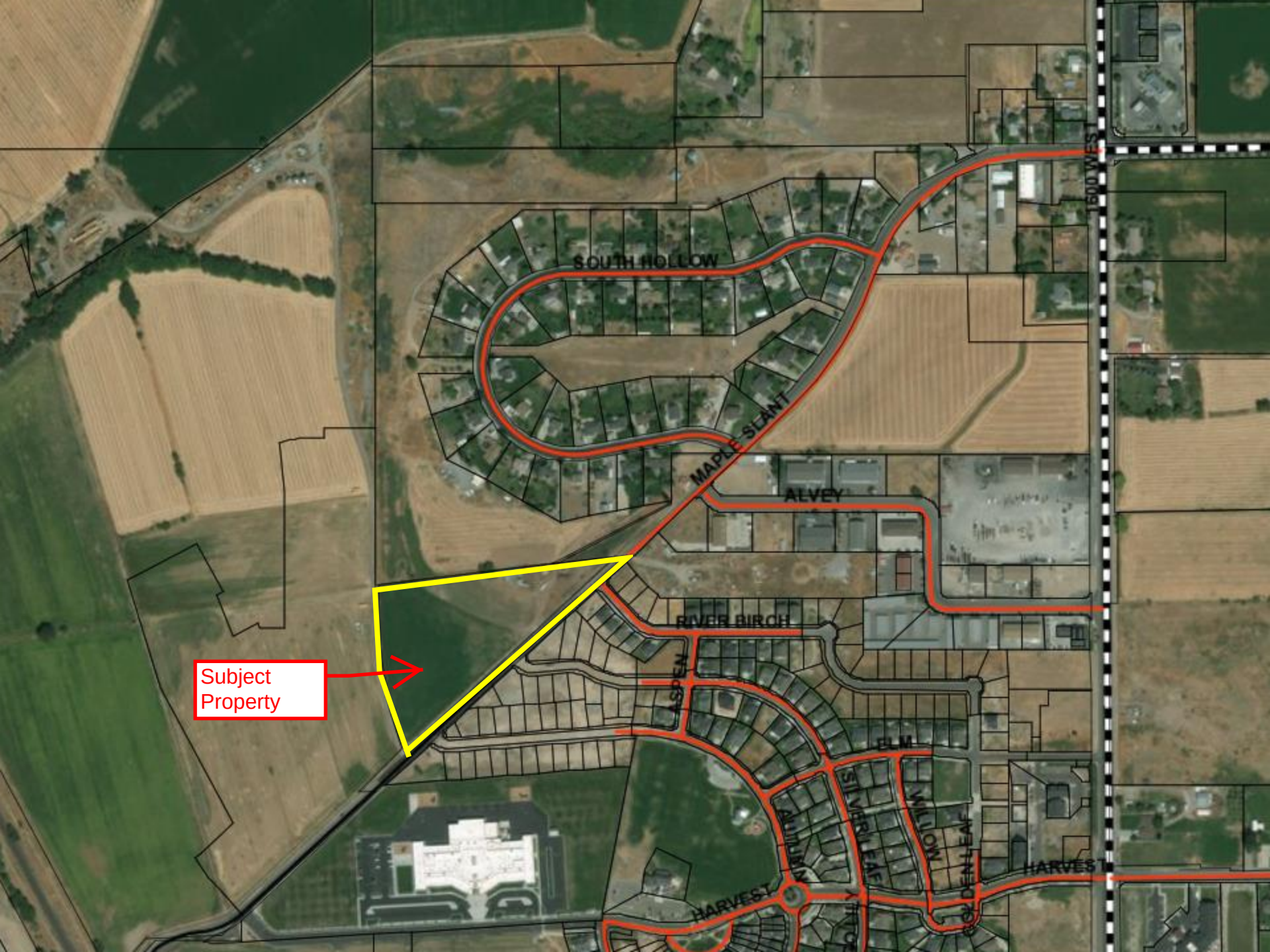
- Is the rezone request consistent with the General Plan?
- Is the rezone request consistent with the guidelines outlined in MCC Chapter 18.12.010.B?
- Are there adverse impacts on adjacent landowners, and if so, can they be mitigated through appropriate conditions?

STAFF RECCOMENDATION

Recommend approval of the rezone request to the City Council with the attached special condition.

SPECIAL CONDITION

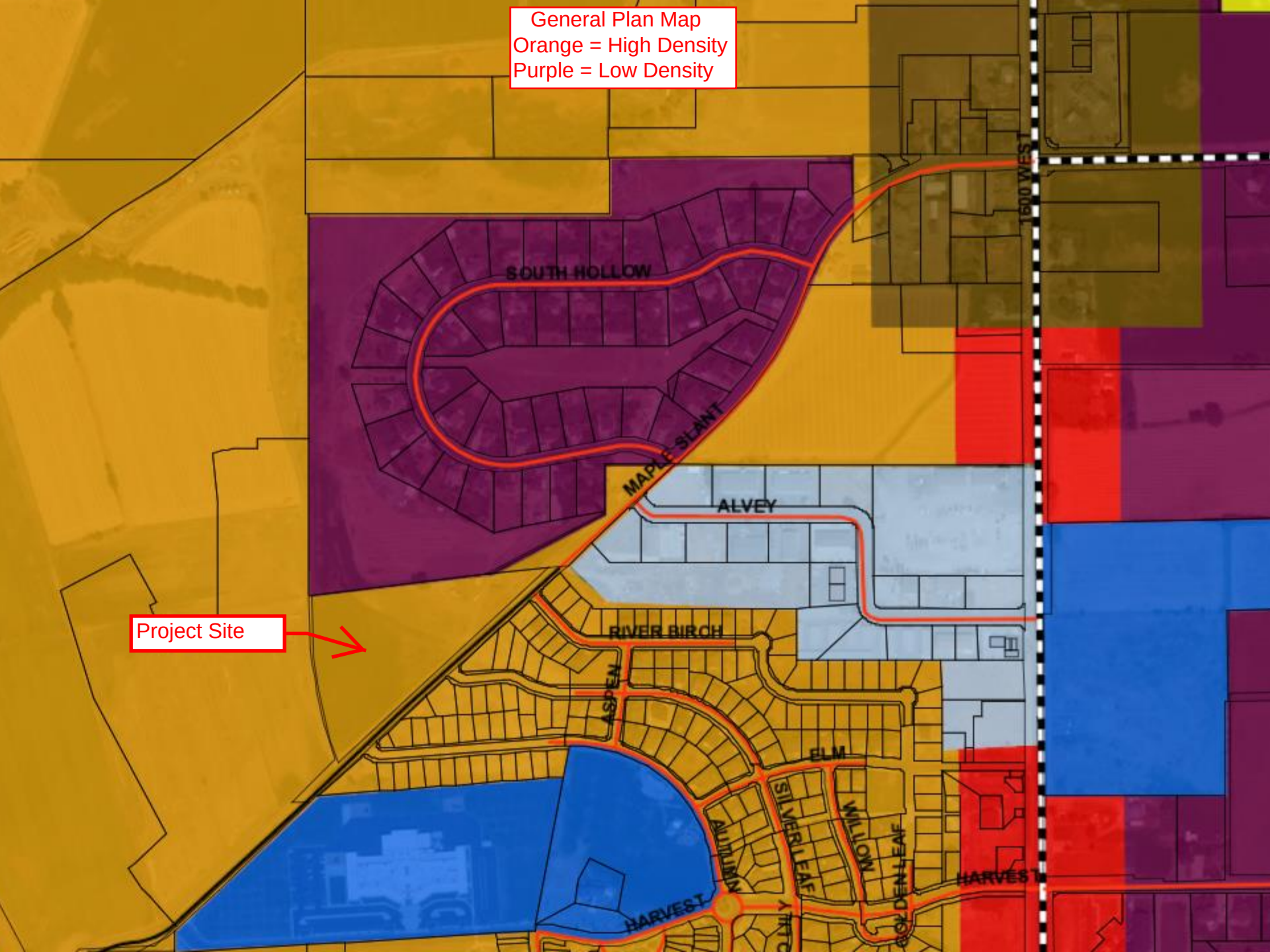
1. The subsequent subdivision application for development on this property shall be generally consistent with the concept plan as presented to the Planning Commission with regards to the location and types of lots proposed.



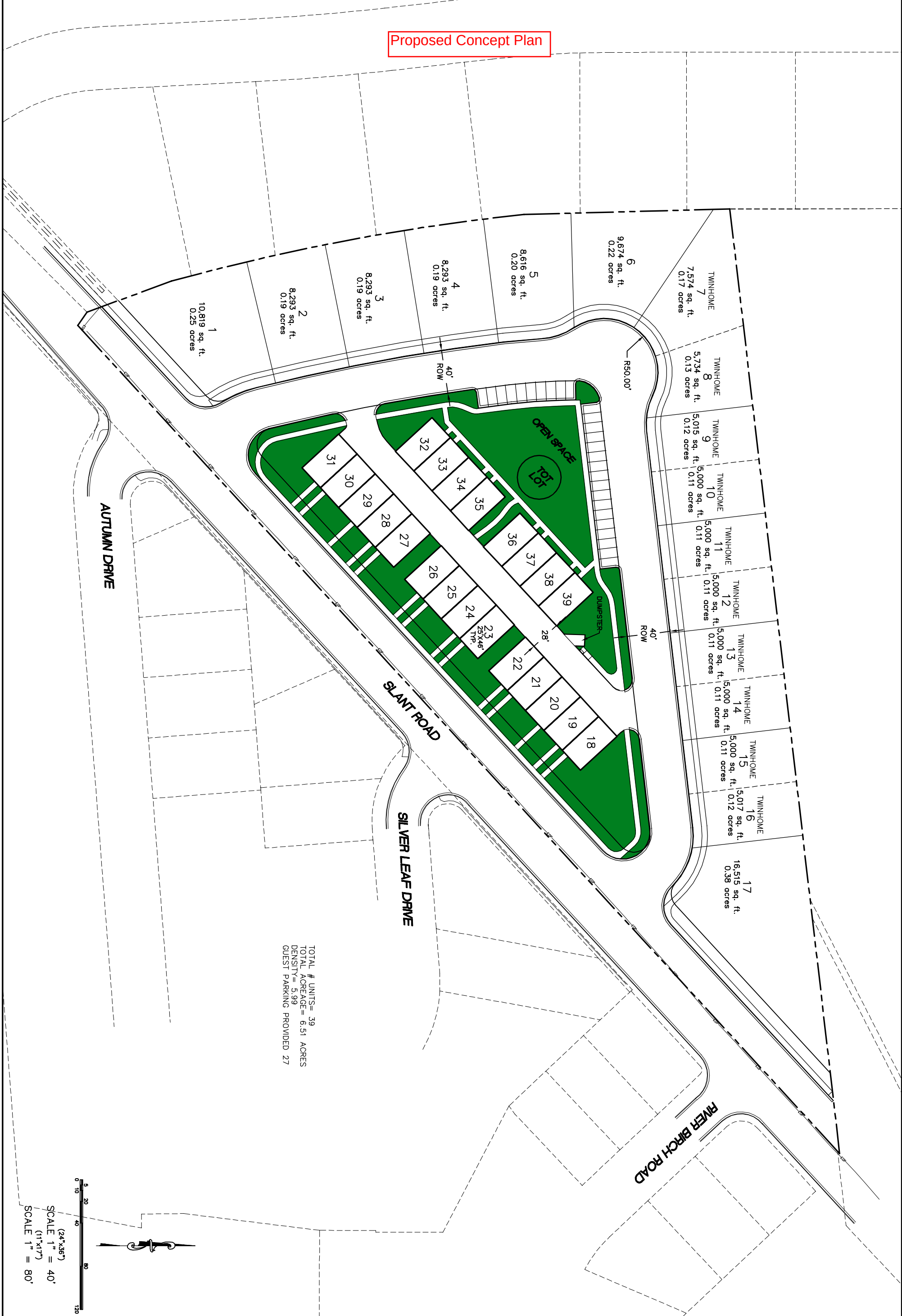
Subject
Property

General Plan Map
Orange = High Density
Purple = Low Density

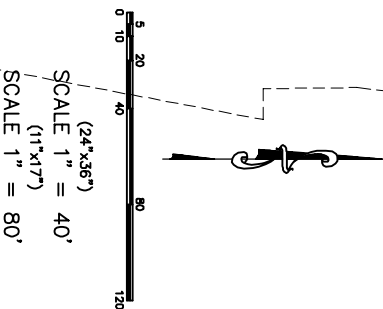
Project Site



Proposed Concept Plan



TOTAL # UNITS= 39
TOTAL ACREAGE= 6.51 ACRES
DENSITY= 5.99
GUEST PARKING PROVIDED 27



NO.	REVISIONS	BY	DATE
12			
11			
10			
9			
8			
7			
6			
5			
4			
3			
2			
1			



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CONCEPT PLAN

MAPLETON CITY, UTAH

SHEET NO.

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