

REZ 2019-03

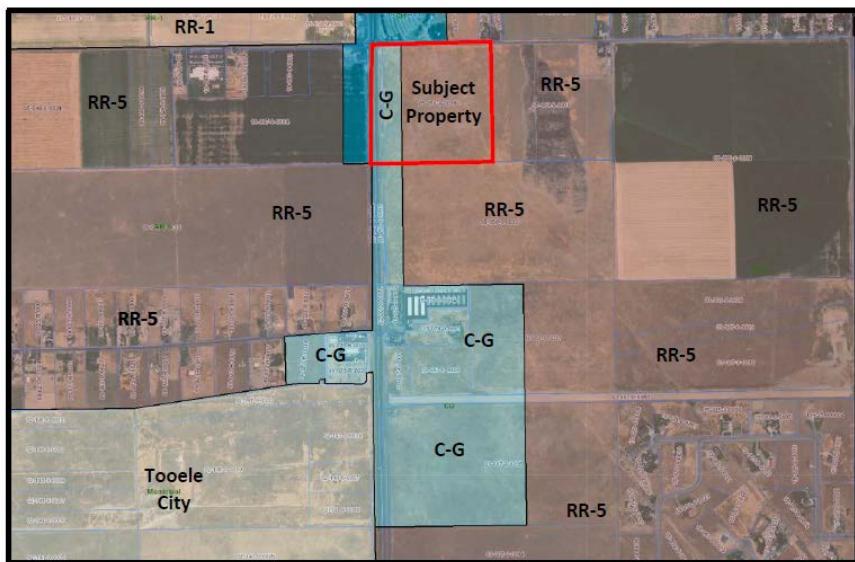
## Rezone Summary and Recommendation

**Public Body: Tooele County Planning Commission**
**Parcel ID: 05-050-0-0038**
**Meeting Date: March 6, 2019**
**Current Zone: RR-5 (Rural Residential, 5 Acre Min.)**
**Proposed Zone: C-G (Commercial General)**
**Property Address: Southeast corner of Erda Way and SR-36**
**Request: Rezone from RR-5 to C-G**
**Unincorporated: Erda**
**Planner: Jeff Miller**
**Planning Commission Recommendation: Not Yet Received**
**Applicant Name: Tom Uriona**

### PROJECT DESCRIPTION

Tom Uriona on behalf of a medical services provider is requesting a rezone from RR-5 (Rural Residential, 5 Acre Minimum) to C-G (Commercial General) to allow for the eventual development of medical services/ambulatory services with ancillary support facilities at this site, to meet the anticipated need for medical services in the County with additional population growth. It is anticipated that for the foreseeable future there will be minimal physical changes to the subject property.

### SITE & VICINITY DESCRIPTION (see attached map)



The subject property is located at the southeast corner of Erda Way and SR-36 and is approximately 35.11 acres in size. There is approximately 5.93 acres running along SR-36, which is already zoned C-G. There are parcels zoned C-H (Commercial Highway) immediately west and north of the subject property. There are parcels zoned RR-5 (Rural Residential, 5 Acre Minimum) in all directions in the general vicinity. Most of these parcels are currently undeveloped. There is a large area of parcels zoned RR-1 (Rural Residential, 1 Acre Minimum) northwest of the subject property.

Continuing south from the portion of the subject property already zoned C-G, is a relatively large area of parcels zoned C-G. The largest portion of this area extends further east than what is proposed with the subject property.

## ZONE CONSIDERATIONS

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Requirement	Existing Zone (RR-5)	Proposed Zone (C-G)
Height	35 Feet	75 Feet
Front Yard Setback	30 Feet	Minimum yard setback requirements shall be established in the conditional use permit or planned unit development approval, except no commercial building shall be located closer than 50 feet to any residential district boundary line or to any street line which continues as frontage into a residential district, and no such building shall encroach on any easement.
Side Yard Setback	20 Feet (both Main and Accessory Buildings)	Same as above.
Rear Yard Setback	50 Feet (both Main and Accessory Buildings)	Same as above.
Lot Width	220 Feet	N/A
Lot Area	5 Acre Minimum	N/A
Maximum Lot Coverage	N/A	Buildings and structures shall cover no more than 30% of the lot area except as may otherwise be allowed through planned unit development approval, except coverage shall not exceed 50% in C-G zoning districts.
Required Improvements	Street Grading, Street Base, On-Site Surface Drainage Facilities, Culinary Water Facilities, Wastewater Disposal and Street Monuments	Street Grading, Street Base, Curb and Gutter, Sidewalk, On-Site Surface Drainage Facilities, Culinary Water Facilities, Wastewater Disposal and Street Monuments, and any other infrastructure deemed necessary

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with the General Plan.	Yes

## GENERAL PLAN CONSIDERATIONS

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The subject property is located in an area that is envisioned to be a "Mixed Use Center" according to **Map 2-6 (Future Land Use)** of the Tooele County General Plan Update 2016. It is anticipated that at build out there will be a mixture of uses at the intersection of Erda Way and SR-36. A rezone from RR-5 to C-G would be consistent within the anticipated growth in this area.

## ISSUES OF CONCERN/PROPOSED MITIGATION

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Planning Staff has not identified any issues of concern with the proposed rezone request.

## NEIGHBORHOOD RESPONSE

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Planning Staff has not received any comments from the surrounding neighbors or general public as of the completion of this report. Any comments that are received will be presented to the Tooele County Planning Commission on March 6, 2019.

## PLANNING COMMISSION RESPONSE

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This item will be heard by the Tooele County Planning Commission on March 6, 2019. Their recommendation and any zoning conditions will be presented to the Tooele County Commission.

## PLANNING STAFF ANALYSIS

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**Section 17-1-4** of the Tooele County Land Use Ordinance states that the purpose of the C-G (Commercial General) zoning district, is as follows:

*"The purpose of Commercial General (C-G) Zoning districts are to provide areas in appropriate locations where a combination of business, commercial, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses that are vital to economic life, some of which would be intrusive and disruptive in a shopping center-type of commercial development."*

Hospital, public or private is identified as a Conditional Use in the C-G zone. Medical/dental clinic, laboratories, infirmary, and immediate care facility are identified as a Permitted Use in the C-G zone. The eventual development of medical services/ambulatory services with ancillary support facilities at this location would be compatible with the permitted and conditional uses identified in the C-G zone.

Tooele County Land Use Ordinance **3-9 (3c)**, states that in analyzing the proposed rezone request, Planning Staff should analyze, *"the extent to which the proposed development of the subject property in accordance with the requested zoning will be in harmony with and compatible with surrounding land uses and present development."*

Staff has reviewed the requested rezone and has found that the subject property is located immediately adjacent to existing properties in the C-G zone and would not be a significant change in zoning for the area.

The anticipated use of the subject property would be compatible with the surrounding uses in the general vicinity. Future residential development adjacent to the anticipated medical uses at this property could be compatible.

The subject property is comprised of two existing zones on one parcel (C-G) and (RR-5). Planning Staff would typically discourage the split zoning of one parcel. As such, Planning Staff would encourage the proposed establishment of a uniform zoning district on the subject property.

**\*Please see the attached responses from the applicant regarding the requirements found in Section 3-9 of the Tooele County Land Use Ordinance.**

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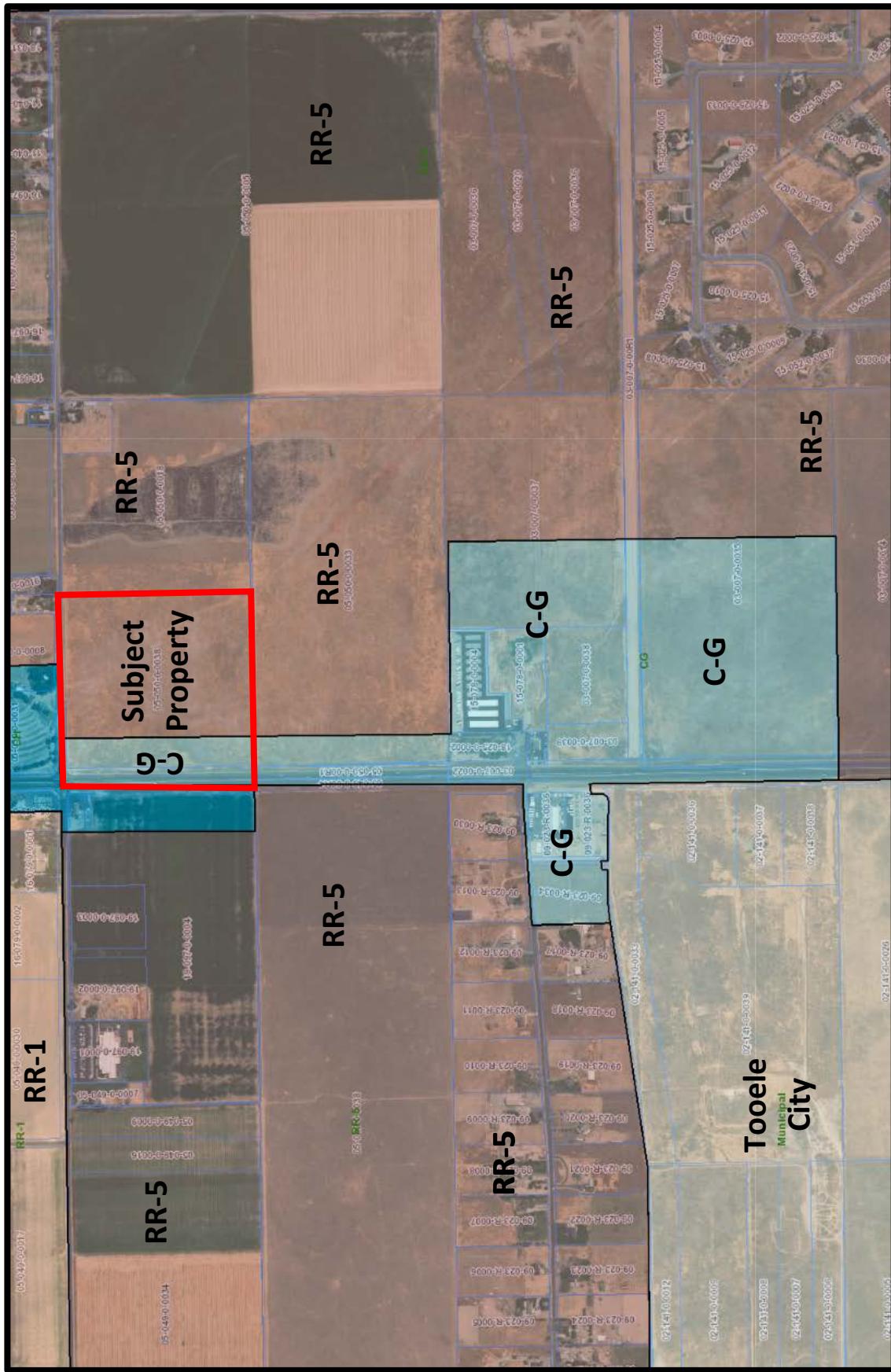
## **PLANNING STAFF RECOMMENDATION**

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Planning Staff recommends that the Tooele County Planning Commission analyzes the information provided in this Staff Report to ensure that the proposed rezone request would be compatible with existing commercial and residential uses in the surrounding area prior to making a recommendation to the Tooele County Commission.

## REZ 2019-03: Rezone from RR-5 (Rural Residential, 5 Acre Minimum) to C-G (Commercial General)

Located at the southeast corner of Erda Way and SR-36 (Parcel ID: 05-050-0-0038)



- (a) general existing site characteristics including ownership, topography, soils, drainage, vegetation and other physical characteristics of the area proposed to be changed;

The 35.11 acre parcel is currently owned by Lillian Ruth Mueller Walters Trust and is identified as parcel number 05-050-0-0038 by the Tooele County Assessor's Office. The property is located at the southeast corner of Highway 36 and Erda Way in Erda, Utah. The ground surface at the site is relatively flat and slopes gently down toward the northwest. Vegetation at the site consists predominantly of grass and weeds. There are no permanent structures on the property.

- (b) a legal description of the area to be zoned;

BEGINNING 3 RODS EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, ON THE SOUTH LINE OF ERDA WAY, AND RUNNING THENCE EAST 77 RODS; THENCE SOUTH 80 RODS; THENCE WEST 77 RODS, THENCE NORTH 80 RODS TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN FEE FOR THE PURPOSE OF WIDENING SR-36, KNOWN AS PROJECT NO. 0036, BEING PART OF AN ENTIRE TRACT OF PROPERTY SITUATE IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PROPERTY, BEING 49.50 FEET SOUTH 89°40'27" EAST (RECORD: WEST) FROM THE WEST QUARTER CORNER OF SECTION 34, AND RUNNING THENCE NORTH 89°40'27" EAST 529.49 FEET (RECORD: EAST) ALONG THE NORTH LINE OF SAID PROPERTY; THENCE SOUTH 47.37 FEET; THENCE WEST 451.86 FEET; THENCE SOUTH 00°23'53" EAST 1279.95 FEET TO THE SOUTH LINE OF SAID PROPERTY; THENCE SOUTH 89°40'31" WEST 79.48 FEET (RECORD: WEST) ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF SAID PROPERTY, AT A POINT WHICH IS 100.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE CENTER LINE OF SAID SR-36 OF SAID PROJECT, AT ENGINEER STATION 299+27.87; THENCE NORTH 00°18'15" WEST 1324.75 FEET (RECORD: NORTH) ALONG THE WEST LINE OF SAID PROPERTY TO THE POINT OF BEGINNING AS SHOWN ON THE OFFICIAL MAP OF SAID PROJECT ON FILE IN THE OFFICE OF THE UTAH DEPARTMENT OF TRANSPORTATION.

- (c) types of land uses permitted, conditional or prohibited in the current zoning district and the proposed zoning district;

The parcel currently contains two zoning designations, CG and RR-5. The request is to change the zoning on the entire parcel to a CG Zone consistent with the General Plan of Tooele County which would allow for eventual development of medical services/ambulatory services with ancillary support facilities.

- (d) existing transportation patterns to include public and private roads and internal and external circulation patterns, rights-of-way, easements and parking;

A site plan to show existing transportation patterns with internal and external circulation patterns has not been created but will be presented at a future date when development of the property will occur.

- (e) existing and proposed land uses, open spaces, impervious surfaces including streets, parking areas, structures and buildings with a general description of size area, intensities/densities, and height, and proposed storm-water drainage facilities;

A site plan to show future improvements has not been created but will be presented at a future date when development of the property will occur.

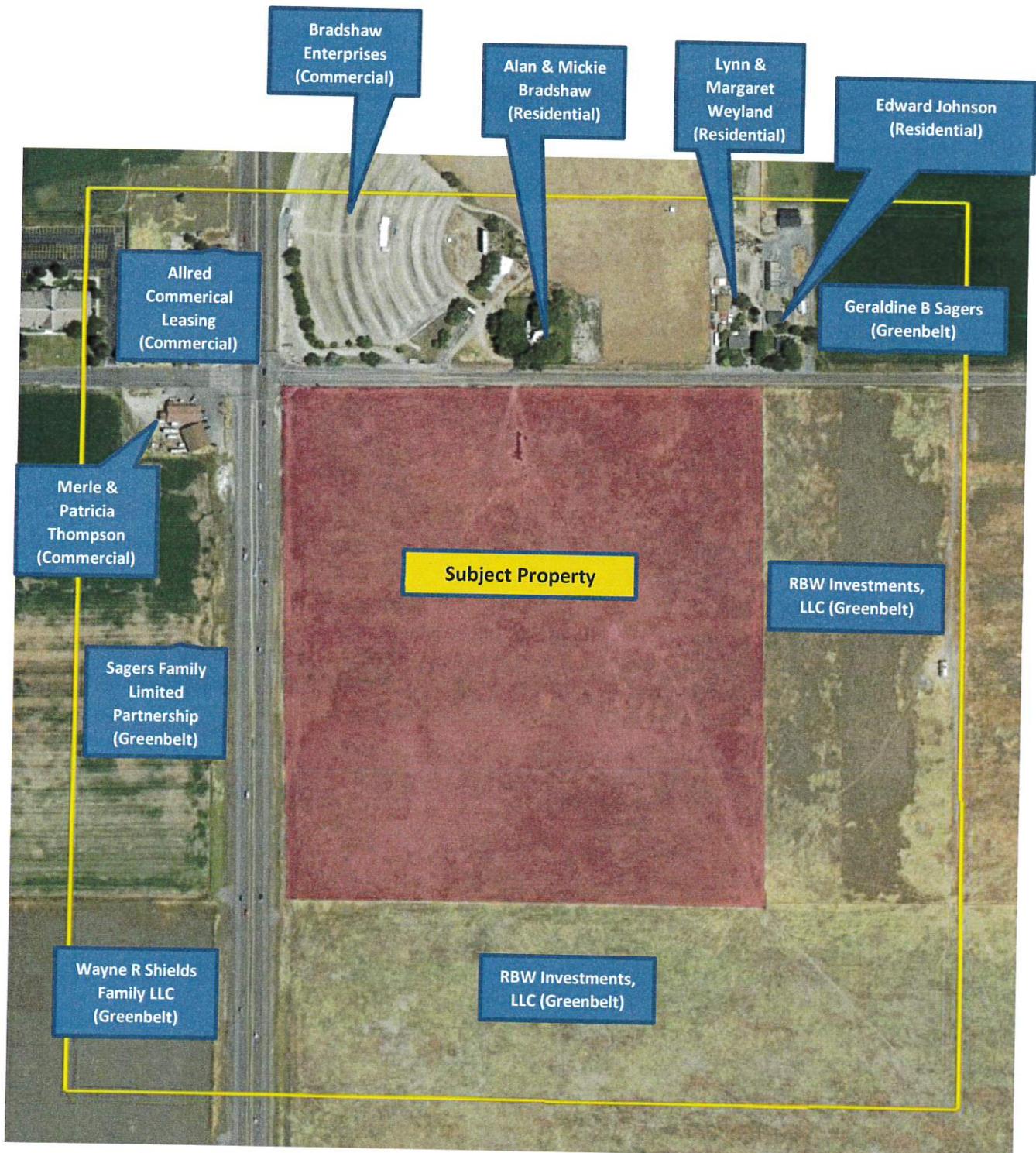
- (f) existing and proposed utilities and infrastructure;

There is currently electricity and gas available right next to the parcel. Water and sewer are planned to be extended to the site from ½ mile west of the parcel.

- (g) relationship of proposed zone change with Tooele County General Plan and how specifically the proposed zone change would conflict, conform, complement or otherwise affect the Tooele County General Plan as well as any special studies that are designed to further detail the Tooele County General Plan in a specific area;

The proposed request to change the zoning on the entire parcel to a CG Zone is consistent with the General Plan of Tooele County.

(h) an area map showing adjacent property owners and existing land uses within 500 feet of the area proposed to be rezoned;



- (i) the location, description and acreage of land uses;

The location of the Subject Parcel for zone change is the southeast corner of Hwy. 36 and Erda Way in Erda, Utah. The entire parcel is currently in greenbelt status.

- (j) approximate location and number of residential units along with approximate square footage, density and height;

There are currently no residential units on the Subject Parcel.

- (k) approximate location and square footage of non-residential buildings;

There are currently no non-residential buildings on the Subject Parcel.

- (l) calculation of approximate amount of open space both before and after buildout construction, indicating areas of expected open space and new landscaping, and including maintenance plans for these areas;

A site plan to show future open space and landscaping has not been created but will be presented at a future date when development of the property will occur.

- (m) if the site has unusual or unique natural features, a demonstration of how proposed development preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural draining patterns, and if appropriate, geotechnical studies submitted to indicate soil types, depth of bedrock and slope stability;

There is nothing unusual or unique about the Subject Parcel.

- (n) a description of the availability of culinary and irrigation water, community facilities such as schools, fire protection services and other types of facilities that would serve the re-zoned area and how these facilities are affected by this proposal;

Culinary and secondary water will be extended to the site from ½ miles to the west. All applicable laws in reference to water services and protections will be observed by developer.

- (o) approximate location and size of storm water detention and retention areas and calculations on the impact to those systems as a result of the change in density and use of land;

A site plan to show future storm water detention and retention areas has not been created but will be presented at a future date when development of the property will occur.

- (p) an indication of the construction schedule of any project proposed;

There is no timetable for construction at this time.

- (q) for multi-phased projects, a phasing plan that describes the anticipated timing and geographical extent of each phase;

There is no timetable for construction or phasing at this time.

- (r) a detailed traffic study showing the vehicle trips per day on average at buildout and a determination how the project would significantly alter existing traffic patterns or volume;

Since there are no immediate plans for development of the property, a traffic study has not been completed; but, one can be provided once a development plan is presented to the County for consideration.

- (s) for applications involving a PUD, a table of proposed dimensional standards for the proposed land uses or phases including lot sizes and frontages, building heights and intensities, and setbacks and a description of any requested exceptions to the requirements of the underlying zone; and

There is no request involving a PUD on the Subject Parcel.

- (t) any other study or information required by the planning commission or zoning administrator.

Any other study or information can be provided as requested.