Mapleton City

# Planning Commission Staff Report

September 26, 2019

## Item 4

**Applicant:** Rhett Robinson

**Location:** 2680 South 1600 West

**Prepared by:** Brian Tucker, Planner

**Public Hearing:** Y

**Zone:** A-2, GC-1

**Attachments:**

1. Application information.
2. Current Zoning and General Plan
3. Preliminary Concept.

## REQUEST

Consideration of a request to rezone approximately 10.9 acres of property located at approximately 2680 South and Highway 89 to Industrial and Manufacturing (I&M-1).

## BACKGROUND AND PROJECT DESCRIPTION

The subject property is approximately 10.9 acres in size and is located south of the Olsen sheep farm. The site has frontage on Highway 89 and the train tracks run along its west side. The site is triangular in shape, narrowing as HWY 89 begins to veer toward Spanish Fork Canyon. The site includes one home on HWY 89 that has been used as a residence. The rest of the site has no permanent structures and is currently the home of two businesses operating without licenses, permits, or any City approvals.

The site is currently zoned Agricultural-Residential (A-2) and General Commercial (GC-1), although the General Plan designates the property as "Industrial and Manufacturing". The applicant is requesting a rezone of the entire 10.9 acres to Industrial and Manufacturing (I&M-1).

The applicant has submitted a concept plan showing the existing home as a "house office", a 14,400 sf "sports facility" building, a building with two industrial offices and outdoor storage. The concept is preliminary and could change.

## EVALUATION

General plan amendments and rezone requests are considered legislative actions. 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.

Mapleton City Code Section 18.12.010.B provides the following list of guidelines to be used in reviewing amendment requests:

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.*

7. *Verification of correctness in the original zoning or general plan for the area in question.*

8. *In cases where a conflict arises between the general plan map and general plan policies, precedence shall be given to the plan policies.*

**General Plan & Zoning:** The general plan land use map is meant to demonstrate the City's long-term vision for how properties may develop over time. When a request for a rezone is submitted, the general plan is intended to help determine whether the request is consistent with the long-term vision for development in a particular area. When a rezone request is not consistent with the general plan, the Planning Commission and City Council must determine if the general plan still accurately reflects the desired development pattern for the area. If it does still reflect the desired pattern, the rezone request should be denied, but if it does not, or there is justification for another designation, the general plan should be amended as part of the rezone approval.

While the property currently is zoned A-2 and GC-1, the general plan designation for the site is Industrial and Manufacturing. The general plan states the following regarding this designation:

> *"The purpose of the Industrial and Manufacturing designation is to provide areas for light and heavy industrial activities which have a more intense land use than those in the General Commercial designation. Uses characteristic of the designation are commercial, storage facilities, warehousing, manufacturing and retail industrial businesses. The site and building design shall fit with the general rural character of the community by incorporating attractive facades and landscaping, and shall not cause threats to the public health, safety, or welfare."*

The requested rezone to I&M-1 is consistent with the general plan. The site is a logical location for an I&M-1 zone with the train tracks on its western boundary and Highway 89 on its eastern boundary.

**Concept Plan:** MCC Chapter 18.12.010 requires the applicant to submit a concept plan with the rezone application. The purpose of the concept plan is to provide a general vision for how the applicant intends to develop the property. The Commission is not approving or denying the concept plan at this time, but it can provide direction and/or conditions with the rezone approval related to development of the property.

As mentioned previously, the applicant's concept is preliminary in nature and the proposed uses could change. The Commission should assume that any of the allowed uses in the I&M-1 zones could potentially be built on this site if the rezones are approved.

**Current Use of the Property:** The property owner is currently using the property as a landscaping stone storage yard and is allowing the use of the southern portion of the property as a storage area for a landscaping company. The property owner has been sent a correction notice indicating that these uses and businesses are not permitted under the current zoning and that in order to use the property in this manner the property will need to be developed in accordance with City Code.

The Rezone application is the first of a number of steps the applicant needs to take to bring the property into compliance. Future steps will include site plan approvals, project improvements, including the construction of buildings, landscaping and finally business licensing.

## STAFF RECCOMENDATION

Recommend approval of the application to the City Council with the following special conditions.

## SPECIAL CONDITIONS

Because the property is currently in violation of City Code, and because the rezone alone does not bring the property into compliance, the following Special Conditions are applied to this rezone:

1. The applicant shall make an application for site plan approval no later than February 28, 2020.
2. If a complete application for site plan approval is not submitted by February 28, 2020, the applicant shall cease and desist all business activities immediately and remove all business-related equipment, materials and merchandise from the project area, and restored to a state of compliance with City Code, by March 28, 2020.
3. The applicant shall install landscaping, screening, parking and other required site improvements, as indicated by the approved site plan no later than August 28, 2020. This requirement does not include an obligation to construct new buildings.
4. If the landscaping, screening, parking and other required sire improvements are not installed by August 28, 2020, the applicant shall cease and desist all business activities immediately and remove all business-related equipment, materials and merchandise from the project area, and restored to a state of compliance with City Code, by September 28, 2020.
5. The project may be phased, however the area indicated as "future development" must be kept free of equipment, construction materials, refuse and any other items that are not native to the parcel. "Future Development" areas must be kept in a state of compliance with City Code.

Mapleton City Corp
125 West Community Center Way
Mapleton, UT 84664

MAPLETON
UTAH

# ZONING MAP/GENERAL PLAN MAP AMENDMENT APPLICATION

## Applicant Information

Applicant: Rhett Robison Phone #: 801-860-7625

Address: 1524 E 715 S City, State, Zip: 84664

Email: CRSTONEINC@GMAIL.com Project Parcel#: _____

Project Location: 2680 S 1600 W Mapleton, UT 84664

Project Type: Zoning Map Amendment General Plan Map Amendment

Existing Zone: GC1 & A2 Proposed Zone: I&M-1

Existing General Plan Designation: Industrial & Manufacturing

Proposed General Plan Designation: Industrial & Manufacturing

Reason for zone/general plan change:

Zone change request only
Zone change to be in compliance

Applicant's Signature: [signature] Date: 8-14-19
(property owner or authorized agent)

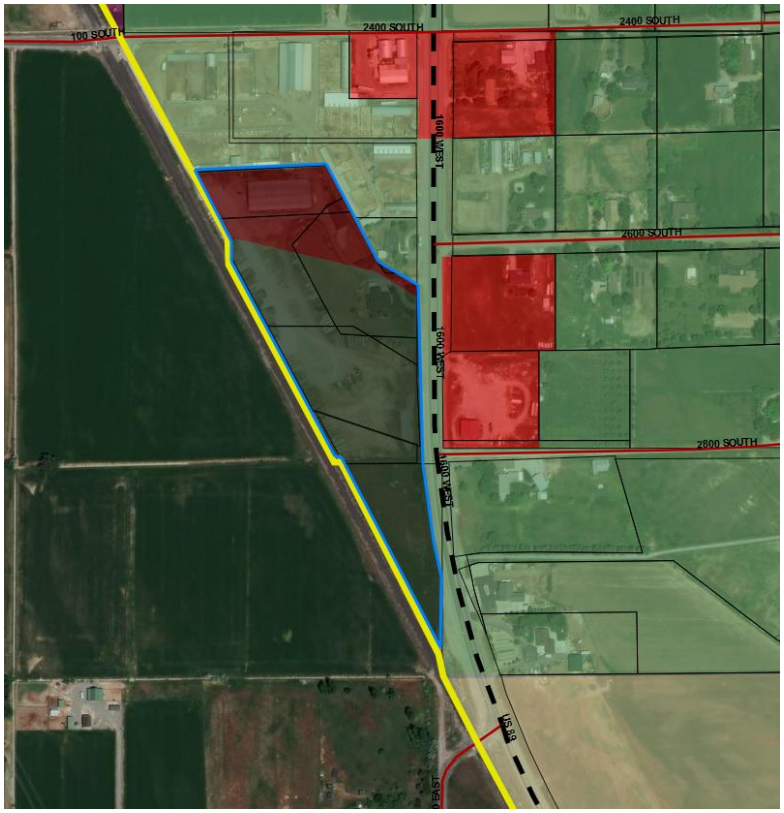
## Submittal Requirements

- Map showing the area of the proposed change;
- A detailed geologic study will be required for zone or general plan changes involving Critical Environmental areas; and
- A development concept plan if applicable.

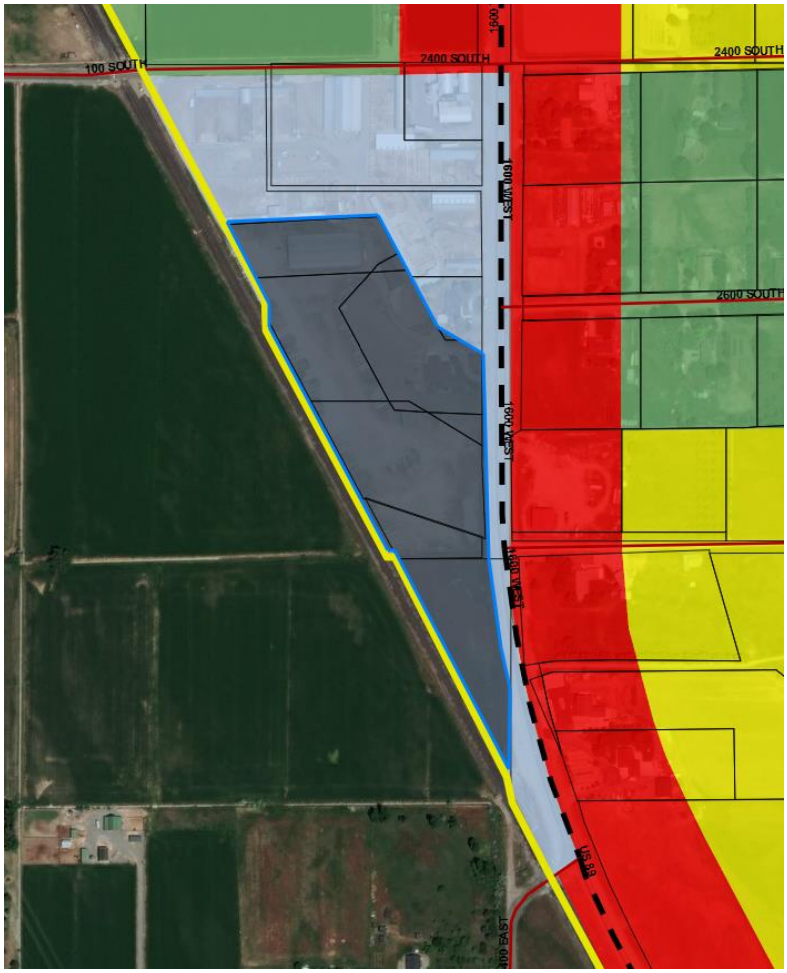
RZ-04-19

REZONE
TO
I&M-1
INDUSTRIAL
&
MANUFACTURING
U.S. HWY 89
89
© 2018 Google

Current Zoning




General Plan



GENERAL NOTES:

1. CONTRACTOR TO NOTIFY BLUE STAKES PRIOR TO CONSTRUCTION
2. CONTRACTOR TO VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITY LINES AND STRUCTURES PRIOR TO CONSTRUCTION
3. ALL PROPOSED WATER LINES TO HAVE A MINIMUM OF 5' OF COVER
4. ALL SEWER, WATER AND STORM DRAIN PIPES SHALL BE BACKFILLED WITH SELECT GRANULAR FILL AS PER CITY STANDARDS.
5. ANY OFF SITE DAMAGE TO EXISTING ASPHALT, CURB & GUTTER, LANDSCAPING AND ALL UTILITIES TO BE REPLACED IN KIND.
6. SEE UTILITY PLAN FOR CONSTRUCTION OF SEWER AND WATER LINES.
7. ALL WORK TO BE ACCORDING TO CITY STANDARDS.

# LEGEND

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|---|---|
| LOT LINES (PROPERTY) | |
| EXISTING CURB AND GUTTER | |
| PROPOSED CURB AND GUTTER | |
| STRIPING | |
| BUILDING SETBACK | |
| LANDSCAPE SETBACK | |
| EXISTING BUILDING | |
| EXISTING FENCE | x |
| TOP BACK OF CURB | TBC |
| FINISHED FLOOR ELEVATION | FFE |
| LANDSCAPE AREA | |
| CONCRETE AREA | |
| DRAINAGE ARROWS | |

UDOT NOTES

1. UDOT RESERVES THE RIGHT, AT ITS OPTION, TO INSTALL A RAISED MEDIAN ISLAND OR RESTRICT THE ACCESS TO A RIGHT-IN OR RIGHT-OUT AT ANY TIME.
2. WORK ON THE UDOT RIGHT-OF-WAY IS SEASONALLY RESTRICTED FROM OCTOBER 15 TO APRIL 15.
3. ROW WORK: WORK IS NOT ALLOWED ON THE RIGHT-OF-WAY DURING THE AM/PM PEAK TRAFFIC HOURS (6:00-9:00AM AND 3:30-6:00PM). ADDITIONAL WORK RESTRICTIONS OR MODIFICATIONS MAY BE IMPOSED AT THE TIME OF THE ENCROACHMENT PERMIT.
4. REPLACE ALL PAVEMENT MARKINGS IN KIND (TAPE WITH TAPE AND PAINT WITH PAINT). INSTALL ALL PAINT LINES WITH PERMANENT PAINT APPLICATION PER UDOT SPECIFICATION 02765. PAINT MUST HAVE AT LEAST 6 MONTHS LIFE AS DETERMINED BY UDOT'S PERMITS OFFICER.
5. ALL NEW PAVEMENT WORDS, ARROWS AND SYMBOLS MARKING WITHIN THE RIGHT-OF-WAY SHALL BE PRE-FORMED THERMO PLASTIC. ALL LETTERS, ARROW AND SYMBOLS SHALL CONFORM WITH THE "STANDARD ALPHABET FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS" ADOPTED BY THE FEDERAL HIGHWAY ADMINISTRATION.
6. ALL SIGNS INSTALLED ON THE UDOT RIGHT-OF-WAY MUST BE HIGH INTENSITY GRADE (TYPE IX SHEETING) WITH A B3 SLIP BASE. INSTALL ALL SIGNS PER UDOT SN SERIES STANDARD DRAWINGS.
7. BEFORE COMMENCING WORK ON THE STATE HIGHWAY, THE GENERAL CONTRACTOR IS REQUIRED TO OBTAIN AN ENCROACHMENT PERMIT FROM THE APPLICABLE REGION'S PERMITS OFFICE BEFORE WORKING WITHIN THE STATE RIGHT-OF-WAY.
8. NO ROAD CUTS ALLOWED ON THIS JOB.
9. FOR ALL UTILITY TAPS (ROAD CUTS), USE FLOWABLE FILL PER UDOT'S CURRENT MIX DESIGN (50-150 PSI) UDOT SPEC. 03575.
10. ALL UTILITIES WITHIN THE PAVED SURFACE MUST BE BORED.
11. FOR EXCAVATIONS OUTSIDE OF THE ROADWAY, BACK FILL WITH UDOT APPROVED GRANULAR BORROW AND ROAD BASE. COMPACTION PER UDOT SPEC. 2056 AND 2721.
12. OWNER, DEVELOPER, AND/OR THE CONTRACTOR IS REQUIRED TO HIRE AN INDEPENDENT COMPANY FOR ALL TESTING WITHIN THE UDOT RIGHT-OF-WAY.
13. OWNER, DEVELOPER, AND THE CONTRACTOR ARE RESPONSIBLE FOR ANY DAMAGE TO THE UDOT RIGHT-OF-WAY THAT MAY BE DIRECTLY OR INDIRECTLY CAUSED BY THE DEVELOPMENT ACTIVITY.
14. TRAFFIC SIGNAL INSTALLATION OR MODIFICATION REQUIRES A SEPARATE WARRANTY BOND ONCE THE WORK HAS BEEN COMPLETED AND ACCEPTED. THE PERMITTEE IS RESPONSIBLE FOR HIRING AN INDEPENDENT INSPECTION COMPANY TO PERFORM INSPECTION SERVICES FOR ALL SIGNAL WORK COMPLETED. FOR A LIST OF THE UDOT APPROVED CONTRACTORS AND CONSULTANTS CONTACT THE APPROPRIATE REGIONS TRAFFIC SIGNALS ENGINEER.
15. PARTIAL CONCRETE PANEL REPLACEMENT IS NOT ALLOWED. WHEN PANELS ARE REMOVED, THE ENTIRE PANEL IS REQUIRED TO BE REPLACED PER UDOT STANDARDS, SPECIFICATIONS, AND STANDARD DRAWINGS.
16. DOUBLE SAW CUT THE CONCRETE TO PREVENT THE SPALLING OF OTHER CONCRETE PANELS AND TO AVOID OVER CUTS. OVER CUTS AND SPALLS WILL REQUIRE FULL PANEL REPLACEMENT.
17. ALL ABOVE GROUND FEATURES INCLUDING UTILITIES (POLES, FIRE HYDRANTS, BOXES, ETC.) MUST BE RELOCATED OUT OF THE AASHTO CLEAR ZONE OR A MINIMUM OF 18" BEHIND CURB.

CALL BEFORE YOU DIG!
IT'S THE LAW
BLUE STAKES 1 800 662 4111

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0 60 120 180
Scale in Feet

| NO. | REVISIONS | BY | DATE |
|---|---|---|---|
| | | | |

PROJECT ENGINEER: LP
DESIGNER: DL

ELEVATE ENGINEERING
492 WEST 1200 NORTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvin@elevateeng.com

ELEVATE ENGINEERING

US HWY 89
UDOT PLAN
2800 SOUTH & US HWY 89

PROFESSIONAL ENGINEER
9/04/2019
10864737
LARVIN POLLOCK
STATE OF UTAH

SHEET:
C-1

DATE: Sep 04, 2019

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