

City Council Staff Report

November 6, 2019

Applicant: Skyline

Holdings Group, LLC

Location: SW corner of

2400 S & Hwy 89

Prepared by: Sean Conroy,

Community Development

Director

Public Hearing: Y

Zone: A-2, GC-1

Attachments:

1. Application information.
2. Zoning text.
3. PC minutes.
4. Correspondence.

REQUEST

Consideration of an Ordinance approving a rezone of approximately 9 acres of property located at 2400 South and Highway 89 to a mix of General Commercial (GC-1) and Industrial and Manufacturing (I&M-1), and to amend the General Plan to include a General Commercial designation for a portion of the property.

BACKGROUND AND PROJECT DESCRIPTION

The subject property is approximately 9 acres in size and is commonly known as the Olsen sheep farm. The site has frontage on Highway 89 and 2400 South, and the train tracks run along its west side. The site is developed with a single-family dwelling and a number of agricultural buildings.

The northeast corner of the site is zoned General Commercial (GC-1) and is one acre in size, while the remaining 8 acres of the site is zoned Agricultural-Residential (A-2). The applicant is requesting the following:

- Amend the general plan from Industrial to General Commercial and the zoning from A-2 to GC-1 for the eastern 2.2 acres along Highway 89. This would create a total of 3.3 acres of GC-1 along the Highway; and
- Rezone the western 5.7 acres to Industrial and Manufacturing (I&M-1).

The applicant has submitted a concept plan showing a professional office building and some mixed-use structures in the GC-1 zone, and warehouse space in the industrial area. However, the applicant has indicated the concept is very preliminary in nature and will likely change.

EVALUATION

General plan amendments and rezone requests are considered legislative actions. The City Council generally has 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 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.

The current general plan designation does not include General Commercial. However, staff points out that in addition to the one-acre corner that is already zoned GC-1, three parcels across the street on the east side of Highway 89 are already zoned CG-1, and almost all of the Highway 89 corridor on both sides of the road have a general plan designation of either General Commercial or Shopping Center Commercial. Based on these facts, staff can support adding a General Commercial designation to the property and a rezone to GC-1 as requested. Staff also notes that the design standards are more stringent in the GC-1 zone than in the I&M-1 zone, which will help ensure an attractive appearance along Highway 89.

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. Section 18.72.050 contains additional requirements for rezone requests in the I&M-1, including a preliminary project plan showing existing and proposed buildings, parking and access, conceptual signage, landscaping and preliminary elevations showing the general appearance of the proposed buildings. The code indicates that if a final project plan is not submitted within 1 year of the rezone decision, that the City may take action to rezone the property back to its previous zone.

The applicant has submitted a conceptual site plan and photos of potential building designs. The plans do not include formal elevation drawings, parking or landscaping yet because the applicant has indicated that they do not have a specific project proposed for the site. The likely intent is to establish the zoning so the applicant can market the site based on the allowed uses in the zone. If the Council would like a more formal plan for the site prior to approving the rezone, the application could be continued until a more formal plan is submitted.

Planning Commission Review: The Planning Commission held a public hearing on this application on September 26, 2019 (see attachment “3”). The public comments were varied, but included suggestions that the property should remain A-2, support for the proposed rezone, and suggestions to limit the commercial uses to avoid impacts on the neighboring residential properties. The Planning Commission determined that the location was appropriate for industrial and commercial uses and recommended approval of the rezone to the City Council with the condition that no 24/7 commercial businesses be permitted to limit impacts on neighboring residential properties.

Options: The Council may consider at least the following options:

- 1) Continue the application until the applicant has a more defined development plan.
- 2) Approve the rezone request as recommended by the Planning Commission. The applicant would need to submit a formal project plan application for the industrial portion of the site within 1 year of the rezone or the City could take action to rezone the industrial area back to A-2.
- 3) Deny the application.

STAFF RECOMMENDATION

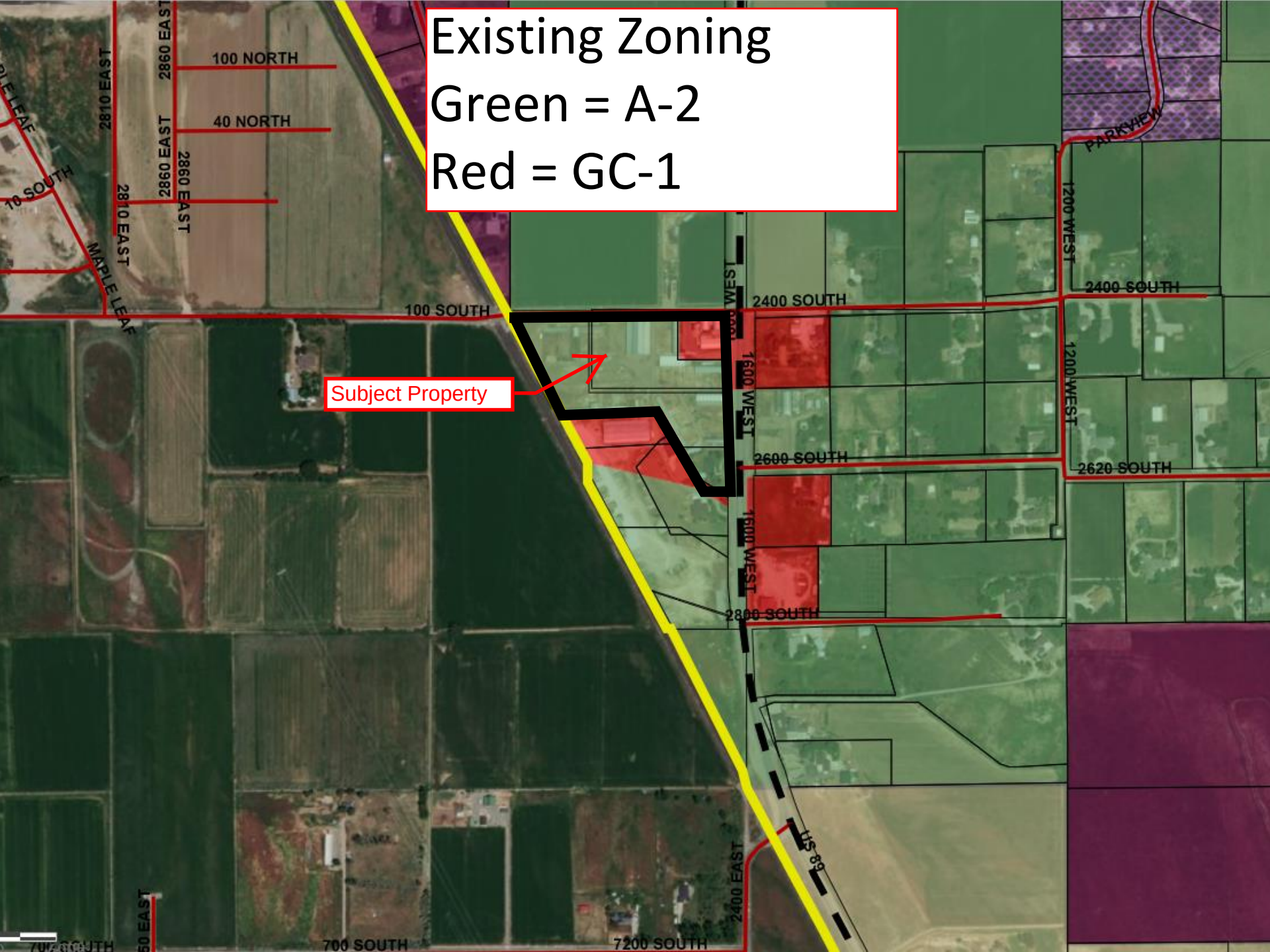
Staff supports options 1 or 2.

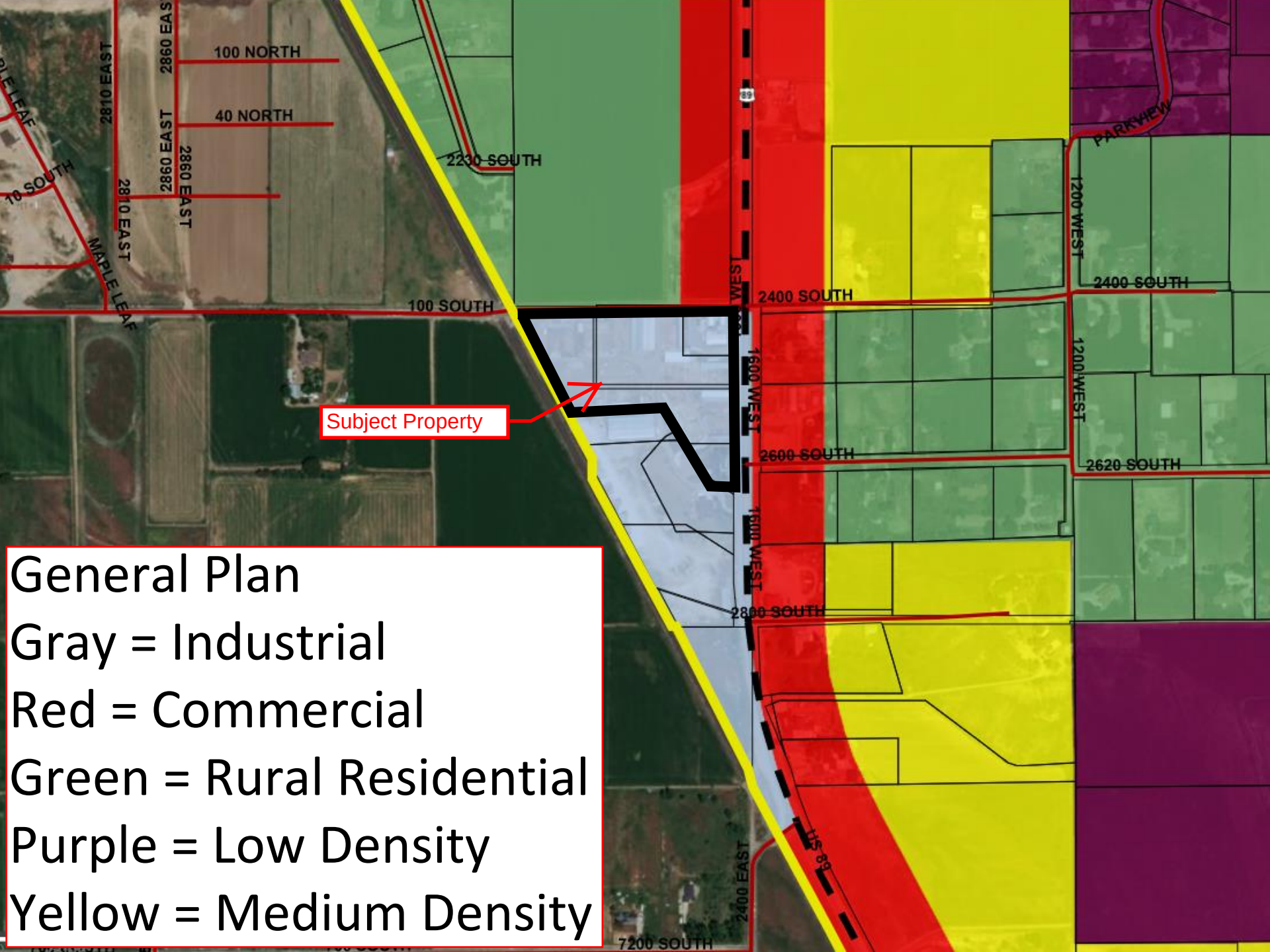
Attachment "1"

Application Information

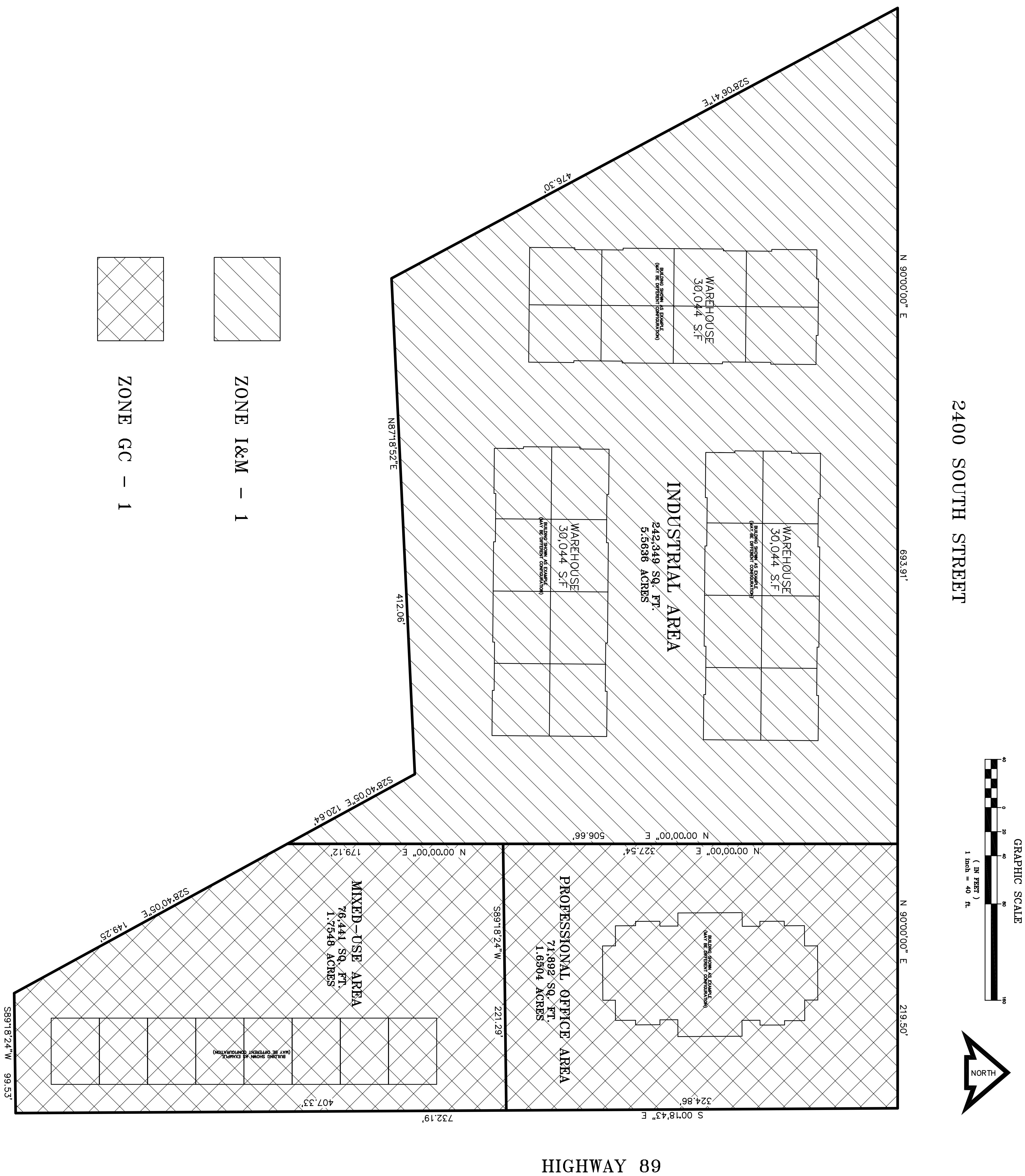


Existing Zoning
Green = A-2
Red = GC-1





Proposed Concept Plan



Attachment “2” GC-1 and I&M-1 Zoning Text

Chapter 18.64 GC-1 GENERAL COMMERCIAL ZONE

18.64.010: GENERAL OBJECTIVES AND CHARACTERISTICS:

18.64.020: INTENT:

18.64.030: PERMITTED USES:

18.64.035: CONDITIONALLY PERMITTED USES:

18.64.040: MIXED COMMERCIAL AND RESIDENTIAL USES:

18.64.050: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

18.64.060: OUTSIDE STORAGE PROHIBITED:

18.64.010: GENERAL OBJECTIVES AND CHARACTERISTICS:

A. The GC-1 General Commercial Zone has been established as a district in which the primary use of the land is for retail and commercial establishments. The objectives in establishing this zone are to:

1. Designate the most appropriate land within the City for light commercial and general retail, and to prevent the scattering of commercial uses into surrounding zones;
2. Encourage the construction of and continued use of the land for commercial buildings;
3. Discourage the use of the land for dwellings and for nuisance industries or any other uses which would thwart or substantially interfere with the use of the land for its primary purpose;
4. Discourage "strip" or "linear" commercial along Highway 89 and adjacent arterial and collector roadways.

B. This zone is characterized by a mixture of businesses, retail services, commercial services and craft shops.

C. The GC-1 Zone shall be limited to those areas as shown on the Mapleton City General Plan, or more specifically, those areas along Highway 89 and the intersections of the City's arterial and collector roads. Said intersections along Highway 89 shall include 800 North, 400 North, Maple Street, 800 South, 1600 South and 4600 South. Mapleton City anticipates that the most valued land, which has direct frontage onto Highway 89, and corner lots onto collector and arterial streets, should be the main retail area of the GC-1 Zone. Areas behind retail commercial are best suited for light commercial and nonretail uses. (Ord. 2006-05, 4-12-2006)

18.64.020: INTENT:

The intent of the GC-1 Zone is to provide a zone primarily for the accommodation of commercial and retail uses, as well as professional offices. The GC-1 Zone is not intended for heavy commercial, manufacturing or warehousing. This zone shall be used to promote or establish commercial areas in which Mapleton City's rural atmosphere will be enhanced. The location of the GC-1 Zone shall be close to major arterial streets to provide convenient access for higher traffic volumes without hazard and without traversing through a residential area. The GC-1 Zone shall not be applied to the internal areas of residential neighborhoods. Uses characteristic of this zone are retail businesses, offices, public buildings, and minor automobile services. (Ord. 2006-05, 4-12-2006)

18.64.030: PERMITTED USES:

The following principal uses are permitted in the GC-1 Zone. Uses not specified as a permitted use or a conditional use as defined in section [18.64.035](#) of this chapter, or any use of land contrary to those uses specifically allowed herein, shall be considered "prohibited" in the GC-1 Zone.

Assembly use.

Athletic clubs, bodybuilding studios, spas, aerobic centers.

Auditorium.

Cafes and delis, with or without outdoor dining.

Car wash.

Child care, commercial.

Clinic, animal.

Club.

Commercial convenience store.

Commercial kennel.

Commercial mixed use.

Commercial nursery.

Commercial parking lot.

Commercial repair services.

Comprehensive mental care treatment.

Convalescent home, rest home, nursing home.

Disabled care facility.

Drive-through restaurant.

Entertainment center.

Financial institutions.

Hospital/medical center.

Office, general.

Office, intensive.

Office, medical.

Outdoor storage.

Recreation facility, commercial.

Recreation facility, private.

Recreation facility, public.

Restaurants.

Retail and service commercial.

Shopping center.

Vehicle rental.

Veterinary hospital. (Ord. 2018-08, 6-6-2018, eff. 6-28-2018)

18.64.035: CONDITIONALLY PERMITTED USES:

A. Conditional Use Categories: Uses must be compatible with the intent of this zone as described above. The conditions imposed upon these uses must fall under one or more of the following categories:

1. Safety for persons and property;
2. Health and sanitation;
3. Environmental concerns;
4. Compliance with the General Plan or special characteristics of the zoning district;
5. Performance, specifically the developer's ability to complete the project;
6. Traffic circulation and parking;
7. Aesthetics, based on adopted design standards.
8. Compatibility with existing uses.

- B. Conditional Uses: The following uses and structures are permitted in the GC-1 Zone only after a conditional use permit has been issued, and subject to the terms and conditions thereof. Prior to the Planning Commission's review of a conditional use permit, the applicant must have the plan reviewed by the Development Review Committee.

Gas station.

Gas station, cardlock fueling station.

Gas station with vehicle repair.

Hotel/motel.

Liquor store.

Vehicle repair.

Vehicle sales (minor).

Vehicle sales and service (major). (Ord. 2018-08, 6-6-2018, eff. 6-28-2018)

18.64.040: MIXED COMMERCIAL AND RESIDENTIAL USES:

- A. Conditionally Permitted: A mixed use commercial and single-family residential structure shall be conditionally permitted subject to the following required conditions:

1. Single-family residential dwelling units shall be located directly above the commercial use on the second or third story of the building. No basement units shall be permitted. No residential units shall be permitted above or below another residential dwelling unit.
2. All residential dwelling units must meet all applicable requirements of the International Residential Building Code as adopted by Mapleton City. Each dwelling unit will be of sufficient size to provide for a salubrious environment for the enjoyment of the residents who will occupy it. Each dwelling unit shall have a kitchen suitable for cooking and preparing meals, a bathroom with shower and bathing facilities, a living room and a bedroom. Studio apartments are permitted so long as they provide space for the amenities as described in this section. (Ord. 2006-05, 4-12-2006)
3. There shall be no density restrictions for single-family residential dwelling units. Rather, the site and parking requirements will be the limiting factor to the overall number of residential dwelling units. However, the Planning Commission, based on concern for health, safety and welfare, may limit the total number of proposed residential dwelling units in excess of ten (10). (Ord. 2017-01, 4-19-2017, eff. 5-12-2017)

18.64.050: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

There is no minimum lot area requirement in the GC-1 Zone except as may be dictated by off street parking requirements, adequate circulation, and property site utilization. There will be a minimum of a seventy five foot (75') frontage on a public street. All projects shall comply with the provisions of [chapter 18.92](#), "Commercial Design Standards", of this title which is on file in the City. (Ord. 2017-01, 4-19-2017, eff. 5-12-2017)

18.64.060: OUTSIDE STORAGE PROHIBITED:

The outside storage of any equipment, vehicles or otherwise, is strictly prohibited within any required setback areas. Any vacant land or parcel of property within the GC-1 Zone shall also be prohibited from storage of vehicles, commercial vehicles, building materials, weeds, junk and other debris. (Ord. 2017-01, 4-19-2017, eff. 5-12-2017)

Chapter 18.72 I&M-1 INDUSTRIAL AND MANUFACTURING ZONE

18.72.010: PURPOSE AND INTENT:

18.72.020: PERMITTED USES:

18.72.025: CONDITIONALLY PERMITTED USES:

18.72.030: SITE PLAN APPROVALS:

18.72.040: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

18.72.050: PROJECT PLAN APPROVALS:

18.72.060: UTILITY REQUIREMENTS:

18.72.070: SPECIAL PROVISIONS:

18.72.010: PURPOSE AND INTENT:

The I&M-1 Industrial and Manufacturing Zone is specific to areas of the City as identified on the Mapleton City General Plan map. The I&M-1 Zone shall not be applied to areas designated on the General Plan map as "commercial" or any other uses. The primary purpose of the I&M-1 Zone is to allow for general "cottage industry" activities such as warehousing and incidental office space, light manufacturing, minor industrial uses and heavier commercial uses not allowed in the GC-1 Zone. (Ord. 2004-30, 11-3-2004, eff. 12-1-2004)

18.72.020: PERMITTED USES:

The following principal uses are permitted in the I&M-1 Zone. Uses not specified as a permitted use or a conditional use as defined in section [18.72.025](#) of this chapter, shall be considered "prohibited" in the I&M-1 Zone. The uses below are permitted on individual lots or commercial condominium projects as defined by [title 17, chapter 17.03](#), "Condominiums", of this Code.

Agriculture.

Assembly use.

Cafes and delis, subject to the design standards found in [chapter 18.92](#) of this title.

Car wash.

Child care, commercial.

Clinic, animal.

Commercial convenience store.

Commercial parking lot.

Commercial repair services.

Comprehensive mental care treatment.

Construction/contractor offices (no storage or fuel pumps).

Drive-through restaurant.

Entertainment center.

Financial institutions.

Gas station.

Gas station, cardlock fueling station.

Gas station with vehicle repair.

Machine shop.

Manufacturing, light.

Office, general.

Office, intensive.

Office, medical.

Outdoor storage.

Parks.

Pawn shop.

Recreation facility, commercial.

Recreation facility, public.

Restaurant.

Retail and service commercial.

School.

Sewage pumping stations.

Sports facilities.

Vehicle assembly.

Vehicle-related use.

Vehicle rental.

Vehicle repair.

Vehicle sales (minor).

Veterinary hospital.

Warehouse/distribution. (Ord. 2018-08, 6-6-2018, eff. 6-28-2018)

18.72.025: CONDITIONALLY PERMITTED USES:

A. Conditions: Uses must be compatible with the intent of this zone. The conditions imposed upon these uses must fall under one or more of the following categories:

1. Conditions relating to safety for persons and property;
2. Conditions relating to health and sanitation;
3. Conditions relating to environmental concerns;
4. Conditions relating to compliance with the General Plan or special characteristics of the zoning district;
5. Conditions relating to performance, specifically the developer's ability to complete the project;
6. Conditions relating to traffic circulation and parking;
7. Conditions relating to aesthetics, based on adopted design standards.
8. Compatibility with existing uses.

B. Plan Review: Prior to the City Council's review of a conditional use permit, the applicant must have the plan reviewed by the Development Review Committee and the Planning Commission. Any new project, and all new buildings within the I&M-1 Zone shall be a conditional use.

C. Uses: The following is a list of conditional uses:

Agribusiness.

Construction/contractor offices including outdoor storage areas and/or gasoline/diesel pumps and fuel storage tanks shall be subject to the following requirements:

1. Outdoor storage and/or gasoline/diesel pumps shall be for company use only. No processing of materials or retail uses are permitted.

2. Gasoline/diesel pumps and fuel storage tanks shall be subject to the requirements of section [18.84.210](#), "Location Of Gasoline/Diesel Pumps And Fuel Storage Tanks", of this title.

3. Outdoor stored items shall not exceed ten feet (10') in height, and shall not include dirt, manure, gravel, rocks, sand, bark, or similar materials, unless the items are stored in bags or other individually sealed containers. Outdoor stored items shall be stored and maintained in a neat and orderly manner. No junk or junked vehicles shall be stored within the outdoor storage areas.

4. The proposed office shall have frontage and access off of Highway 89 (1600 West).

5. The Planning Commission shall have the authority to require additional conditions to avoid the creation of nuisances to adjacent properties and to protect the public health, safety, and welfare.

Salvage yard.

Storage yard. (Ord. 2018-08, 6-6-2018, eff. 6-28-2018)

18.72.030: SITE PLAN APPROVALS:

All proposed new development within the I&M-1 Zone shall be required to submit a site plan, which complies with all the requirements listed in section [18.72.040](#) of this chapter. Said site plan shall be conditionally approved by the Planning Commission. As a means of mitigating potential safety hazards or significant adverse visual impacts, the Planning Commission may require the installation of landscape features or peripheral landscape screens. Where landscaping is required the site plan shall, in addition to all other elements, contain a landscape plan showing the locations of landscape areas, the location and types of all proposed plantings and other landscape features, and the location of required sprinkler systems. The Planning Commission may also require additional fencing requirements, changes to the parking lot and traffic flow. (Ord. 2004-30, 11-3-2004, eff. 12-1-2004)

18.72.040: LOTS, BUILDINGS, YARDS, AND OPEN SPACES:

There is no minimum lot area requirement in the I&M-1 Zone except as may be dictated by off street parking requirements, adequate circulation, and property site utilization. There will be a minimum of a seventy five foot (75') frontage on a public street. The maximum building height (including mechanical equipment) is forty feet (40') as defined in section [18.08.010](#) of this title. (Ord. 2013-05, 6-18-2013, eff. 7-12-2013)

A. Setbacks: The following setback specifications are required:

1. Thirty foot (30') front yard setback if parking areas are proposed or existing in front of the building or structure. Within the front yard setback, there will be a six foot (6') separation between the back of the curb and edge of the sidewalk (where required) nearest the curb. If the required parking areas are located on the side or in the back of the building or structure, then the front yard setback shall be no less than twenty feet (20'). Corner lots shall be considered a front yard, and all setbacks shall apply. On local streets, fifteen feet (15') of the front yard area shall be maintained in landscaping in conformance to [chapter 18.90](#) of this title. On collector or arterial streets, all of the front yard shall be landscaped in conformance to [chapter 18.90](#) of this title.
2. Except for corner lots, each lot in the I&M-1 Zone shall be required to have a ten foot (10') landscaped side yard setback. The side yard shall be landscaped in conformance to [chapter 18.90](#) of this title.

3. Each lot in the I&M-1 Zone shall be required to have a fifteen foot (15') landscaped rear yard setback. If all of the required parking is located within a rear yard area, or in back of the building, then ten foot (10') landscaped setback shall apply. The rear yard shall be landscaped in conformance to [chapter 18.90](#) of this title.

B. Screening And Landscaping Requirements:

1. A sight obscuring fence of six feet (6') in height shall be required along all side and rear property lines behind the front edge of the primary building. Said fence shall be masonry, vinyl, chainlink with closely prewoven vinyl privacy slats, or other closely equivalent materials approved by the Planning Commission. The fence may be topped by a set of 3-strand barbed wire up to twelve inches (12") in height. The applicant must demonstrate that the landscaped screening will be sufficient to protect the future adjacent uses from noise, lights, glare, and other commercial or industrial nuisances.
2. All landscaped areas shall conform to [chapter 18.90](#) of this title. Furthermore, the landscaping will contain ten (10) trees per acre, or a fraction thereof, and be at least one inch (1") caliper, measured three feet (3') from the ground.
3. All mechanical equipment shall be located within or on the side of the building or on the roof with parapet walls and not within the required setbacks. Any mechanical equipment located on the outside of the building must have a visual/noise barrier that completely surrounds the equipment and extends at least one foot (1') above the equipment.

C. Parking And Driveway Access: Parking will be required to be in compliance with section [18.84.270](#) of this title. Parking areas will be screened from adjacent roads with landscaped berms. There shall be no parking allowed in any required landscaping area. Driveways shall not encompass more than thirty percent (30%) of a required front or side yard. Drive access for parcels or lots located along any State highway shall be limited to the adjoining side street if present. Otherwise one curb cut and driveway access will be permitted regardless of what would be allowed by the Utah Department of Transportation, however, the stricter requirement shall apply.

D. Drainage: All lot drainage shall be retained on site. (Ord. 2013-01, 1-15-2013, eff. 2-7-2013)

18.72.050: PROJECT PLAN APPROVALS:

Concurrent with any request to rezone property to the I&M-1 Zone; or if the property is currently zoned I&M-1, prior to any approval for a building permit, a preliminary project plan shall be submitted to and approved by the Mapleton City Planning Commission. Said preliminary project plan shall be drawn to scale and shall contain the following information:

- A. Location of all existing and proposed buildings and structures on the site, including an indication of the proposed uses;
- B. The location of all parking spaces as required by the Planning Commission, driveways and points of vehicular ingress and egress;

- C. A conceptual signing plan showing the location and size of typical signs;
- D. A conceptual landscaping plan subject to the requirements in [chapter 18.90](#) of this title showing planting materials to be used together with the location of fence, walls, hedges, and decorative materials;
- E. Preliminary elevations of the buildings showing the general appearance and types of exterior materials to be used.
- F. Accessory structures less than five hundred (500) square feet in size shall be approved by the Planning Director as long as the structure does not encroach on any of the required parking or required landscape areas. Furthermore, building additions less than five hundred (500) square feet shall also be approved by the Planning Director so long as they meet the aforementioned criteria, and as long as the addition does not physically alter the character of the building. Accessory buildings and additions shall be architecturally compatible with the main structure, including exterior building materials and colors.
- G. Prior to the construction of any building or structure in the I&M-1 Zone, a final project plan shall be submitted and approved by the City Council, after a recommendation from the Planning Commission. Said project plan shall be drawn to scale and shall contain all required information designated on the application checklist. The Planning Commission may require a traffic study be submitted prior to a final project plan recommendation.
- H. Any failure to submit a final project plan within one year of the approval of the preliminary project plan shall terminate all proceedings and render the preliminary plan null and void, and the Planning Commission may also take further action to rezone the property as per section [18.12.010](#) of this title. (Ord. 2004-30, 11-3-2004, eff. 12-1-2004)

18.72.060: UTILITY REQUIREMENTS:

All buildings used for human occupancy shall provide for culinary water and domestic sewage disposal. (Ord. 2004-30, 11-3-2004, eff. 12-1-2004)

18.72.070: SPECIAL PROVISIONS:

Where the use of activity is one which requires the prior approval of other local, State or Federal review agencies, evidence of such approval shall be submitted to the City as part of the application documents. (Ord. 2004-30, 11-3-2004, eff. 12-1-2004)

Attachment "3"

MAPLETON CITY PLANNING COMMISSION MINUTES September 26, 2019

PRESIDING AND CONDUCTING: Chairman Therin Garrett

Commissioners in Attendance: Jake Lake
Rich Lewis
Jesse McLean

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

Minutes Taken by: April Houser, Executive Secretary

Chairman Therin Garrett called the meeting to order at 6:00pm. An Invocation and Pledge of Allegiance was given.

Alternate Commissioners Jake Lake and Rich Lewis were seated as voting members.

Item 1. Planning Commission Meeting Minutes – September 12, 2019.

Motion: Commissioner Lewis moved to approve the September 12, 2019 Planning Commission Meeting Minutes.

Second: Commissioner Lake

Vote: Unanimous

Item 2. Consideration of a request for a Conditional Use Permit to establish a ranch lot for one new home on a 5-acre parcel located at approximately 1400 South and 1500 East. The applicant is David Broadbent, JB Brookside Ranch LLC.

Commissioner McLean wanted some clarification on this request. **Sean Conroy**, Community Development Director, then went over the Staff Report for those in attendance. There is an easement in place that allows for access to the property. If there was a conflict with the property owners involved in this easement it would be a civil matter. Staff's evaluation would show that it complies with the Ranch Lot Ordinance. There was a letter provided from Cary Oman regarding Lonnie and Rixa Oman's concern with the recorded easement. **David Broadbent**, the applicant, stated that they litigated this easement for 2 year. To avoid a court hearing Mr. Broadbent stated that the Oman's elected to sign the easement. Sean did have a conversation with Cary Oman about this item and the reasonings why staff was recommending approval, prior to the meeting this evening.

Motion: Commissioner Lake moved to approve the Conditional Use Permit to establish a ranch lot for one new home on a 5-acre parcel located at approximately 1400 South

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and 1500 East.

Second: Commissioner Lewis

Vote: Unanimous

Item 3. Consideration of a request to rezone approximately 9 acres of property located at approximately 2400 South and Highway 89 to a mix of General Commercial (GC-1) and Industrial and Manufacturing (I&M-1) and to amend the General Plan to include a General Commercial designation of a portion of the property.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. This area is where the old Olsen's Sheep Farm is located. The request is to extend the General Commercial Zoning south along Highway 89 and Industrial & Manufacturing along 2400 South going west. The General Plan Designation is Industrial & Manufacturing. If the Planning Commission is uncertain about any use, they could establish limitations this evening.

Ryan Liechty is part of the group who now owns this property. There is a home on the land that was burned in a fire last year. The Concept Plan provided showed what could potentially take place if the rezone were approved. The property has been leased back to Scott Olsen for the time being, but the new owners hope to start tearing down the old buildings soon. The applicants feel this is a good spot for this type of land where it is next to the train tracks. Mr. Liechty felt their development would be a vast improvement to the area. Once they get zoning in place, they will have more direction on where they can head with the property development. The types of uses allowed in the General Commercial and Industrial & Manufacturing Zones was part of the Staff Report this evening.

Chairman Garrett opened up the Public Hearing. **Frank Nelson** owns property to the north of this area. He wanted some clarification as to what Industrial & Manufacturing would allow. Sean stated that it would be something similar to the businesses located along Alvey Drive in Mapleton. Mr. Nelson asked if 2400 South would need to be widened with this possible development. Sean stated that when the applicant(s) comes forth with a Development Plan the required street width and improvements would be determined at that time. No improvements would need to go in on Frank Nelson's property until he develops his land. There were a couple emails provided to the Planning Commission prior to the meeting from property owners in the area. **Brett Hansen** believes this proposed Industrial & Manufacturing area should be developed with residential homes, similar to those north of this area, instead of Industrial and Commercial uses. Mr. Hansen would prefer 2-acre lots in this area as it is currently zoned. **Karen McWiggins** lives in this area. She wants the Planning Commission to think very carefully as to what they want to allow in Mapleton. Karen feels there are plenty of amenities within 10 minutes of Mapleton, so these types of businesses and high-density developments do not need to be allowed here. **Chad Cornaby** lives across the Highway to the east. His property is zoned General Commercial. He feels the nicer buildings like the applicant was showing in the Staff Report would be appropriate in this area. Mr. Cornaby believes the taxes in Mapleton are way too high and adding businesses will help to alleviate some of these costs. If the property is developed similar to the Alvey Business Park, he would be in favor of the rezone this evening. **DeeDee Dart** feels we need to protect our A-2 Zone. You can't find a place to buy 2 acres that allows you to have animals. People could have little farms if they developed this area in to 2-acre lots. Mrs. Dart feels all of the rural feel of

Mapleton is going away. She feels the applicant is trying to get their rezone through before the General Plan is updated. **Johnny Haas** is worried about the additional traffic this type of development could bring into the area. He likes the rural feel of Mapleton. **Chris Vincent** lives just east of this property. He loves the open space in Mapleton. Mr. Vincent hopes people remember that Mapleton is known for open space, and that we keep that heritage. Chris would prefer something with less traffic. **Richard Dart** feels the applicant is giving proposals that have not been very well clarified. He would hope that those making the decisions would not jump into anything until there are more concrete proposals for the property. No additional comments were given, and the Public Hearing was closed.

Commissioner McLean wanted to clarify for those in attendance the reasoning for the General Plan. When we think about property owners and property rights the General Plan is in place to help meet the long-term vision of development in a particular area. **Commissioner Lake** asked for clarification as to the design standards from General Commercial to Industrial & Manufacturing. Those of the General Commercial have higher design standards on them that would likely be more desirable to those living or passing by the area once developed. **Commissioner Lewis** feels there are logical areas to put commercial and Highway 89 would be one of those areas. The General Commercial zoning would protect the esthetic along Highway 89. **Chairman Garrett** feels the overall benefits of the rezone would have a positive impact. He feels there should be a restriction that would not allow for businesses to operate 24/7. He would be in support of keeping the zoning as is until the General Plan update takes place. Commissioner Lake feels the General Plan update could keep the area the same with Industrial & Manufacturing, and that the developer has a right to request this rezone at this time. Sean stated that the General Plan is typically the standard for possible development so those purchasing property get some direction as to what could come in around them or on their property in the future.

Motion: Commissioner McLean move to recommend approval to the City Council for a rezone of approximately 10.9 acres of property located at approximately 2680 South and Highway 89 to Industrial and Manufacturing (I&M-1).

1. No business in the General Commercial Zone be allowed to operate 24 hours per day, 7 days per week.

Second: Commissioner Lewis

Vote: 3:1:0 with Commissioner Lewis, McLean and Lake voting aye and Chairman Garrett voting nay desiring the General Plan to be updated before moving forward with this zoning request.

Attachment "4" - Correspondence

Sept 26, 2017

To: Mapleton City Planning Commission

In regards to the proposed re-zone of property located at approximately 2400 South and Hwy 89, we offer the following for consideration:

1. The neighborhood east of this property is an agriculturally zoned neighborhood. Many have livestock and all live on large lots. We place high value on the peace and quiet this zoning affords. We have all invested heavily into our properties with the expectation that our rural way of life will be protected.
2. Our understanding is the developer's concept plan shows businesses in the General Commercial zone that may include an office building and other neighborhood-friendly structures.
3. Our understanding is the developer's concept plan shows the Industrial/Manufacturing zone includes light industrial with the stipulation that all activities are conducted indoors to eliminate noise to the neighbors.
4. We are very concerned about the broad range of businesses allowed in the zoning. If a re-zone is granted, the developers can – after the fact - decide to change their concept plan to include businesses less conducive to the adjoining neighborhood.
5. As such, we would like to **see boundaries placed** on any re-zone approval:
 - a. No multi-story buildings
 - b. Only allow businesses that operate within the general 9-5 workday. No weekends, late evenings, or 24/7 operations.
 - c. Only allow businesses that will not compromise the quiet, peaceful setting of the neighborhood (businesses with lights on into the night, a lot of traffic, tall buildings to obstruct the view, noise, etc. should be prohibited)
 - d. No fast-food establishments or gas stations, as these can operate 24/7 and are inherently noisy, crowded, with lots of evening lighting.

We understand that current zoning is already in place for part of this parcel. We hope that those representing Mapleton will consider the impact this could potentially have on those residing close to the property. The southern end of Mapleton has always been more rural, and impact to the well-established neighborhood should be considered as this decision is made.

Those who live in this neighborhood have made substantial investments in home and property so we can enjoy the peace and quiet lifestyle the larger, rural zoning affords. Please put **safeguards and stipulations** in place that will guarantee that whatever is ultimately built on this property will not compromise the lifestyle of the current residents.

Please respect the financial interests and rural lifestyle of Mapleton residents who have lived here for decades.

Paul & Kathy Creer, 1548 W 2400 S
Jerry & Shelley Scott, 1551 W 2400 S
Bret & Jarica Hanson, 1325 W 2400 S
Kasey & Emily Beck, 1225 W 2400 S
Fred & Peggy Mostashari, 1210 W 2400 S



Therin Garrett <therin.garrett@gmail.com>

Fwd: Mapleton Tax Base (or lack thereof)

1 message

Julian Kau <

Thu, Sep 26, 2019 at 4:42 PM

To: "Therin Garrett" <therin.garrett@gmail.com>

Hope this is helpful. Tried to call Christie but no contact. Put in record if you think it helpful.
Julian

Sent from my iPad

Begin forwarded message:

From: "Therin Garrett" <therin.garrett@gmail.com>
Date: September 26, 2019 at 4:14:53 PM MDT
To: "Julian Kau" <julian.kau@mapletonutah.com>
Cc: "Therin Garrett" <therin.garrett@gmail.com>
Subject: Mapleton Tax Base (or lack thereof)

Christy,

Tried to call at this late date but press of schedule - I'm always behind!
I was hoping to make the planning board meeting this evening but am unable to so do. My comments have to do with the agenda items regarding the Olsen property along US 89 which was recently sold at a tax auction. My thought, practically speaking, is that the US 89 corridor is the last area where we could support meaningful commercial development with minimal impact to the rural ambience which Mapleton residents enjoy and continue to enjoy if the US 89 corridor through Mapleton became a commercial corridor - we already have elements of such in Jim Brown excavating, Olsen sheep is/was a commercial farm, Frank Nelson is a commercial farm, Chad Cornaby is doing some commercial work, Discovery Ranch is a commercial operation, LDS church is non-residential, storage and wood working is already on the west side along with the drug store and the ugly cookie factory being built, Eccles Paving, LDS stake center is non-residential, veterinarian, a soda place, a new Spanish restaurant, etc.

High density housing is a need everywhere but I believe the priority for Mapleton is that we take advantage of prime commercial potential properties before it disappears into residential developments resulting in higher property taxes (school) which residential developments bring.

Bottom line I urge full support for total commercial development of the Olsen property as well as any other commercial proposals along the US 89 corridor in Mapleton.

Please insert this sentiment into the record of tonight's meeting if you deem appropriate. I have shared the foregoing with your chairman, Therin Garret by phone earlier.

Thanks for all that you do for our community.

Faithfully your brother,

Julian Kau

1151 west 2620 south

Mapleton

801 489 8273

Sent from my iPad