

City Council Staff Report



Date:
10/21/20

Applicant:
Brady Young

Location:
1050 S Hwy 89

Prepared By:
Sean Conroy, Community
Development Director

Public Hearing:
Yes

Zone:
A-2, CE-1

Attachments:
1. Application
information.

REQUEST

Consideration of an ordinance to rezone approximately 7.5 acres from General Commercial (GC-1) and Agricultural Residential (A-2) to Residential Agricultural (RA-2) and the review of a concept plan for 17 residential lots.

BACKGROUND & DESCRIPTION

The project site consists of three separate vacant parcels totaling approximately 7.5 acres. The five acre northern parcel is currently zoned A-2 and the two southern parcels are zoned GC-1. The site has frontage on Highway 89 to the west and abuts the future alignment of 1200 South to the south. The Pheasant View and Whiting Cove subdivisions abut the project site to the east.

The applicant is requesting approval of the following:

- Rezone the entire property to RA-2;
- Review of a concept plan that includes 17 lots ranging in size from a 1/3 of an acre to just over 1/2 of an acre.

The Planning Commission recommended approval of the rezone on October 8, 2020.

EVALUATION

Rezone requests are considered legislative in nature. 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.

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 and Zoning The Future Land Use Map of the Land Use Element of the General Plan designates the majority of this site as "Flex Use". The flex designations occur primarily in areas along Highway 89 between important commercial intersections. The Flex designation is meant to allow for either commercial uses or residential uses. If a residential zone is proposed, it shouldn't be no more than a single step increase in density from the residential zones in the vicinity. The northeastern 1.6 acres is designated as Low Density Residential.

The applicant is requesting a rezone to RA-2. The RA-2 zone requires a minimum of 1/3 acre per lot. The Whiting Cove subdivision to the southeast is also zoned RA-2 and the Pheasant View Subdivision to the east is zoned PRC. The applicant's request for the RA-2 zone is consistent with the Flex Use designation from the General Plan. Staff does not believe it would be reasonable to require the northeastern 1.6 acres to be zoned RA-1, which is what the Low Density Designation would suggest.

Concept Plan: The concept plan that was presented to the Planning Commission included a .46 acre lot and a .35 acre lot next to a one acre lot and a 1/2 acre lot in the Pheasant View subdivision to the east. The Commission recommended that both of those lots be at least 1/2 of an acre to be consistent with the goal of maintaining compatibility. The applicant has revised the plans and now lots 10 and 11 are both at least 1/2 an acre in size.

1200 South: 1200 South runs east to west and terminates at the southeast corner of the subject site. 1200 South is intended in the City's Transportation Plan to extend west and connect to Highway 89. The alignment places most of the road on the properties to the south of the subject property. Therefore, the applicant will either need to acquire property from the neighbors to the south or leave the southern two lots out of the subdivision until such time as 1200 South is installed by the neighbors.

Highway 89 Improvements: The following improvements will be required along the frontage of Highway 89:

- A 10' asphalt trail;
- A planter strip between the trail and the curb that will include 1 London Plane Sycamore tree for every 30' of frontage; and
- Installation of one street light for every 150' of frontage.

RECOMMENDATION

Approve the rezone request with the attached special conditions:

Special Conditions:

1. The applicant will either need to acquire property from the neighbors to the south or leave the southern two lots out of the subdivision until such time as 1200 South is installed.
3. The improvements along Highway 89 specified in the staff report shall be required as part of the subdivision application.

ORDINANCE NO. 2020-

AN ORDINANCE TO REZONE APPROXIMATELY 7.5 ACRES FROM GENERAL COMMERCIAL (GC-1) AND AGRICULTURAL RESIDENTIAL (A-2) TO RESIDENTIAL AGRICULTURAL (RA-2)

WHEREAS, the project site is currently zoned GC-1 and A-2; and

WHEREAS, the Land Use Element of the General Plan designates the project site as “Flex Use”; and

WHEREAS, the Flex Use areas are intended to allow either commercial uses or residential uses and to be a transition from more intense commercial uses and Highway 89 and residential uses to the east; and

WHEREAS, the proposed RA-2 zone is consistent with the Flex Use designation; and

WHEREAS, the Planning Commission recommended approval of the rezone on October 8, 2020.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to rezone 7.5 acres to Residential Agricultural (RA-2) as described in exhibit “A” with the conditions included in the City Council staff report dated October 21, 2020.

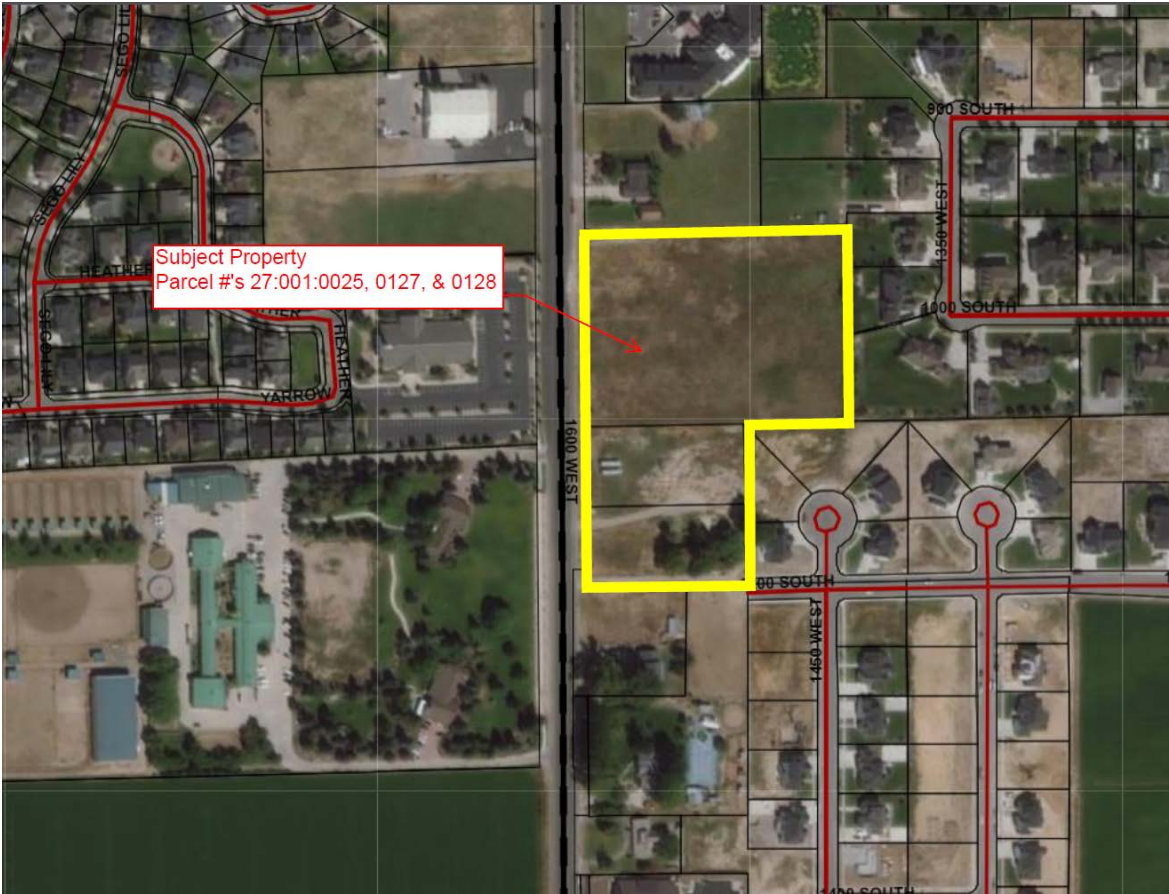
PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH,
This 21st Day of October, 2020.

Dallas Hakes
Mayor

ATTEST:

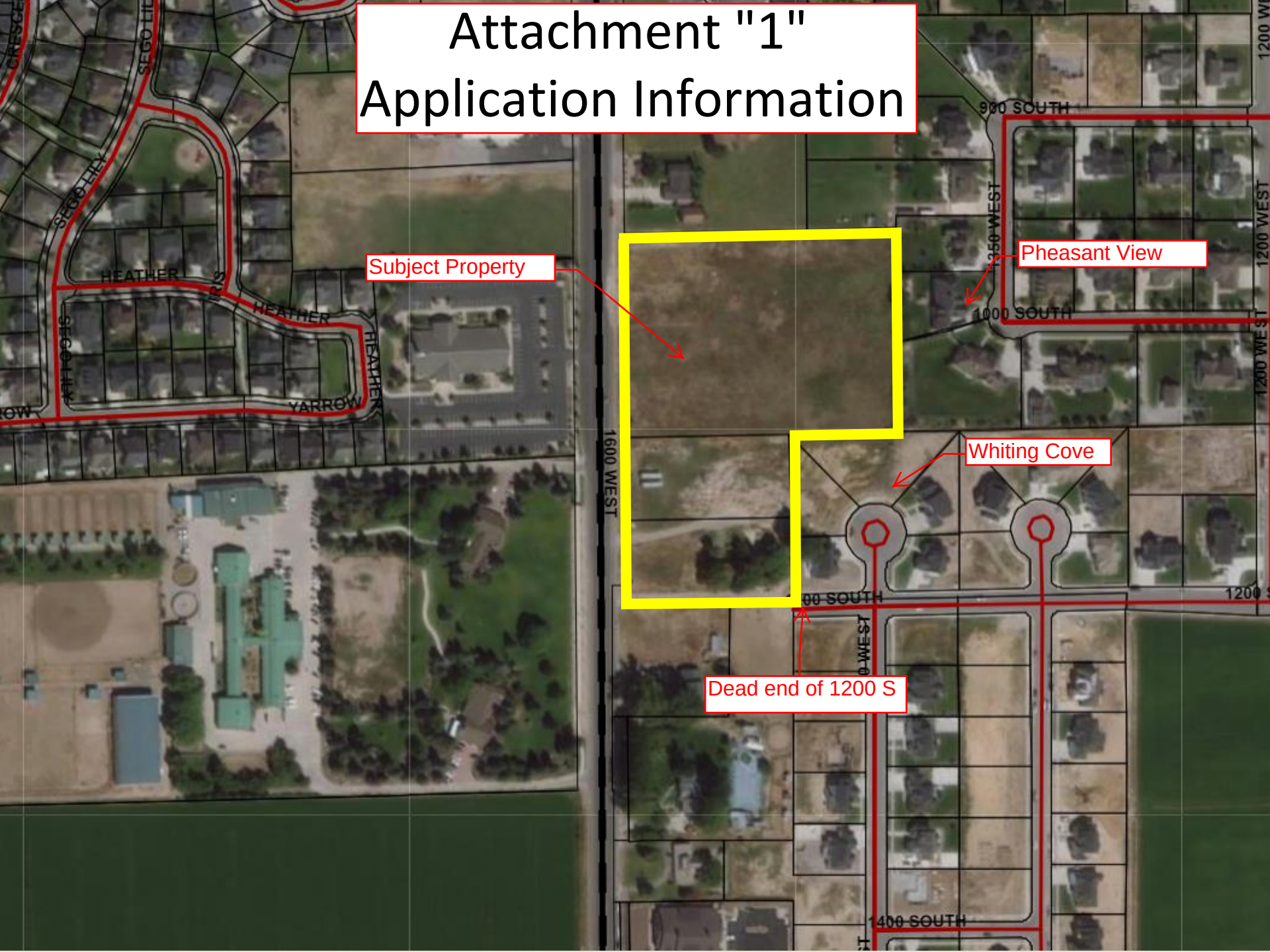
Camille Brown
City Recorder
Publication Date:
Effective Date:

Exhibit "A"
Parcels to be rezoned to RA-2



Attachment "1"

Application Information



Subject Property

Pheasant View

Whiting Cove

Dead end of 1200 S

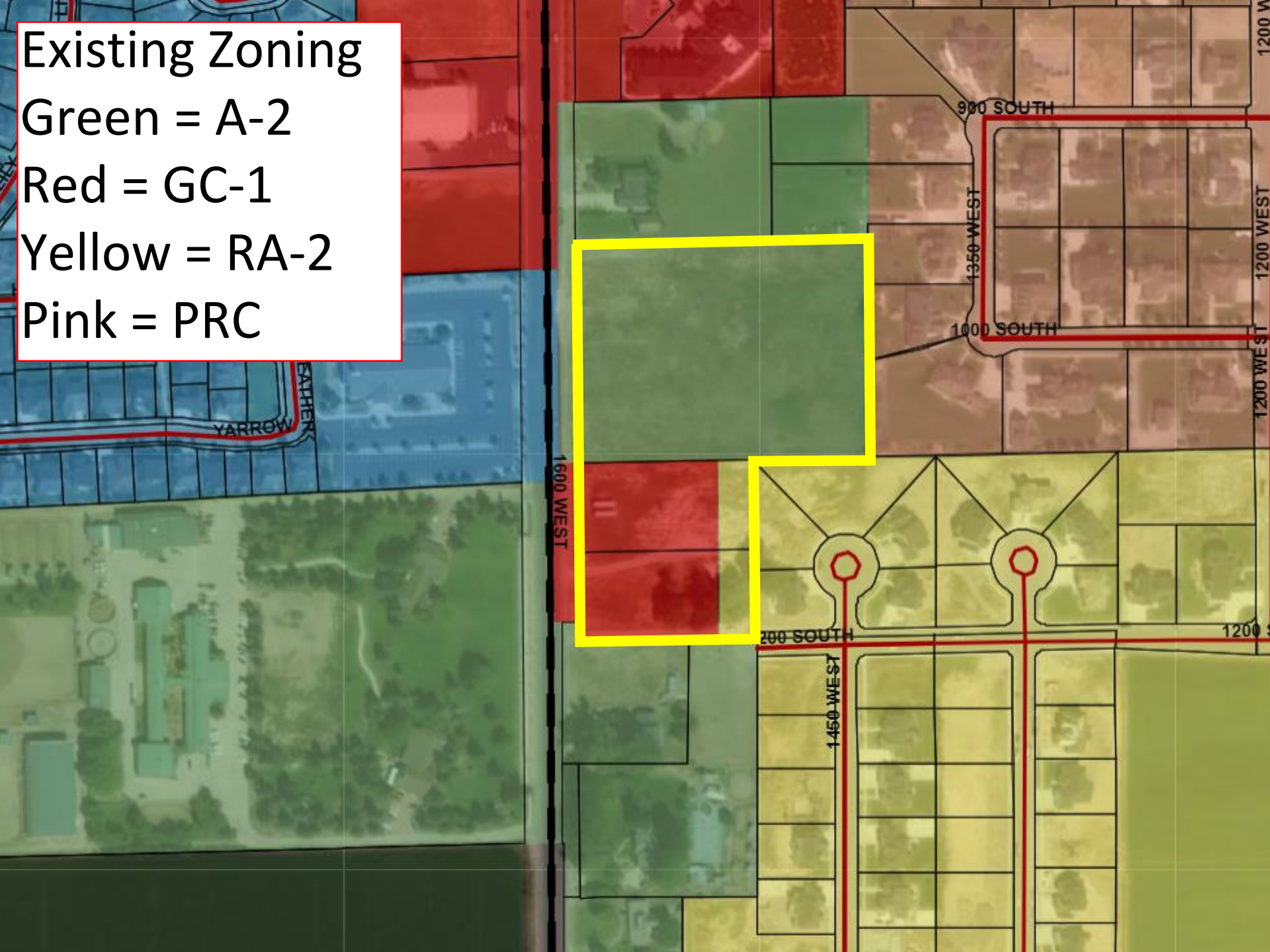
Existing Zoning

Green = A-2

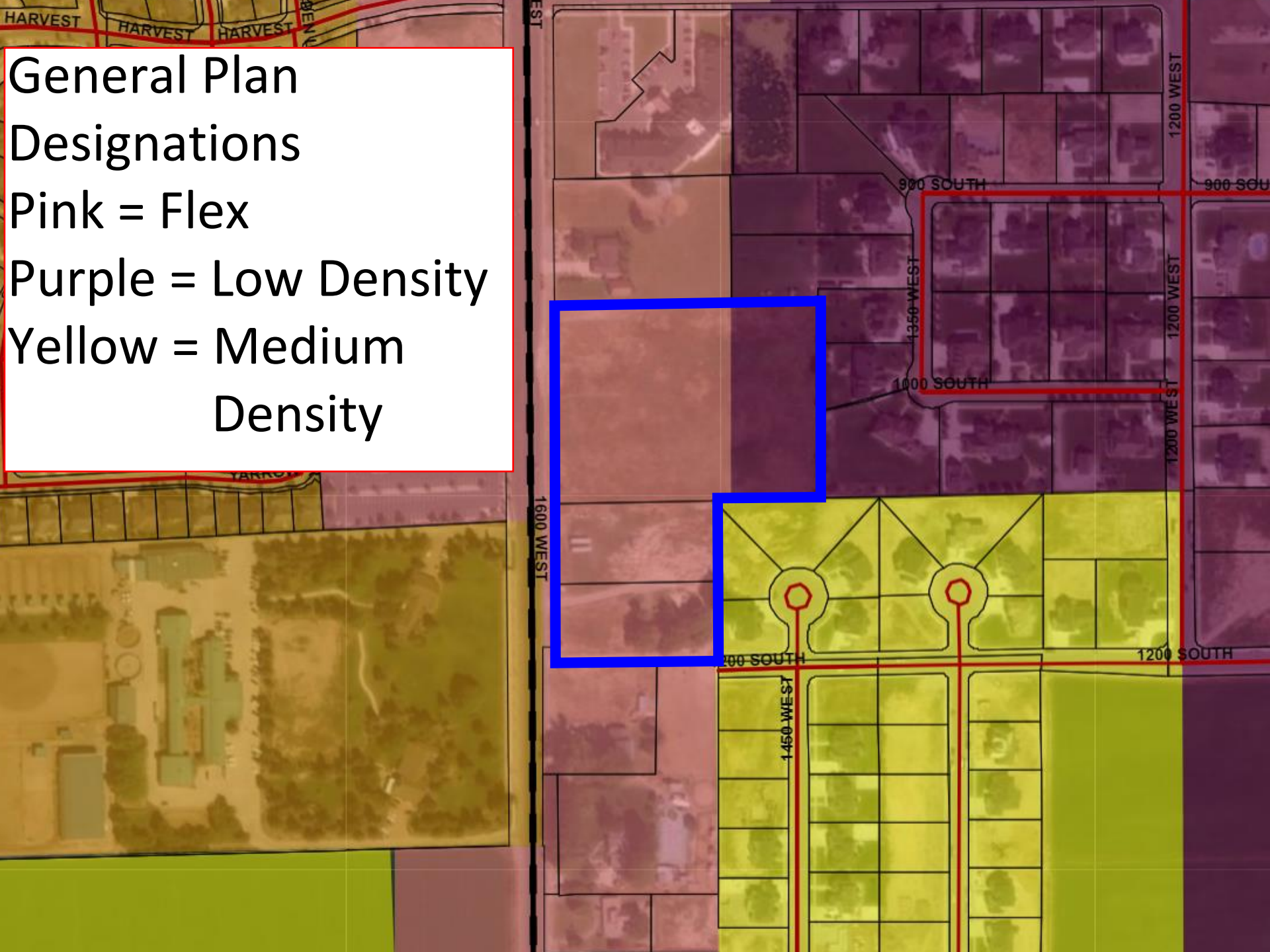
Red = GC-1

Yellow = RA-2

Pink = PRC



General Plan
Designations
Pink = Flex
Purple = Low Density
Yellow = Medium
Density



- IMPROVEMENTS ALONG HIGHWAY 89:
- 1. DECORATIVE WALL ALONG THE LOT PROPERTY LINES
 - 2. 10' WIDE ASPHALT TRAIL
 - 3. 1 LONDON PLANE SYCAMORE TREE FOR EVERY 30' OF FRONTAGE IN PARK STRIP
 - 4. 1 STREET LIGHT FOR EVERY 150' OF FRONTAGE

Whiting Cove

Pheasant View

Lots 10 & 11
expanded per PC
recommendations

1
15,086 sq. ft.
0.35 acres

2
15,134 sq. ft.
0.35 acres

3
15,008 sq. ft.
0.34 acres

4
14,713 sq. ft.
0.34 acres

5
14,507 sq. ft.
0.33 acres

6
19,181 sq. ft.
0.44 acres

7
14,817 sq. ft.
0.34 acres

8
14,511 sq. ft.
0.33 acres

9
14,559 sq.
0.33 acre

10
22,945 sq. ft.
0.53 acres

11
21,792 sq. ft.
0.50 acres

14
14,642 sq. ft.
0.34 acres

15
15,136 sq. ft.
0.35 acres

16
15,123 sq. ft.
0.35 acres

17
15,152 sq. ft.
0.35 acres

PHASE 1
PHASE 2

(24"x36")
SCALE 1" = 40'
(11"x17")
SCALE 1" = 80'

MAPLETON - YOUNG

ATLAS
ENGINEERING
L.L.C.



PHONE: 801-655-0566
FAX: 801-655-0109
95 WEST 200 NORTH #2
SPANISH FORK, UT 84660

CONCEPT PLAN

MAPLETON, UTAH

SHEET NO.

1

NO.	REVISIONS	BY	DATE
12			
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MAPLETON UTAH

PLANNING COMMISSION MINUTES

October 8, 2020

PRESIDING AND CONDUCTING: Chairman Jesse McLean

Commissioners in Attendance: Rich Lewis
Christy Nemelka
Lewis Nuttall

Staff in Attendance: Sean Conroy, Planning Director
Brian Tucker, Planner

Minutes Transcribed By: April Houser, Executive Secretary

Chairman Jesse McLean called the meeting to order at 6:00pm. Alternate Commissioner Lewis Nuttall was seated as a voting member this evening.

Item 1. Planning Commission Meeting Minutes – September 24, 2020.

Motion: Chairman Nuttall motioned to approve the September 24, 2020 Planning Commission Meeting Minutes.

Second: Commissioner Nemelka

Vote: Unanimous

Item 2. Consideration of a request to rezone 7.5 acres of land located at 1000 South Highway 89 from A-2, GC-1 and RA-2 to RA-2.

Sean Conroy, Community Development Director, went over the Staff Report for those in attendance. The request is located on 3 separate parcels. The requested zoning would allow for 1/3-acre lots. The Pheasant View subdivision north of this project is zoned PRC with the Whiting Cove subdivision zoned RA-2 to the south. The General Plan designates this property as Flex Use, which is new to the General Plan with the recent updates. It allows properties to be utilized as Commercial or Residential. This request is consistent with the Flex Use so Staff would recommend approval of the request. Staff also recommended that the 2 lots that abut the Pheasant View Subdivision be 1/2-acre in size as requested in previous developments.

Colby Peterson, the applicant, stated that everything shown was consistent with what they are recommending.

Chairman Jesse McLean opened up the Public Hearing. No comments were given, and the Public Hearing was closed.

Chairman McLean felt the request was consistent with the new Flex Use Designation on the General Plan. **Commissioner Nemelka** asked what the hold up was on Phase 2. Sean stated that there is a section of property there that the applicant does not own so until they can either acquire it, or the current owner decides to develop, the property will remain undeveloped. A member of the audience asked what the plan was with the 2 lots in the second phase until they are developed. **Colby Peterson**, the applicant, stated that they will likely remain as is at this time. The audience member has some concerns with traffic when Phase 2 is developed. These issues should be addressed when the approval for this area comes before the Planning Commission and City Council. Another member of the audience liked the idea of the larger lot buffering behind their homes.

Motion: Commissioner Lewis moved to recommend approval to the City Council of an ordinance rezoning 7.5 acres of land located at 1000 South Highway 89 from A-2, GC-1 and RA-2 to RA-2 with the below special conditions:

1. Lot 11 and 12 shall be combined or the concept plan be amended so that both lots abutting the Pheasant View subdivision are at least ½ an acre in size.
2. The applicant will either need to acquire property from the neighbors to the south or leave the southern two lots out of the subdivision until such time as 1200 South is installed.
3. The improvements along Highway 89 specified in the staff report shall be required as part of the subdivision application.

Second: Commissioner Nuttall

Vote: Unanimous

Item 3. Consideration of a request to rezone 5.01 acres located at approximately 650 North Vineyard Way to include the TDR-Receiving Overlay and approval of the 3-lot Vineyard at Maple Canyon Plat D Subdivision.

Brian Tucker, Planner, went over the Staff Report for those in attendance. This request is currently two separate parcels. All of the current lots in the Vineyard Subdivision Plats A, B, & C are around 1+ acres in size. The applicant is proposing a cul-de-sac at the end of the property. Each of the 3 proposed lots would have frontage on the new cul-de-sac and range in size from 1-2+ acres in size. The previous owner had met with the City Council and seemed to receive encouragement that they would allow for a dead-end cul-de-sac street under the 1 lot proposal. The new owner is recommending 3 lots with the same dead-end cul-de-sac allowance. The adjacent property owner did not seem to care if this road continued through or was developed out with a cul-de-sac. Staff recommends the cul-de-sac be allowed. Each lot would meet the frontage requirements for this zone. **Chairman McLean** asked what this proposal does for 900 North. Brian stated that 900 North was never planned to continue through where existing subdivisions in the area cannot use Transferable Development Rights (TDR's) to get the density needed to continue the street through. **Commissioner Nemelka** felt that this layout could hurt the potential development of other properties in the area. **Sean Conroy**, the Community Development Director,

87 stated that the Planning Commission could recommend that the street continue through.
88

89 **Jason Butterfield**, the applicant, stated that their plan is to build on the larger lot. They do plan
90 to settle in this development, so the street continuing through would disrupt what they are hoping
91 to do. They currently plan to utilize the other 2 lots on the property as pasture, and not to develop
92 them until their children get older.
93

94 **Chairman Jesse McLean** opened up the Public Hearing. No comments were given, and the
95 Public Hearing was closed. Sean stated that these minor roads are only for access to those lots in
96 the development so it would not cause any issues whether it goes through or cul-de-sacs. **Mark**
97 **Greenwood**, Engineer for the applicant, stated that in the previous meetings regarding this
98 property the road was for access only and not for traffic to continue on as a through street.
99

100 **Motion:** Chairman McLean moved to recommend approval to the City Council for an
101 ordinance rezoning 5.01 acres located at approximately 650 North Vineyard Way
102 to include the TDR-Receiving Overlay and approval of the 3-lot Vineyard at Maple
103 Canyon Plat D Subdivision with the special condition listed below:

- 104 1. Any outstanding issues raised in the Development Review Committee
105 (DRC) minutes shall be addressed prior to plat recording.

106 **Second:** Commissioner Nuttall

107 **Vote:** Unanimous
108

109 **Item 4. Adjourn.**
110
111
112

113 _____
April Houser, Executive Secretary

Date