

Planning Commission Staff Report



MAPLETON

Item:

7

Date:

1/14/2021

Applicant:

Johnston Developments

Location:

400 N 1200 W

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Zone:

A-2, GC-1

Attachments:

1. Application information.
2. Open space alternative sketch.

REQUEST

Consideration of a request to rezone approximately 27 acres from A-2 to RA-1 with a TDR-R Overlay for a property located at approximately 400 N and 1200 W.

BACKGROUND & DESCRIPTION

The subject property is approximately 31 acres in size and has been used primarily for agricultural purposes. The western four acres of the property is zoned General Commercial (GC-1) and the eastern 27 acres is zoned Agricultural Residential (A-2). The property has frontage on Highway 89 on the west and 400 North stubs near the southeast corner of the site.

The properties to the north are zoned either GC-1 or A-2 and range from 1.44 to 3 acres in size. The Mapleton Fields and Maple Valley Estates subdivisions to the east consist of primarily one acre lots. The property to the south is currently vacant.

The applicant is requesting approval to rezone the eastern 27 acres from A-2 to RA-1. The GC-1 area would either remain unchanged or only slightly increased in size. The applicant has submitted a preliminary concept plan that includes 42 residential lots ranging in size from .5 to .72 of an acre and five commercial pad sites.

EVALUATION

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: The Future Land Use Map designates the western four acres as “Flex Use”. This designation is intended to allow an applicant the flexibility to propose either a residential zone or a commercial zone. In this case, the applicant is proposing a commercial use in the Flex area and it is already zoned GC-1.

The eastern 27 acres is designated as “Low Density Residential”. This designation typically allows for one acre lots or ½ acre lots with the use of TDRs. The site is also designated as a candidate for a Conservation Subdivision. The General Plan states the following regarding Conservation Subdivisions:

Conservation Subdivisions “can be used to preserve agricultural land, wildlife habitat, and open spaces while allowing an equal or higher level of development on a smaller area of land. They may establish and dictate sites to be preserved such as sensitive lands, farmlands, stream corridors, rural road buffers, view corridors, and other open space features that have been identified by the community as important.” Conservation Subdivisions “generally require the “clustering” of development in order to preserve open space and protect property rights.”

Some of the Goals and Policies of the General Plan that are also applicable include:

Goal 1: Preserve and enhance Mapleton's rural atmosphere and agricultural history through careful planning and the preservation of open space.

Policy 1.1: Encourage Conservation Subdivisions on vacant and undeveloped residential parcels identified in the Future Land Use Map.

Goal 2: Continue the established focus on large lot, single-family residential uses as the primary means for preserving Mapleton's rural character.

Goal 3: Ensure that land uses are compatible and/or utilize adequate buffers to enhance compatibility.

Goal 8: Protect and conserve critical agricultural land, sensitive lands and sensitive features in the community.

Goal 9: Continue to implement the TDR program.

As the Commission reviews the rezone request and the proposed concept plan, it should determine whether the application is consistent with the goals and policies cited above.

Zoning: The applicant is requesting approval of the RA-1 zone with a TDR-R for the 27 acres currently zoned A-2. Staff has requested that the applicant provide a concept that would include some dedicated open space as encouraged in the General Plan, which would require a rezone to PRC. However, the applicant has indicated that they prefer to develop under the RA-1 zoning without the provision of dedicated open space. A legitimate concern of the applicant is that lot sizes are often a concern to the general public and a reason for opposing a project, and an open space/cluster type design would necessitate smaller lot sizes.

Staff notes that the General Plan does not require a conservation subdivision, but it is encouraged. The General Plan also does not specify how much open space should be required with a

conservation subdivision. Since the adoption of the updated General Plan, the Commission has reviewed three rezone applications on properties encouraged to be conservation subdivisions. Two of the rezone applications proposed PRC zones (both of which are part of this agenda for subdivision plat approvals) and included dedicated open space in the form of land donations to the City, private parks and/or conservation easements. The third application, the Planning Commission recommended approval of an RA-1 zone without open space due to the unique shape of the site that made creating beneficial open space difficult.

Since the decision to rezone property is legislative, the Commission has the discretion to evaluate each rezone proposal on a case-by-case basis. Staff recommends that the Commission request that the applicant provide a conservation subdivision alternative that it can review prior to making a final recommendation to the City Council. Staff notes that there are tradeoffs for requiring an open space concept. Those include the possibility of smaller lots than otherwise would be allowed (which is concerning to the applicant) and in some cases more lots overall because of the flexibility that a PRC zone allows. Staff has included a very rough sketch of a possible open space design in attachment "2" as an example of what could be proposed.

Concept Plan: The alignment of 400 North on the proposed concept plan will need to be adjusted so that the connection to Highway 89 is shifted south to align with Sunrise Ranch Drive, which is currently under construction on the west side of Highway 89. There are also several gaps and overlaps that will need to be addressed. Finally, the commercial area included in the concept plan extends beyond the existing GC-1 boundary. Since this area will need to change based on the revised location of 400 North, it is unclear whether the GC-1 boundary will need to be amended. If the Commission is supportive of the RA-1 concept proposal without open space, it may want to request that the concept plan be revised to address the road alignment, the GC-1 boundary and any other comments that the Commission may have prior making a final recommendation or at least prior to review by the City Council.

EVALUATION

Continue the application with a request for a design alternative that includes some dedicated open space as encouraged by Goal 1 and Policy 1.1 of the Land Use Element of the General Plan.

Attachment "1"

Application Information

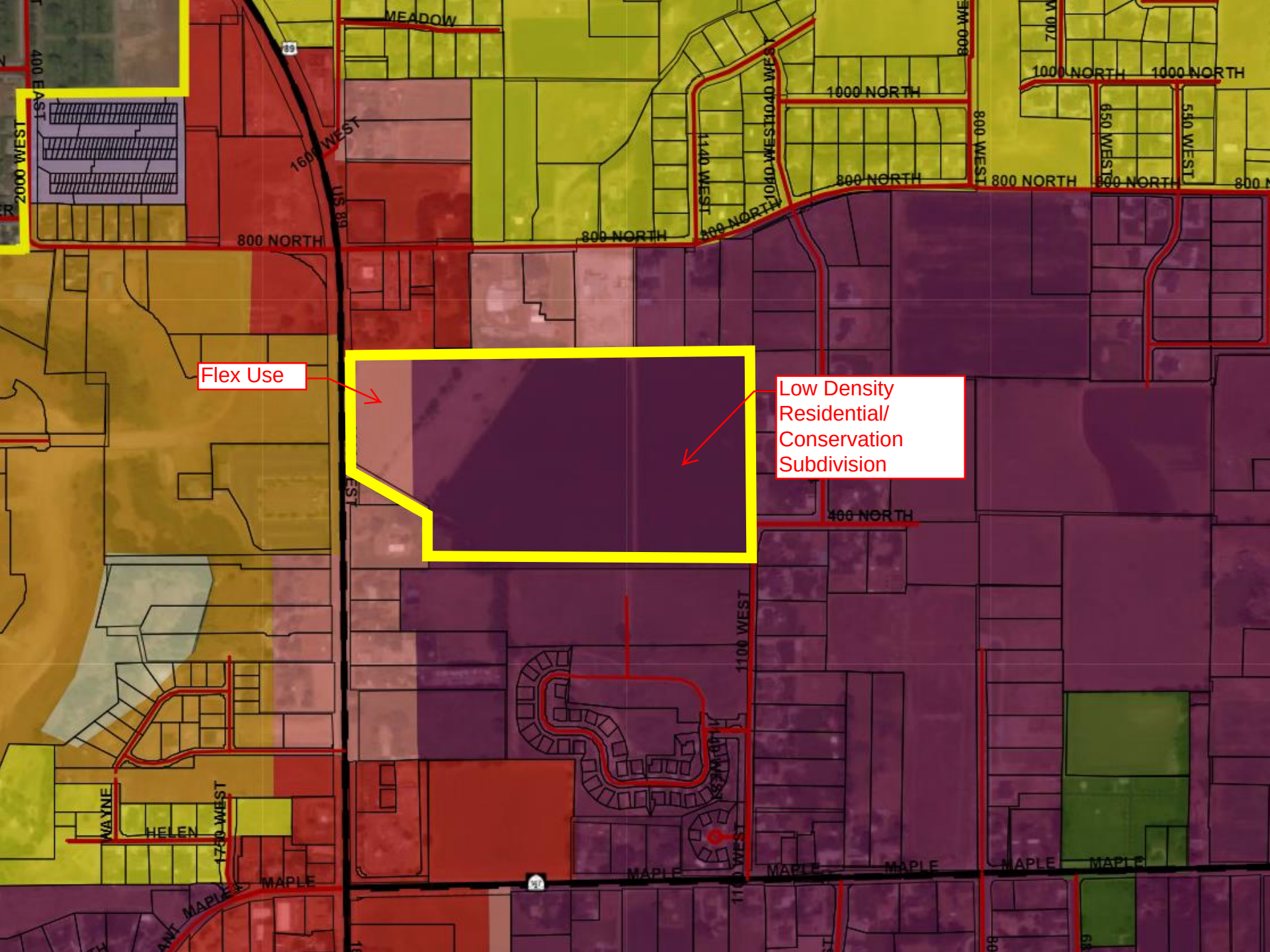
Sunrise Ranch
Drive

Subject Property

A detailed zoning map of a residential area. The map is color-coded by zone: red for GC-1 (General Commercial), purple for A-2 (Neighborhood Commercial), green for residential zones, and blue for water bodies. A yellow callout box highlights a specific area, with red arrows pointing to the GC-1 Zone and the A-2 Zone. The map includes street names such as 1000 NORTH, 800 NORTH, 600 NORTH, 400 NORTH, 200 NORTH, 1000 WEST, 800 WEST, 600 WEST, 400 WEST, 200 WEST, 1000 EAST, 800 EAST, 600 EAST, 400 EAST, 200 EAST, 1000 SOUTH, 800 SOUTH, 600 SOUTH, 400 SOUTH, 200 SOUTH, 1000 WEST, 800 WEST, 600 WEST, 400 WEST, 200 WEST, 1000 EAST, 800 EAST, 600 EAST, 400 EAST, 200 EAST, 1000 SOUTH, 800 SOUTH, 600 SOUTH, 400 SOUTH, 200 SOUTH. The map also shows a river, a park, and a school. The title 'Zoning Map' is at the top center.

A detailed zoning map of a residential area. The map is color-coded by zone: red for GC-1 (General Commercial), purple for A-2 (Neighborhood Commercial), green for residential zones, and blue for water bodies. A yellow callout box highlights a specific area, with red arrows pointing to the GC-1 Zone and the A-2 Zone. The map includes street names such as 1000 NORTH, 800 NORTH, 600 NORTH, 400 NORTH, 200 NORTH, 1000 WEST, 800 WEST, 600 WEST, 400 WEST, 200 WEST, 1000 EAST, 800 EAST, 600 EAST, 400 EAST, 200 EAST, 1000 SOUTH, 800 SOUTH, 600 SOUTH, 400 SOUTH, 200 SOUTH, 1000 WEST, 800 WEST, 600 WEST, 400 WEST, 200 WEST, 1000 EAST, 800 EAST, 600 EAST, 400 EAST, 200 EAST, 1000 SOUTH, 800 SOUTH, 600 SOUTH, 400 SOUTH, 200 SOUTH. The map also shows a river on the left side and a road labeled 'MEADOW' at the top.

A detailed zoning map of a residential area. The map is color-coded by zone: red for GC-1 (General Commercial), purple for A-2 (Neighborhood Commercial), green for residential zones, and blue for water bodies. A yellow callout box highlights a specific area, with red arrows pointing to the GC-1 Zone and the A-2 Zone. The map includes street names such as 1000 NORTH, 800 NORTH, 600 NORTH, 400 NORTH, 200 NORTH, 1000 WEST, 800 WEST, 600 WEST, 400 WEST, 200 WEST, 1000 EAST, 800 EAST, 600 EAST, 400 EAST, 200 EAST, 1000 SOUTH, 800 SOUTH, 600 SOUTH, 400 SOUTH, 200 SOUTH, 1000 WEST, 800 WEST, 600 WEST, 400 WEST, 200 WEST, 1000 EAST, 800 EAST, 600 EAST, 400 EAST, 200 EAST, 1000 SOUTH, 800 SOUTH, 600 SOUTH, 400 SOUTH, 200 SOUTH. The map also shows a large body of water on the left side, a winding road in the center, and various other streets and landmarks.



Looking SE from Hwy 89



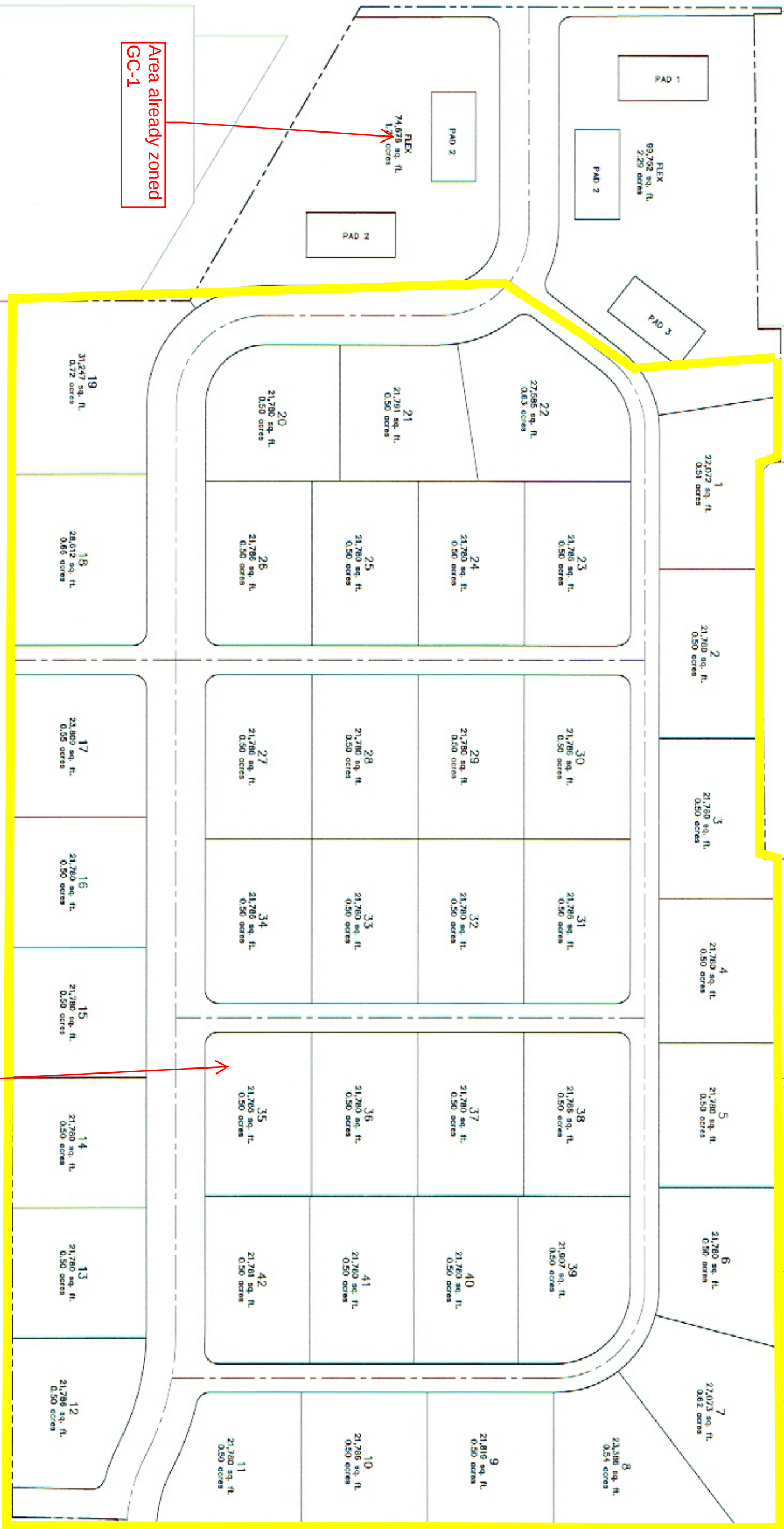
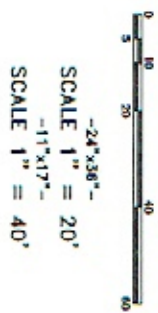
Looking West from 400 N



Proposed Concept Plan

Area already zoned
GC-1

Area to be rezoned
from A-2 to RA-1
with a TDR-R



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

Attachment "2" Open Space Alternative Sketch

Stays General
Commercial

Open Space -
Preserve trees and
alfalfa field

