

City Council Staff Report



Date:

8/18/21

Applicant:

Johnston Developments
Maple Canyon Holdings

Location:

600 N 1200 W

Prepared By:

Sean Conroy, Community
Development Director

Public Hearing:

Yes

Attachments:

1. Application
information.

REQUEST

Consideration of an ordinance to rezone approximately four acres of property from General Commercial (GC-1) to RA-2 located at approximately 600 North Highway 89.

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). Prior to 2021, the eastern 27 acres was zoned Agricultural Residential (A-2).

On February 3, 2021 the City Council reviewed a request to rezone the eastern 27 acres to RA-1 with a TDR Receiving Site Overlay (TDR-R). The concept plan included 42 lots and showed future commercial pad sites within the four acre area zoned GC-1. The City Council approved the rezone request with a condition that the maximum density not exceed 38 lots. On June 17, 2021 the City Council amended it's approval to allow for a maximum of 40 lots with the following conditions:

- The applicant shall withdraw its petition for judicial review and any other legal claims that may be pending.
- The applicant shall resolve the gap on the south side of the property.

The applicant is now requesting approval to rezone the four acre area zoned GC-1 to RA-2. The applicant has submitted a concept plan that includes nine lots ranging in size from .33 to .68 of an acre.

EVALUATION

City Council Discretion: Rezone requests are considered legislative in nature. The City Council generally has broad discretion when acting on legislative matters, provided it can be reasonably debated that the action taken will promote 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: 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. If a residential zone is proposed, it can only be one step increase in density from the adjacent residential zone (i.e. A-2 to RA-1, RA-1 to RA-2, RA-2 to R-2, etc).

The applicant's request to rezone the property to a residential zone is consistent with the Flex designation. The RA-2 zone is a one step density increase from the RA-1 zone, which is also consistent with the Flex designation.

Zoning & Concept Plan: The RA-2 zone allows lots as small as 14,500 square feet (.33 of an acre). The proposed concept plan includes lots ranging from .33 to .68 of an acre in size and will allow for a transition from smaller lots along Highway 89 to half acre and one acre lots as you move east through the site in the area zoned RA-1, TDR-R. The concept will included the typical improvements along Highway 89 (10' foot asphalt trail, planter strip with trees and decorative street lights) as well as an entrance landscape feature for the development.

RECOMMENDATION

Adopt the attached ordinance with the following special conditions:

1. The subdivision plat shall be generally consistent with the concept plan presented to the City Council.
2. The subdivision plat application shall include the final landscaping and design of the entry features. The entry features shall be maintained either by the private property owners where the entry features are located or a home owner's association.

ORDINANCE NO. 2021-

AN ORDINANCE TO REZONE APPROXIMATELY FOUR ACRES OF PROPERTY FROM GENERAL COMMERCIAL (GC-1) TO RA-2 LOCATED AT APPROXIMATELY 600 NORTH HIGHWAY 89.

WHEREAS, the subject four acre property is part of a 31 acre parcel and is zoned GC-1; and

WHEREAS, on February 3, 2021 the City Council rezoned the eastern 27 acres from A-2 to RA-1, TDR-R; and

WHEREAS, the General Plan designates the western four acres as “Flex Use”, which allows a property owner to propose either a residential or commercial zone; and

WHEREAS, the property rezone from GC-1 to RA-2 is consistent with the Flex Use designation; and

WHEREAS, the Planning Commission reviewed this request on August 12, 2021; and

WHEREAS, rezone applications are considered legislative in nature. 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.

NOW THEREFORE, BE IT RESOLVED by the City Council of Mapleton, Utah, to rezone approximately four acres from General Commercial (GC-1) to Residential-Minor Agricultural (RA-2) as described in exhibit “A” with the conditions outlined in City Council Staff Report dated 8/18/21.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF MAPLETON, UTAH, this 18th Day of August, 2021.

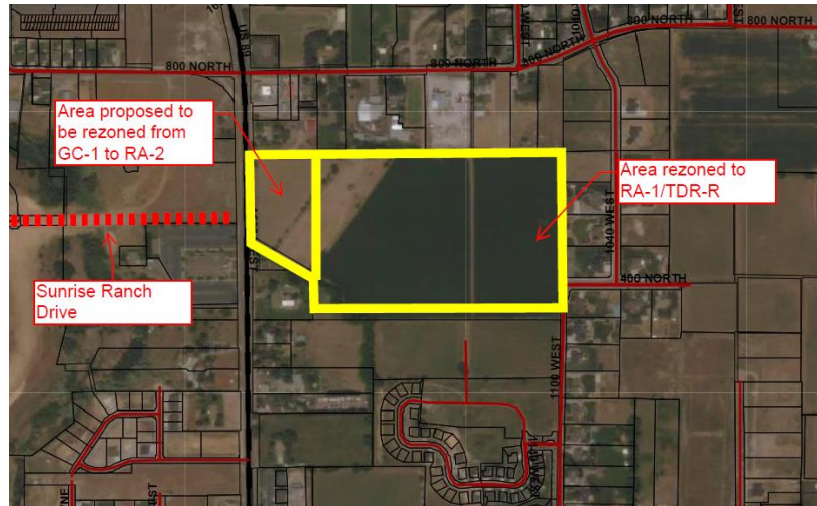
Dallas Hakes
Mayor

ATTEST:

Camille Brown
City Recorder
Publication Date:
Effective Date:

Exhibit "A"

Property to be rezoned to RA-2



Attachment "1"

Application Information

Area proposed to be rezoned from GC-1 to RA-2

Sunrise Ranch Drive

Area previously rezoned to RA-1/TDR-R

Attachment "1"
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Sunrise Ranch Drive

A detailed map titled "General Plan" showing various land parcels color-coded by zoning type. A large parcel in the center-left is outlined in yellow. Two red arrows point from text labels to this yellow-outlined parcel: one from the left labeled "Subject property - Flex Use" and another from the right labeled "Low Density Residential". The map includes numerous street names such as 800 NORTH, 1000 NORTH, 1600 WEST, 1140 WEST, 1040 WEST, 1040 WEST, 1100 WEST, 1700 WEST, WAYNE, HELEN, MAPLE, and MEADOW. Other colored areas include purple, green, and orange, representing different zoning districts. A small inset map in the top left corner shows a larger regional context.

[illegible][illegible]

Proposed Concept Plan

