

ORDINANCE NO. 2021-30

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF PLEASANT GROVE CITY, RE-ZONING APPROXIMATELY .24 ACRES OF PROPERTY FROM THE GROVE-COMMERCIAL SALES SUBDISTRICT ZONE TO THE GROVE-MIXED HOUSING SUBDISTRICT ZONE FOR THE PROPERTY IDENTIFIED WITH THE PARCEL ID #14:055:0010, HAMLET DEVELOPMENT CORPORATION WAS THE APPLICANT.

WHEREAS, the existing zone for the property identified with the Parcel ID # 14:055:0010 is the Commercial Sales Subdistrict in the Grove Zone where no residential uses are allowed.; and

WHEREAS, the property owner has submitted an application to rezone the property identified with the Parcel ID # 14:055:0010 in order to change its use from commercial to residential by extending the Mixed Housing Subdistrict boundaries; and

WHEREAS, on August 26, 2021 the Pleasant Grove City Planning Commission held a public hearing to consider the re-zone request; and

WHEREAS, at its public hearing the Planning Commission found that the rezone request was in the public's interest and is consistent with the written goals and policies of the General Plan; and

WHEREAS, the Pleasant Grove Planning Commission recommended to the Pleasant Grove City Council that the rezone request be approved; and

WHEREAS, on September 21, 2021 the Pleasant Grove City Council held a public hearing to consider the request; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the re-zoning request was in the best interest of the public and was consistent with the written goals and policies of the General Plan; and

WHEREAS, at its meeting the Pleasant Grove City Council approved the request to re-zone approximately .24 acres located within the parcel identified with the Parcel ID #14:055:0010 from the Commercial Sales Subdistrict in the Grove Zone to the Mixed Housing Subdistrict in the Grove Zone.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLEASANT GROVE:

SECTION 1. The approximate .24 acres located within the parcel identified with the Parcel ID #14:055:0010 shall be rezoned from the Commercial Sales Subdistrict in the Grove Zone to the Mixed Housing Subdistrict in the Grove Zone; said property being described as shown on Exhibit "A".

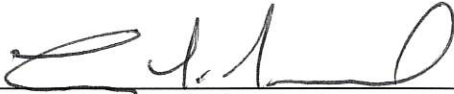
SECTION 2. The Official Zoning Map showing such changes shall be filed with the Pleasant Grove City Recorder.

SECTION 3. The Pleasant Grove City Council finds that the zone change is in the best interest of the public and is consistent with the written goals and policies of the City's General Plan.

SECTION 4. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

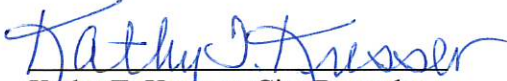
SECTION 5. This ordinance shall take effect immediately upon its passage and shall be posted or published as required by law.

SECTION 6. APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council or Pleasant Grove City, State of Utah, on this 21st day of September 2021.



Guy L. Fugal, Mayor

ATTEST:


Kathy T. Kresser, City Recorder

(SEAL)



Motion: Council Member LeMone

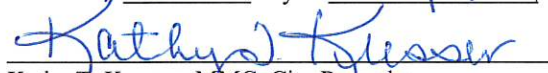
Second: Council Member Jensen

ROLL CALL	Yea	Nay	Abstain
Mayor Guy L. Fugal	☒	☐	☐
Dianna Andersen	☒	☐	☐
Brent Bullock	☒	☐	☐
Eric Jensen	☒	☐	☐
Cyd LeMone	☒	☐	☐
Todd Williams	☐	☐	☐

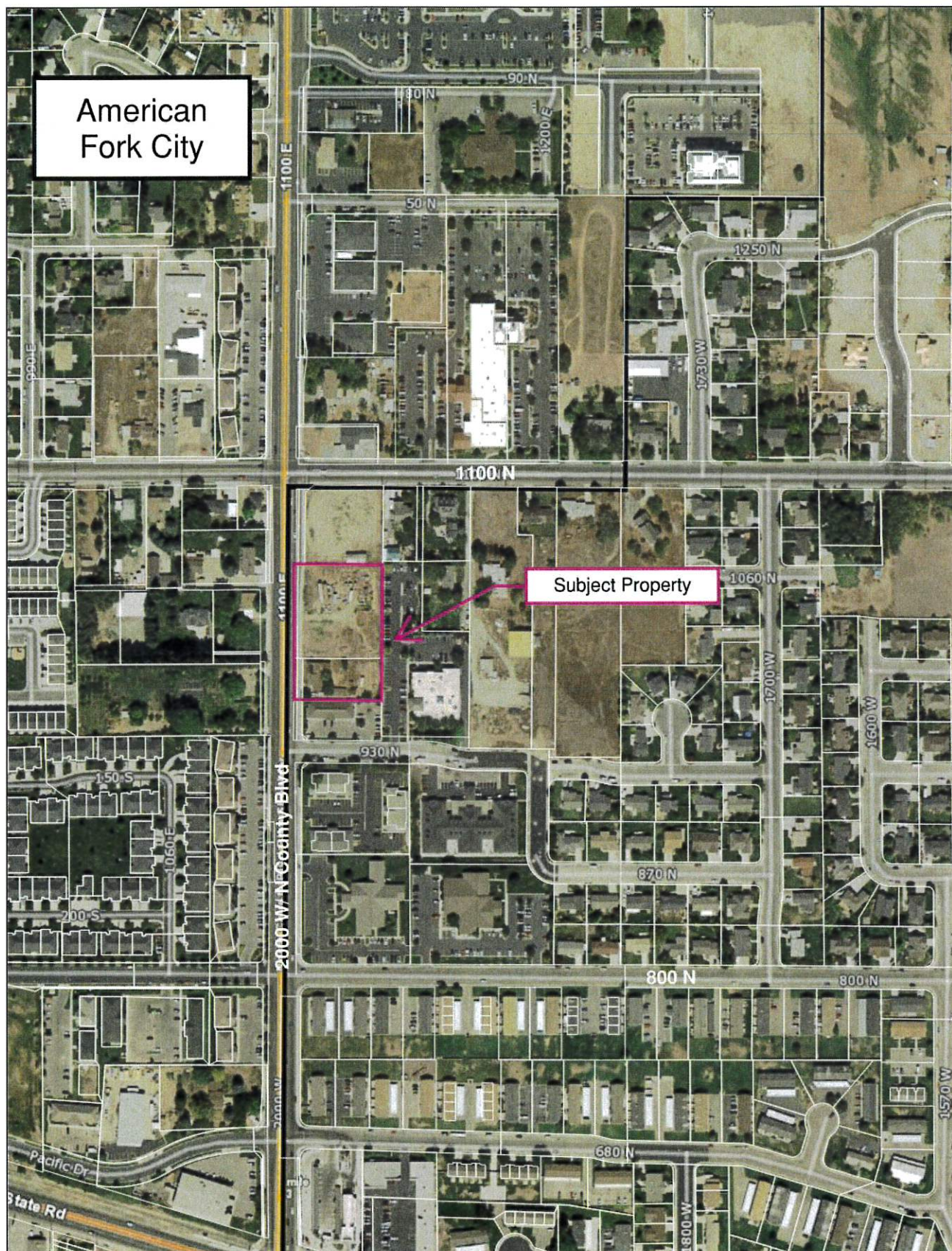
CERTIFICATE OF POSTING ORDINANCE
Pleasant Grove City Corporation

I, the duly appointed recorder for the City of Pleasant Grove, hereby certify that a summary of the foregoing Ordinance No. 2021-30 was posted on the State (<http://pmn.utah.gov>) website on this 22 day of Sept, 2021.

Dated this 22 day of Sept, 2021.


Kathy T. Kresser, MMC, City Recorder

American
Fork City



City Council Staff Report

September 21, 2021

Item 9C

REZONE PROPOSAL

REQUEST	Request to rezone approximately .24 acres by extending The Mixed Housing Subdistrict in the Commercial Sales Subdistrict	
APPLICANT	Hamlet Development Corporation	
ADDRESS	Parcel ID # 14:055:0010	
ZONE	The Grove Zone	
GENERAL PLAN	The Grove	
STAFF RECOMMENDATION	Approve the Proposed Rezone	
ATTACHMENTS	Aerial Map	4
	Zoning Map	5
	General Plan	6

Background

The Mixed Housing Subdistrict is the subdistrict of the Grove Zone that allows for residential uses. The purpose of the Grove Mixed Housing Subdistrict is to create a compact, pedestrian friendly environment of mixed residential uses, including a mix of various multi-family and single-family dwellings, public spaces, parks and paths. Commercial developments are also permitted within this subdistrict, either as a separate use or in conjunction with a residential use as a mixed use project.

The applicant is proposing to rezone a strip of land (approximately .24 acres) currently located in the Commercial Subdistrict of the Grove Zone. The purpose of the rezone is to increase the area available for a future residential development.

The proposed tract of land would potentially be added to a new subdivision serving a residential development. The tract of land consists of a strip of land running along the current southern border, which is the limit of the Mixed Housing Subdistrict zone.

The applicant, Hamlet Development, is proposing a residential development of 61 residential units. To achieve that density the minimum area required for the project is 5.08 acres as the density for the zone is 12 units per acre. While 5.08 acres is the minimum acreage needed for the 61 residential units, it is important to note that there are additional requirements for a residential project that the developer must meet which may impact the total acreage needed for a project. This can include things such as the required parking areas, open space, setbacks, required public right of ways (roads),

approximately 26 ft., the proposed rezone does not have an overall adverse impact on the general vicinity of the property and its future development as a commercial site.

The Planning Commission heard this item on August 26, and the item received a positive recommendation of approval; however, the recommendation forwarded to the City Council was not unanimous. The Commissioners that voted for a recommendation of denial considered that the re-zone was not vital to the project as the subdivision could be accomplished by reducing the number of residential units and allocating the space toward open use. Also those Commissioners did not consider it appropriate to reduce the commercial zone in favor of residential uses.

On the other hand, the majority of the commissioners voted for a positive recommendation of approval as they considered that the proposed .24 rezone did not have a negative impact on the surrounding properties and that the proposed portion of land to be rezoned does not impede nor diminish the future development of the remaining parcel for commercial uses. Staff also notes that the future of the parcel to the South is leaning more towards non-sales tax generating commercial uses, such as office uses; therefore, the rezoning of .24 does not negatively affect the area nor diminish the future commercial uses in the vicinity.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on August 26, 2021.

5. Public Hearing: Rezone – For the Property with Identification number #14:055:0010 (Sam White's Lane)

Public Hearing to consider a request from Hamlet Development Corporation, for a rezone of the south portion (.24 acres) of parcel #14:055:0010 to extend the Mixed Housing Subdistrict into the .24 acres of land this is currently located in the Commercial Sales Subdistrict within the Grove Zone.

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Phillips moved the Planning Commission forward a recommendation approval to the City Council for the request of Hamlet Development Corporation for the rezone of approx. .24 acres as drawn in the attached map from The Grove Commercial Sales Subdistrict Zone to The Grove Mixed Housing Subdistrict Zone; and adopting the exhibits, conditions, and findings of the staff report.

Commissioner Steele seconded the motion.

AERIAL MAP



