

ORDINANCE NO. 2022-14

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF PLEASANT GROVE CITY, REZONING APPROXIMATELY .9 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 672 WEST 220 SOUTH FROM THE MIXED HOUSING SUBDISTRICT OF THE GROVE ZONE TO THE C-G (GENERAL COMMERCIAL) ZONE, J D BRISK IS THE APPLICANT.

WHEREAS, the existing zone for the property located at approximately 672 West 220 South is the Grove Zone Mixed-Housing Subdistrict where the main use for the zone is residential uses; and

WHEREAS, the applicant intends to keep the commercial use of the property, changing the use of the land from residential uses (The Grove Mixed Housing Zone) to commercial uses (General Commercial); and

WHEREAS, on April 14, 2022 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 considered that the application of the C-G Commercial zone is cohesive with its surroundings and 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 May 3, 2022 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 rezone 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 rezone approximately .9 acres located at approximately 672 West 220 South from the Mixed-Housing Subdistrict in the Grove Zone to the C-G Commercial Zone.

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

SECTION 1. The approximate 9 acres located at approximately 672 West 220 South shall be rezoned from the Mixed-Housing Subdistrict in the Grove Zone to the G-G (General Commercial) Zone; said property being described as shown on Exhibit "A".

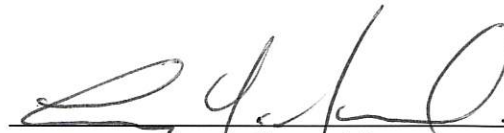
SECTION 2. The Official Zoning Map showing such changes shall be filed with the Pleasant Grove City Recorder.

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 phases 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 3rd day of May, 2022.


Guy L. Fugal, Mayor

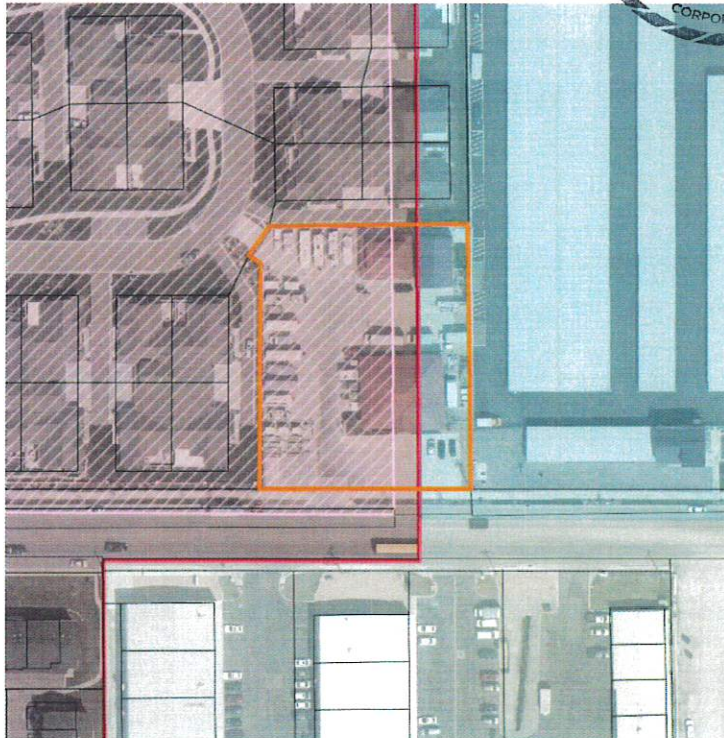
ATTEST:


Kathy T. Kresser, MMC
City Recorder

(SEAL)



Exhibit "A"



Motion: Council Member Williams
Second: Council Member Jensen

ROLL CALL	Yea	Nay	Abstain
Mayor Guy L. Fugal	_____	_____	_____
Dianna Andersen	_____	_____	_____
Brent Bullock	_____	<u>X</u>	_____
Eric Jensen	<u>X</u>	_____	_____
Cyd LeMone	<u>X</u>	_____	_____
Todd Williams	<u>X</u>	_____	_____

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. 2022-14 was posted on the State (<http://pmn.utah.gov>) website on this 3 day of May, 2022.

Dated this 4 day of May, 2022.

Kathy T. Kresser
Kathy T. Kresser, MMC, City Recorder



City Council Staff Report

May 3, 2022

Item 9B

REZONE PROPOSAL

REQUEST	Request to rezone approximately 0.90 acres from The Grove – Mixed Housing (GRV-MH) Subdistrict to the General Commercial (C-G) Zone.	
APPLICANT	J D Brisk	
PROPERTY OWNER	Old Westroc LLC	
ADDRESS	672 West 220 South	
ZONE	General Commercial	
GENERAL PLAN	The Grove North District	
STAFF RECOMMENDATION	Recommend Approval of the Proposed Rezone	
ATTACHMENTS	Aerial Map	4
	Zoning Map	5
	General Plan	6

Background

The applicant is proposing to rezone approximately 0.9 acres of land from The Grove – Mixed Housing (GRV-MH) Subdistrict Zone to General Commercial (C-G) Zone. The subject property is located at 672 West 220 South and is developed with commercial buildings that were constructed approximately between 1993 and 1997. These buildings are currently being used as an RV storage facility and a health and wellness center.

The proposed rezoning is intended to clean up the zoning for the subject property and to have fewer restrictions on permitted uses.

Analysis

Intent Statements:

The intent of the current GRV-MH Subdistrict Zone 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 to develop in this subdistrict, either as a mixed use project with residential uses, or separately."

The intent of the proposed C-G Zone is "...to provide a district primarily for the accommodation of commercial uses and commercial areas which have been established in locations away from the

central core of the city and which are not within the shopping centers of integrated design. Though this zone will be applied to areas which have developed as "strip commercial" developments along major streets and highways, it shall not be used to promote or establish areas in which such development can be promulgated or encouraged in violation of good planning principles."

Conformance with Zoning Ordinances:

The subject property is located between residential uses to the west and commercial uses along State Street to the east. While there is access to the property from the residential neighborhood on the northwest corner, the majority of traffic to this property will be from 220 South, which is designated as a minor arterial road by the 2040 Roadway Master Plan. Minor arterial roads can provide for higher intensities of traffic, and there is convenient access to the subject property from 220 South without passing through residential areas.

The current use of the property is commercial in nature, and the C-G zoning designation may be applied to areas which have existing offices, heavy commercial and institutional uses. There are no proposed changes to the use of the property at this time; the applicant only wanted to ensure that if there are any changes to the use, there would be fewer restrictions than what is permitted in the GRV-MH.

Compatibility with surrounding property:

The property to the east is zoned C-G and is developed with a self-storage facility. The properties to the north and west have been developed with two-family dwellings and are zoned GRV-MH, which allows for residences and light commercial uses. The property to the south is zoned Manufacturing Distribution (M-D) Zone and is developed as a business park with warehouses, which allows for uses with a higher intensity than the C-G Zone. The proposed rezoning is similar in nature with the surrounding uses and would act as a buffer between the nearby commercial and manufacturing uses and the residential areas to the west.

Conformance with General Plan:

This property was designated as GRV-MH in the General Plan Update 2007 and is a part of The Grove North District. The General Plan states that the goals of this district are to create attractive commercial areas, provide for a mix of land uses including office, retail, civic, and mixed density residential, and to encourage compact, pedestrian friendly mixed land development.

As the property is currently zoned, residential uses are permitted. By rezoning the property, the permitted land uses will shift to allow more intense commercial uses and will lose the right for residential units.

Recommendation from Planning Commission

Pleasant Grove City Planning Commission took the following action on the described application at their meeting on April 14, 2022.

**Public Hearing: Rezone – Located at 672 West 220 South
(Sam White's Lane Neighborhood)**

Public Hearing to consider the request of J D Brisk to apply the General Commercial Zone (C-G) to approximately 0.90 acres of property zoned The Grove – Mixed Housing (GRV-MH), located at 672 West 220 South.

RECOMMEND APPROVAL

Motion: At the Public Hearing, Commissioner Martineau moved the Planning Commission forward a recommendation approval to the City Council for the request of J D Brisk for the rezone of approx. 0.9 acres located at 672 West 220 South from The Grove – Mixed Housing Subdistrict Zone to The Commercial General (C-G) Zone; and adopting the exhibits, conditions, and findings of the staff report.

Commissioner Hargett seconded the motion.

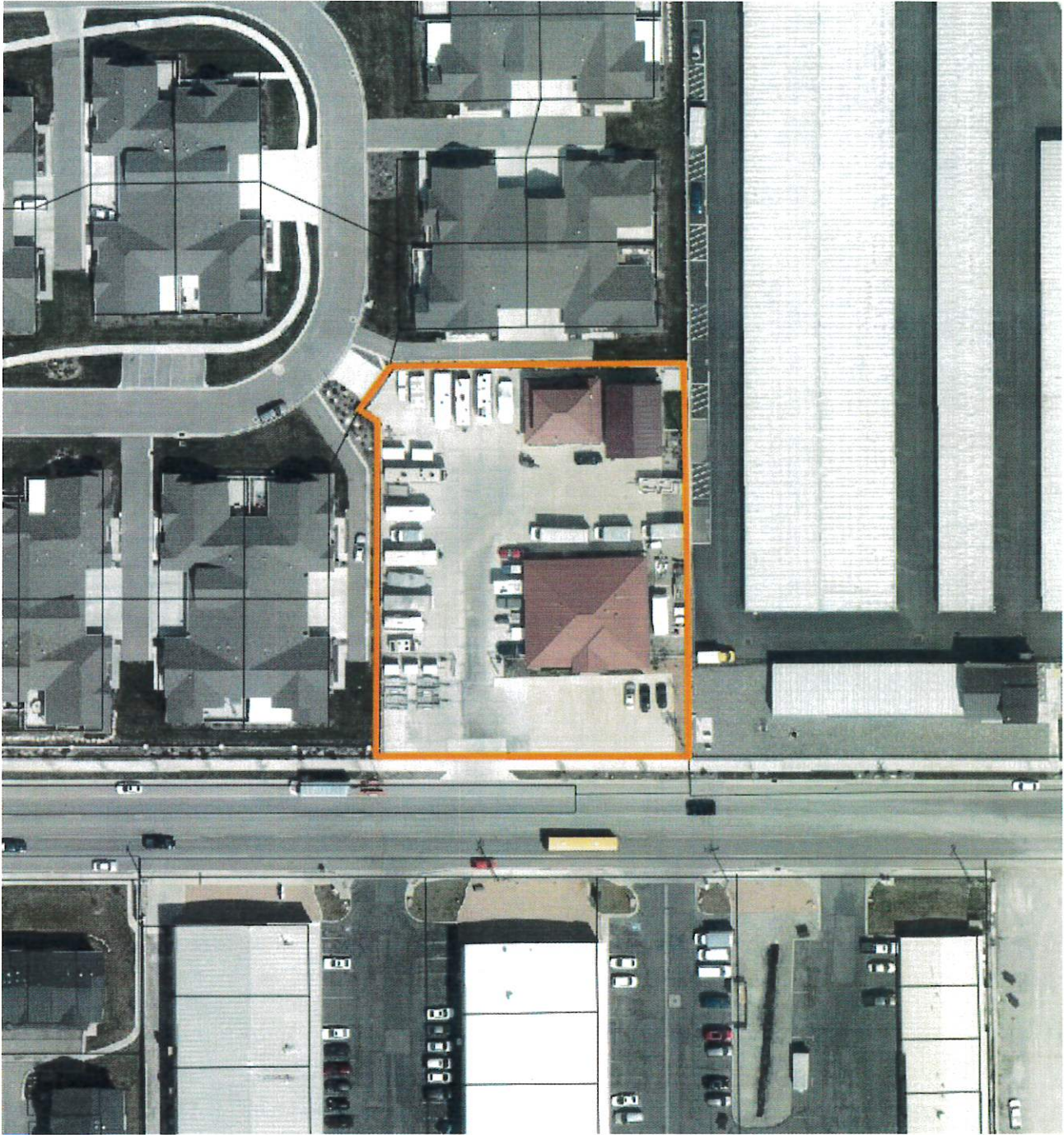
The Commissioners unanimously voted "Aye". The motion carried.

Motion by: Commissioner Martineau

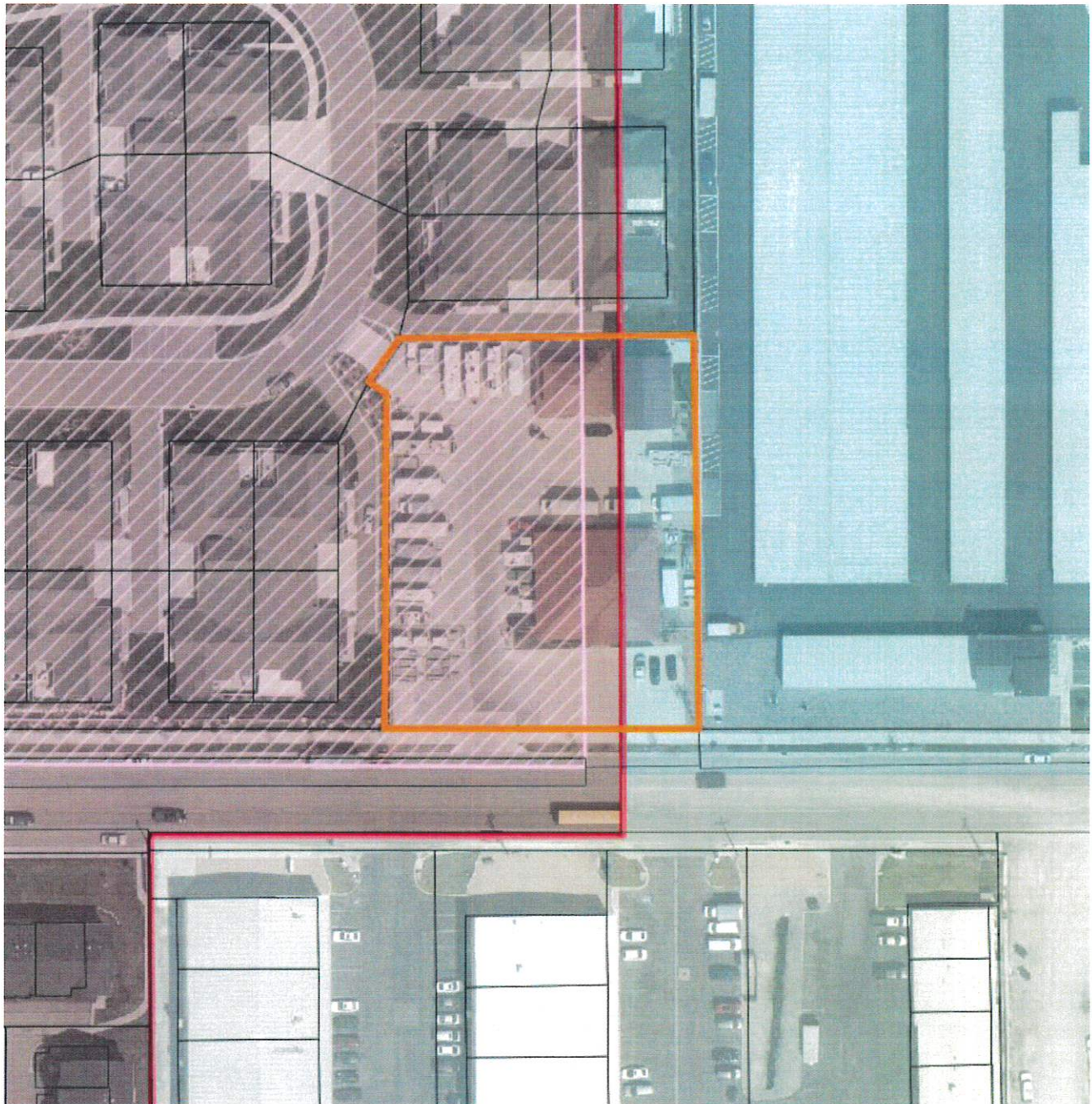
Seconded by: Commissioner Hargett

AYE VOTES: Chair Butler, Fugal, Steele, Hargett, Shirley, Martineau, Phillips

AERIAL MAP



ZONING MAP



Senior Housing
Overlay (SHO)



The Grove – Mixed Housing
Subdistrict Zone (GRV-MH)



General Commercial
Zone (C-G)



Subject Property