

# Mapleton City Planning Commission Staff Report

Meeting Date: July 9, 2009

**Item #:** 3

**Applicant:** Mark S. Whiting

**Prepared by:** Cory Branch

**Parcel ID #:** 27:001:0066

**Current Zone:** GC-1

**General Plan Designation:**  
Shopping Center Commercial

**Total Acreage:** Approximately  
7.75 acres

## **REQUEST:**

Mark S. Whiting requests a rezone of approximately 7.75 acres from the GC -1 (General Commercial) Zone to the A-2 (Agricultural-Residential) Zone on property located on the northeast corner of 1600 West (HWY 89) and 1600 South.

## **FINDINGS OF FACT:**

1. On October 2, 2007 the City Council rezoned the subject property from A-2 (Agricultural Residential) to the GC-1 (General Commercial) and RA-2 (Residential-Minor Agricultural) Zone. (see Figure 1 – Zoning of subject property)
2. This request is only for the portion of the subject property which is currently zoned GC-1. The GC-1 portion consists of approximately 7.75 acres and is located on the northeast corner of Hwy 89 and 1600 South. There is approximately 665' of frontage along Hwy 89 and 510' of frontage along 1600 South.
3. Mapleton City General Plan map designates the subject 7.75 acres as Shopping Center Commercial.
4. The written polices for Shopping Center Commercial, read, as follows:  
*The major intersections of Highway 89, where possible, should specifically be reserved for shopping centers. This includes the intersections of Highway 89 with 800 North, Maple Street, and 1600 South. These areas should be squares measuring approximately 1200' north to south and 1200' east to west, for approximately 8 acre areas on each corner of the intersections. Since these areas abut Highway 89, the Utah Department of Transportation (UDOT) should be involved in planning projects along the Highway. Uses characteristic of this designation include a variety of large chain grocery stores, retail/wholesale chains, department stores, shops, and service businesses grouped into architecturally harmonious buildings. Developments should allow for a pedestrian trail on the east side of Highway 89 with at least a 30 feet deep landscaped area, providing continuity with the General Commercial areas. Developments shall incorporate cross-access easements to allow for safe traffic circulation without having to re-enter public streets.*
5. Currently the 7.75 acre parcel is being used as a temporary retail/wholesale nursery with an expiration date of December 31, 2009. If the subject property is rezoned to A-2 the applicant intends to utilize the property as a permanent retail/wholesale nursery.
6. On May 19, 2009 a Warranty Deed was recorded at the Utah County Recorder's Office for the subject property. Staff is concerned with the legality of this deed.
7. The applicant has submitted a statement outlining the purpose of the proposed rezone. (see Attachment 1 – Information submitted by the Applicant)

## **OVERALL IMPACT TO ADJACENT PROPERTY AND CITY GOALS:**

The surrounding zoning to the north is A-2 and RA-2, to the south is A-2, to the east is RA-2, and to the west is unincorporated Utah County property.

## **STAFF RECOMMENDATION:**

Staff recommends denial of the requested rezone, based on the fact the proposal is not consistent with the current general plan map and written policies. Staff also recommends that the Planning Commission discuss with the applicant the legality of the Warranty Deed.

	<p><b><u>ALTERNATIVE ACTIONS:</u></b></p> <ol style="list-style-type: none"><li>1. The Planning Commission may recommend that the City Council approve the requested rezone. This action would be a change from the Staff recommendation. If the Planning Commission recommends approval of the requested rezone, new findings should be stated with the motion.</li><li>2. Continue to a Future Meeting Date: This action could be based upon findings that additional information is required prior to rendering a decision or to further consider information.</li></ol> <p><b><u>ATTACHMENT:</u></b></p> <ol style="list-style-type: none"><li>1. Information submitted by the applicant</li></ol>
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**VICINITY MAP:**

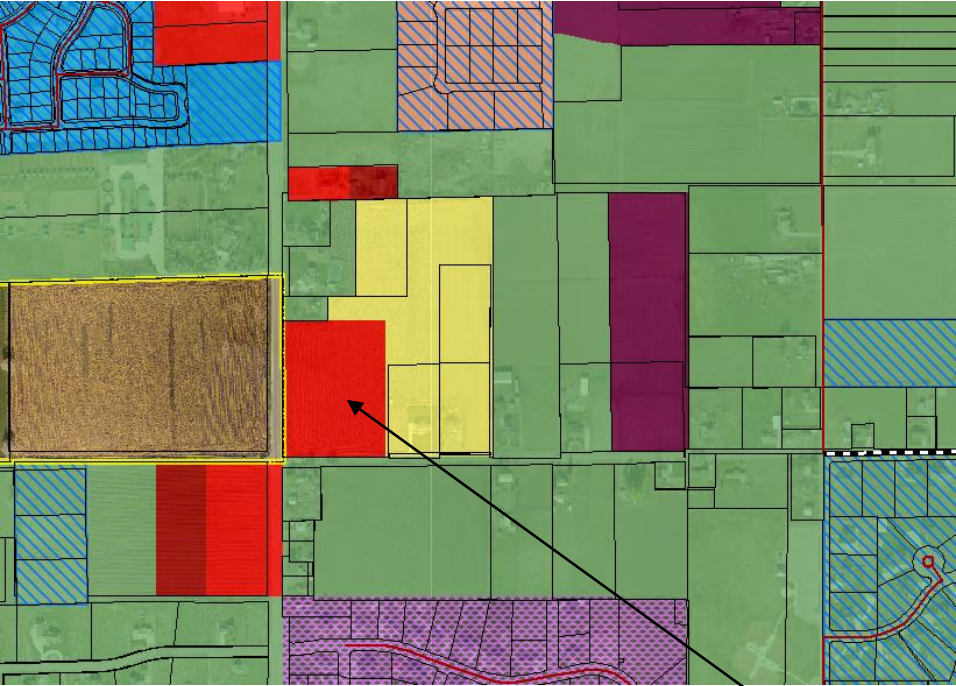


Figure 1 - Zoning map of subject property



Figure 2 - General plan map of subject property