

December 5, 1989

Planning Commission Agenda Item 10A, Rezoning Request, Glenn E. Jessop, Extension of Commercial Zone

Mr. Jessop has petitioned the city requesting that a portion of his property located at 1950 So. Orchard Dr. be rezoned from Neighborhood 9 District 5 to Neighborhood 9 District 6 (Commercial).

The major land uses in Neighborhood 9 District 5 are:

- Single Family - Permitted
- Duplex - Conditional
- Churches - Permitted
- Banking - Conditional
- Professional Office - Conditional
- Private School - Conditional
- Public School - Permitted
- Library - Conditional
- Museum - Conditional

The major land uses in Neighborhood 9 District 6 (Commercial) are:

- Single Family - Permitted
- Multi-family - Conditional
- Service Station - Permitted
- Banking - Permitted
- Commercial Goods & Services - Permitted
- Department Stores - Permitted
- Dry Cleaning - Permitted
- General Comparison Sales - Permitted
- Laundromat - Conditional
- Business Office - Permitted
- Professional Office - Permitted
- Restaurant - Permitted
- Fast Food - Conditional

The following types of questions should be raised when proposals for zoning amendments of any kind are brought before the Planning Commission:

1. Has there been a change in the development policies of the community?;
2. Has there been a change in the conditions in the community such as rapid population or development change?;
3. Was there a mistake made in the development of the original zoning ordinance which needs to be corrected?;
4. Is the zoning ordinance up-to-date?;
5. Is the proposed amendment consistent with the comprehensive plan?;
6. Is the proposed use compatible with adjacent land uses?;
7. Is the proposed amendment and land use likely to lead to a

narrow interest so as to amount to spot zoning?;

8. Is the timing proper for the proposed rezoning? Are all the utilities available to serve the proposed development?;

9. What is the effect of the proposed rezoning on such public utilities as sanitary sewers, water, roads, schools?;

10. Will the proposed development place an undue financial burden on the local community?;

There are any number of reasons why a particular landowner may request a change in the zoning ordinance, some of which are legitimate and some not. When the rationale for a zoning amendment sounds like any of the following, the Planning Commission should pause and make certain that the long range consequences of the proposed action are well understood:

1. What is proposed is better than what is there now;

2. The lot is nothing more than a weed patch! This change will help clean it up;

3. You can't keep the property owners from doing what they want with their ground;

4. This will bring in more revenue;

5. The owner of the property can't sell or lease it with the present zoning;

6. The owner can sell it for a better price if it's rezoned to commercial;

7. If we don't rezone it we are going to drive business away from the city;

8. I promised the people if I were elected I would keep taxes down;

9. They are too big an outfit - we can't deny the rezoning;

10. The owner is just an old person trying to make a living. This won't really hurt anyone;

11. We have to bring in commerce and industry today and not worry about a plan for tomorrow;

12. We promised the people that we would attract commerce and industry into our city and this will be a start;

13. It's not our role to tell the developers that they may not be successful in that location;

14. We approved commercial rezoning for the other fellow; how can we deny this one?;

15. We don't have any right to say where commercial or industrial developments should go;

16. He invested a lot of money in this ground and these proposals thinking the rezoning would get granted; how can we deny it?;

17. There is commercial zoning on the other corner; how can we deny it on this corner?;

18. Like his attorney said, "It's probably unconstitutional" and we don't know for sure;

19. We don't want to have to go to court; after all, it really doesn't look so bad.

Dec 5, 1989 Meeting

DATE:- November 29, 1989
TO: Planning Commission
FROM: City Engineer
SUBJECT: **Review of Auto Zone Building at 615 South 500 west**

I have made a review of the plans for the Auto Zone building and would recommend final approval subject to the following conditions:

1. Drainage

- A. Building pad is above 500-year flood plain
- B. No storm detention is provided
Recommended fee \$2,100/acre @ .77 acres . . . \$1,607.00
Drain directly into creek is approved,
subject to payment of fee
- C. Need 20' easement along creek as per
county requirement
- D. Need permit from County Flood Control

2. Water

City water fee for 1" connection 1,385.00
City will install water line to the meter
and set the meter box and controls. Owner
to run the line from meter to building.

3. Sanitary Sewer

The sewer main is Bountiful City line, not South Davis Sewer as the plans indicate. The connecting fee is **\$600** for 20 fixture units or less, and the contractor must be a licensed, bonded contractor and must obtain an excavation permit before work may begin.

4. Site Work

- A. The parking lot asphalt paving thickness should be designed and specified.
- B. The curbs should show finish grades or elevations with a minimum slope of 1%
- C. A 7' wide utility easement should be provided across the frontage of the property

5. Building Plans

- A. The building plans must be stamped by a Utah licensed architect.
 - B. The structural plans are incomplete. We need loading, calculations, member sizes, etc. (structural design).
 - C. We need electrical plans.
 - D. We need plumbing, heating, and mechanical plans.
6. Complete the landscape plans to the approval of the City Planner and post the required site improvement bond.
7. Payment of all required fees and posting of the cash deposit to protect the sidewalk and curb-gutter.