



Staff Report to the North Ogden City Council

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration and action on a legislative application to rezone a portion of the property at 1825 North Washington Boulevard from C-2 to R-3 and R-4

Agenda Date: March 25, 2014

Applicant: SBE2, LLC (Aspen Land Development Services, Troy Herold, Agent)

File Number: ZMA 2013-01

PROPERTY INFORMATION

Address: 1700 North Washington Boulevard

Project Area: 30.75 Acres

Zoning: C-2

Existing Land Use: Vacant

Proposed Land Use: Commercial, Multi-family, Charter School, and Assisted Living Facility

Parcel ID: 110140061; 110140048; 110140019; 110140020; 110140021

ADJACENT LAND USE

North: Agriculture
East: Residential

South: Agriculture
West: Residential

STAFF INFORMATION

Robert O. Scott, AICP
rscott@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-1-4 (Changes and Amendments)

North Ogden Zoning Ordinance Title 11-7G (Multi-Family Residential Zone R-1-3)

North Ogden Zoning Ordinance 11-7H (Multi-Family Residential Zone R-1-4)

TYPE OF DECISION

When the City Council is acting in a legislative capacity as the land use authority the City Council has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

BACKGROUND

The applicant is requesting that a portion of the property located at 1700 North Washington Boulevard be rezoned from C-2 to R-3 and R-4. The property extends 1700 feet to the west from Washington Boulevard. The frontage along Washington Boulevard is proposed to remain C-2 extending back approximately 300 feet and is about 4.42 acres. The second parcel being proposed to be rezoned to R-4 is approximately 20.4 acres, and the third parcel to be rezoned R-3 is approximately 2.5 acres.

The R-4 property is proposed to have a charter school (3-5 acres) and assisted living facility (8 acres) on the west end of the property as a buffer to the single family subdivisions known as Mystery Meadows. This will leave approximately 9-12 acres for multi-family in parcel 2 and the 2.5 acres in R-3.

On April 30, 2013 the Economic Development Committee considered this request. The Committee unanimously recommended “that in an expeditious manner, begin General Plan evaluations including evaluations regarding economic development; to recommend that the Planning Commission, in conjunction with the economic development advisor, begin discussions regarding mixed-use zoning and analysis; and that the current zoning for the subject property remain unchanged until the other two discussions have taken place.” (See Exhibit B)

In the February 5, 2014 Planning Commission meeting, the applicant stipulated as part of any rezoning approval to having a development agreement. The agreement will identify that the assisted living facility and charter school will provide a buffer to the single family subdivision to the west. If the City Council approves this rezoning, a condition of approval will be to require a development agreement. The City Council will need to identify the items to be included with the agreement. Staff will then work with the applicant and Planning Commission to recommend a final agreement for approval by the City Council.

The Planning Commission considered four options regarding this application:

1. Approve the application as presented.
2. Deny the application.
3. Approve the rezoning with the charter school and residential care facility abutting the commercial and rezoning the westerly portion single family residential.
4. Approve the application with conditions; subject to a development agreement.

GENERAL PLAN

The North Ogden General Plan calls for this property to be single family residential low density. The existing zoning and the proposal are not consistent with the General Plan.

The Planning Commission reviewed the Zoning and Land-Use Policy that include guidelines for how zoning changes should be considered. (See Exhibit D) The Planning Commission also reviewed the General Plan descriptions for residential and commercial development. (See Exhibit E)

SUMMARY OF CITY COUNCIL CONSIDERATIONS

- Is the proposal consistent with the General Plan?
- How does the proposal relate to the Zoning and Land-Use Policy for evaluating zoning requests?
- How does the proposal relate to the General Plan residential and commercial development descriptions?
- What options are available for the City Council to consider?

PLANNING COMMISSION RECOMMENDATION

The Planning Commission is recommending alternative 4; approve the application with conditions to include a development agreement that will locate the charter school and residential care facility on the westerly end of the property, to negotiate design standards for the R-3 and R-4 properties, and that if the applicant does not follow the development agreement the property will be rezoned back to C-2.

Since the Planning Commission meeting the developer has been in negotiations to potentially relocate the charter school to the property to the north. This property has yet to be annexed into North Ogden and would require a separate application.

EXHIBITS

- A. Application
- B. January 30, 2014 Staff Report with April 30, 2013 Economic Development Committee Minutes
- C. 2014 PC Minutes
- D. General Plan Zoning and Land-Use Policy
- E. General Plan Residential and Community Development

MAP

