

**APPLE VALLEY PLANNING DEPARTMENT
ZONING CHANGE REVIEW**

PARCEL ID: AV-1376-B-3

PLANNING COMMISSION SCHEDULED MEETING DATE: **9-7-21**

TOWN COUNCIL SCHEDULED MEETING DATE: **9-21-22**

PROPERTY OWNER: Nuance Management LLC ☐County Records ☐Warranty Deed

AGENT: Anthus Barlow Verified by ☐Supplied Affidavit ☐Unable to verify

ACRES IN TAX ID: 1.50 **ACRES IN APPLICATION:** 1.50

CURRENT ZONE: Open Space Transition) **PROPOSED ZONE:** Commercial C-3 **ADJACENT ZONES:** OST/RE-5

GENERAL PLAN ZONE: Commercial

COMMENTS: Based upon the adjacent Residential Estate 5 acre zoning, this zoning change should be denied as it would be incompatible with that zoning, HOWEVER the adjacent property consists of a huge industrial building that is used as a transmission shop with lots of junk cars surrounding it, and across from it, is another huge industrial AC shop this is zoned Commercial. There is a parcel adjacent to the transmission shop that is someone's residence, that would clearly be incompatible with the commercial buildings and zones. The likelihood of this parcel remaining residential is not very high, due to the commercial buildings and businesses adjacent to it, so we would recommend that this zoning change be approved.

The following is our report based upon the property location and other facts:

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE When approving a zone change, the following factors should be considered by the Planning Commission and Town Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives, and Policies of the Town's General Plan;

ANSWER: The general plan shows this to be commercial, so it is consistent with the General plan

2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;

ANSWER: This is clearly not compatible with the one residential home located close to this parcel; however, it is very much compatible with the commercial building and uses located adjacent to this parcel.

3. The extent to which the proposed amendment may adversely affect adjacent property; and

ANSWER: Yes it will adversely affect the one residential home one parcel over, however that residence is already adversely affected by the existing industrial building and uses adjacent to the home.

4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

ANSWER: The access to this property will be off 1600 East Bubbling Wells Lane, which is not a great access point, however the intended use of a freeze-drying facility, is a low traffic business. The utilities are all available close by and this business is low impact on the utilities.

Example of a motion to Approve this application:

Planning Commission: *I make the motion we recommend approval to the Town Council for the zoning change for AV-1376-B-3 from Open Space Transsion to Commercial C3 for the following reasons:*

- 1. The requested zone is compatible with the General Plan.*
- 2. The requested zone is compatible with the adjacent commercial use of a transmission shop and an AC shop and the residential use adjacent to this, is not likely to remain residential.*
- 3. This is a low traffic impact business, so the poor access location is less important*

TOWN COUNCIL: *: I make the motion we approve the zoning change for AV-1376-B-3 from Open Space Transsion to Commercial C3 for the following reasons:*

- 1. The requested zone is compatible with the General Plan.*
- 2. The requested zone is compatible with the adjacent commercial use of a transmission shop and an AC shop, and the residential use adjacent to this is not likely to remain residential.*
- 3. This is a low traffic impact business, so the poor access location is less important*

Example of a motion to Deny this application

Planning Commission: *I make the motion we recommend denial to the Town Council for the zoning change for AV-1376-B-3 from Open Space Transsion to Commercial C3 for the following reasons:*

- 1. The zoning change is not compatible with the adjacent residential zone.*
- 2. Any other reason you can think of _____*

TOWN COUNCIL: *: I make the motion we deny the zoning change for AV-1376-B-3 from Open Space Transsion to Commercial C3 for the following reasons:*

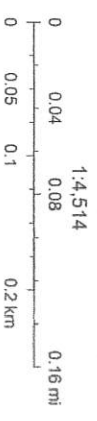
- 1. The zoning change is not compatible with the adjacent residential zone.*
- 2. Any other reason you can think of _____*

AV-1376-B-3 Current Zoning

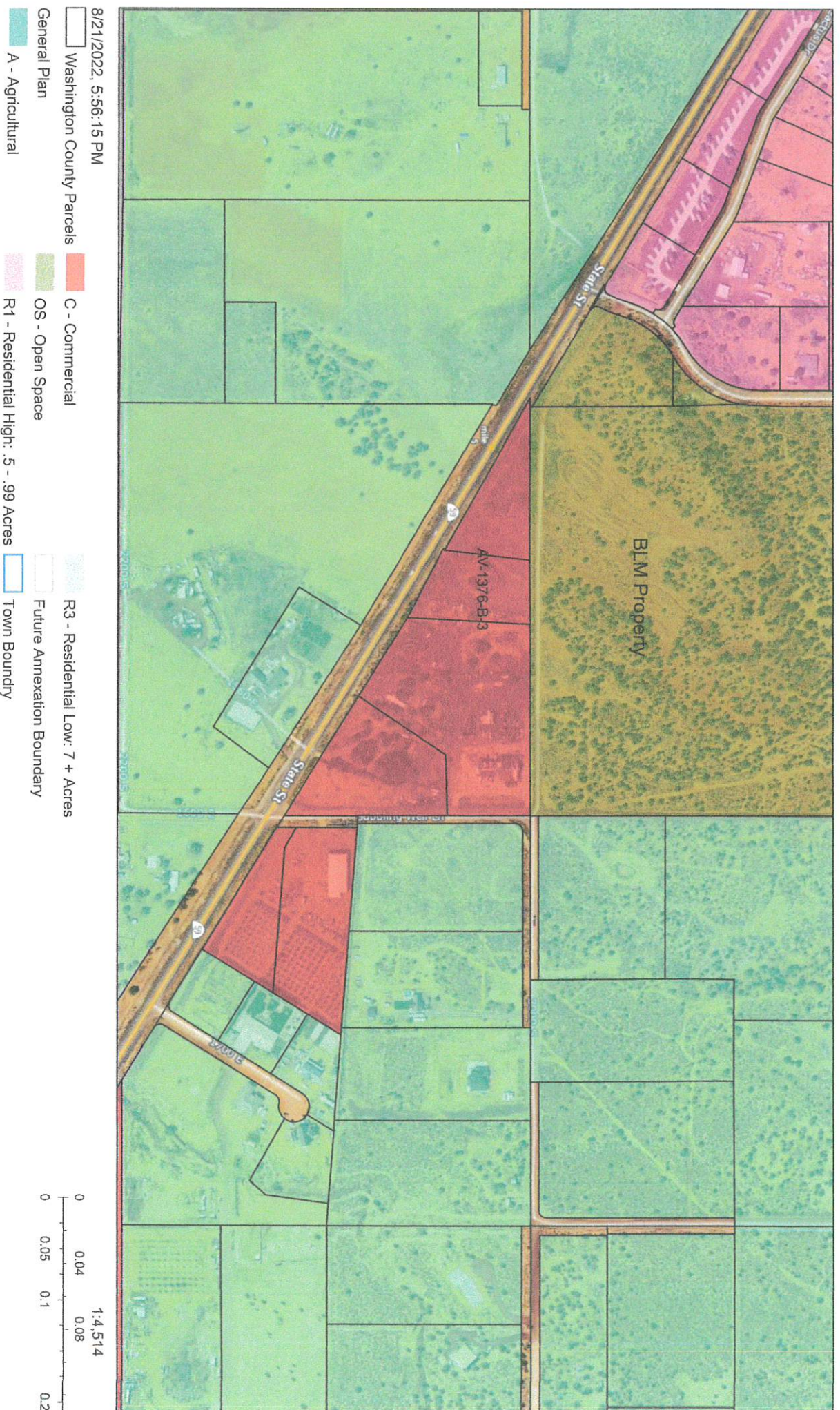


8/21/2022, 5:55:01 PM

- Washington County Parcels
- Future Annexation Boundary
- Zoning Districts**
- A-5 - Agricultural > 5 Acres
- A-10 - Agricultural > 10 Acres
- Single-Family Residential > .5 Acres
- C-1 - Convenience Commercial
- C-2 - Highway Commercial
- C-3 - General Commercial
- OSC - Open Space Conservation
- OST - Open Space Transition
- PD - Planned Development
- RE-1 - Residential Estate 1
- RE-5 - Residential Estate 5
- Town Boundary

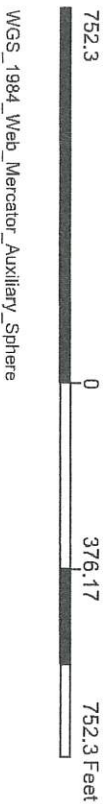


AV-1376-B-3 General Plan





AV-1376-B-3 AREAL MAP



DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

Notes

Legend

Parcels

Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management Wildlife

National Park Service

Sitka's Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

State Park

State of Utah

Washington County

Municipally Owned

School District

Privately Owned

Water

Water Conservancy District

State Assessed Oil and Gas

Mining Claim

