

Mapleton City Planning Commission Staff Report

Meeting Date: February 13, 2013

Item: 3

Applicant: MG Greenhouse & Nursery

Property Owner: Matthew Gause

Prepared by: Sean Conroy, Community Development Director

Public Hearing Item: Yes

Location: 1550 W 2600 S (Parcel # 52:020:0008)

Zone: A-2

REQUEST

Consideration of a request for a Conditional Use Permit to reopen a greenhouse facility located in the Agricultural-Residential (A-2) Zone.

BACKGROUND AND PROJECT DESCRIPTION

The subject site is approximately 2.18 acres in size and is developed with a single-family dwelling, five (5) greenhouses and several other agricultural buildings. The Planning Commission issued a conditional use permit on April 14, 2005 for a greenhouse facility at this site. The Commission approved modifications to the permit on April 24, 2008. The facility has not been in use for several years.

The applicant is proposing to open the MG Greenhouse and Nursery on the site. The operation would include:

- The selling of bedding plants, vegetable plants, annuals, perennials, trees, shrubs and hanging baskets.
- Produce will be available through 'you pick' operations or direct sales to distributors and to the public.
- Hours of operation would be from 8:00 a.m. to 8:00 p.m. during operational months (roughly March thru October).

EVALUATION

General Plan: The General Plan encourages the protection and promotion of residential and commercial agriculture in the City. Goal #15 of the Land Use Element of the General Plan states, "*Mapleton will encourage the continuation of farming.*" The proposed use is consistent with this goal.

Zoning: The project site is located in the A-2 zone. Mapleton City Code Chapter 18.28.040 identifies commercial greenhouses as a conditional use in this zone. MCC Chapter 18.64.035 states that conditions imposed upon conditional uses must fall under one or more of the following categories:

- Safety for persons or property;
- Health and sanitation;
- Environmental concerns;
- Compliance with the General Plan;
- Performance (bonding);
- Traffic circulation and parking; and
- Aesthetics.

The site has previously operated as a greenhouse facility and will operate in a similar manner. Staff supports the proposed use. The conditions outlined below are consistent with MCC Chapter 18.64.035.

Parking: MCC Chapter 18.84.270 outlines the on-site parking requirements for various uses within the City. This chapter does not identify an on-site parking requirement for commercial greenhouses. However, MCC Chapter 18.84.270.G states the following:

“Required Parking; Uses Not Mentioned: The required off street parking for any building, structure or use of land of a type which is not listed in this section shall be determined by the planning commission. The planning commission shall be guided as much as possible by comparison with similar uses which are listed.”

The prior conditional use permit required six (6) spaces, plus two (2) additional spaces per green house for a total of 11 spaces. Staff is supportive of this requirement. The site appears that have more than adequate space to accommodate the parking requirements, however staff has added a special condition that the applicant submit a site plan prior to receiving business license approval that demonstrates how the parking will be provided.

RECOMMENDATION

Approve the application with the attached findings and conditions.

ALTERNATIVE ACTIONS

1. Approve the application with revised conditions.
2. Deny the application.
3. Continue the application with a request for changes/additional information.

SPECIAL CONDITIONS

1. The applicant shall obtain a business license prior to opening for business.
2. The applicant shall provide a minimum of 11 off-street parking spaces. A final site plan identifying the location of the proposed parking shall be submitted to the Community Development Department prior to the issuance of a business license. The parking and driveway may be installed/maintained with gravel, but must ensure that dirt/mud are not tracked onto the roadway.
3. Up to four (4) seasonal signs may be allowed on the site with a maximum size of 16 square feet per sign and a maximum height of six feet. The signs shall be removed during the months when the facility is not in operation.
4. The use shall be conducted in a manner consistent with the presentations and statements submitted in the application and at the public hearing, and any change in the use which would alter the findings or conditions adopted as part of this permit shall require approval of an amended use permit by the Planning Commission.
5. Violations of the terms of this use permit or other ordinances of the City may constitute grounds for revocation of this permit and associated business license by the Planning Commission.
6. If the proposed use is abandoned for a period of six months or more, the use permit will become null and void.
7. The applicant agrees, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition.

ATTACHMENTS:

1. Findings for Decision.
2. Application Materials.

Standard Conditional Use Permit Findings

No.	Finding	
1.	The proposed use will not be in conflict with the City's General Plan.	✓
2.	The proposed use or combination of uses are listed as permitted or conditional uses in the applicable zoning district in which the project is located.	✓
3.	The proposed use will provide adequate ingress and egress to and from the proposed location	✓
4.	Granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.	✓
5.	The proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓
6.	The proposed use will not be injurious to public health, safety or welfare.	✓
7.	Any special conditions included in the permit are consistent with MCC Chapter 18.64.035.	✓

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REQUEST FOR CONDITIONAL USE PERMIT:

Matthew Gause is requesting a Conditional Use Permit for the five greenhouses located at approximately 1550 West 2600 South, Mapleton, A2 Zone Designation. He would like to renew the terms of the conditional use permit issued in 2008.

Funds from leasing the greenhouse will be used to improve the property's appearance and structures. Improvements include the removal of weeds, grooming of the grounds, and repairing the existing structures. These repairs include upgrading the furnaces, replacing greenhouse plastic, building greenhouse tables/shelving, install water pipes etc.

No new buildings are planned for new construction.

The conditions and requirements set forth in past requests will be met, including:

1. Items to be sold will include bedding plants, vegetable plants, annuals, perennials, trees, shrubs, and hanging baskets. Produce will be available thru 'you-pick' operations or direct sales to distributors and to the public from the site.
2. Hours will be from 8:00 AM – 8:00 PM during operational months. The greenhouses will be open to the public from March thru October with staff working in the winter and early spring months.
3. Signage will not exceed 16 square feet or the maximum height of 6'. Seasonal signs will be removed from the months of November thru February with the exception of the permanent business greenhouse sign. All applicable Mapleton City Sign Ordinances now and in the future will be met.
4. A minimum of six (6) off-street parking spaces, plus an additional two (2) off-street parking spaces per greenhouse, shall be provided on the property in relation to the business operation.
5. The driveways will be maintained to prevent any mud being tracked on to the main roads and a loop driveway will be provided to prevent the need to back out of the property.
6. Lot coverage for this property will not exceed 28,488.24 square feet.
7. A portable sanitary facility will be available on the site and will be maintained as needed.
8. An active Business License will be required for every year of operation.
9. All sales tax for the location will be collected and paid to the state.
10. Setbacks are 10' from the rear property line and 30' from Highway 89 and 2600 South.

From 2600 South



From HWY 89



Aerial View



Project Site