



**PLANNING COMMISSION
STAFF REPORT**

Agenda Item 4
August 24, 2021

TO: Planning Commission Members

FROM: Josh Yost

RE: Clair Nixon seeking an amendment to Springville City Code, Section 11-4-301, Land Use Matrix, concerning the distance from Main Street to allow warehousing.

Petitioner: Clair Nixon

Summary of Issues

Is the proposed amendment in accordance with the General Plan of the City?

Do changed or changing conditions make the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah?

Background

On May 19, 2020, the City Council adopted an ordinance amending Springville City Code Section 11-4-301, Land Use Matrix, to prohibit office/warehouse and other similar uses within 500 feet of an arterial street, including, but not limited to, the streets in Springville known as Main Street, 1400 North (SR 75), 400 South (SR 77) and SR 51 within the Highway Commercial and Regional Commercial Zones. This action made the existing manufacturing use of the property at 965 N. Main Street nonconforming.

Mr. Nixon desires to construct an addition to the existing building to accommodate the needs of the tenant's manufacturing use. As a nonconforming use governed by Springville Code 11-3-205, it cannot be expanded on the lot beyond the extents of the existing building.

11-3-205 (2) Limits to Expansion of Use. A nonconforming use may be expanded through the same building in which it is located, provided no structural alteration of the building is proposed or made for the purpose of the extension. For purposes of this subsection, the addition of a solar energy device to a building is not a structural alteration. A nonconforming use may not be expanded on a lot.

To accommodate the needs of the tenant, Mr. Nixon has requested a zone text amendment to exempt the location of his building on Main Street from the

prohibition on office/warehouse and other similar uses within 500 feet of an arterial street.

Analysis

Is the proposed amendment in accordance with the General Plan of the City?

The proposed amendment does not accord with the area's designation as Commercial on the General Plan Future Land Use Map. As stated in Section 2.6.1 This category includes all retail, service, and professional office space within the City. The existing use of the property falls under the General Plan's Industrial/Manufacturing land use designation.

Do changed or changing conditions make the proposed amendment necessary to the promotion of the purposes of the Development Code of Springville, Utah?

No changed or changing conditions are cited that make the proposed amendment necessary. The City Council has consistently directed staff to focus the areas of the City where industrial and manufacturing uses are located. Carving out an area on Main Street for the expansion of such uses runs counter to this guidance.

Staff Recommendation

Staff finds that the proposed amendment does not meet the criteria established in Springville Code 11-7-101, and listed above.

Recommended Motion

Move to recommend denial of the proposed zone text amendment.

Attachments

1. Applicant's written statement of zone text amendment request

DCW- SPR, LLC
3805 N. 450 W.
Provo, Utah 84604
August 4, 2021

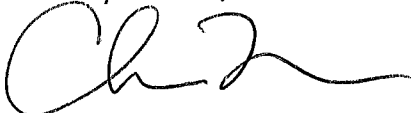
Springville Community Development:

It is proposed that the property at 965 N. Main Street, Springville be allowed to add storage facilities at the rear of the existing building. The storage facility would be attached at the rear and run west to the end of the property. The storage facility would greatly enhance the manufacturing capability of the existing facility. The lessee, Lacore Nutraceuticals has specifically requested this added facility. The square footage of the proposed structure is 15,000 square feet.

We are seeking an amendment to the ordinance which prohibits any storage facility within 500 feet of Main street. The addition of the proposed structure would begin at 350 feet from Main Street. In addition, it would not be visible from Main Street as it would located at the rear of the existing building.

The proposed amendment would only apply to the section of Main Street from 900 N to 1060 N.

Thank you for your consideration of this request.



Clair Nixon

Managing Partner