



Provo City Planning Commission

Report of Action

May 10, 2017

ITEM 2* Provo City Parks & Recreation Department requests a Zone Change from Light Manufacturing (M-1) to Public Facilities (PF) for Construction of the Spring Creek Park located at 1140 South State Street. *Spring Creek Neighborhood*. 16-0015R, Austin Corry, 801-852-6413

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 10, 2017:

RECOMMEND APPROVAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Deborah Jensen

Second By: Brian Smith

Votes in Favor of Motion: Dave Anderson, Deborah Jensen, Jamin Rowan, Ed Jones, Brian Smith

Jamin Rowan was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the Public Facilities (PF) Zone is described in the attached Exhibit A.

RELATED ACTIONS

Project Plan Approval (casefile #16-0028PPA)

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- The need for a neighborhood-scale park has been identified in both the General Plan and the Parks Master Plan.
- The standard practice in Provo is to have parks zoned PF
- The associated Project Plan has been reviewed by the CRC and found compliant with all ordinance requirements.

CITY DEPARTMENTAL ISSUES

- None.

NEIGHBORHOOD MEETING DATE

- Multiple neighborhood meetings were held throughout the design process involving a neighborhood committee.
- The Neighborhood Chair determined that an additional neighborhood meeting would not be required.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present /addressed the Planning Commission during the public hearing.

CONCERNS RAISED BY PUBLIC

- No concerns were reported to staff prior to the meeting, and no concerns were raised during the hearing.

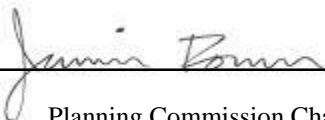
APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Doug Robins, Provo City Parks & Recreation, offered thanks to the many individuals involved through the process, including a very involved neighborhood committee. He noted the planning for this park began approximately 10 years ago and it was exciting to see the potential of this park for meeting a need for the area.

PLANNING COMMISSION DISCUSSION

No specific discussion was had regarding the zone map amendment.



Planning Commission Chair



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A – LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 7 AND THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, LOCATED IN PROVO, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST RIGHT OF WAY LINE OF STATE STREET US-89, ALSO ON THE NORTH LINE OF AUTUMN VIEW TOWNHOMES PLAT B AS ON FILE AT THE UTAH COUNTY RECORDER'S OFFICE, LOCATED S89°19'09"W ALONG THE SECTION LINE 72.08 FEET AND SOUTH 107.60 FEET FROM THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE S89°27'59"W ALONG THE NORTH BOUNDARY AND PROJECTED BOUNDARY OF AUTUMN VIEW TOWNHOMES PLAT B, 614.39 FEET TO A POINT 5.00 FEET EAST OF AN EXISTING CONCRETE FENCE AND THE FUTURE WEST RIGHT OF WAY LINE OF 1080 EAST STREET; THENCE N00°22'06"E RUNNING 5.00 FEET EAST OF SAID CONCRETE FENCE AND ALONG THE FUTURE RIGHT OF WAY LINE OF 1080 EAST STREET 454.37 FEET TO THE SOUTH LINE OF 1140 SOUTH STREET; THENCE ALONG THE SOUTH LINE OF 1140 SOUTH STREET THE FOLLOWING (5) COURSES; THENCE S89°00'00"E 92.66 FEET; THENCE N00°25'32"E 0.86 FEET; THENCE S89°00'00"E 64.32 FEET; THENCE EASTERLY ALONG THE ARC OF A 399.60 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT 167.34 FEET (CHORD BEARS: N74°36'04"E 166.12 FEET); THENCE EASTERLY ALONG THE ARC OF A 19.99 FOOT RADIUS REVERSE CURVE TO THE RIGHT 30.85 FEET (CHORD BEARS: S73°11'16"E 27.88 FEET) TO THE WEST RIGHT OF WAY LINE OF STATE STREET, US-89; THENCE S29°00'02"E ALONG THE WEST RIGHT OF WAY LINE OF STATE STREET, US-89 552.02 FEET TO THE POINT OF BEGINNING.

CONTAINING: 224,488 SQUARE FEET OR 5.15 ACRES.



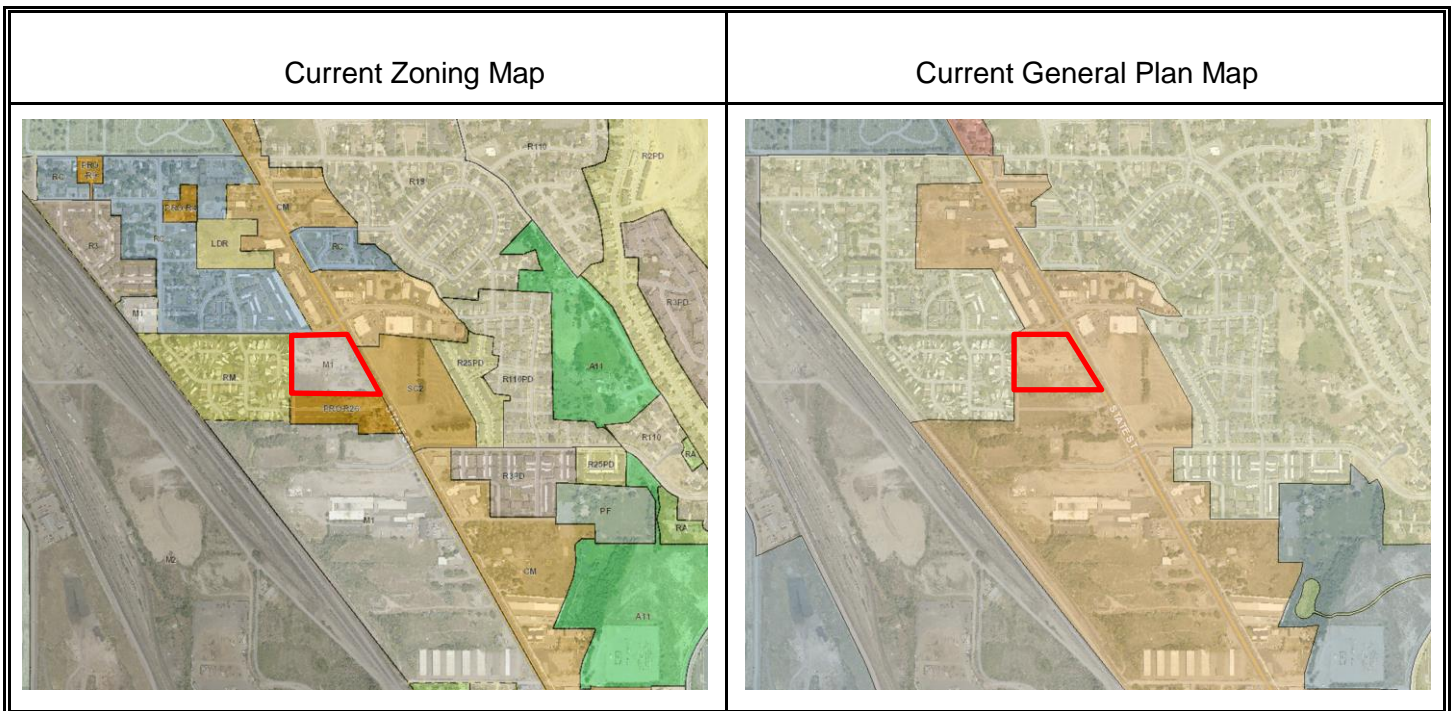
**Planning Commission
Staff Report
Rezone
Hearing Date: May 10, 2017**

ITEM 2* Provo City Parks & Recreation Department requests a Zone Change from Light Manufacturing (M-1) to Public Facilities (PF) for Construction of the Spring Creek Park located at 1140 South State Street. **Spring Creek Neighborhood.** 16-0015R, Austin Corry, 801-852-6413

<p>Applicant: Provo City Parks & Recreation</p> <p>Staff Coordinator: Austin Corry</p> <p>Property Owner: Provo City Corp. Parcel ID#: 220360010, 220360051, 220360055, 220360059, 220360077 Current Zone: Light Manufacturing (M1) Proposed Zone: Public Facilities (PF) General Plan Des.: Mixed-Use (M) Acreage: 5.5 Number of Properties: 5 Number of Lots: 1 (Future)</p> <p>Development Agreement Proffered: No</p> <p>Council Action Required: Yes</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is May 24, 5:30 p.m.</i></p> <p>2. Recommend Denial of the proposed rezoning. <i>This would be <u>a change from the Staff recommendation</u>; the Planning Commission should <u>state new findings</u></i></p>	<p>Current Legal Use: Vacant</p> <p>Relevant History: The need for a neighborhood park has been identified for this area in the Parks Master Plan. Parks and Recreation has obtained the property and completed the demolition of existing homes from the site.</p> <p>Neighborhood Issues: No neighborhood issues have been reported to staff at this time.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none">• The site has been approved for a park• The standard practice for Provo City is to have parks zoned PF• The associated Project Plan has been reviewed by the CRC and found compliant with all ordinance requirements <p>Staff Recommendation: That the Planning Commission Recommend Approval of the proposed rezoning as presented in the Staff Report or with changes.</p> <p><i>This action <u>would be consistent with the recommendation of the Staff Report</u>. Any changes should be stated with the motion.</i></p>
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OVERVIEW

The subject property is currently in process for park construction. The standard practice in Provo City is to zone park facilities under the Public Facilities zone. This request is to follow that standard practice. The project plan associated with this request has been reviewed through a neighborhood committee and the CRC with no outstanding issues known at this time.



GENERAL PLAN POLICIES

The National Recreation and Parks Association (NRPA) establishes standards for park and open space acreage in relation to population size. Standards vary according to park types which include neighborhood parks, community parks, and special use/or regional parks. Parks are classified based on their sizes and service areas. Current standards are listed in Table 7.1.

A *neighborhood park* will generally provide activities for children (target age of up to fifteen years), their parents and senior citizens. Facilities may include open lawn areas for a variety of informal field sports, tot-lots, playgrounds, picnic tables and/or shelters, drinking fountains, restrooms, horseshoe pits, sand volleyball courts, benches, and possibly tennis or hard-surfaced play areas for basketball. These parks are generally designed as walk-to facilities and, as such, do not include large parking lots or any on-site parking if the site is small.

TABLE 7.1 NATIONAL RECREATION AND PARKS ASSOCIATION PARK STANDARDS			
Park Type	Service Area	Acres/1,000 People	Desirable Size
Neighborhood	1/2 mile radius	2	4 - 8 acres or more
Community	1 1/2 mile radius	4	5 - 60 acres
Special Use/Regional	No applicable standard	4	Variable

FINDINGS OF FACT

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) *Public purpose for the amendment in question.*
Response: The proposed rezone identifies a new park location to serve as a neighborhood scale public park.

- (b) *Confirmation that the public purpose is best served by the amendment in question.*
Response: This site has been identified as an area which would fulfill the service area needs as identified in the General and Parks Master Plans.

- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives.*
Response: Goal #1 of Chapter 7 is to “provide a system of attractive and accessible parks and recreation facilities that will provide a complete range of activities for all age groups.” This park fits into the currently operating as well as future planned parks network.

- (c) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.*
Response: No timing or sequencing provisions have been identified which apply to this proposed amendment.
- (d) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.*
Response: The proposed amendment fulfills General Plan policies rather than hinders.
- (e) *Adverse impacts on adjacent land owners.*
Response: Although the design and function of the park is intended to service the neighborhood specifically, it can be expected to attract visitors from other areas of the City and region. As such, a small increase of traffic is anticipated. However, it would be expected that the majority of vehicular traffic would access the park from State Street without passing through the neighborhood and the benefits of the park would far outweigh this small impact.
- (g) *Verification of correctness in the original zoning or General Plan for the area in question.*
Response: The current M1 zoning is inconsistent with both the General Plan and SE Neighborhood Plan policies.
- (f) *In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.*
Response: No conflicts have been identified.

CONCLUSIONS

The proposed park is consistent with numerous articulated policies and fulfills a desirable need of the neighborhood. The proposed amendment also helps to indirectly support other goals.

STAFF RECOMMENDATION

That the Planning Commission **Recommend Approval** of the proposed rezoning as presented in the Staff Report or with changes.