



**Planning Commission
Staff Report
Rezone
Hearing Date: September 13, 2017**

ITEM 1* Gardner and Associates request a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) for 0.642 acres of property located at 925 East 1140 South. **Spring Creek Neighborhood.** 17-0012R, Brian Maxfield, 801-852-6429

<p><u>Applicant:</u> Herriman Dev., LLC</p> <p><u>Staff Coordinator:</u> Brian Maxfield</p> <p><u>Property Owner:</u> Herriman Dev., LLC</p> <p><u>Parcel ID#:</u> 22:033:0077</p> <p><u>Current Zone:</u> RC</p> <p><u>Proposed Zone:</u> LDR</p> <p><u>General Plan Designation:</u> LDR</p> <p><u>Acreage:</u> 0.64</p> <p><u>Related Items:</u> 17-0018PPA</p> <p><u>Council Action Required:</u> 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 September 27, 2017, 5:30 p.m.</i></p> <p>2. Recommend Denial of the proposed rezoning. <i>This would be a change from the Staff recommendation; the Planning Commission should <u>state new findings</u></i></p>	<p><u>Current Legal Use:</u> Vacant Land</p> <p><u>Relevant History:</u></p> <ul style="list-style-type: none">• Rezoned from R2 to R3 14 Jul 1993• Included as part of the original concept plan for Scandia II (Copenhagen Court), but not included in final project plan.• A neighborhood meeting which included discussion of this project was held on Wednesday, September 06, 2017. This followed a previous presentation at a neighborhood meeting in July. <p><u>Neighborhood Issues:</u> On-street parking in neighborhood.</p> <p><u>Summary of Key Issues:</u> Sufficiency of on-site parking.</p> <p><u>Staff Recommendation:</u></p> <p>Motion to recommend Approval of the proposed rezoning at approximately 925 East 1140 South, from RC to LDR, as presented in the Staff Report. <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

This item is the rezoning of approximately 0.64 acres from the RC Residential Conservation Zone, to the LDR Low Density Residential Zone. The rezoning would facilitate the development of 9 Townhome units on the site. The site is one of the few remaining undeveloped properties in the immediate neighborhood.

Immediately south of the site, across 1140 South Street, is the South Willow Mobile Home Park, while directly to the west, across 900 South, is an industrial building located within an M-1 Manufacturing district. The Copenhagen Court Townhomes are located directly north of the site, and the Scandia Village Townhomes are located to the east. The street to the east (950 East), is a private street included within the Scandia development. The subject property was originally included as part of the concept plan for the Scandia II (Copenhagen Court) development, but was not included with the final plan approval (93-0094PPA).

GENERAL PLAN POLICIES

The Southeast Area Guiding Principles, Policies and Goals include:

2. Maintain the Residential (R) General Plan designation with one-family residential development, except where specified.

The townhome development anticipated with the proposed rezoning is considered a one-family residential land use.

The recently adopted Southeast Area Neighborhood Plan includes the following under its Section on Goals and Objectives:

1. Utilize current General Plan policies to encourage preferred future land uses
 - a. Update the General Plan map and text to reflect the goals and objectives outlined in the Southeast Neighborhoods Plan.
2. Require that all future development complies with the proposed land use map and existing ordinances, such as the South State Street Design Corridor.
 - a. Determine which zones are inconsistent the proposed land use map
 - b. Amend the zoning map to be consistent with the proposed land use map
 - c. Provide appropriate buffers between commercial and residential uses, per Provo City Code 14.34.300.

FINDINGS OF FACT

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.

Allows for the orderly development of the City in conjunction with the General Land Use Plan

(b) Confirmation that the public purpose is best served by the amendment in question.

The site is designated as Low Density Residential on the recently adopted Southeast Area Neighborhood Plan.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

The proposed rezoning to LDR follows the recently adopted Land Use Plan for the Southeast Area, and would successfully address 2a and 2b of the Plan's Goals and Objectives as detailed below:

2. Require that all future development complies with the proposed land use map and existing ordinances, such as the South State Street Design Corridor.
 - a. Determine which zones are inconsistent the proposed land use map
 - b. Amend the zoning map to be consistent with the proposed land use map

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

The proposed amendment addresses an infill area and would follow the General Plan's timing and sequencing by developing those areas where streets and utility services already exist.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

There is no potential hindrance or obstruction of the General Plan's articulated policies with the proposed amendment.

(f) Adverse impacts on adjacent land owners.

No adverse impacts on adjacent land owners are expected.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

The proposed zoning (Low Density Residential) matches the land use designation of the recently adopted Southeast Area Neighborhood Plan.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff has found no conflict between the General Plan Map and General Plan Policies.

STAFF ANALYSIS and CONCLUSION

Staff finds that the proposed rezoning is in compliance with the General Plan and follows the recommended land use as detailed in the recently adopted Southeast Area Neighborhood Plan.

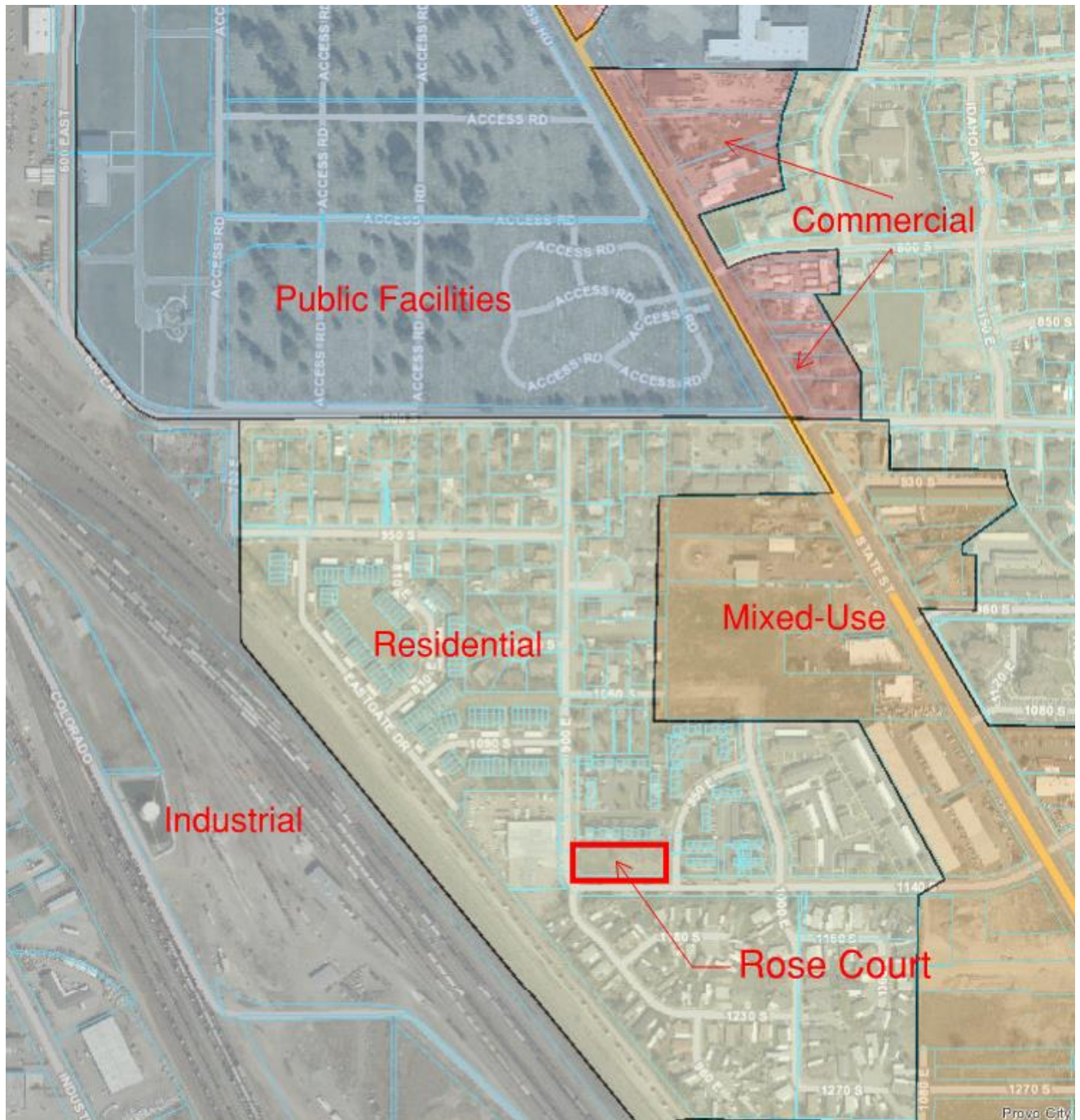
STAFF RECOMMENDATION

Motion to **recommend Approval** of the proposed rezoning at approximately 925 East 1140 South, from RC to LDR, as presented in the Staff Report. *This action would be consistent with the recommendation of the Staff Report. Any changes should be stated with the motion.*



Location Map

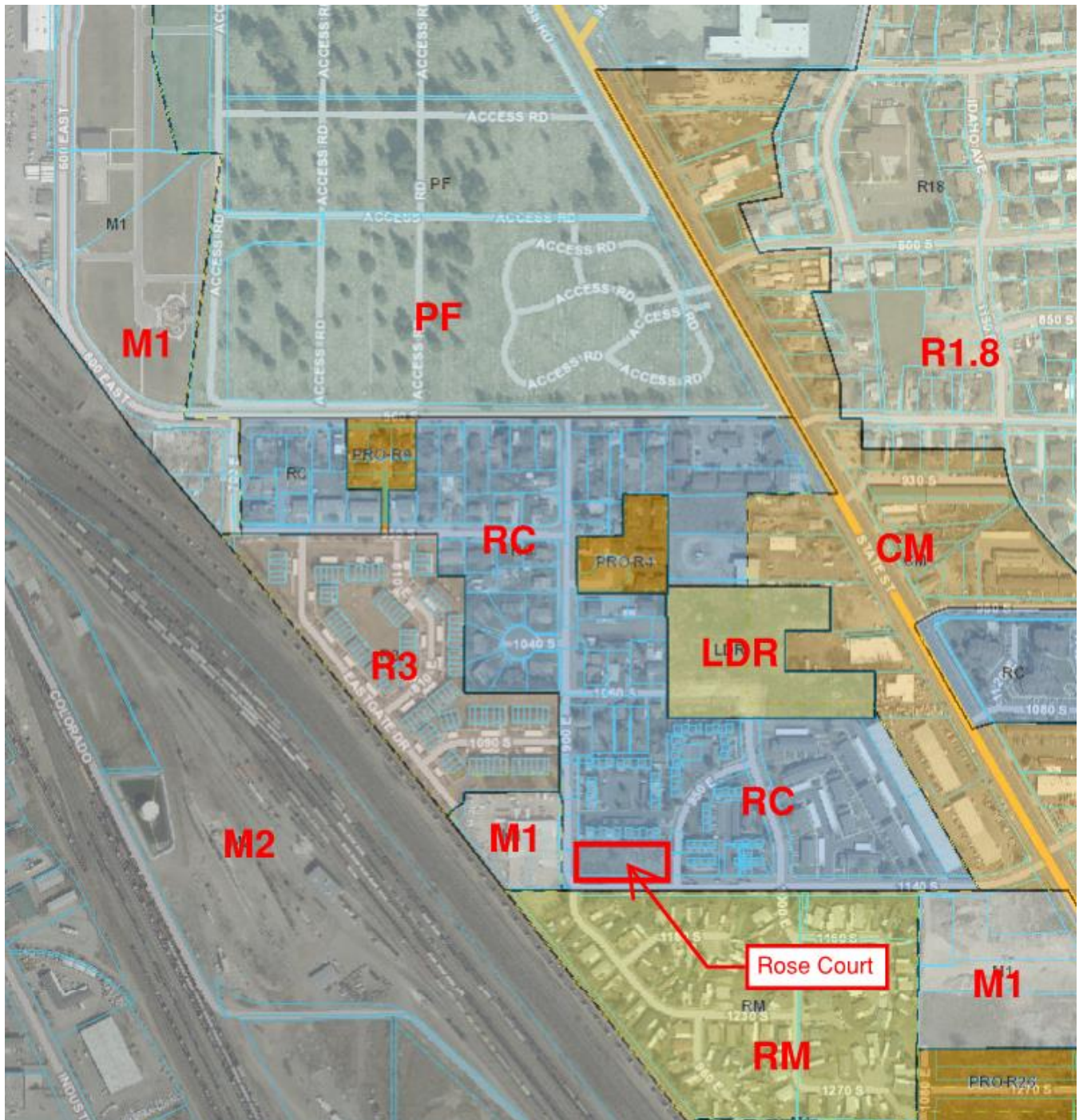
Rose Court Rezoning – RC to LDR



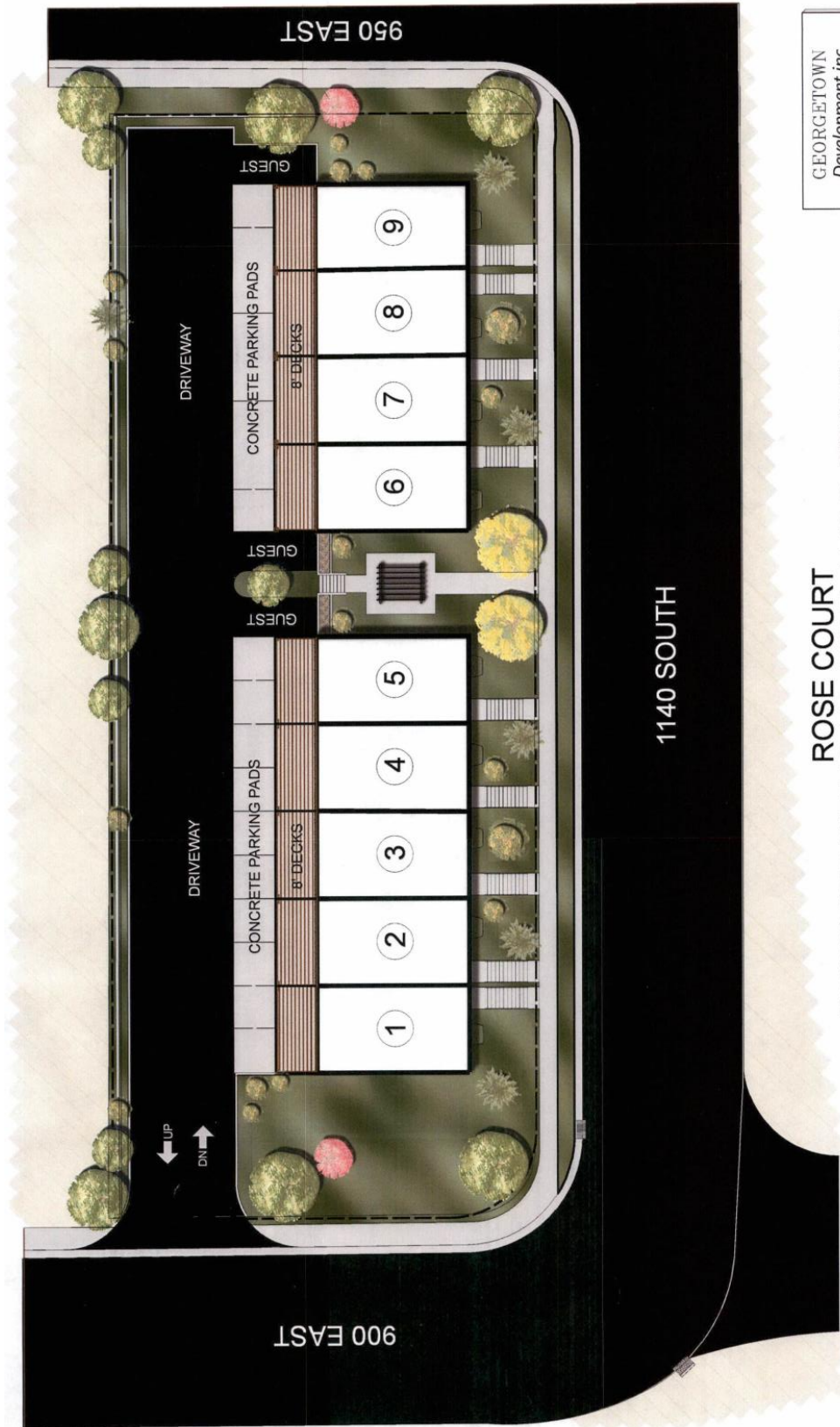
General Plan – Land Use



Southeast Neighborhood Area Plan – Land Use



Current Zoning



GEORGETOWN
Development inc
2200 N UNIVERSITY PARK, SUITE 76
PROVO, UT 84601
PHONE 374-0776 FAX 375-6502
www.georgetowndevelopment.com

ROSE COURT
PROPOSED SITE PLAN - 925 E. 1140 S. PROVO UT.
SCALE: 1"=20'
DATE: 07-13-2017