

Provo City Planning Commission

# Report of Action

April 22, 2015

ITEM 5\* Scott Bunker, of the Provo City Energy Department, requests a General Plan Amendment to change the land-use designation of City-owned property, from Residential to Public Facilities, located across the street and to the west from the existing Energy Department property, at approximately 723 North 300 West to 321 West 800 North, Provo, UT, in the R1.6A (One-Family Residential) Zone. *North Park Neighborhood*, 15-0001GPA, Sean Allen, 801-852-6407

The following action was taken by the Planning Commission on the above described item at its regular meeting of April 22, 2015:

## RECOMMEND APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

### Conditions of Approval:

None

Motion By: Jamin Rowan

Second By: Fred Bandley

Votes in Favor of Motion: Ed Jones, Brian Smith, Kermit McKinney, Ross Flom, Jamin Rowan and Fred Bandley

*Diane Christensen 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 consistent with the Staff analysis and determination.

### RELATED ACTIONS:

\*\*Rezone, recommended for approval, file #15-0008R, on April 22, 2015.

### 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:

#### SUMMARY OF KEY ISSUES:

1. The City now owns the residential lots;
2. The City would like to convert the residential properties into an open space park as part of the Provo Energy Campus.
3. Park property already exists just south of the subject properties.

#### STAFF ANALYSIS:

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

*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.*  
**Publicly-owned properties are intended to be zoned Public Facilities. The proposed zone change Will consolidate the Energy Department properties which will facilitate redevelopment of the Energy Department complex that is now seriously outdated and inadequate for their needs. The zone change will also facilitate the expansion of the existing open space park area located to the south of the subject properties.**
- (b) *Confirmation that the public purpose is best served by the amendment in question.*  
**Expanding the park into these newly acquired properties will increase the overall landscape buffer adjacent to the remaining single-family homes.**
- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives.*  
**The City's plan for expanding a landscape park buffer provides an appropriate transitional buffer to the remaining adjacent single-family homes, and increases open space amenities to the neighborhood. The proposed zone change is not in conflict with General Plan goals or policies.**
- (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.*  
**There is no conflict with "timing and sequencing" provisions of the General Plan.**
- (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.*  
**The proposed zone change will not hinder or obstruct any of the stated policies of the General Plan.**
- (f) *Adverse impacts on adjacent land owners.*  
**There are no adverse impacts related to this zone change application. One purpose of the zone change is to improve open space and livability of the neighborhood.**
- (g) *Verification of correctness in the original zoning or General Plan for the area in question.*  
**The original zoning was appropriate when the subject properties were used as single-family homes. Now that they will be incorporated into the Energy Department complex, the zone change to Public Facilities is appropriate and necessary.**
- (h) *In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.*  
**No conflict exists.**

#### CONCLUSIONS:

The Energy Department plans to convert these three lots into a usable public park area, expanding the existing park area that is south of these lots, which creates an appropriate open space buffer for the remaining single-family homes to the west. This will be accomplished as part of the overall Energy campus remodel to come later in the year.

#### STAFF RECOMMENDATION:

Staff suggests that the Planning Commission should forward a positive recommendation to the Municipal Council to amend the General Plan Map from Residential to Public Facilities for approximately 1.6 acres located at 723 North 300 West.

**CITY DEPARTMENTAL ISSUES:**

- None

**NEIGHBORHOOD MEETING DATE:**

- The Neighborhood Chair determined that a neighborhood meeting would not be required.
- No information was received from the Neighborhood Chair.

**NEIGHBORHOOD AND PUBLIC COMMENT:**

- The Neighborhood Chair was not present and did not address the Planning Commission during the hearing.
- Neighbors or other interested parties were not present and did not address the Planning Commission.

**CONCERNS RAISED BY PUBLIC:**

- None

**APPLICANT RESPONSE**

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

- Very excited to move forward with the future plans of the Energy campus.

**PLANNING COMMISSION DISCUSSION:**

Key points discussed by the Planning Commission included the following:

**Kermit McKinney:**

-None

**Diane Christensen:**

-Felt the same as Fred that it was good to see additional park/open proposed for the subject properties.

**Ed Jones:**

-None

**Brian Smith:**

-Asked if the existing park across the street from the Energy Department will remain? Will the one 700 South public access from 300 West remain? Recommended the park to have one continual park from 800 North to the Provo Rec Center.

**Jamin Rowan:**

-None

**Fred Bandley:**

-Complimented the Energy Department on their plan to include an expanded park and trail with their overall campus improvement plan.

**Ross Flom:**

-None



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Planning Commission Chair



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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**