



## Planning Commission Staff Report Rezone

**Hearing Date: September 26, 2018**

**ITEM 3 Gardner and Associates requests a Zone Change from Public Facilities (PF) to R1.6PD to facilitate a 33-lot subdivision, located at 1776 S Buckley Lane. Provost South neighborhood. Josh Yost (801) 852-6408 PLRZ20180224**

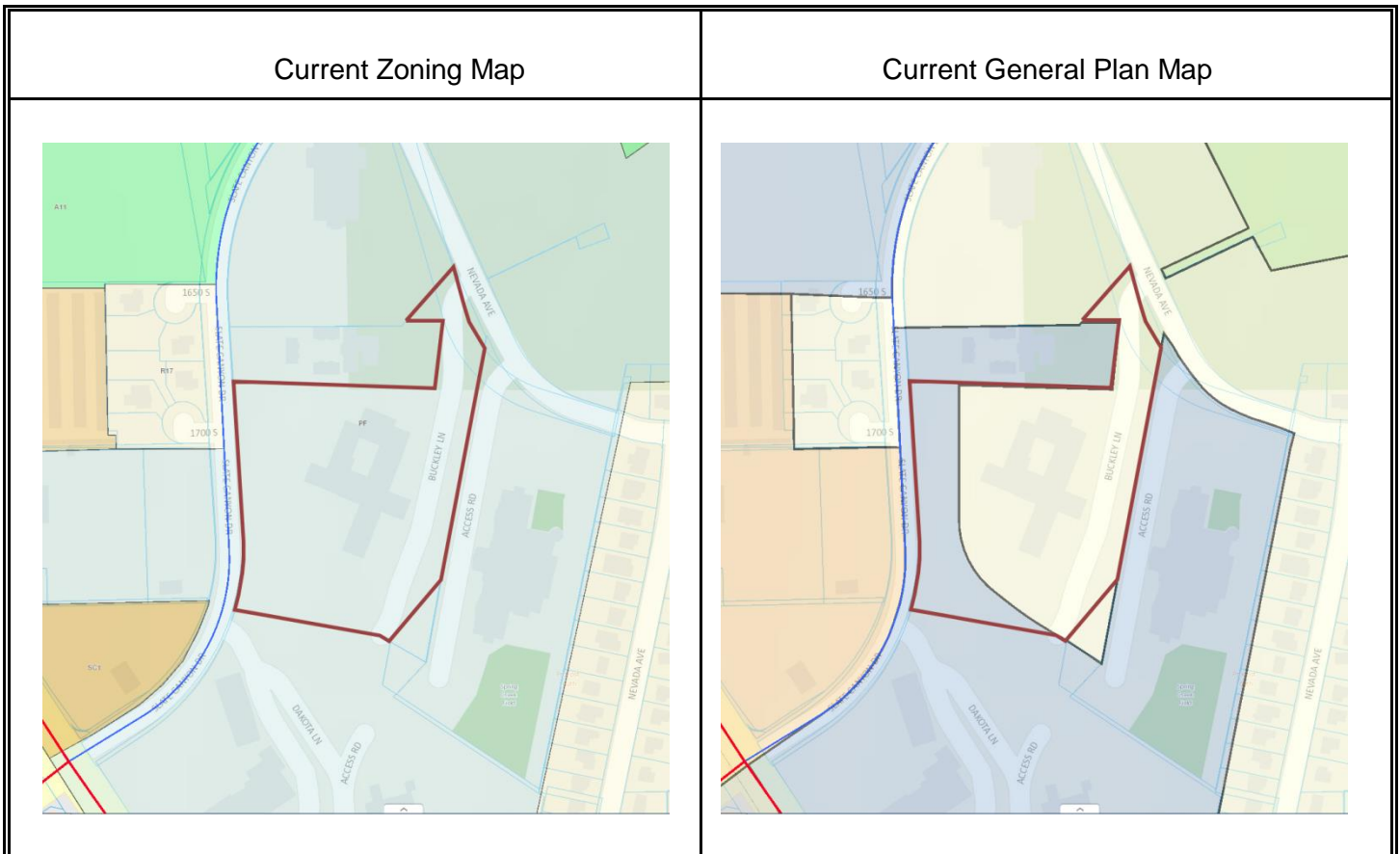
<p>Applicant: Gardner and Associates</p> <p>Staff Coordinator: Josh Yost</p> <p>Property Owner: Provo City</p> <p>Parcel ID#: 22:046:0145</p> <p>Current Zone: PF: Public Facilities</p> <p>Proposed Zone: R1.6PD</p> <p>General Plan Des.: R: Residential</p> <p>Acreage: 7.37</p> <p>Number of Properties: 1</p> <p>Council Action Required: Yes</p> <p><b><u>ALTERNATIVE ACTIONS</u></b></p> <p>1. <b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is October 10, 5:00 p.m.</i></p> <p>2. <b>Recommend Denial</b> of the proposed rezoning. <i>This would be <u>a change from the Staff recommendation; the Planning Commission should state new findings</u></i></p>	<p>Current Legal Use: Vacant property</p> <p>Relevant History: This is the site of the former Utah County Jail. In 2004, the property was deeded to Provo City. The site has now been cleared and offered for sale. The applicant is currently under contract for the purchase of the site.</p> <p>Neighborhood Issues: In previous discussions with the neighborhood on this site there has been a stated preference for single-family, detached housing. The applicant has communicated the neighborhood's preference for single-family homes on this site.</p> <p>Summary of Key Issues: The proposed zone change is aligned with the General Plan and recently adopted Neighborhood Plan. The requested zone provides for single-family homes on a challenging site furthering the goals and policies delineated in the general plan and the future land use designated in the Southeast Neighborhood Plan.</p> <p>Staff Recommendation: That the Planning Commission recommend approval of the proposed zone change to the Municipal Council.</p>
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**OVERVIEW**

The Utah County Jail had been vacant since its closure in 1998 until its recent demolition. Provo City sought development proposals for the site and Gardner and Associates is currently under

contract to purchase the site and construct 33 single-family homes. The preliminary subdivision application has been submitted with this application for zone change.

The subject property is almost entirely surrounded by Public Facilities zoning. Across Slate Canyon Dr. to the west lies a small single family residential subdivision and to the south east is a Neighborhood Shopping Center (SC1) zone. The property is separated from the properties to its east and west by substantial changes in grade.



### **GENERAL PLAN POLICIES**

#### Southeast Area Guiding Principles, Policies and Goals

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

#### Provost South Neighborhood Policies

2. New, quality, one-family homes should be developed to provide adequate living space for growing families that wish to relocate to or remain within the Provost South neighborhood, including detached homes

The proposed zone change addresses these specific policies, providing new, quality one-family detached homes with integrated open space and amenities.

### **FINDINGS OF FACT**

1. The subject property is currently zoned Public Facilities.
2. The subject property is an isolated parcel that is significantly higher than Slate Canyon Drive, to the west, and is 10-20 feet below an elementary school to the east.
3. The recently adopted South East Neighborhood Plan identifies the subject property for single-family housing (R1).
4. The applicant's proposal is consistent with the South East Neighborhood Plan.

### **STAFF ANALYSIS**

The proposed zone change provides for the development of single-family-detached homes in a manner that maximizes the number of homes that can be constructed while providing open space and other amenities in this site. This is the optimum result for this property considering the required housing type and the various physical constraints of the site. The Planned Development Zoning permits the houses to be clustered on the most developable areas of the site while providing aggregated open space on the remaining areas of the property. The proposed zone will provide additional family housing for the neighborhood while also introducing a new housing product type to provide increased housing diversity.

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.*

Changing the zoning classification of the Property will further the goals and policies of Provo City by providing housing and, in particular, by adding to the range of diverse housing in this area of the City. (Statement from applicant)

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

The stated public purpose can only be served by amending the zoning map and the proposed new zoning designation provides the most flexibility in constructing economically viable single-family-detached housing on the subject property.

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

As delineated in the previous section, the proposed zone change expressly advances the goals, policies and objectives of the General Plan and Neighborhood Plan by providing for single-family-detached homes.

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

No such provisions are articulated for this area.

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

None

- (f) *Adverse impacts on adjacent land owners.*

The adjacent land owners are institutional and public uses what will experience no adverse effects from the development of single family homes.

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

The original zoning and General Plan designation for the area is correct as shown in both the General and 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.*

No conflict exists.

### **STAFF RECOMMENDATION**

Staff recommends the Planning Commission recommend approval of the proposed zone change to the Municipal Council.

**ATTACHMENTS**

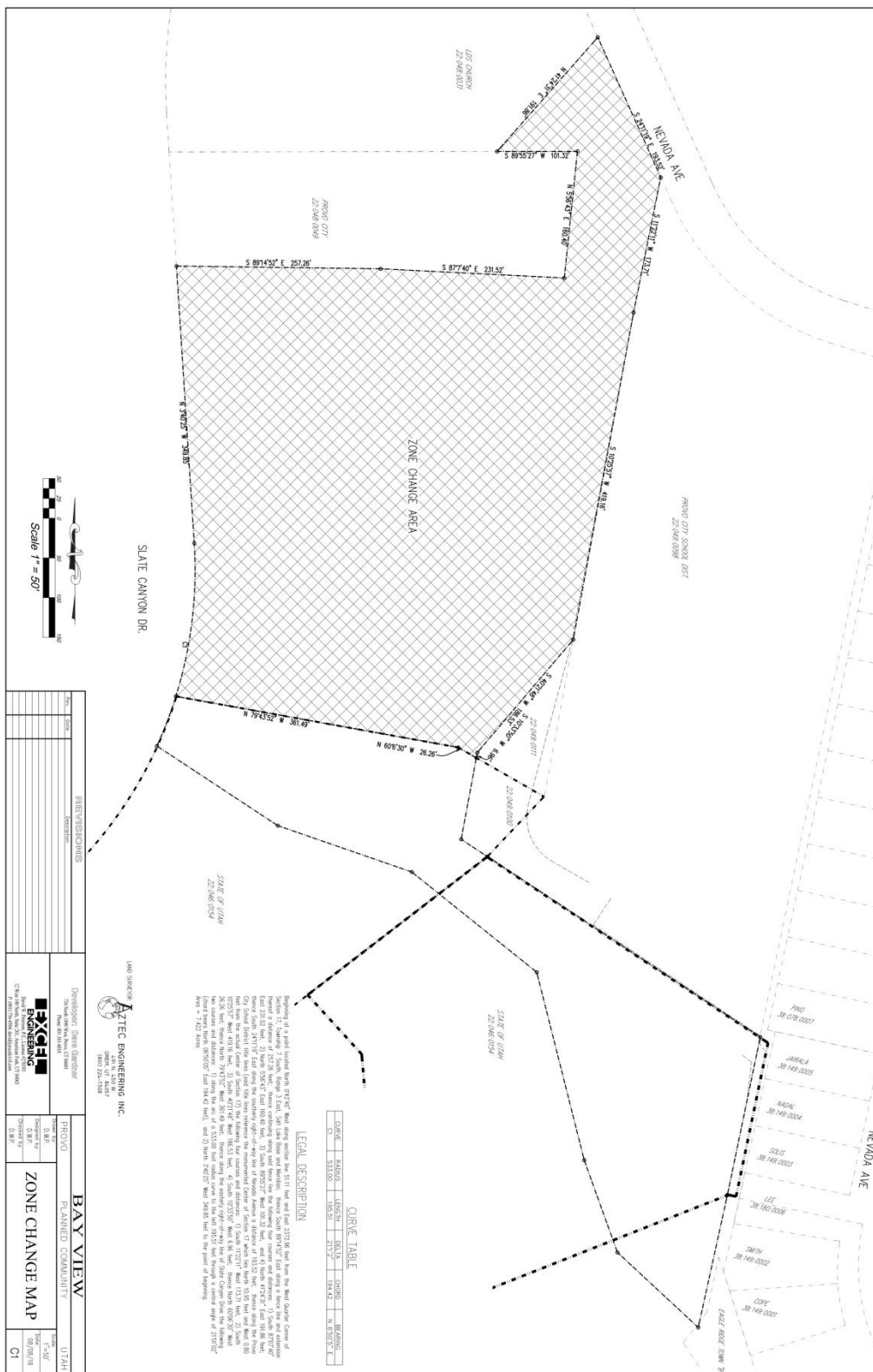
1. Statement of Justification for Zone Change
2. Map
3. Legal Description

## ATTACHMENT 1

### STATEMENT OF JUSTIFICATION FOR ZONE CHANGE

Gardner & Associates Limited Company has submitted an application for a change in the zoning classification applicable to the real property located at 1776 South Buckley Lane (the "**Property**") from PF to R16PD. The Property is generally known as the old jail site. Provo City has indicated that it desires the redevelopment of the old jail site for residential use, and such desires are shown on the Provo City General Plan, which shows the Property as a residential area. Changing the zoning classification of the Property will further the goals and policies of Provo City by providing housing and, in particular, by adding to the range of diverse housing in this area of the city.

ATTACHMENT 2



### ATTACHMENT 3

#### Bay View Legal Description

Beginning at a point located North  $0^{\circ}42'40''$  West along section line 51.11 feet and East 2372.96 feet from the West Quarter Corner of Section 17, Township 7 South, Range 3 East, Salt Lake Base and Meridian; thence South  $89^{\circ}14'52''$  East along a fence line and extension thereof a distance of 257.26 feet; thence continuing along said fence line the following four courses and distances: 1) South  $87^{\circ}07'40''$  East 231.52 feet, 2) North  $5^{\circ}56'43''$  East 160.40 feet, 3) South  $89^{\circ}55'27''$  West 101.32 feet, and 4) North  $41^{\circ}24'31''$  East 191.86 feet; thence South  $24^{\circ}11'19''$  East along the southerly right-of-way line of Nevada Avenue a distance of 193.52 feet; thence along the Provo City School District title lines (said title lines reference the monumented Center of Section 17 which lies North 10.95 feet and West 0.80 feet from the actual Center of Section 17) the following four courses and distances: 1) South  $11^{\circ}22'11''$  West 173.71 feet, 2) South  $10^{\circ}25'57''$  West 419.16 feet, 3) South  $40^{\circ}21'48''$  West 186.53 feet, 4) South  $10^{\circ}33'50''$  West 6.96 feet; thence North  $60^{\circ}06'30''$  West 26.26 feet; thence North  $79^{\circ}43'52''$  West 361.49 feet; thence along the easterly right-of-way line of Slate Canyon Drive the following two courses and distances: 1) along the arc of a 533.00 foot radius curve to the left 195.51 feet through a central angle of  $21^{\circ}01'02''$  (chord bears North  $06^{\circ}50'05''$  East 194.42 feet), and 2) North  $3^{\circ}40'25''$  West 349.85 feet to the point of beginning.

Area = 7.422 Acres