



**Planning Commission Staff Report
Rezone
Hearing Date: February 13, 2019**

***ITEM #1** Angela Eckstein requests a Zone Change from Residential Agricultural (RA) to R1.8 for 0.96 acres located at 1356 South 500 West. Lakewood Neighborhood. Aaron Ardmore, 801-852-6404 17-0017R

<p>Applicant: Angela Eckstein</p> <p>Staff Coordinator: Aaron Ardmore</p> <p>Property Owner: Angela Eckstein Parcel ID#: 21:053:0061 Current Zone: RA Proposed Zone: R1.8 General Plan Des.: Residential Acreage: 0.98 Number of Properties: 1 Number of Lots: 3 (proposed)</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 February 27, 6:00 p.m.</i></p> <p>2. Recommend Denial of the proposed rezoning. <i>This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings</u></i></p>	<p>Current Legal Use: The property is currently a legal single-family residence.</p> <p>Relevant History: The home on the lot has been there since 1949. The applicant attempted to subdivide and rezone the property in 2017, but was told to wait due to unknown sewer capacity and a need for ordinance changes at the time. An ordinance change to required lot standards in the R1 zone in 2018 produced the change needed to divide into three lots and Public Works new information on sewer has allowed this application to now move forward.</p> <p>Neighborhood Issues: A neighborhood meeting held on November 2, 2017 brought forward concerns with possible building heights, ground elevations, and drainage.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none">• The proposed plat meets all R1.8 regulations.• Building plans will be reviewed through the building permit process to ensure code compliance <p>Staff Recommendation: Staff recommends that the Planning Commission forwards a positive recommendation on the proposed zone change to the Municipal Council.</p>
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OVERVIEW

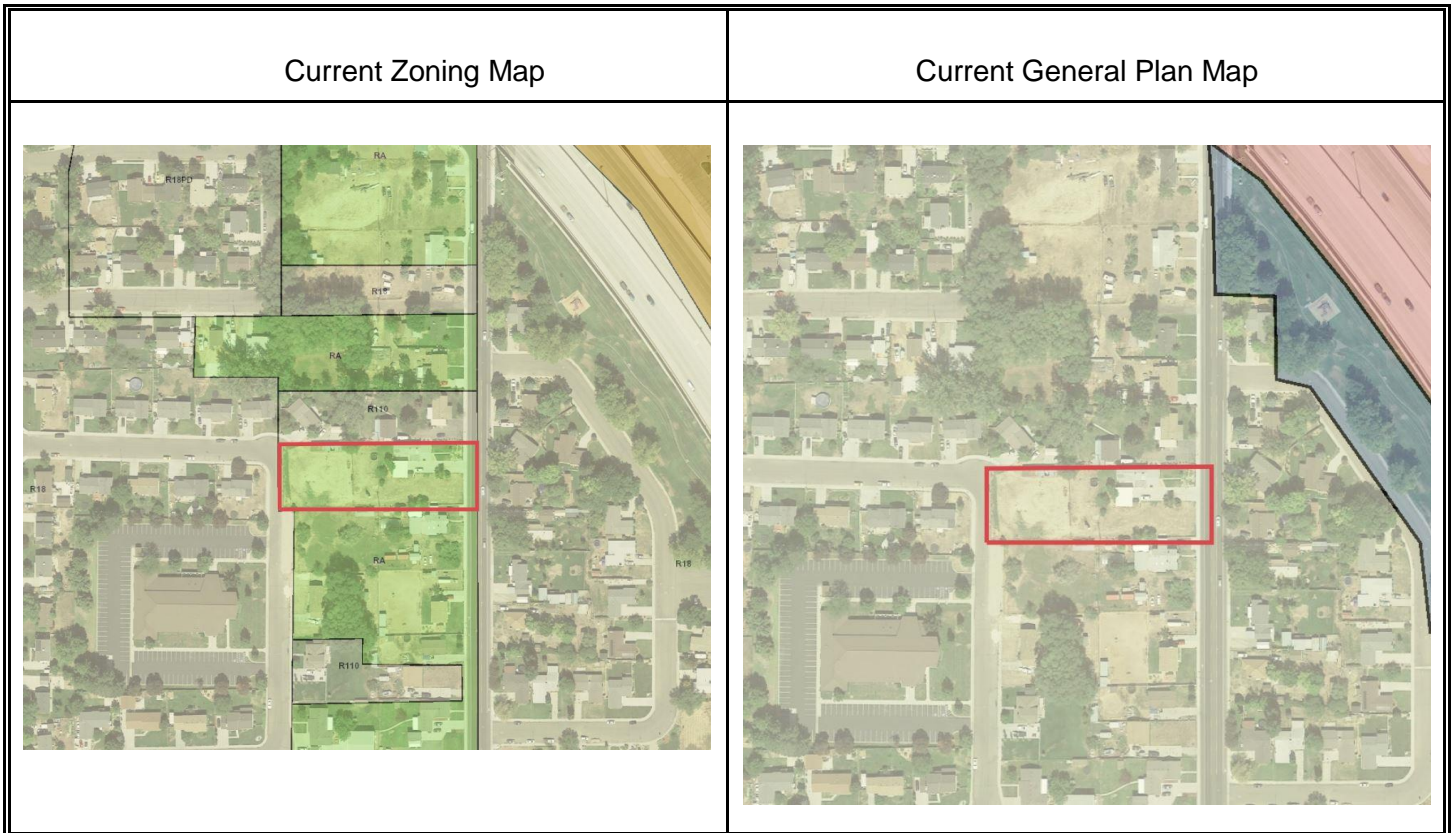
Angela Eckstein is requesting a zone change for her property at 1356 S 500 W from the RA zone to the R1.8 zone, in order to subdivide the land into three residential lots. The property currently includes a home that is on the east side of the property, along 500 West. Two new lots would be created on the west side of the lot which would access off of 570 West.

The subject property is bordered by R1.10 zoning on the north and RA zoning to the south. R1.8 zoning is across 570 West, to the west and R1.8 zoning is in place to the east, across 500 West. The General Land Use for the property is classified as Residential. This proposal and the related subdivision application have been through staff review and have received approval to move forward.

FINDINGS OF FACT

1. The subject property includes .96 acres.
2. The subject property is currently zoned Residential Agriculture (RA).
3. The General Plan Designation for the subject property is Residential; therefore, no General Plan amendment is necessary.
4. The proposed zone of R1.8 is consistent with other zoning in the area.
5. The proposed subdivision meets all of the minimum requirements for the R1.8 zone.

STAFF ANALYSIS



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: **(responses in bold)***

(a) *Public purpose for the amendment in question.*

The public purpose of the proposal is to provide more housing availability for growth in Provo City. This proposal also serves the public by completing the street and sidewalk on 570 West.

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

Providing housing choices is an important goal of Provo City, and the completion of the right-of-way on 570 West increases safety for the neighborhood.

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

This proposal helps to meet goals found in Chapter 1 (Land Use, Growth, and Urban Design); specifically, Goal 1.4.2 to help neighborhoods preserve their own identity and sense of place.

- (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 is consistent with timing and sequencing issues, as the three lot subdivision will be sufficiently serviced with current services.

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

The proposed amendment will not hinder or obstruct attainment of the General Plan's articulated policies.

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

Adverse impacts on adjacent landowners will be minimal and could include increased traffic on 570 West.

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

The zoning and General Plan designations for the area are correct.

- (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

Staff sees this proposal as a simple infill development that will improve the neighborhood by improving the right-of-way on 570 West, while also providing more housing stock for a growing population. The proposed subdivision related to this zone map amendment meets all R1.8 zone regulations and there are no staff concerns.

Staff has concluded that the proposed zone map amendment will be a benefit for the City and should be approved.

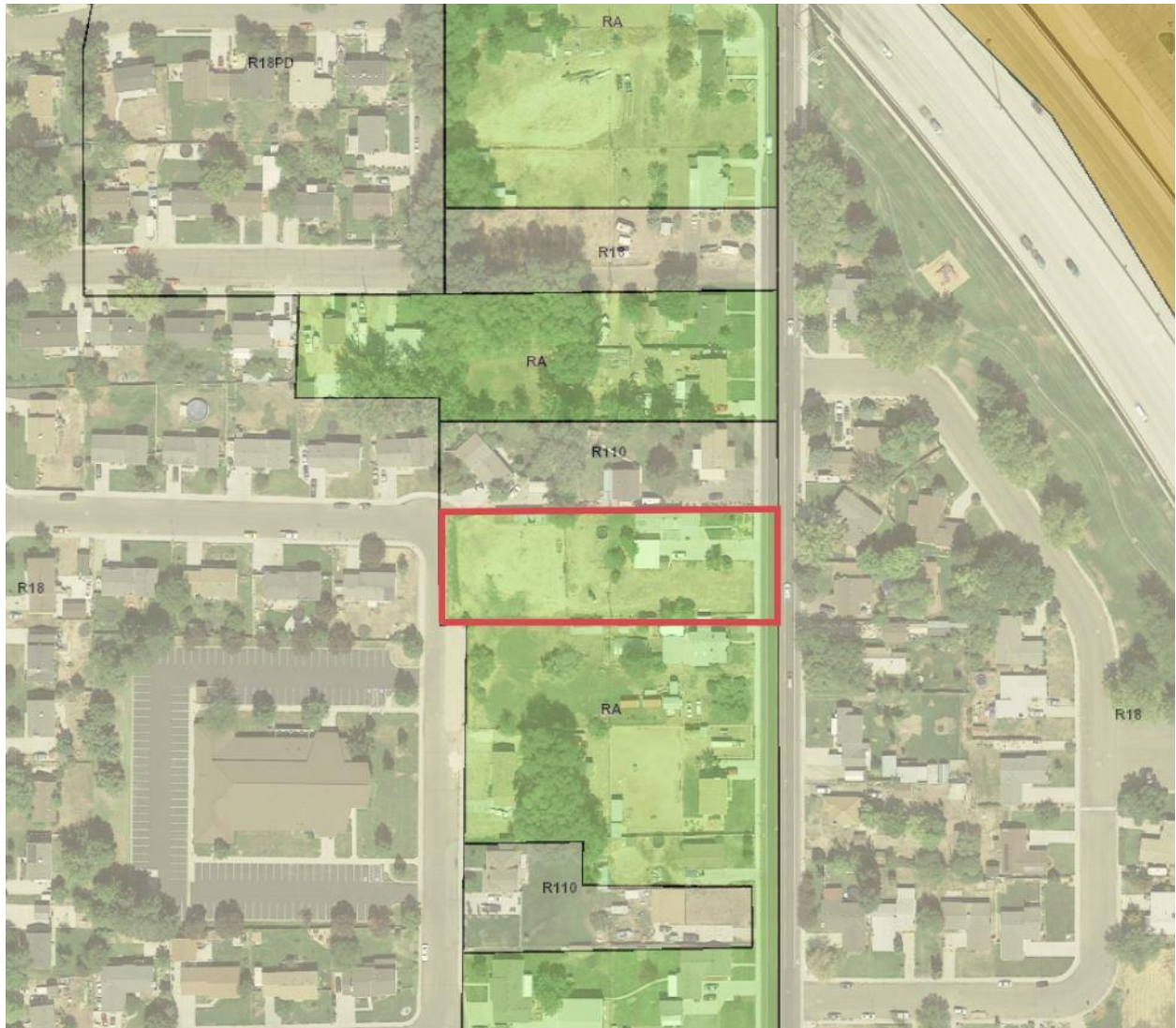
STAFF RECOMMENDATION

Staff recommends that the Planning Commission forwards a positive recommendation on the proposed zone change to the Municipal Council.

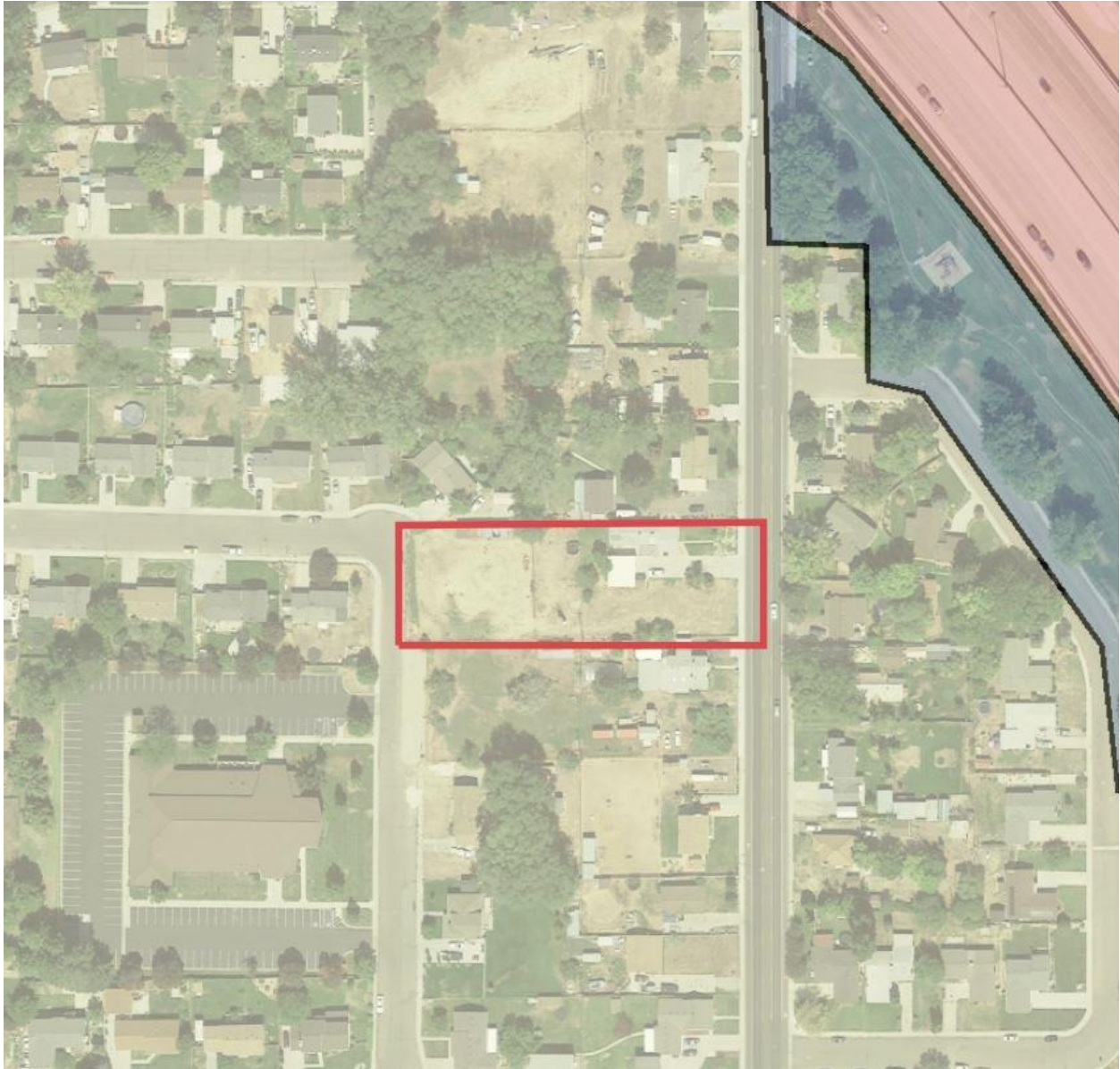
ATTACHMENTS

1. Current Zone Map
2. Current General Plan Map
3. Proposed Subdivision

ATTACHMENT 1 – CURRENT ZONE MAP



ATTACHMENT 2 – CURRENT GENERAL PLAN MAP



ATTACHMENT 3 – PROPOSED SUBDIVISION

