



Planning Commission Hearing Staff Report Hearing Date: April 10, 2019

***ITEM 1** John Dester, representing Georgetown Development, requests approval of a PD Performance Development Overlay Zone for 3.724 acres of property located at approximately 2400 North 650 East in the R1.10 Zone. The approval of the overlay would facilitate the development of five 4-unit clusters of attached single-family dwellings within a planned development. Rock Canyon neighborhood. Brian Maxfield (801) 852-6429 PLRZ20190029

Applicant: John Dester

Staff Coordinator: Brian Maxfield

Property Owner: Capsicum Ltd.

Parcel ID#:20:061:0045

Acreage: 3.62

Number of Properties: 1

Current Zoning: R1.10

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is April 24, 2019 at 6:00 P.M.*

2. **Recommend denial.** *This action would not be consistent with the recommendation of the Staff Report. The Planning Commission should state new findings.*

Current Legal Use: Uses allowed in the R1.10 Residential Zone

Relevant History: This item had been previously scheduled for the March 13, 2019 Planning Commission Meeting. However, due to a lack of Quorum, the meeting was not held.

Neighborhood Issues: This item was presented at a Neighborhood Meeting last Fall, and again on March 4, 2019. Concerns raised by residents seemed to be centered on traffic, building height, and possible accessory apartment units. A Neighborhood report of the latest meeting has recently been submitted by the Neighborhood Chair, Rachel Luke, and is attached to this report, as well as to the Concept Plan.

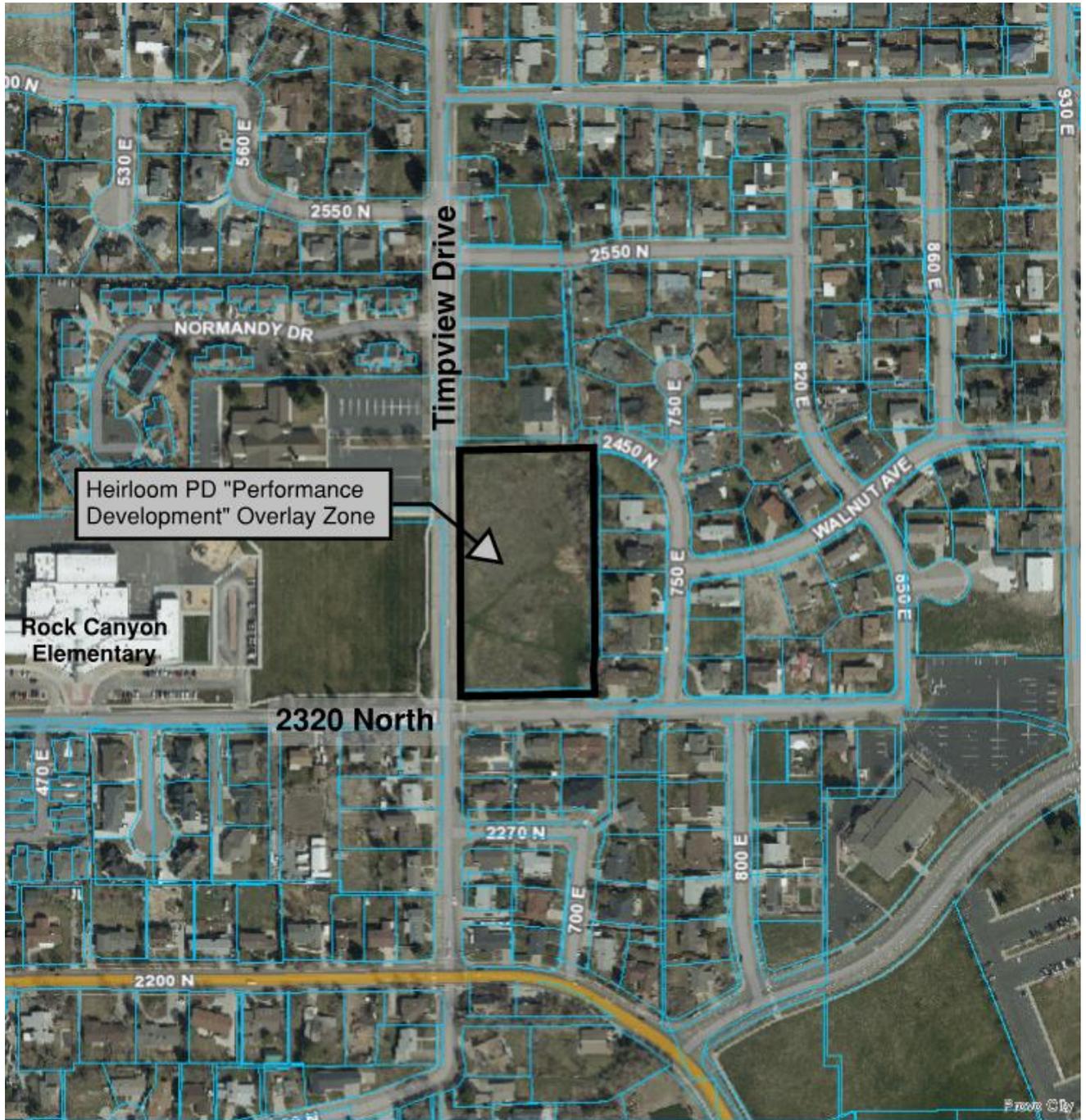
Summary of Key Issues: Issues for this proposed overlay zone are actually tied more properly to the proposed project plan and therefore, are presented and discussed with that item.

Related Items: The proposed overlay zone requires a project plan to be developed in conformance with provisions of Chapter 14.31 of the Zoning Ordinance. A concept plan for the proposed development of the property is being presented as a separate item, but concurrently with this zoning overlay request.

Staff Recommendation:

Recommend Approval of the PD Performance Development Overlay Zone for the Heirloom Rezoning request for approximately 3.62 acres located at approximately 2400 North 650 East.

This action would be consistent with the recommendations of the Staff Report.



OVERVIEW

This item is the approval of a PD Performance Development Overlay Zone on approximately 3.62 acres of property currently zoned R1.10 Residential. Approval of a PD Overlay Zone follows the same process as a rezoning, but requires a concurrent concept plan be approved in conjunction with the zoning overlay.

In Section 14.31.010 Purpose and Objectives, the Zoning Ordinance lists the purpose a Performance Development Overlay Zone as being:

... to encourage imaginative and efficient utilization of land, to develop a sense of community, and to insure compatibility with the surrounding neighborhoods and environment. This is accomplished by providing greater flexibility in the location of buildings on the land, the consolidation of open spaces, and the clustering of dwelling units. These provisions are intended to create more attractive and more desirable environments within the residential areas of Provo City.

A Performance Development Overlay allows two development options not otherwise allowed by the existing R1.10 Zone. First, it allows attached single-family units rather than requiring all units to be detached dwellings, in order to create an open space area on the property. Second, it allows a bonus density for additional units than would otherwise be realized within a standard subdivision. Details of the proposed project to be developed in conformance with the provisions of the PD Overlay are provided and discussed with the related item for the project plan.

Goal 3.4.1.7 of the General Plan states:

“Offer a range of housing types within neighborhoods that meet the changing needs of an aging population and facilitate long-term residency.”

It is the opinion of staff that the proposed housing development would help to fulfill this goal.

FINDINGS OF FACT

- The property is currently zoned R1.10
- The proposed Heirloom development has been found to meet the allowances and development standards of the PD Overlay Zone

APPLICABLE ZONING CODES

- Chapter 14.10 R - One-family Residential Zone

- Chapter 14.31 PD – Performance Development Overlay Zone

CONCLUSIONS

If it is believed the proposed concept plan presents a desirable and attractive residential development that is compatible with the neighborhood and that it meets the provisions allowed and standards required within the proposed PD overlay zone, the proposed overlay zone should be approved to facilitate that development.

RECOMMENDATION

Recommend Approval of the PD Performance Development Overlay Zone for the Heirloom Rezoning request for approximately 3.62 acres located at approximately 2400 North 650 East.

ATTACHMENTS

- Neighborhood Report – attach to this report.
- Letter from George J and Margaret Talbot – Included as a separate attachment.
- Letters from David and Laurie Preece – included as a separate attachment.
- Project and Site Plans – included with Concept Plan.

Neighborhood Report on “Heirloom at Rock Canyon” Development

To the Planning Commission:

The following is a summary of neighborhood feedback concerning the “Heirloom at Rock Canyon” proposal. In light of the diverse feedback, I won't be able to discuss every point brought up at the actual Planning Commission meeting, but I wanted to ensure that there was a comprehensive document for you to review.

We had 2 neighborhood meetings on this development: September 19th, 2018- Approximately 70 people in attendance.

March 4th, 2019- We held a second meeting to address lingering questions/concerns. 26 residents showed up at that meeting.

After both meetings information was dispersed through our neighborhood Facebook group that comprises of approximately 250 members and through our email group which has 208 residents on it. These groups have continually been updated about the proposal.

To date, 54 residents are opposed to the change in zoning. 20 are in favor. 14 residents would like the city to resolve some lingering issues prior to approval.

Those in favor have given the following feedback:

- They feel it will increase property values
- The current vacant field is an eyesore and a fire hazard as we had a brush fire there just last summer, which put a lot of the surrounding properties at risk. They want the property to be developed.
- They like the buffer park area in front of Timpview, the pavilion and think the design has great curb appeal
- They want to avoid, for lack of a better word, McMansions and so they believe that the scale of this fits better with its surroundings than large homes with small lots.
- John Dester is a neighbor and has a vested interest in making sure the project is done right. Many have commented on his fine work as a developer and that he is a trusted member of our community.
- One household, along with John Dester, would like to move into this development.
- They are grateful that the city is not requiring a road to be developed as a continuation of 750 East. It will help retain the quiet nature of the back of the block.
- They are appreciative that the walking path for the school children is being retained as that has been an access point for decades.

- They like that separate basement entrances will not be feasible with this design, which would make basement apartment rentals less likely.

Those opposed to the development or who are desirous of amendments have given the following feedback:

- They wish the proposal was inclusive of the adjoining 1 acre lot that is currently for sale to the north of this property. If this 1 acre property is subdivided as the 2 lots of it even further north have been, it will result in 3 flag lots in a row coming off of Timpview Dr. With no extension of 750 East, access points to this 1 acre property will be problematic and poorly designed. They wish the design allowed for this property to be added on at some point.
- The neighborhood enjoys the use of Timpview Dr as the only flat road with a bike path that services the entire NE bench. There are concerns that this higher density project will result in inadequate parking as has been the issue with Rock Canyon Condominiums, which is located just down 2320 N. Over use of on street parking would impact this heavily used pedestrian street.
- Those who went to the American Fork (AF) development that this concept plan is based off of, found that residents there were opting to park in the private dr instead of their designated parking. The shared driveways for 4 houses were tricky to navigate. Parking in the aprons in front of the garages would likely cause visibility issues for those trying to enter and exit.
- The Heirloom Cottage project in AF is very compact and dense where the structures are. Some were also concerned with the aesthetics and quality of the finishes in this development.
- Quite a few residents wish the proposal aligned more with the quality and design of Normandy Village which is across the street from this proposed development. They feel having one exit/entrance has kept on street parking from being an issue and feel Normandy fits in better with the surroundings.
- There were a lot of concerns that this area is already heavily trafficked with both Rock Canyon Elementary, Centennial Middle School, and the LDS church. Total student and staff population at the schools totals 1,980.
- There were concerns that we are surrounding the two schools with higher density units that seemed to be designed and occupied by retirees. There are approximately 207 units surrounding the school of this nature. Heirloom at Rock Canyon is also being touted as designed for retirees.
- Many in our neighborhood feel the need for more houses per the current zoning. Basement apartments are also in high demand and accommodate demographics that don't otherwise exist in our neighborhood. These neighbors prefer current zoning as it allows for the possibility of some affordable housing through basement apartments and will better accommodate families who will benefit from close proximity to the schools.

- Our neighborhood is one mile away from BYU and there are concerns for over-occupancy, which would be problematic in this density if the targeted retirees try to house grandkids going to BYU etc.
- 2200 N is slated in the Master Transportation Plan to be widened to a 4 to 5 lane road from N Temple Dr to Canyon Rd by the year 2024. With so many students accessing the schools, 2200 N in its current state is already dangerous. Residents do not want added pressure on this road to be widened, which would ruin property values for those homes and would prefer current zoning and traffic calming measures to be implemented to keep our pedestrian population safe.
- There are currently 3 crosswalks that surround this proposed development. Residents again wish to keep on street parking to a minimum to ensure clear lines of sight.
- Exiting onto Timpview Dr can be tricky in this area during school drop off and pick up. Heirloom residents would likely be funneled down 2320 N instead. Residents would like to discourage the use of 2320 N as a collector road as it is already used by residents who wish to avoid the traffic light at Timpview and 2200N. This pushes more traffic down in front of the schools, which is already experiencing issues with design and pedestrian safety.
- The model of the development shown at the neighborhood meetings was not to scale and did not accurately demonstrate the proximity of how close structures would be to existing homes. To preserve as much privacy as possible to backyard residents, they would like to keep current zoning.
- There are concerns that impacts to the canal that goes along this property have not been fully vetted. If there are expenses to implement this design with the canal, residents would prefer that money be utilized to create a better housing product that won't require remediation with the canal.
- The neighborhood feels that the buffer park in this design would be better utilized in the back of the property. This would give added privacy to current backyard neighbors and would be a better design for potential Heirloom's residents as they wouldn't be exposed to a busy intersection when utilizing it. It would also prevent issues with public access, namely the school children.

Thank you for your time and service!

Rachel Luke