



**Planning Commission Staff Report
General Plan Amendment
Hearing Date: September 25, 2019**

***ITEM # 1 Dudley and Associates requests a General Plan amendment from Residential (R) to Commercial (C) to accommodate an office building, located at approximately 1009 W 2000 N in the Residential Conservation (RC) zone. Carterville neighborhood. PLGPA20190191**

<p>Applicant: Dudley and Associates Staff Coordinator: Dustin Wright</p> <p>Property Owner: Charles & Vance Anderson Parcel ID#: 19:002:0124 Current General Plan Designation: Residential Proposed General Plan Designation: Commercial Current Zone: Residential Conservation (RC) Acreage: 1.20 Number of Properties: 1</p> <p>*Council Action Required: Yes</p> <p>Related Application(s): PLRZ20190192, PLCP20190193</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. Recommend Approval of the proposed General Plan Map amendment to the Municipal Council.</p> <p>2. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is October 9, 2019, 6:00 p.m.</i></p> <p>3. Recommend Denial of the proposed General Plan Map amendment to the Municipal Council.</p>	<p>Current Legal Use: One-family home in the RC zone.</p> <p>Relevant History: The developer built the medical offices to the South of this property.</p> <p>Neighborhood Issues: A neighborhood meeting was held on September 4, 2019.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none">• There are residential uses on two sides of the property and commercial uses on the other two sides.• The existing General Plan designation is consistent with the existing zone.• There is a transition from the (R) designation and the (C) designation along the southern border of this property.
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OVERVIEW

The applicant has requested an amendment to the General Plan Map to change the current Residential (R) designation to the Commercial (C) designation. The reason for the requested amendment is to have the General Plan Map coincide with the applicant's request to also rezone the property for a commercial use. Many neighbors surrounding this property have expressed the desire to keep the property as residential and not to allow it to become a commercial use.

FINDINGS OF FACT

- The property is currently designated as Residential on the General Plan Map.
- The adjacent property to the South is currently designated as Commercial on the General Plan Map.
- The existing zoning on the property is a residential zone and is currently consistent with the General Plan Map designation.
- General Plan Key Land Use Policies for the Northwest Area Neighborhoods in 1.2.9 identifies the existing Residential designation should be maintained.

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: **(Staff responses in bold)***

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

The purpose of amending the General Plan Map would be to help facilitate a rezone to provide an economic development opportunity in the City.

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

Amending the Map would facilitate a change in land use to commercial. More commercial space in the City allows for job

creation and revenue from taxes. Commercial uses are also generally considered to have more economic benefit to local government than residential development.

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

The General Plan supports a vibrant economy and high-quality jobs as well as safe, desirable neighborhoods. While the proposed amendment would help support economic development, there has been concern expressed by residents in the area that this amendment would detract from the neighborhood.

- (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 issues with timing and sequencing.

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

The Northwest Area Neighborhoods land use policies in 1.2.9 aim to maintain the Residential designation with one-family residential development. Changing the existing designation to Commercial would not promote the existing policy.

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

The adjacent residential land owners would have a more intense land use designation adjacent to them than they do currently.

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

The General Plan Map for this area is 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.*

The Map and the Policies are consistent.

CONCLUSIONS

Staff finds that there is both support and opposition in the General Plan for the proposed amendment. The proposed change would allow for economic development potential of new jobs and an increased tax base. The proposed change also would conflict with articulated goals to “maintain the Residential (R) General Plan designation with one-family residential development”.

ATTACHMENTS

1. General Plan Map

Attachment 1. - General Plan Map

