



**Planning Commission Staff Report  
Rezone**

**Hearing Date: September 25, 2019**

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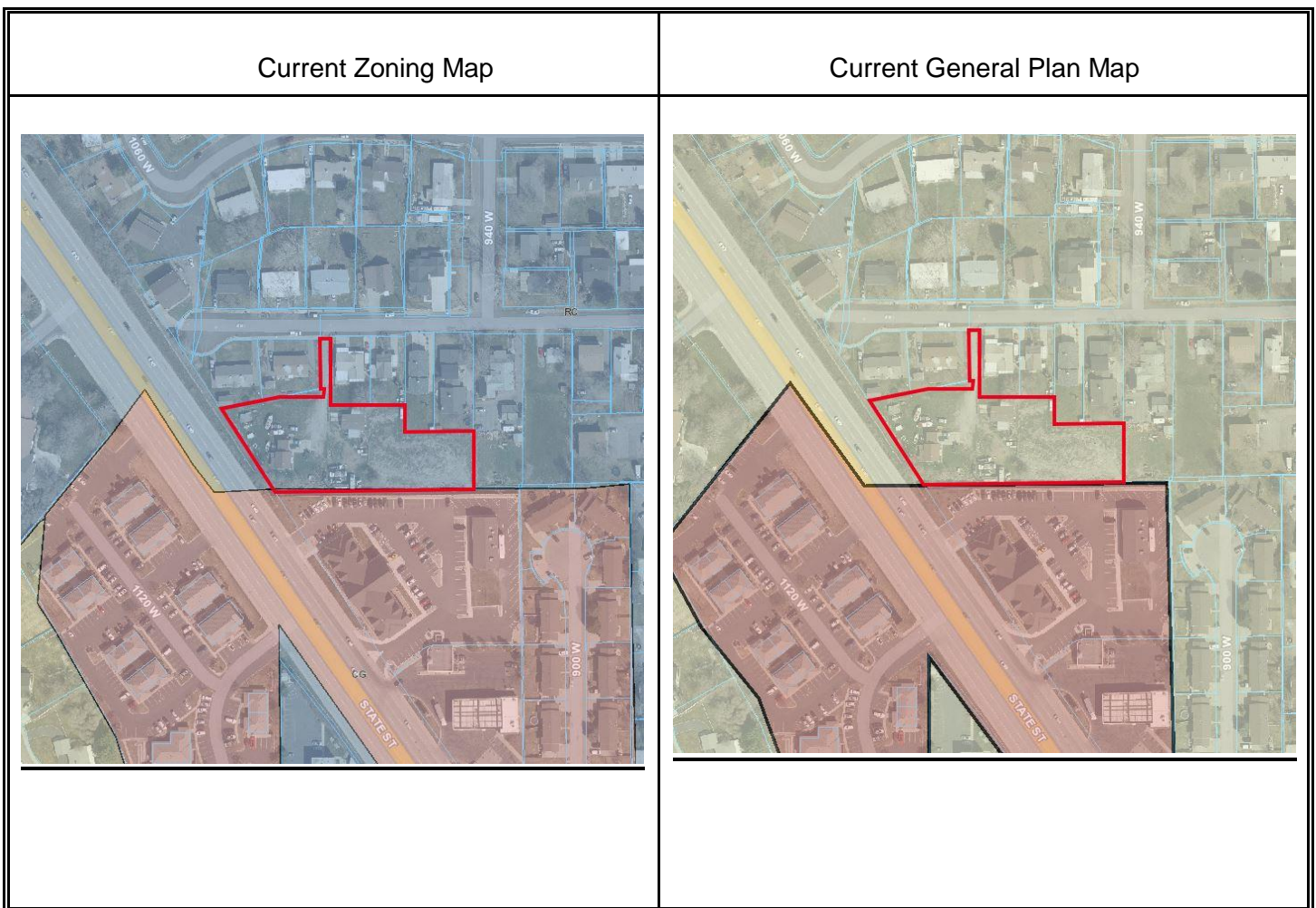
**\*ITEM # 2 Dudley and Associates request a Zone Change from Residential Conservation (RC) to General Commercial (CG) for property located at approximately 1009 W 2000 N. Carterville neighborhood. PLRZ20190192**

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<p>Applicant: Dudley and Associates Staff Coordinator: Dustin Wright</p> <p>Property Owner: Charles &amp; Vance Anderson</p> <p>Parcel ID#: 19:002:0124</p> <p>General Plan Designation: Residential (Proposed Commercial)</p> <p>Current Zone: Residential Conservation (RC)</p> <p>Acreage: 1.20</p> <p>Number of Properties: 1</p> <p>*Council Action Required: Yes</p> <p>Related Application(s): PLRZ20190191, PLCP20190193</p> <p><b><u>ALTERNATIVE ACTIONS</u></b></p> <p>1. <b>Recommend Approval</b> of the proposed Zone Change to the Municipal Council.</p> <p>2. <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 9, 2019, 6:00 p.m.</i></p> <p>3. <b>Recommend Denial</b> of the proposed Zone Change 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"> <li>• There are residential uses on two sides of the property and commercial uses on the other two sides.</li> <li>• The existing General Plan designation is consistent with the existing zone.</li> <li>• The proposed rezone would bring new commercial zoning closer to more residential homes.</li> </ul>
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**OVERVIEW**

The applicant has requested an amendment to the Zoning Map to change Residential Conservation (RC) zone on this property to the General Commercial (CG) zone. The applicant developed the property to the south, Grandview Medical, and this rezone would facilitate phase 2 of that project if approved. 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 zoned RC on the official Provo Zoning Map.
- The adjacent property to the South is currently zoned CG on the official Provo Zoning Map.
- There is an existing one-family home on the property.
- 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 public purpose of amending the zone would be to help facilitate economic development 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.***

- (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 to a commercial use 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 adjacent to them than they do currently with a one-family dwelling.***

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

***The Zoning 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.***

If accessed for residential development, the subject property is located at the west end of 2000 N and would be unlikely to have access to State Street due to the change in topography. Access for commercial development would come from the south, through the existing commercial property. If commercial development were to take place, the access to 2000 North could be limited only be used for emergency vehicles, as suggested by the gate shown on the Concept Plan. Commercial development would allow for looping of the culinary water system which would be beneficial but residential development could still occur without a loop in the water system.

## **CONCLUSIONS**

Staff finds that there is both support and opposition in the General Plan for the proposed rezone. 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”. The requested rezone would allow the developer to build phase 2 of the medical offices.

## **ATTACHMENTS**

1. Zoning Map

Attachment 1. - Zoning Map



