



**Planning Commission Staff Report  
Hearing Date: September 23, 2020**

**\*ITEM # 2** Reid Family Limited Partnership requests a Zone Change from Residential Agricultural (RA) to General Commercial (CG) for approximately .5 acres located at 2022 W Center Street. Fort Utah Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20200275

**Applicant:** Reid Family Partnership, LTD

**Staff Coordinator:** Brandon Larsen

**Property Owner:** Reid Family Partnership, LTD

**Parcel ID#:** 21:012:0144 & 21:012:0145

**General Plan Designation:** Residential

**Current Zoning:** RA (Residential Agricultural Zone)

**Proposed Zoning:** CG (General Commercial)

**Acreage:** 0.50

**Number of Properties:** 2

**ALTERNATIVE ACTIONS**

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is October 14, 2020, 5:00 P.M.*
2. **Recommend Denial** of the proposed zone map amendment. *This action would not be consistent with the recommendations in the Staff Report. The Planning Commission should state new findings, if they act to recommend denial.*

**Current Legal Use:**

It does not appear a legal use has been established on the subject property.

**Relevant History:**

The subject parcel has historically been vacant, but in recent years it has been used for the site of a food truck or trailer, and a seasonal produce stand. A food truck or trailer is not a permitted use in the RA Zone, and it does not appear the stand has a temporary use permit.

**Neighborhood Issues:**

This proposal was discussed at a neighborhood meeting on September 3, 2020. The neighborhood appears to be supportive of this proposal. It didn't appear that any negative comments were expressed at the meeting. As of September 15, 2020, no one had left a comment about this proposal on the City Council's Open City Hall webpage for the proposal.

**Summary of Key Issues:**

- This proposal would rezone 0.50 acres adjacent to the high-traffic intersection of Center Street and Geneva Road from the RA Zone to the CG Zone. This area appears to be under-served by commercial services and opportunities.
- The subject property is nearly surrounded by commercially zoned parcels.
- No concept plan for this proposal was submitted.

**Staff Recommendation:**

Staff recommends that the Planning Commission forward a positive recommendation to the Municipal Council for a zone change from the RA Zone to CG Zone.

## **BACKGROUND**

The subject property lies at 2022 W Center Street and is nearly surrounded by commercially zoned properties. The properties to the north and east lie in either the Neighborhood Shopping Center (SC1) Zone or the Community Shopping Center (SC2) Zone. Properties with a CG zoning designation lie to the south and west. Land in the Residential (R1.8) Zone lies to the southwest. An application to rezone the vacant, adjacent land from the SC2 Zone to the Medium Density Residential (MDR) Zone has been put forward by the City.

The General Plan land use designation for the subject property is *Commercial*. The Southwest Area Future Land Use map designates this property as Village Center Commercial/Mixed Use.

Currently, a food truck/trailer is currently operating on the property, which is not permitted in the RA Zone. A seasonal produce stand also lies on the subject property. A temporary permit has not been issued for this stand. Food trucks are allowed to be operated in the CG Zone, provided all applicable requirements are met. Temporary uses may be conducted in the CG Zone.

## **STAFF ANALYSIS**

**General Plan Policies.** The subject property lies in the Fort Utah Neighborhood, which is part of the Southwest Area group of neighborhoods. One of the guiding principles for the Southwest Area reads, as follows: "Promote Development of Commercial Amenities and Employment Opportunities in Appropriate Locations." This proposed rezone of property on the corner of Center Street and Geneva Road to the CG Zone would appear to support this principle. Much of the land in the vicinity of this intersection has a commercial zoning designation. This high traffic area would appear to be an appropriate place for commercial development and convenient shopping opportunities for local residents.

As noted earlier in this report, the Southwest Area Future Land Use map designates this property as Village Center Commercial/Mixed Use. According to this map, the Mixed Use Village Center should include a residential component. Considering the location and size of the subject property, the establishment of residential use would be more appropriate on other lands within the Village Center, including those parcels that are larger and not directly on the corner of Geneva Road and Center Street.

**Findings of Fact.** 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 is to make additional land available for commercial development, which will result in more commercial services and choices for City residents.**

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

**It appears there is a lack of commercial opportunities and services for westside City residents. The rezoning of this property will help to attract additional commercial development in this under-served area.**

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

**This proposal appears to be in harmony with the General Plan and the Southwest Area Future Land Use map.**

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

**Staff is not aware of any timing or sequencing issues with this request.**

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

**It does not appear that this proposal will hinder or obstruct attainment of the General Plan's articulated policies.**

(f) Adverse impacts on adjacent landowners.

**Staff is not aware of potential adverse impacts to adjacent landowners.**

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

**The General Plan and zoning have been verified for correctness.**

(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 General Plan Map and policies appear to support this proposal.**

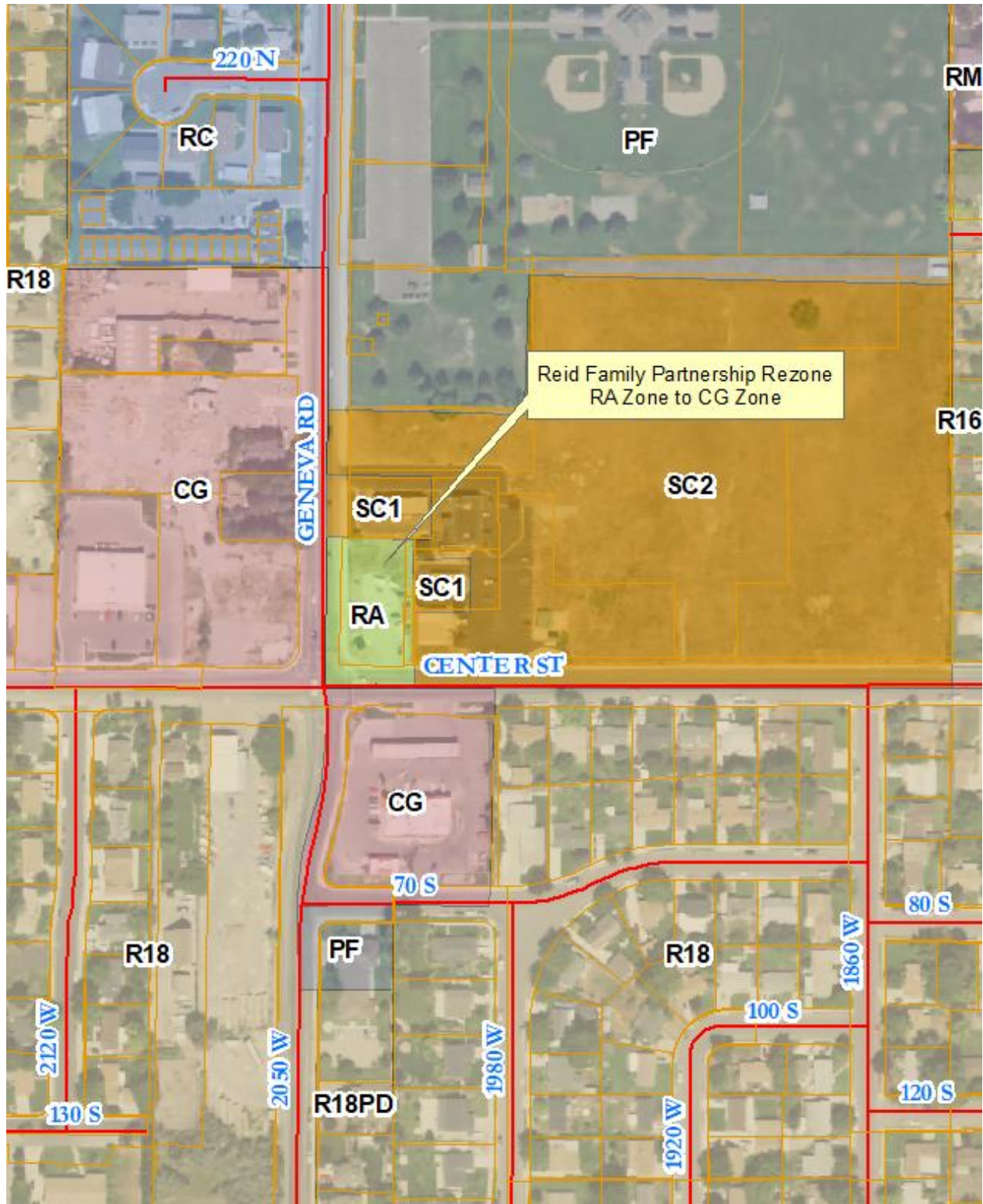
**Conclusion.** The proposed zone map amendment appears to be appropriate for the area and would help facilitate commercial development on this high-traffic corner. This area of Provo City appears to be severely under-served, as it relates to commercial development. The current RA zoning appears to be inappropriate considering its location and the surrounding uses. The adoption of this proposed zone map amendment may also help to cure some current zoning violations.

### **ATTACHMENTS**

1. Current Zoning
2. Proposed Zoning

ATTACHMENT – Current Zoning

**Current Zoning: RA (Residential Agricultural)**



ATTACHMENT – Proposed Zoning

**Proposed Zoning: CG (General Commercial)**

