



**Planning Commission
Staff Report
General Plan Amendment
Hearing Date: January 24, 2018**

ITEM 1* Tim Soffe requests a General Plan Map Amendment from Commercial to Residential for 1.52 acres of land located at 490 South State Street. **Maeser Neighborhood.** 17-0002GPA, Dustin Wright, 801-852-6414

<p>Applicant: Tim Soffe Staff Coordinator: Dustin Wright</p> <p>Property Owner: Kimball Stratton Parcel ID#: 220290005, 220290026 Current Zone: General Commercial (CG) Proposed Zone: High Density Res. (HDR) General Plan Des.: Commercial Proposed General Plan Des.: Residential Acreage: 1.92 Number of Properties: 2 Number of Lots: 2 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 14, 2018, 5:30 p.m.</i></p> <p>2. Deny the requested General Plan Amendment. <i>This action <u>would not be consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>.</i></p>	<p>Current Legal Use: Commercial uses listed in 14.22.020 of the Provo City Code.</p> <p>Relevant History: The property has been used in the past as a garden center and been vacant for a number of years.</p> <p>Neighborhood Issues: A neighborhood meeting was held on May 16, 2017. Neighbors have expressed issues with:</p> <ul style="list-style-type: none">• HDR zone is excessive for neighborhood.• Four stories being too tall.• Access on 500 S. and added traffic.• Too many one-bedroom units. <p>Summary of Key Issues:</p> <ul style="list-style-type: none">• Rezone and project plan associated with this application. <p>Staff Recommendation: Staff recommends amending the General Plan to Residential for the area outlined in Attachment 1 if the City intends to rezone the property to a residential zone like HDR with the following condition:</p> <ol style="list-style-type: none">1. Lots are combined into one lot as part of a separate application.
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OVERVIEW

The applicant is requesting approval to change the existing General Plan designation for this location from Commercial to Residential. This change is needed to allow for the applicant to rezone the property to High Density Residential (HDR) to allow for a 64-unit apartment complex on the property. The applicant has also submitted applications to change the zoning from CG to HDR and a project plan for the development.

The applicant presented the proposed project to the Maeser Neighborhood in May of 2017. There wasn't much opposition to having a residential use on the property as long as it fit well in the neighborhood.

FINDINGS OF FACT

1. A neighborhood meeting was held on May 16, 2017.
2. Amending the General Plan designation is needed to have the property rezoned to a residential zone.
3. The General Plan designation is for Commercial.
4. The current zoning is General Commercial.

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:

- (a) **Public purpose for the amendment in question. The amendment would allow the property to be rezoned from a commercial use to residential which would be compatible with the surrounding zone.**
- (b) **Confirmation that the public purpose is best served by the amendment in question. Residential use has been desired in the neighborhood. The amendment would promote change from commercial to residential.**
- (c) **Compatibility of the proposed amendment with General Plan policies, goals, and objectives. The General Plan policies and goals for the**

Maeser Neighborhood allow for development along State Street to be considered for development other than one-family residential.

- (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. **Policies in the Plan aim to "protect viable, significant areas of one-family structures". Higher density development is being proposed.***
- (f) *Adverse impacts on adjacent land owners. **The proposed development would generate an increase in traffic and taller structures than what exist now.***
- (g) *Verification of correctness in the original zoning or General Plan for the area in question. **Zoning and General Plan designation 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 conflicts have been identified.***

CONCLUSIONS

The General Plan goals and policies relating to this area of the City aim to "maintain all existing one-family residential areas" while noting that exceptions should apply to development along State Street. The applicant is seeking to amend the Plan to allow for a higher density development. If the City is going to rezone the property to a residential zone, the General Plan should be amended so that the designation is also residential.

STAFF RECOMMENDATION

Staff recommends amending the General Plan to Residential for the area outlined in Attachment 1 if the City intends to rezone the property to a residential zone like HDR with the following condition:

1. Lots are combined into one lot as part of a separate application.

ATTACHMENTS

1. General Plan Map

