



## Planning Commission Staff Report Rezone

**Hearing Date: November 14, 2018**

**ITEM #2\*** Gordon Livingston requests a Zone Change from R1.10 to Low Density Residential (LDR) for 2.94 acres of land, located at approximately 1080 E 1320 S for facilitate a 44-unit townhome development. Spring Creek neighborhood. Aaron Ardmore (801) 852-6404. PLRZ20180102

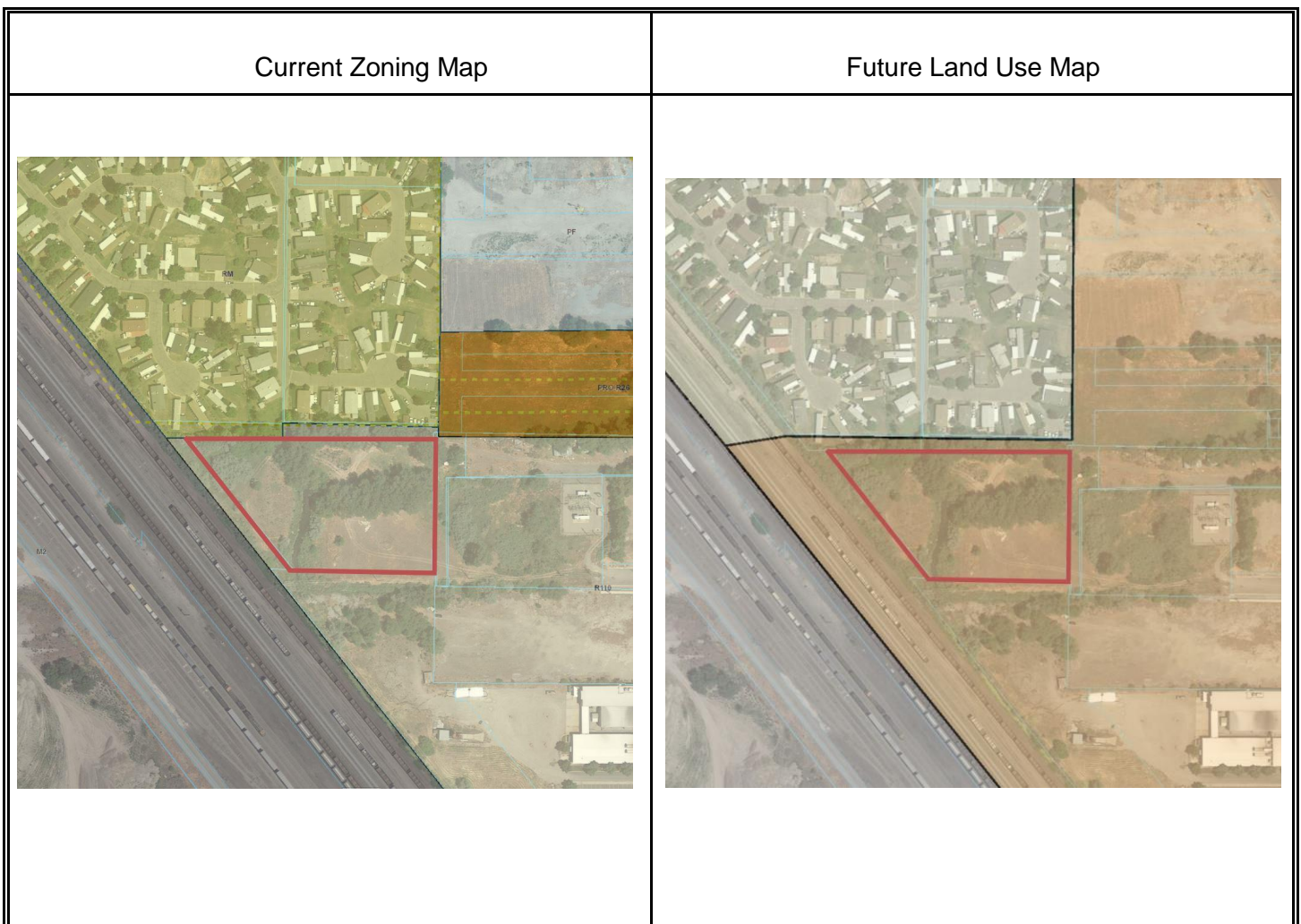
<p><b>Applicant:</b> Gordon Livingston</p> <p><b>Staff Coordinator:</b> Aaron Ardmore</p> <p><b>Property Owner:</b> Ryan Livingston</p> <p><b>Parcel ID#:</b> 22:051:0074</p> <p><b>Current Zone:</b> R1.10</p> <p><b>Proposed Zone:</b> LDR</p> <p><b>General Plan Des.:</b> Mixed Use</p> <p><b>Acreage:</b> 2.94  <b>Number of Properties:</b> 1  <b>Number of Lots:</b> 44</p> <p><b>Development Agreement Proffered:</b> No</p> <p><b>Council Action Required:</b> Yes</p> <p><b><u>ALTERNATIVE ACTIONS</u></b></p> <p>1. <b>Continue</b> to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is November 28, 5:00 p.m.</i></p> <p>2. <b>Recommend Denial</b> of the proposed rezoning. <i>This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings</u>.</i></p>	<p><b>Current Legal Use:</b> The property is vacant.</p> <p><b>Relevant History:</b> The applicants obtained the property in the last year with the intent to build a townhome project. The proposal has been through the Coordinator Review Committee and has been given approval by the majority of departments, with the exception of Engineering working out the exact road alignment.</p> <p><b>Neighborhood Issues:</b> Staff has not received any feedback on neighborhood issues at the time of this report.</p> <p><b>Summary of Key Issues:</b></p> <ul style="list-style-type: none"> <li>• Access to the proposed development depends on the completion of 1080 East and 1320 South.</li> <li>• The neighborhood plan for this parcel identifies it as a future LDR area.</li> <li>• The related concept plan meets all the zone requirements of the LDR zone.</li> </ul> <p><b>Staff Recommendation:</b> Staff recommends that the Planning Commission forward a positive recommendation for a zone change from R1.10 to LDR to the Municipal Council.</p>
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**OVERVIEW**

Ryan and Gordon Livingston request a zone change for the property near 1080 East and 1320 South, from the R1.10 (Single-Family Residential) to the LDR (Low Density Residential) zone. The request comes with a concept of a 44 unit townhome project.

The proposal has met all zoning requirements of the LDR zone and has satisfied the majority of city department issues. The remaining concern is that the roads to access the site are not completed at this time. This will have to be done before the final project plan is approved, and will be tied to that application.

The maps below illustrate the property and surrounding land uses.



## **GENERAL PLAN POLICIES**

The adopted Southeast Neighborhoods Plan appendix of the General Plan shows the subject property as part of the LDR zone in the Future Land Use map. The LDR zone allows for townhomes with a maximum density of 15 units per acre.

## **FINDINGS OF FACT**

1. 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 provide additional housing types in the southeast area of the City, and to bring more neighborhood stability.**

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

**The amendment will allow for a townhome development to move forward, thus providing the public purpose stated above.**

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

**The proposed amendment will support the General Plan policies of providing housing options and getting the density that will support a mixed use area along South State Street.**

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

**There is a "timing and sequencing" issue with this proposal, as the area around the subject property is still in development. However, by the time**

**that the project plan gets approval, the necessary infrastructure should be in place.**

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

**The zone map amendment should not hinder or obstruct attainment of any articulated policies.**

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

**Impacts on adjacent land owners should be positive, as it will develop vacant land and spur necessary infrastructure for adjacent future development. The only adverse impact would be an increase in traffic for nearby established residential uses.**

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

**The zoning and General Plan for the area 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 conflict exists.**

### **STAFF ANALYSIS**

Staff has worked with the applicant to refine the concept plan attached to the zone map amendment and feel that allowing the amendment will provide a good project that will provide a needed housing type and provide more stability to the Spring Creek neighborhood.

### **CONCLUSIONS**

The proposed zone map amendment will provide a good development and help meet the goals of the General Plan and Southeast Neighborhoods Plan.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward a positive recommendation for a zone change from R1.10 to LDR to the Municipal Council.

### **ATTACHMENTS**

1. Proposed Zone Map Amendment Area

2. Concept Plan

ATTACHMENT 1 – PROPOSED ZONE MAP AMENDMENT AREA



ATTACHMENT 2 – CONCEPT PLAN

