

**\*ITEM # 2** 5600 N University, LLC requests a Zone Change from Manufacturing Park (MP) to General Commercial (CG) for approximately 3.8 acres located at 5600 N University Ave. Riverbottoms Neighborhood. Dustin Wright (801) 852-6414  
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## **BACKGROUND**

The applicant is asking for the properties on approximately 3.8 acres located at approximately 5600 N University Avenue to be rezoned from the Manufacturing Park (MP) to the General Commercial (CG). There are two properties, each with an existing building located on them. These building have been vacant for a while and have needed repairs and improvements. The applicant would like to bring new life and appeal to these buildings and this area at the northern entrance into Provo City by making the needed improvements.

## **ANALYSIS**

Sec. 14.020.020(2) establishes criteria for the amendments to the zoning title as follows: (Staff response in bold type)

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.

**Staff response: Amending the zoning map will help bring new life to a dilapidated property at the northern entrance of the City. The amendment will also bring the zoning of the property into conformance with the General Plan designation of commercial land use.**

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

**Staff response: A General Commercial zone in this location complies with the General Plan and the applicant will be improving the trail along this section adjacent to their property. Street improvements along 5600 N will also benefit the public by improving access to the Provo River.**

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

**Staff response: This proposed change would help promote goals outlined in 1.4.1 in the General Plan to encourage a pedestrian-friendly environment by improving trails and sidewalk connectivity to the Provo River. It will help create a neighborhood gathering place and entrance into the city to help promote Goal 1.4.2. It will be a great adaptive reuse of a dated structure and land use that**

**promotes sustainability and will capitalize on local natural resources as desired in 1.4.6. It will help improve access to recreational amenities with the river and canyon. There will be a beautification of an important gateway and corridor into the city as outlined in 1.4.9.3 and 1.4.9.4. This will also align with goals from 1.4.12.4 to revitalize blighted or distressed centers.**

(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 response: No issues with the timing and sequencing of the General Plan.**

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

**Staff response: Staff does not see an issue that would hinder attaining policies in the General Plan; as noted above, the proposed amendment would help facilitate the attainment of many established goals and policies in the General Plan.**

(f) Adverse impacts on adjacent landowners.

**Staff response: The applicant owns other property to the north; there is a river to west and a major corridor to the east. To the south there is agricultural property and then Medium Density Residential. The proposed use would be more harmonious with these zones than the current zone they have been adjacent to.**

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

**Staff response: The General Plan designation is Commercial so this rezone would be bringing this into conformance.**

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

**Staff response: No conflicts.**

### **FINDINGS OF FACT**

1. Existing zone is MP.
2. General Plan designation is Commercial.
3. The existing zone does not conform with the General Plan Map designation.
4. The proposed zone would conform with the General Plan Map Commercial designation.
5. The existing structures are non-conforming as to their front setback and with the design corridor standards.

## **STAFF ANALYSIS**

Staff finds that the rezone will bring the property into alignment with the General Plan Map designation for commercial at this location. The amendment will also support many goals from the General Plan. This amendment to the zoning map will allow for a new land use to be established on a property that has sat vacant and is dilapidated. This would be a positive change for the northern gateway into the City.

Since this property is located on the Provo-Orem border and the applicant also owns the adjacent property to the north in Orem, there would need to be an agreement recorded with the property that allows access and use of that property for a portion of the development requirements of this site. The applicant has approval from the City of Orem to use this portion in their City as parking for this development.

The existing building along University Avenue is considered a non-conforming structure as it does not meet the front setback of the current or proposed zone. The building will be improved, but the location will stay.

The land use would change from manufacturing to commercial. Change in land use would bring the property into conformance with the existing General Plan that designates this area to be commercial and not manufacturing.

## **STAFF RECOMMENDATION**

Recommend Approval to the Municipal Council for the requested Rezone with the following conditions:

1. A development agreement is recorded that ensures that the required parking that is located on the adjacent property is dedicated for this site.

## **ATTACHMENTS**

1. **Aerial of Site**
2. **Current Zone Map**
3. **General Plan Map**

**Attachment 1 – Aerial of Site**



**Attachment 2 – Current Zone Map**



**Attachment 3 – General Plan Map**

