

***ITEM # 3** Miller General Contractors LLC requests approval of a Zone Map Amendment from the ITOD (Interim Transit Oriented Development) zone to the DT1 (General Downtown) zone in order to construct a new apartment building, located at 466 South 100 West. Downtown Neighborhood. PLRZ20220220

BACKGROUND

The applicant is requesting approval for two parcels of land (Attachment 1) to be rezoned from the ITOD zone to DT1. The parcels that make up this project include the ITOD zone and the DT1 Zone. The reason for the rezone request is to have all the parcels within this development in the same zone. Since both DT1 and ITOD would allow for this proposed development and the majority of the property is zoned DT1, the applicant has requested to have the other two smaller parcels rezoned to match.

The proposed rezone area will consist of two parcels totaling approximately 0.23 acres of land. The property is currently zoned ITOD like the properties to the south, east and west. The property to the north is zoned DT1.

FINDINGS OF FACT

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: The proposed DT1 zone will allow the land to be combined into one parcel and have all the same zoning applied. This will eliminate confusion about what zoning standards apply for the property.

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

Staff response: The assemblage of land will help provide a more cohesive development and bring more streetscape improvements to the area which will benefit the community.

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

Staff response: The General Plan calls for Transit Oriented Development at this location. The proposed development will be a high density housing development located near the intermodal transit hub. This is a great location for this type of development, and it is consistent with the General Plan.

(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: There are no timing and sequencing that would be affected with this rezone request.

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

Staff response: Staff does not believe that this rezone would hinder the General Plan as it is in alignment with the desired land use for the area.

(f) Adverse impacts on adjacent land owners.

Staff response: The proposed use could be done in the existing zone technically. So the impacts to adjacent land owners are not any greater than they would be if the property was not rezoned.

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

Staff response: The land use map from the General Plan has been reviewed and found to be correct for this area.

(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: There are no conflicts noted by staff.

STAFF ANALYSIS

Staff has reviewed the proposed rezone request and is in support of the rezone because it will provide one set of zoning regulations for the proposed development to follow. The proposed zone change will not increase the development potential of the site beyond what it could be in the existing zone, it will just provide consistency. No conflicts with adjacent property are anticipated with the proposed rezone.

CONCLUSION

Combining parcels into one and making the zoning all the same will help provide a better development than if the properties were all developed individually. This will serve the public interest better and allow for the area to benefit by bringing people housing opportunities with a short walk to the Intermodal Hub.

ATTACHMENTS

1. Attachment 1 – Area to be Rezoned
2. Current Zone Map
3. General Plan Map
4. Public Works Staff Report

Attachment 1 – Area to be Rezoned

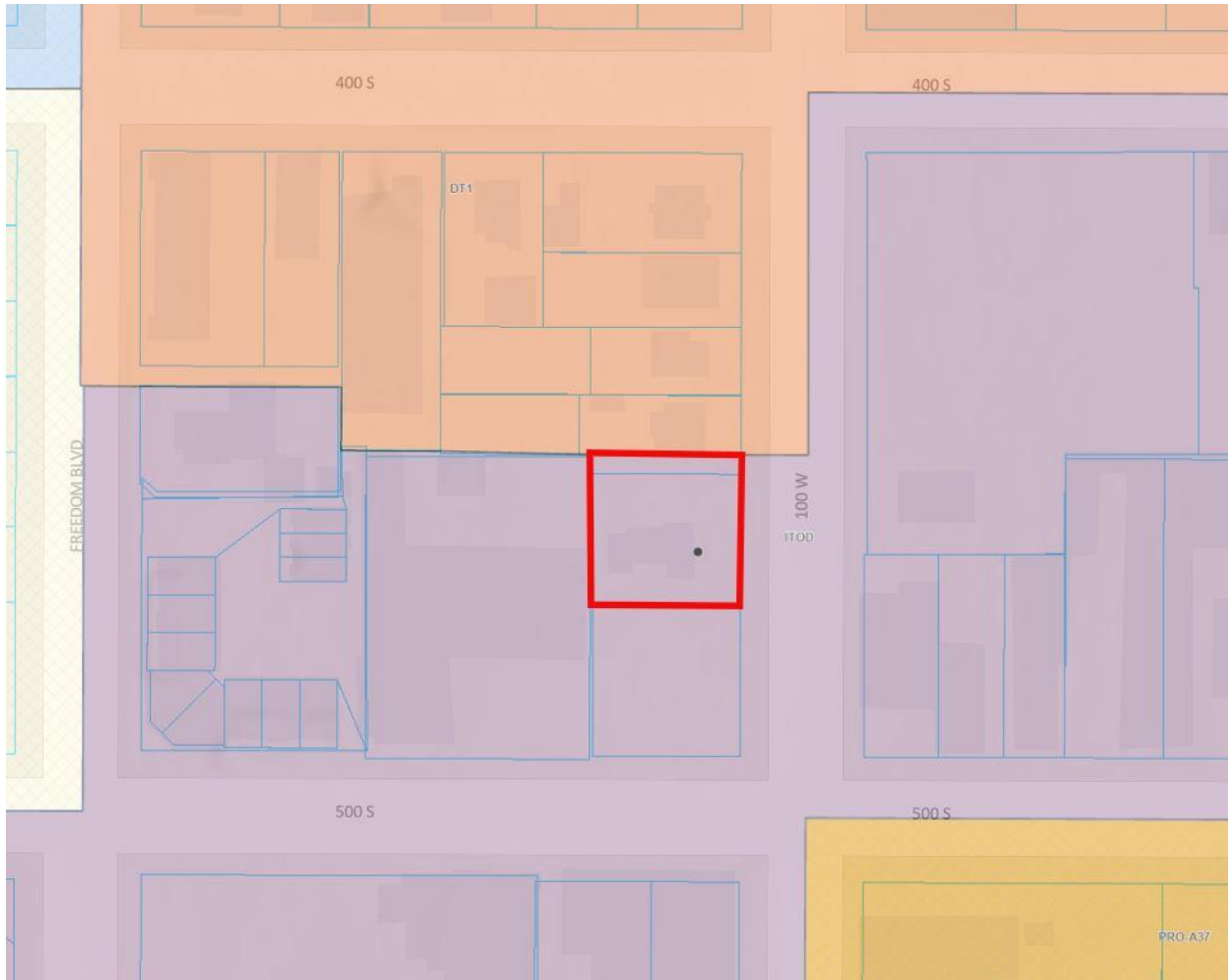


Legal Description:

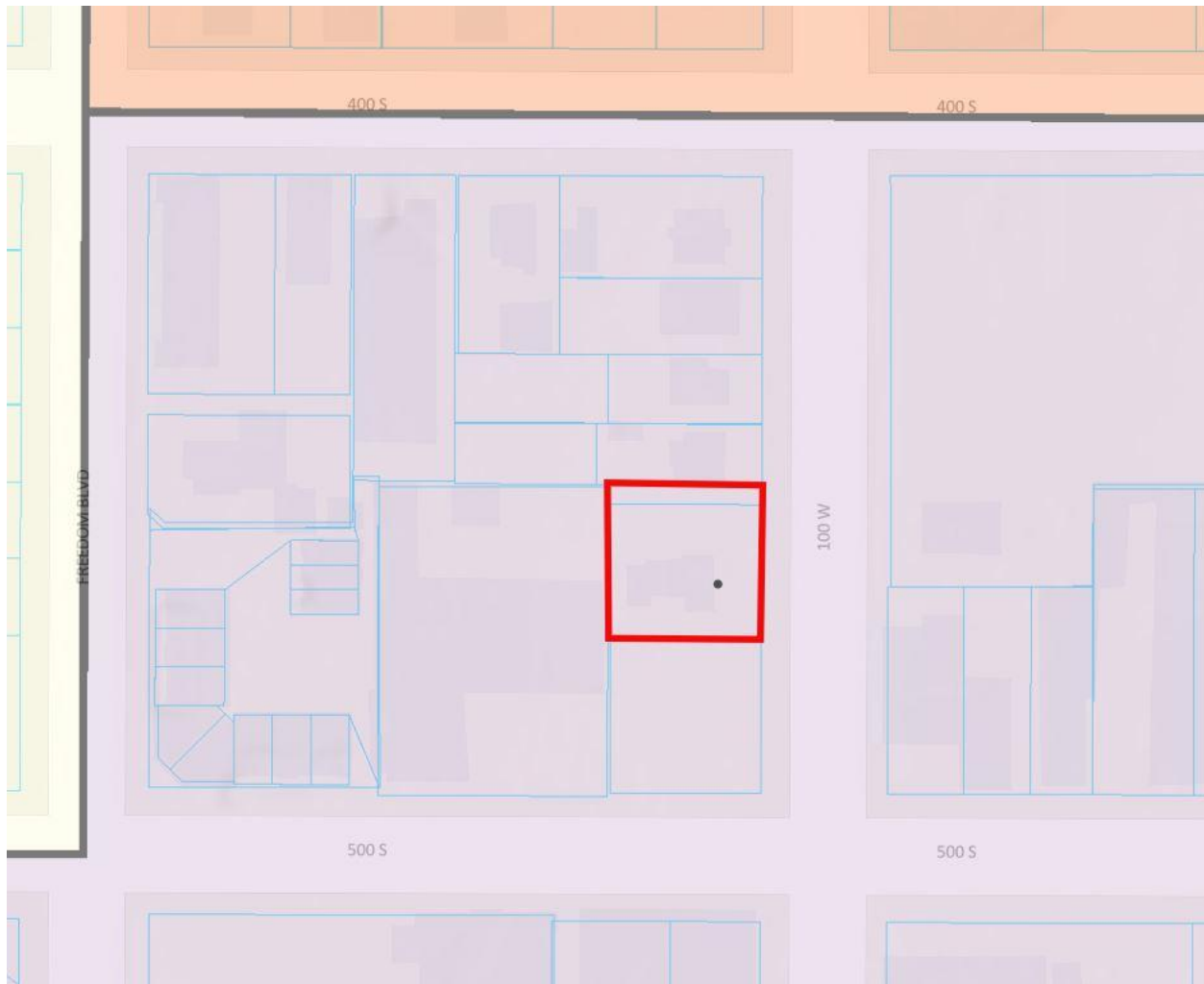
COM. AT SE COR OF LOT 8, BLK 21, PLAT A, PROVO CITY SUR; W 100 FT; N 87.14 FT; E 100 FT; S 87.14 FT TO BEG. AND

COM. 87.14 FT N OF SE COR OF LOT 8, BLK 21, PLAT A, PROVO CITY SUR; W 100 FT; N 13 FT; E 100 FT; S 13 FT TO BEG.

Attachment 2 – Current Zone Map



Attachment 3 – General Plan Map



Attachment 4 – Public Works Staff Report



PUBLIC WORKS
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PROVO, UT 84606

Public Works Staff Report
Hearing Date: 1/25/2023

Zone Map Amendment from the ITOD zone to the DT1 zone.

Item #3 Summary:

Miller General Contractors LLC requests approval of a Zone Map Amendment from the ITOD (Interim Transit Oriented Development) zone to the DT1 (General Downtown) zone in order to construct a new apartment building, located at 466 South 100 West, Downtown Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLRZ20220220

Staff Recommendation:

Public Works staff has no concerns with the requested action.

Dave Decker, Public Works Director
David Day, Development Engineering Coordinator