

***ITEM 2** Provo Parks and Recreation requests approval of a Zone Map Amendment from the A1.10 (Agricultural) zone to the OSPR (Open Space, Preservation, and Recreation) zone in order to build a new park, located at 301 N Lakeshore Drive. Fort Utah Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLRZ20220282

<p>Applicant: John Bunderson</p> <p>Staff Coordinator: Dustin Wright</p> <p>Property Owner: Provo City</p> <p>Parcel ID#: 21:029:0079 and 21:023:0172</p> <p>Acreage: Approximately 4.86 acres Number of Properties: 2</p> <p>Current Zone: A1.10 Agricultural Zone (to be rezoned OSPR Open Space, Preservation, and Recreation Zone)</p> <p>Council Action Required: Yes</p> <p><u>ALTERNATIVE ACTIONS</u></p> <ol style="list-style-type: none"> Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is February 14, 2024, at 6:00 p.m.</i> Recommend denial of the requested rezone. This action <u>would not be consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>. 	<p><u>Current Legal Use:</u> Currently vacant parcels in the A1.10 zone.</p> <p><u>Relevant History:</u> There is a Project Plan Application (PLPPA20210131) for a new park to be built at this location.</p> <p><u>Neighborhood Issues:</u> A Fort Utah Neighborhood meeting was held on March 25, 2021. Staff is not aware of any neighborhood issues for this park.</p> <p><u>Summary of Key Issues:</u></p> <ul style="list-style-type: none"> This rezone request consists of two parcels of land that are owned by Provo City and are in the A1.10 zone currently. A new park development is being proposed by our City Parks Department for this location and needs to have the property rezoned to the OSPR zone where parks are a permitted use. The rezone application has been approved by the Coordinators Review Committee (CRC). <p><u>Staff Recommendation:</u> Recommend approval to the City Council for requested rezone from A1.10 to the OSPR zone.</p>
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BACKGROUND

Provo City Parks Department is requesting approval for a new 4.86-acre park to be located at 301 N Lakeshore Drive. As part of this process, they are requesting to have the property rezoned to the Open Space, Preservation, and Recreation Zone (OSPR) where parks are a permitted use. This new park will be located at the gateway to the new Provo River Delta that was recently completed.

The two parcels are owned by Provo City and are currently zoned A1.10 like some of the property to the north. The other property to the north is already zoned Open Space, Preservation, and Recreation Zone (OSPR) where an existing park is located. The property to the west is in unincorporated Utah County where the Provo River Delta is located. Residential R1.8 zone is located to the south and east.

Along with this rezone request, there is a project plan application to have the vacant land converted into a city park. Staff has reviewed the submitted plans with the code requirements for the OSPR zone and finds that they comply with the code if this property is rezoned.

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 purpose of the rezone is to provide a zone that allows parks as a permitted use. The OSPR zone is the preferable zone for city parks.

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

Staff response: The proposed rezone will allow a new city park that can be enjoyed by the public.

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

Staff response: The General Plan Open Space and Recreation chapter has several goals that this rezone would help accomplish. Connecting the lake to the mountains via the lake and river, increase opportunities for recreation, facilitate walkable and bikeable connectivity and infrastructure along the river to name a few. This rezone is also aligned with the river and lakeshore chapter goals of the

General Plan by restoring riverbanks and expanding opportunities for outdoor gatherings and relaxing along the river. Improve and expand trailheads and connections.

(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 landowners.

Staff response: No adverse impacts to adjacent landowners are anticipated.

(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

City staff is supportive of this rezone as it will help in attaining some of the goals in the General Plan related to open space, recreation, and the natural and social environment. The General Plan calls for parks and open space along the river and this rezone will help facilitate the proper zone where parks are a permitted land use.

STAFF RECOMMENDATION

Recommend approval to the City Council for requested rezone from A1.10 to the OSPR zone.

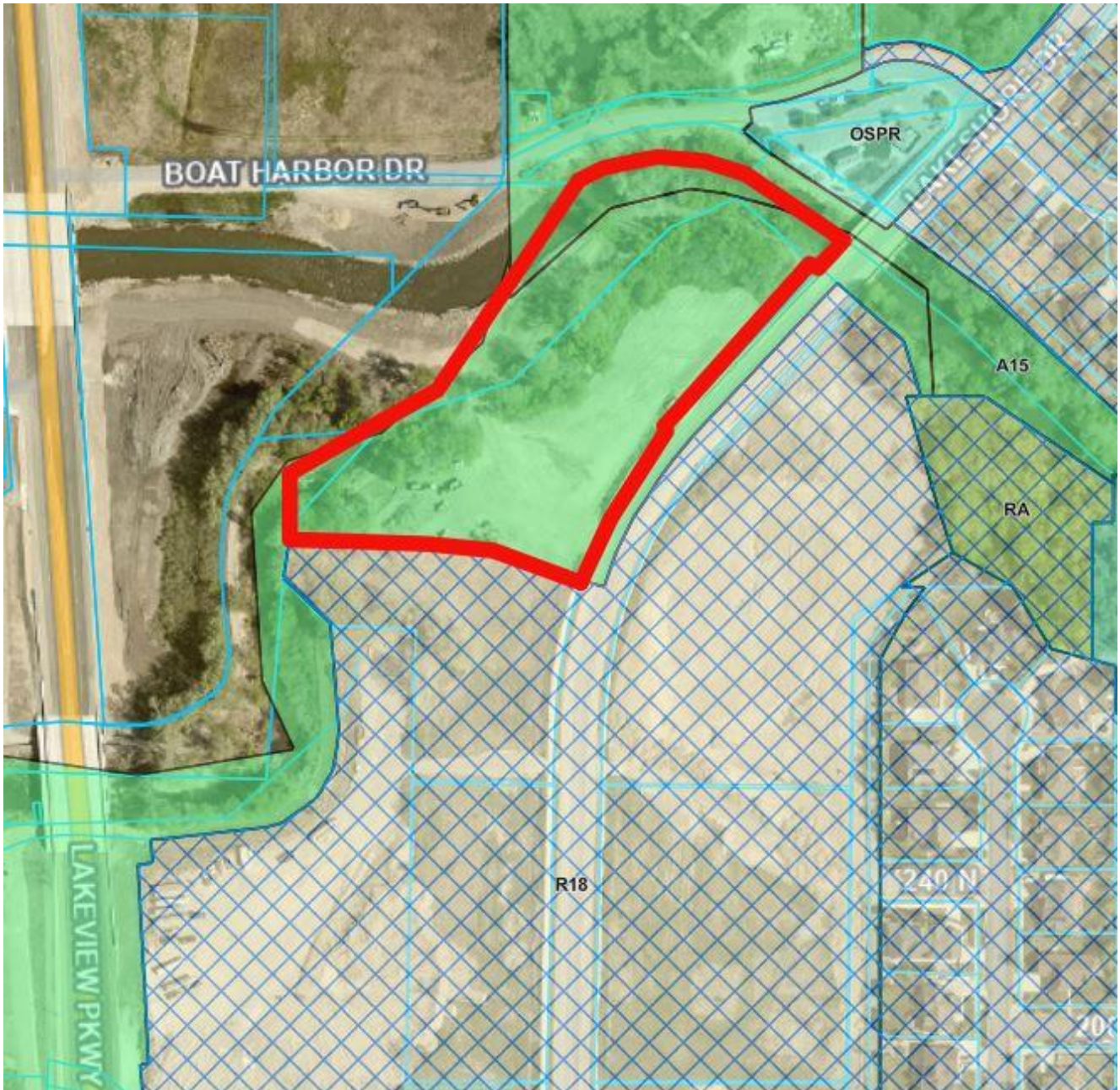
ATTACHMENTS

1. Attachment 1 – Aerial of Site
2. Attachment 2 – Zoning Map
3. Attachment 3 – Parcels to be Rezoned

Attachment 1 – Aerial of Site



Attachment 2 – Zoning Map



Attachment 3 – Parcels to be Rezoned

Parcel A ID – 21:029:0079

Description –

COM S 50 DEG 25' 54" E 126.29 FT FR W 1/4 COR. SEC. 3, T7S, R2E, SLB&M.; N 71 DEG 28' 36" W 138.73 FT; ALONG A CURVE TO L (CHORD BEARS: N 80 DEG 19' 50" W 84.65 FT, RADIUS = 275 FT); N 89 DEG 9' 33" W 194.88 FT; N 7 DEG 0' 0" E 19.24 FT; N 43 DEG 0' 0" E 196.62 FT; N 72 DEG 15' 0" E 184.75 FT; N 46 DEG 13' 51" E 308.37 FT; N 66 DEG 30' 0" E 103.59 FT; S 48 DEG 59' 57" E 138.16 FT; S 43 DEG 28' 34" W 273.49 FT; ALONG A CURVE TO R (CHORD BEARS: S 41 DEG 44' 39" W 40.83 FT, RADIUS = 678 FT); S 50 DEG 2' 50" E 11.98 FT; ALONG A CURVE TO L (CHORD BEARS: S 29 DEG 41' 23" W 239.06 FT, RADIUS = 666 FT) TO BEG.

AREA 3.413 AC.

Parcel B ID– 21:023:0172

Description –

COM S 19.3 FT & W 312.5 FT FR E 1/4 COR. SEC. 4, T7S, R2E, SLB&M.; N 89 DEG 9' 22" W 2.44 FT; N 5 DEG 0' 54" E 94.39 FT; N 60 DEG 5' 0" E 114.01 FT; N 60 DEG 5' 0" E 119.7 FT; N 34 DEG 51' 21" E 348.48 FT; N 66 DEG 26' 33" E 55.91 FT; N 79 DEG 37' 30" E 67.22 FT; S 81 DEG 21' 1" E 67.61 FT; S 72 DEG 44' 26" E 53.5 FT; S 58 DEG 4' 42" E 130.69 FT; S 52 DEG 25' 23" E 29.03 FT; S 37 DEG 30' 27" W 53.62 FT; N 48 DEG 59' 56" W 12.51 FT; S 43 DEG 28' 40" W .72 FT; N 48 DEG 59' 57" W 137.95 FT; S 66 DEG 30' 0" W 103.59 FT; S 46 DEG 13' 51" W 308.37 FT; S 72 DEG 15' 0" W 184.75 FT; S 43 DEG 0' 0" W 196.62 FT; S 7 DEG 0' 1" W 19.24 FT TO BEG.

AREA 1.445 AC.

Site Map-

