



Planning Commission Hearing Staff Report Hearing Date: May 22, 2024

***ITEM 3** Development Services requests a Zone Map Amendment from the PF(CH) (Public Facilities - Critical Hillside Overlay) Zone and A1.1 (Agricultural) Zone to the R1.8(PD) (One Family Residential - Performance Development Overlay) Zone in order to create a 110-lot single family development, located approximately at 1630 S Nevada Ave. Provost South Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLRZ20240047

Applicant: Development Services / Anderson Development

Staff Coordinator: Aaron Ardmore

Property Owner: Provo City Corporation

Parcel IDs#: 22:048:0068; 22:048:0007; 22:048:0005; 22:048:0052; 22:048:0006

Acreage: 30

Number of Properties: 5

Number of Proposed Lots: 110

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is June 12th, 2024, 6:00 P.M.*
2. **Recommend Denial** of the requested Zone Map Amendment. *This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Current Legal Use: The property being considered for rezoning is vacant land.

Relevant History: Provo City has owned this land since 1995 and it has historically been used as a debris flow for the hillsides to the east. Provo entered into a contract with Anderson Development in November of 2021 to create a development plan.

Neighborhood Issues: This item was discussed at the May 1st District 2 Neighborhood meeting where concerns about parking, traffic, and access were expressed. Staff have since received an additional email with concerns about parking and safety.

Summary of Key Issues:

- The design of the project considers the hillside, debris flow, and trail connections.
- The homes have been clustered in the SW of the property to allow open space and trail connections.
- The development is delivering single-family, detached homes as promised at the purchase of the property and in the SE Neighborhoods Plan.

Staff Recommendation: Staff recommend that the Planning Commission recommend approval of the zone map amendment to the City Council.

OVERVIEW

Provo City is requesting a zone map amendment from the PF(CH) and A1.1 (Agricultural) Zone to the R1.8(PD) Zone in order to allow development of 110 single-family, detached homes on property at the corner of Slate Canyon Drive and Nevada Avenue. This project is in partnership with Anderson Development, who have provided all the civil and architectural plans for the proposal.

The subject property is within the Critical Hillside Overlay Zone (CHOZ) and this zone change proposal would remove the property from the CHOZ. It is the position of Staff that the subject property should not have been included in the CHOZ for the following reasons:

1. The genesis of the CHOZ was to add protection to sensitive lands, protect 30% slopes and ridgelines and to protect public trails and/or public access to trails.
2. The CHOZ does not disallow development but was established to require that development of sensitive lands work with the natural contours and avoid mass grading.

The subject property does not include 30% slopes or a ridgeline. The average grade across the area proposed for development is 15-16%, which is developable land according to Provo City Code. The proposal respects the hillside area by rerouting and improving the debris flow (the only known natural hazard on the property), providing public access and a new trailhead to the trail systems, reducing cuts / fills of the hillside for streets / retaining walls, and clustering the homes in the flattest area of the property. All these things are consistent with the requirements of the CHOZ. By clustering the housing in the flattest areas, by leaving 40% of the subject property in open space and by orienting roads to follow contours to minimize cuts and fills, this development is consistent with the intent of the CHOZ.

There is one requirement of the CHOZ that this proposal does not meet. Section 14.33A.090(2) limits areas of disturbance of newly platted lots to 40%. To allow for clustering of homes, the smallest lots are 6,0000 sf which makes the 40% development restriction problematic.

Staff have worked closely with Anderson Development in creating plans that provide the best outcomes for the future residents and for the city. The lots range in size and create a very livable community with added amenities of a trailhead parking lot, open spaces, play areas, community gardens, pickleball courts, and entry features.

The surrounding area includes the open hillside to the east in the PF (Public Facilities) Zone, townhomes to the north in the LDR (Low Density Residential) Zone, single-family homes to the northwest in R2(PD) (Two-Family Residential) and R1.10 Zones, a future park to the west in the OSPR (Open Space, Preservation, and Recreation) Zone, a

church and school to the south in the PF Zone, and additional single-family homes to the south in the R1.6(PD) and R1.6 Zones.

FINDINGS OF FACT

1. The current zone is PF(CH) and A1.1 (Chapters 14.17, 14.33A, and 14.08, Provo City Code).
2. The proposed zone is R1.8(PD) (Chapters 14.10 and 14.31).
3. The General Plan designations for the land are Residential, Parks, Open Space, and Recreation, and Agriculture.
4. The Southeast Neighborhoods Plan designates this land as R1 and Open Space in the Future Land Use Map (pg. 23)
5. The proposal shows 110 single-family lots.
6. Each home provides four (4) off-street parking spaces.

STAFF ANALYSIS

Residential projects are evaluated by two different criteria in the General Plan. The first criteria are found on page 45 of the General Plan, as follows: (responses in **bold**)

Would the rezone promote one of the top 3 housing strategies?

- Promote a mix of home types, sizes, and price points **Yes, the developer has provided ten different house plans to be used throughout the site, ranging from 1,824 sq. ft. to 3,080 sq. ft.**
- Support zoning to promote ADUs and infill development **No, ADUs are not currently being considered for this development.**
- Recognize the value of single-family neighborhoods **Yes, the plan provides 110 new single-family homes adjacent to other single-family neighborhoods.**
- Are utilities and streets currently within 300 feet of the property proposed for rezone? **Yes, utilities and streets are available with Slate Canyon Drive and Nevada Avenue.**
- Would the rezone exclude land that is currently being used for agricultural use? **There are no current agricultural uses on the land.**
- Does the rezone facilitate housing that has reasonable proximity (1/2 mile) to public transit stops or stations? **Yes, the bus stop at 1970 S State Street is approximately 0.44 miles away.**
- Would the rezone encourage development of environmentally or geologically sensitive, or fire or flood prone, lands? If so, has the applicant demonstrated these issues can

reasonably be mitigated? **Yes, the developer has designed the site to allow for debris flow to safely be handled and planned the homes away from geologically sensitive lands to the east.**

• Would the proposed rezone facilitate the increase of on-street parking within 500 feet of the subject property? **Staff do not believe so. The development has four off-street spaces at each lot. Additionally, the homes will not front Nevada Avenue or Slate Canyon Drive and with no immediate access from these roads to the proposed homes parking on these streets would not be considered convenient for the homeowners. This development is self-contained so spillover parking appears unlikely.**

If so, is the applicant willing to guarantee use of a TDM in relation to the property to reduce the need for on-street parking? **Not applicable.**

• Would the rezone facilitate a housing development where a majority of the housing units are owner-occupied? **From the beginning, Staff indicated that the subject property could not exceed four dwelling units per acre, the homes must be single-family detached and that the homes must be for sale to private owners. It would be well for Anderson Development to reiterate agreement with these objectives. It was never imagined that the homes would be “affordable” as defined by HUD, but Anderson Development has worked with Staff to keep the homes as achievable as possible.**

In addition to the above criteria, Section 14.02.020 of the Provo City Code gives staff opportunity to make sure that the proposed zone map amendment complies with other aspects of the General Plan, as follows: (staff responses in **bold**)

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.

Anderson Development provided the following public purpose, “based on the topography and certain natural and man-made land impediments, the zone change to R1.8(PD) would allow greater flexibility in the configuration of buildings on the site. The goal . . . is to provide a complete and more integrated site plan with varied lot sizes and unique amenities within the development”.

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

Staff agree with the above statement from the developer. Additionally, the city is in great need of more single-family housing and this proposal helps to meet that public purpose to provide housing.

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

Anderson Development provided the following in response to compliance with the General Plan, “the zone change is consistent with Provo City’s current General Plan and synonymous with existing surrounding land use. The project will provide a mix of single-family housing sizes [goal 1, chapter 4], creating a vibrant and diverse neighborhood. It will provide over 4 acres of recreational open space . . . [goals 2 and 4, chapter 8]. In addition, the project’s close proximity to Spring Creek Elementary School will provide families and students with a safe walkable environment [goals 1 and 2, chapter 6].

(d) Consistency of the proposed amendment with the General Plan’s “timing and sequencing” provisions on changes of use, insofar as they are articulated.

Not applicable.

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

The proposed amendment should not hinder or obstruct attainment of the articulated policies. The plan respects the policies and goals of the Hills and Canyons plan by adhering to the goals in Chapter 3 (the Built Environment) of that plan. It also addresses the General Plan goals, as stated above.

(f) Adverse impacts on adjacent landowners.

Adverse impacts should be limited to increased traffic on Nevada Avenue and Slate Canyon Drive, headed south to State Street.

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

Staff have verified that the 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.

The policies take precedent in this proposal.

CONCLUSIONS

The City Council and Administration are aware of the need for housing, specifically more single-family homes for sale in the city. This plan helps provide additional housing enhanced with public amenities while protecting the hillside from development. The city is meeting its' goals for this property as shown in the General Plan and Southeast Neighborhoods Plan with this proposal, and staff recommends it be approved as shown.

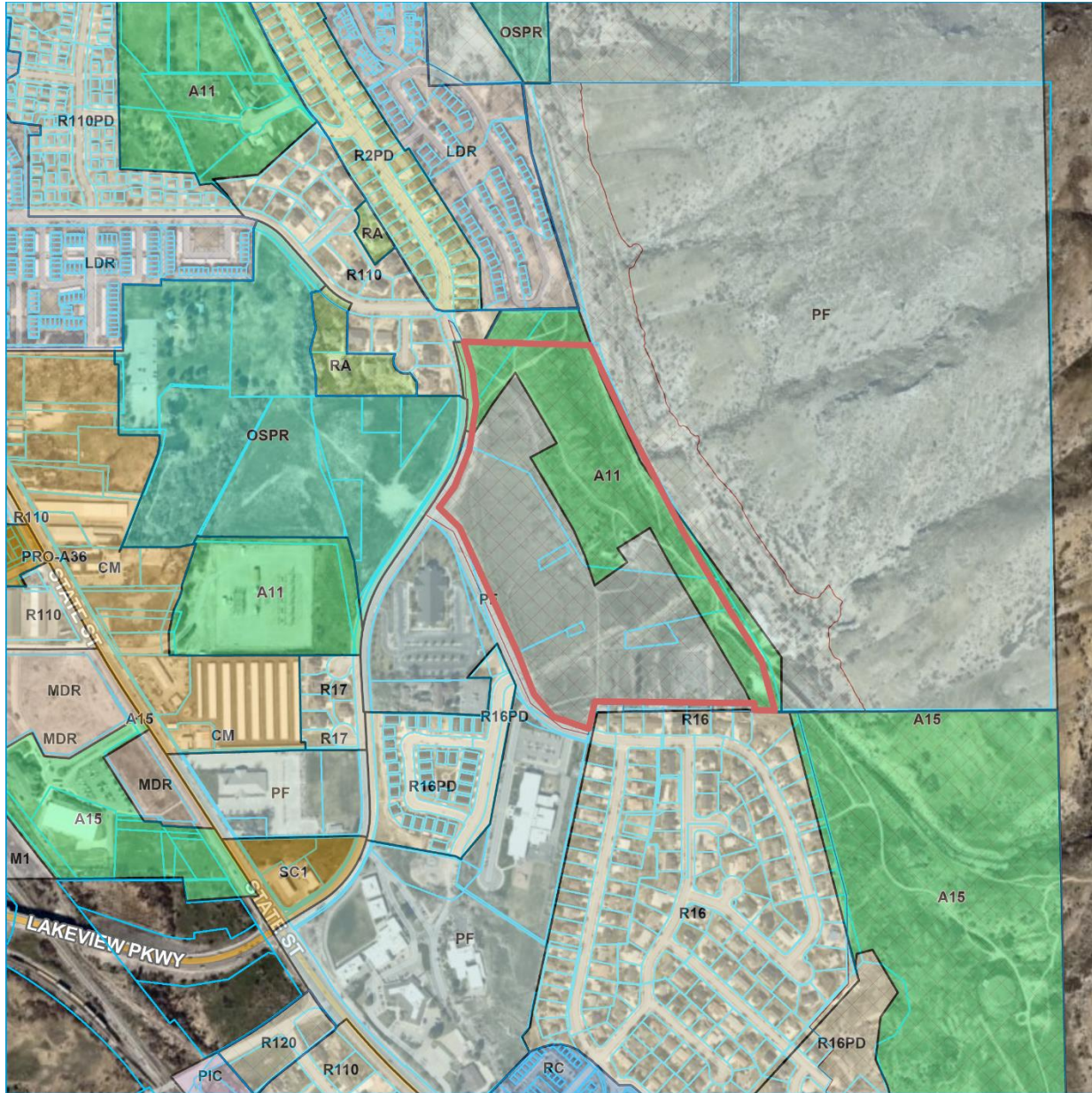
ATTACHMENTS

1. Area Map
2. Zone Map
3. General Plan Map
4. Site Layout
5. Elevations / Floor Plans

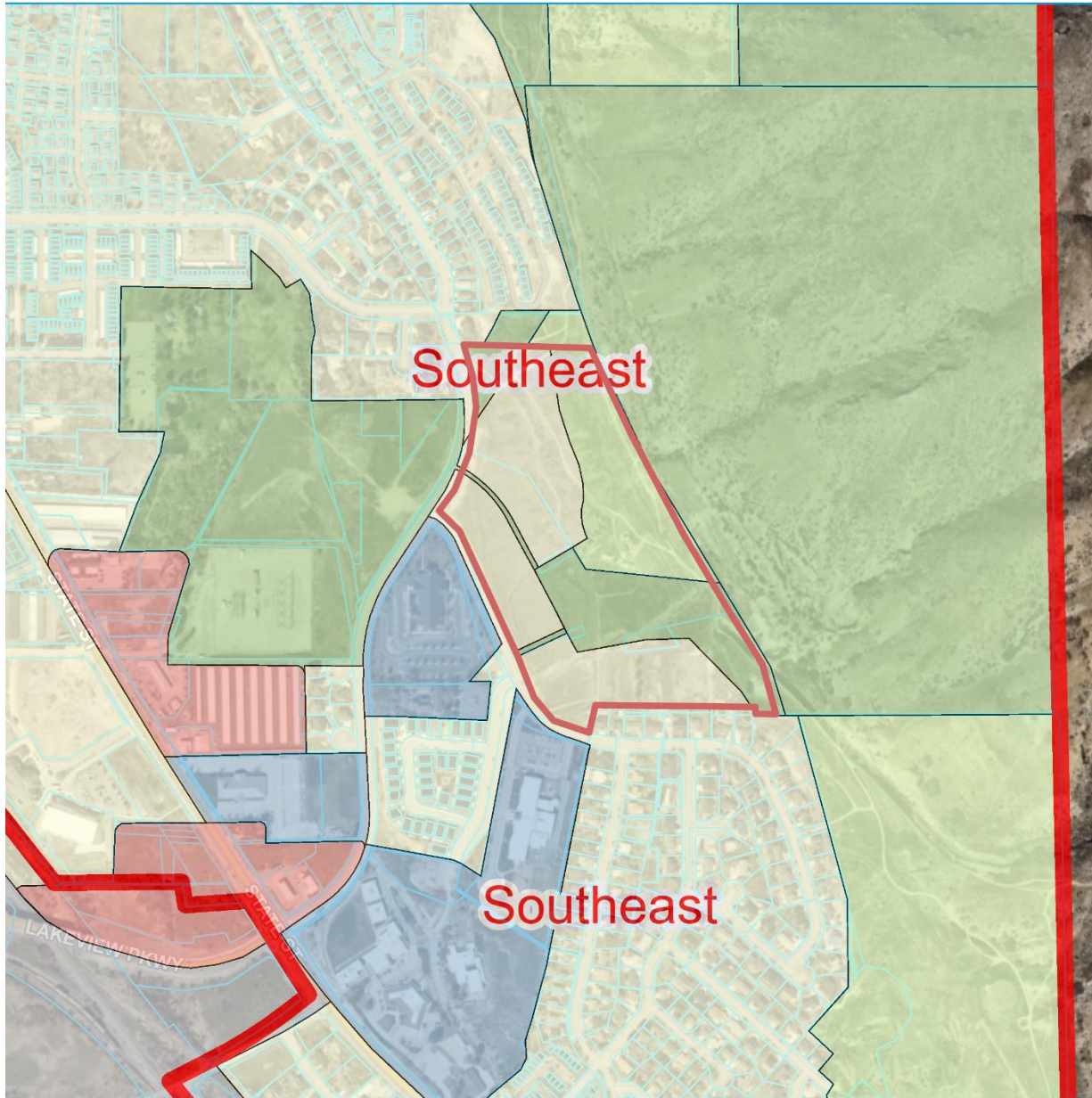
ATTACHMENT 1 – AREA MAP



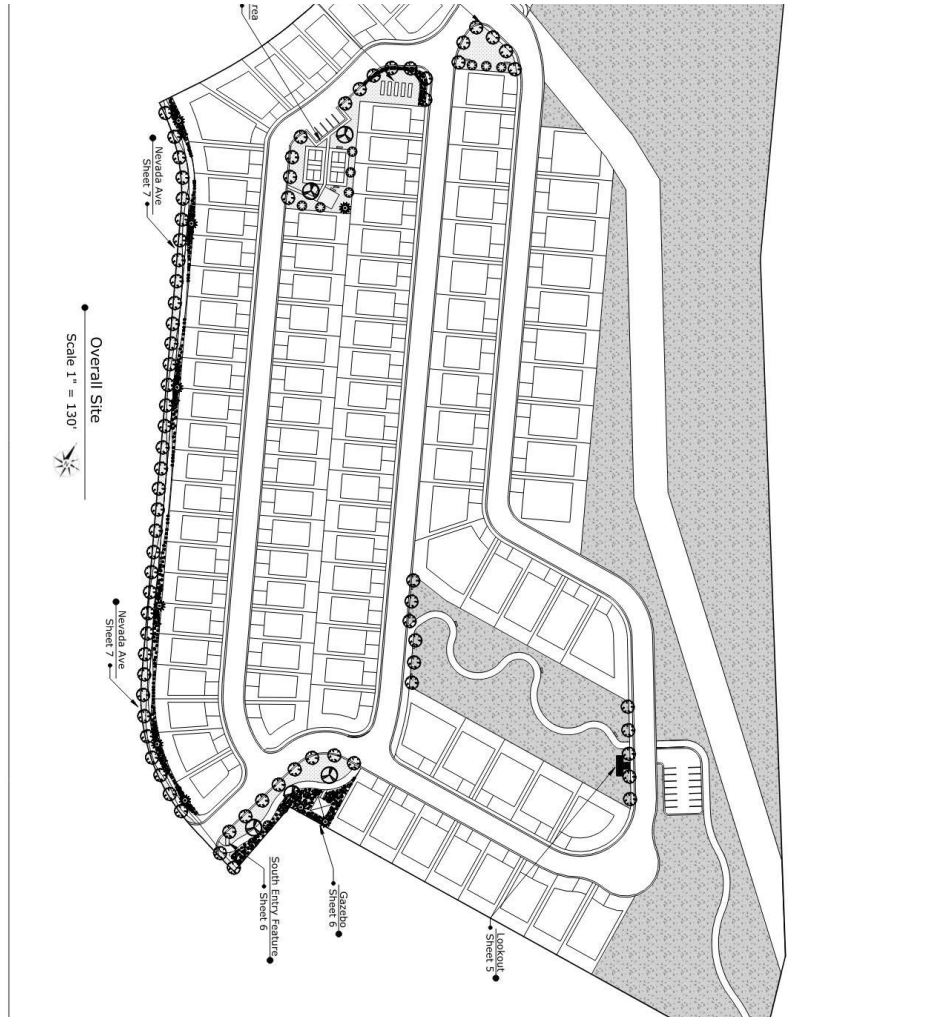
ATTACHMENT 2 – ZONE MAP



ATTACHMENT 3 – GENERAL PLAN MAP



ATTACHMENT 4 – SITE LAYOUT



ATTACHMENT 5 – ELEVATIONS / FLOOR PLANS

Basin
at Primrose

1,824 finished sq ft · 2,607 total sq ft

2-story

3 beds · 2.5 baths

Full unfinished basement

2-bay garage



Traditional



Contemporary



Farmhouse

Basin

at Primrose

1,824 finished sq ft · 2,607 total sq ft

2-story

3 beds · 2.5 baths

Full unfinished basement

2-bay garage



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Pinnacle

at Primrose

2,150 finished sq ft · 3,017 total sq ft

2-story

4 beds · 2.5 baths

Optional loft in lieu of bedroom 4 · Full unfinished basement

2-bay garage



Traditional



Contemporary



Farmhouse

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LENNAR

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Mesa
at Primrose

2,482 finished sq ft · 3,478 total sq ft

2-story

4 beds · 2.5 baths

Optional loft in lieu of bedroom 3 · Full unfinished basement

2-bay garage



Traditional



Contemporary



Farmhouse

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Arcadia
at Primrose

1,768 finished sq ft · 3,413 total sq ft

3 beds · 2 baths

Full unfinished basement

2-bay garage



Traditional



Contemporary



Farmhouse

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Sequoia

at Primrose

2,424 finished sq ft · 3,492 total sq ft

2-story

4 beds · 2.5 baths

Optional loft in lieu of bedroom 2 · Full unfinished basement

3-bay tandem garage



Traditional



Contemporary



Farmhouse

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Sequoia

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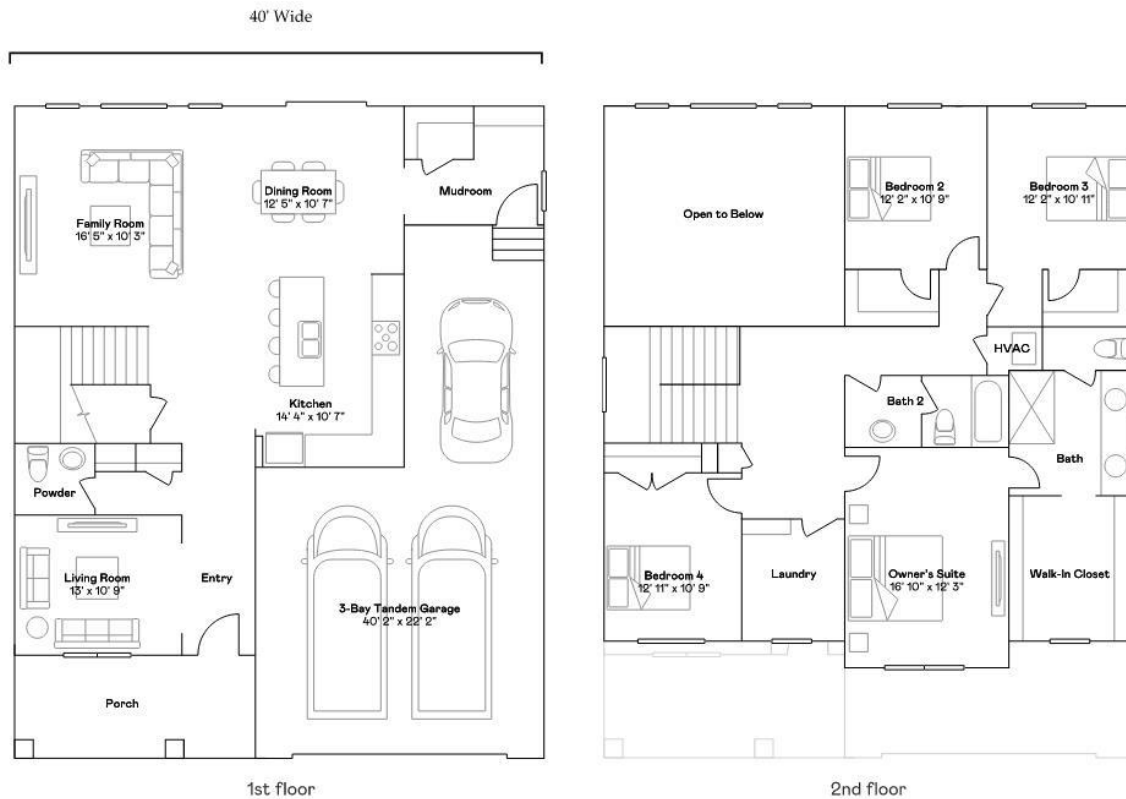
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Redwood

at Primrose

2,777 finished sq ft · 3,921 total sq ft

2-story

5 beds · 3 baths

Full unfinished basement

3-bay tandem garage



Traditional



Contemporary



Farmhouse

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Cascade

at Sunset Hills

Approx. 2,157 finished sq ft · Approx. 4,184 total sq ft

1-story

3 beds · 2 baths

Full unfinished basement

2-bay garage



Farmhouse



Traditional



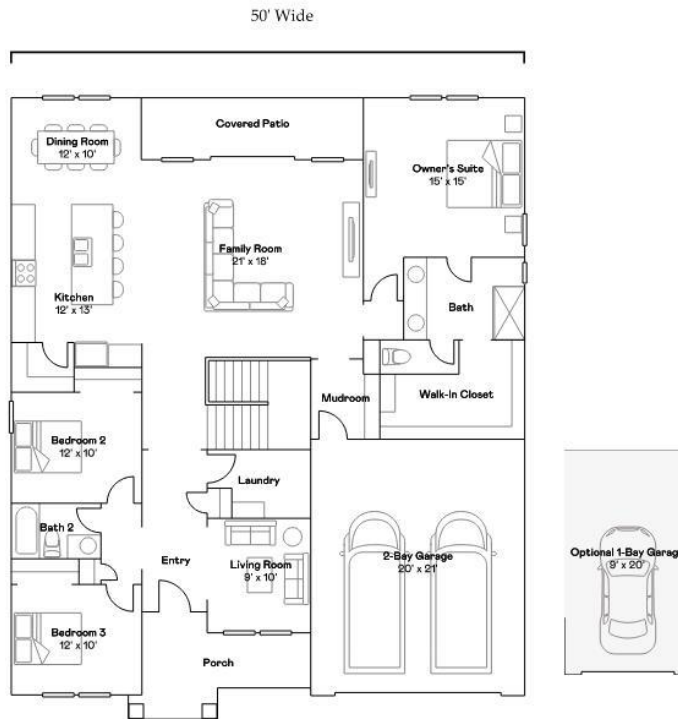
Contemporary

Cascade

at Sunset Hills

Approx. 2,157 finished sq ft · Approx. 4,184 total sq ft

1-story
3 beds · 2 baths
Full unfinished basement
2-bay garage



6588 S. Golden Sunset Circle, West Valley City, UT 84081
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Yosemite

Estates at Primrose

2,628 finished sq ft · 4,143 total sq ft

2-story

5 beds (optional loft in lieu of bedroom 3) · 2.5 baths

Full unfinished basement

2-bay garage



Traditional



Contemporary



Farmhouse

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Yosemite

Estates at Primrose

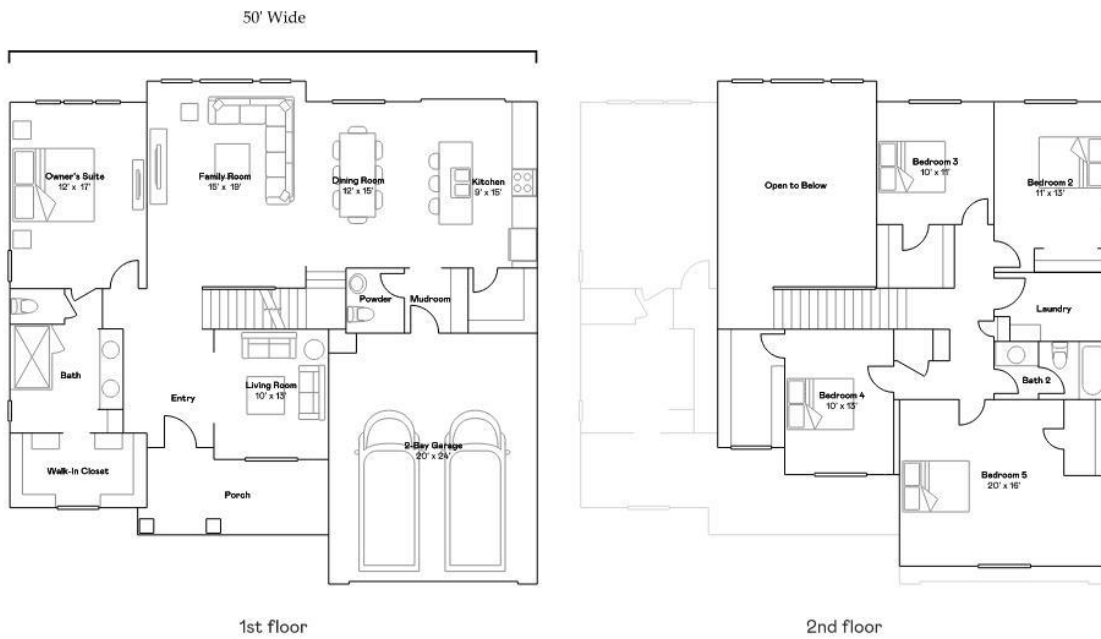
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Denali

Estates at Primrose

2,768 finished sq ft · 4,158 total sq ft

2-story

5 beds · 3 baths

Full unfinished basement

2-bay garage



Traditional



Contemporary



Farmhouse

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Denali

Estates at Primrose

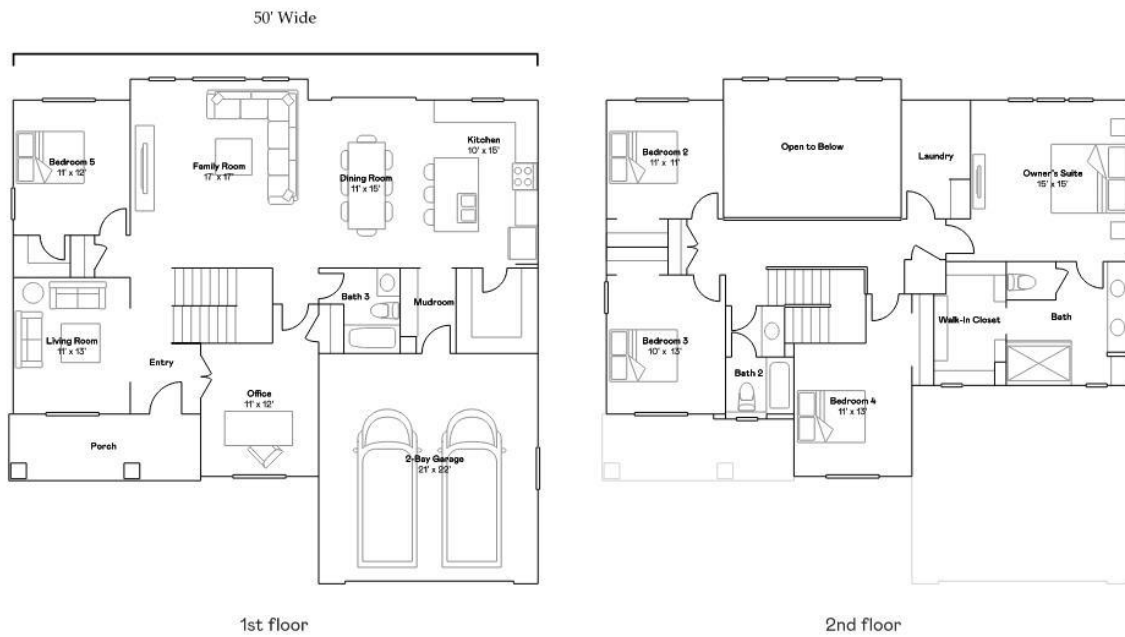
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Teton

Estates at Primrose

3,080 finished sq ft · 4,444 total sq ft

2-story

5 beds (optional loft in lieu of bedroom 2) · 3 baths

Full unfinished basement

3-bay garage



Traditional



Contemporary



Farmhouse

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Teton

Estates at Primrose

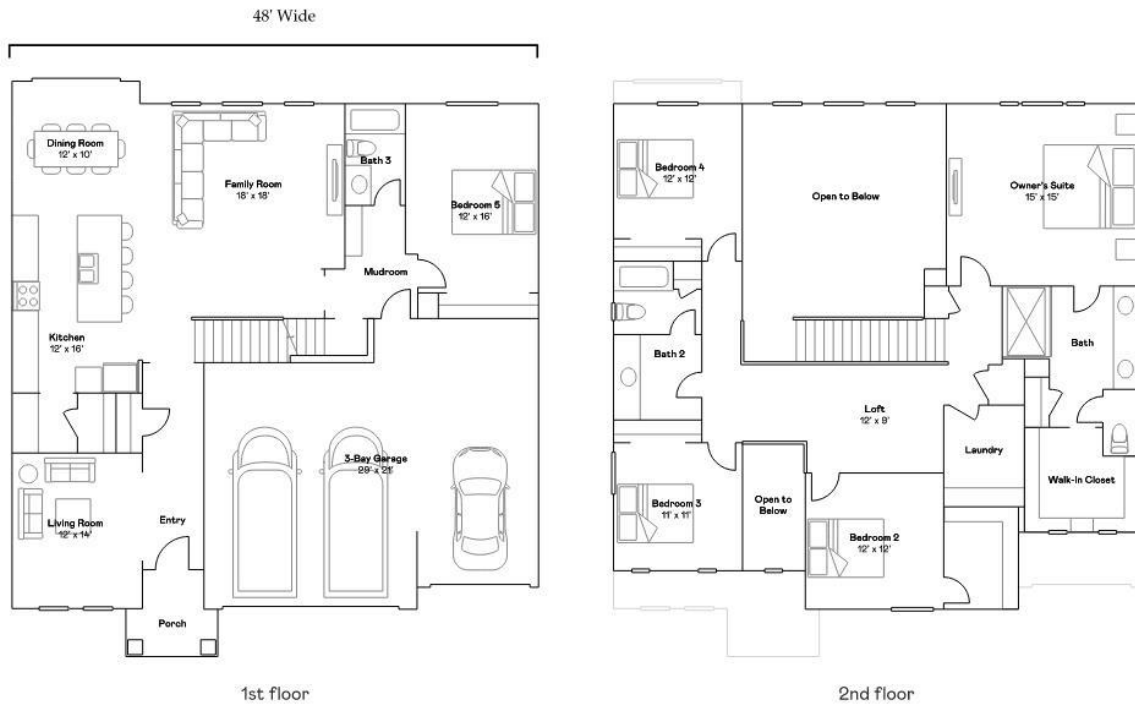
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