

***ITEM #5** Jamie Chapman requests a Zone Map Amendment from the OSPR (Open Space, Preservation, and Recreation) Zone to the MDR (Medium Density Residential) Zone in order to build 24 new townhomes, located approximately at 5544 N River Run Drive. Riverbottoms Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLRZ20230328

<p>Applicant: James Chapman</p> <p>Staff Coordinator: Aaron Ardmore</p> <p>Property Owner: Canyon River Holdco LLC</p> <p>Parcel ID#: 65:419:0002</p> <p>Acreage: 3.18</p> <p>Number of Units: 24</p> <p>Number of Lots: 1</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 September 11th, 2024, at 6:00 P.M.</i> Recommend Denial of the requested zone map amendment. <i>This action <u>would not be consistent with the recommendations of the Staff Report. The Planning Commission should <u>state new findings.</u></u></i> 	<p>Current Legal Use: Property is currently vacant land.</p> <p>Relevant History: The property owner worked through a General Plan change, Rezone, Concept Plan, and Project Plan for the first phase of this project, known as River District Residential, over the last two years. Provo recently completed an annexation of this piece of land for phase two of this project.</p> <p>Neighborhood Issues: The overall proposal was seen at the February 3rd, 2022, Neighborhood Meeting. Concerns shared at that time related to the lack of green space on the site and worry regarding occupancy of the units.</p> <p>Summary of Key Issues:</p> <ul style="list-style-type: none"> This phase two area will provide 24 new rental townhomes along Provo River. The proposed zone matches phase one to the south and west. The developer has guaranteed public access to the trail along Provo River, along with height and density caps through a development agreement. <p>Staff Recommendation: Staff recommends that the Planning Commission recommend approval of the proposed zone map amendment to the City Council.</p>
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OVERVIEW

Jamie Chapman, representing the property owners, is requesting a zone change from the OSPR Zone to the MDR Zone in order to move forward with phase two of the River District residential project. This piece of land was recently annexed into Provo with a boundary line adjustment between Provo and Orem and given the default OSPR Zone with that action.

Approval of this zone map amendment request would enable the applicant to submit for final project plans for 24 townhome apartments with related site improvements. The associated project plan shows four blocks of buildings facing the river and connecting the street access and pedestrian trail from phase one to the south. There are two large open areas on the site plan. The north area is a storm water retention area agreed to with Orem City, while the other open area will be a landscaped park amenity. The site also features an open canal running through, with a pedestrian bridge.

As mentioned above, the property is bordered by Orem City on the north and east, both currently vacant. To the west and south is the MDR Zone with construction ongoing for phase one of this project, an additional 195 townhome apartments when finished. Southeast of the subject property the land is zoned General Commercial (CG) and is in the final stages of redevelopment.

STAFF ANALYSIS

The continuation of this project is both expected and supported by the Planning Division. Allowing this zone change to occur will help to meet some of the goals and objectives of the General Plan as illustrated below from the criteria found in Section 14.02.020, Provo City Code. It reads:

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 public purpose for this change is to provide for additional housing and a variety of housing types in the northeast area of Provo.

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

in question.

Staff response: This amendment would enable the applicant to move forward with a townhome apartment community that meets the above purpose.

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

Staff response: Chapter Three of the General Plan lists goals to “encourage healthy and balanced neighborhoods” and “encourage the development of various types of housing inventory” within the city. Staff believes that allowing for residential uses in this location will help to meet these goals.

(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” issues with this request.

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

Staff response: Since the applicants have provided a development agreement to limit themselves to what is being shown, staff are confident that the goals above will be met.

(f) Adverse impacts on adjacent land owners.

Staff response: While increased traffic will impact adjacent land owners with the development of these properties, better access through the area as shown in the related project plan should mitigate this concern.

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

Staff response: Staff have verified that the OSPR zoning and the Residential General Plan designation for the area is 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.

Staff response: Staff does not see a conflict with the proposed change and the policies of the General Plan and believes that this amendment will be more aligned with the General Plan policies.

The General Plan also provides additional criteria (pg.47) when evaluating proposals for residential rezones, as follows: **(staff response 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 townhomes have a variety of floor plans/sizes. While they don't provide a mix of home types in the development, it would provide a mix for the larger neighborhood, and the same could be said for the price points (rental rates in this case).**
 - Support zoning to promote ADUs and infill development? **No, this rezone would not permit for ADUs and is not infill development.**
 - Recognize the value of single-family neighborhoods? **While the proposal is for attached single-family units, it is far from any other single-family neighborhood.**
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- Are utilities and streets currently within 300 feet of the property proposed for rezone? **Yes, 1550 East in Orem connecting to River Run Drive in Provo through phase one creates the road and utility network that this proposal would feed into.**
 - Would the rezone exclude land that is currently being used for agricultural use? **Yes, the land associated with this request is not being used for agricultural purposes.**
 - Does the rezone facilitate housing that has reasonable proximity (1/2 mile) to public transport stops or stations? **Yes, UTA route 834 has a stop on River Park Drive to the south, approximately ½ mile away from the subject property.**
 - 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 property is adjacent to the Provo River and 100-year flood plain. The applicant has provided buffering from the river and room to maintain the riverbank in the project plan.**
 - Would the proposed rezone facilitate the increase of on-street parking within 500 feet of the subject property? 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? **Maybe. However, the streets impacted would most likely be 1550 East (in Orem) and the street moving through the townhomes, which is privately owned and maintained.**
 - Would the rezone facilitate a housing development where a majority of the housing units are owner-occupied? **No, they will all be owned by one party and rented.**
 - Would the proposed rezone facilitate a housing development where at least 10% of the housing units are attainable to those making between 50-79% AMI? **No, these will be market-rate rental units.**

CONCLUSIONS

Staff believes that the proposed Zone Map Amendment furthers the goals of Provo City to provide more dwelling units and should be approved with the proffered development agreement to allow the property owner to move forward with the Project Plans.

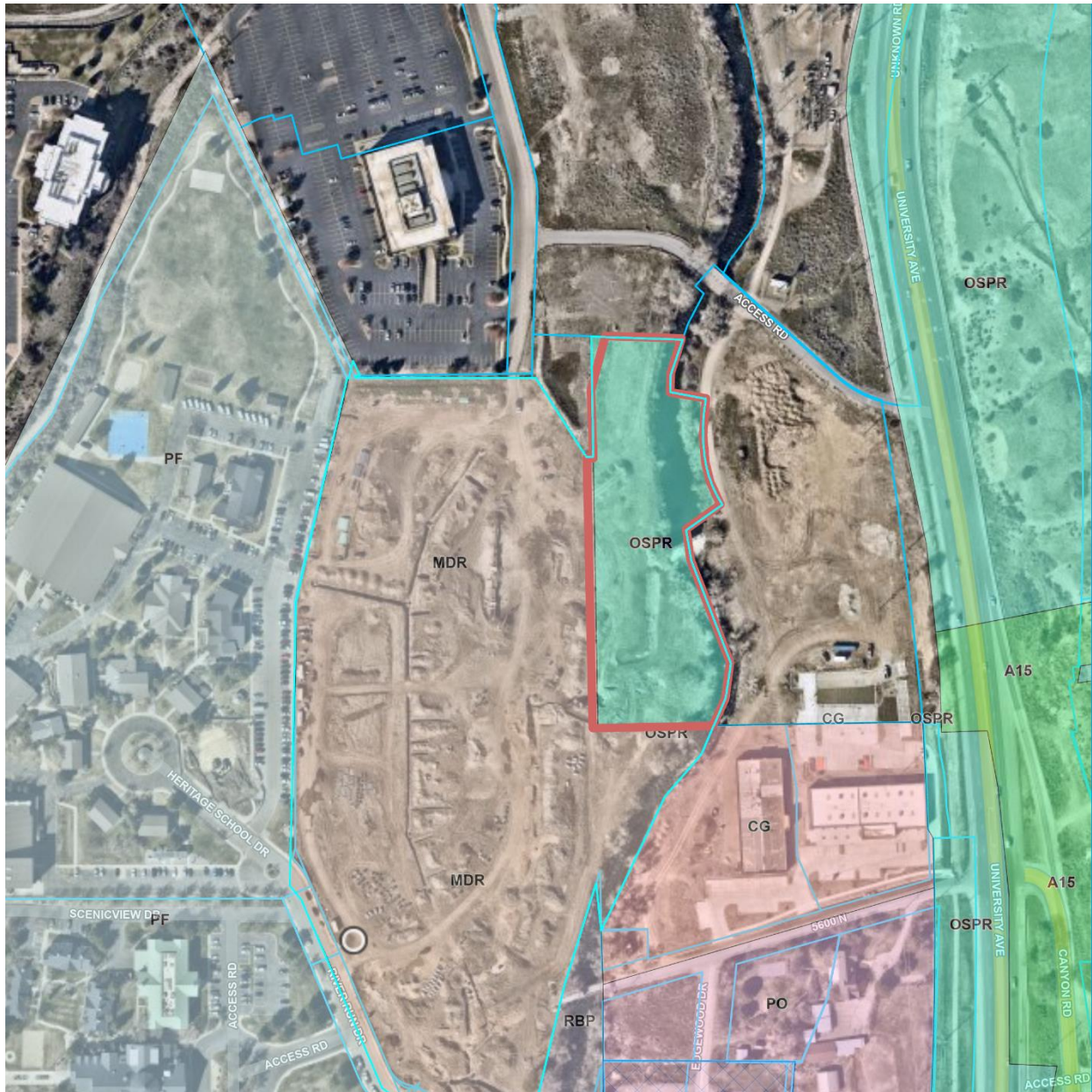
ATTACHMENTS

1. Property Map
2. Zone Map
3. General Plan Map
4. Project Site Plan

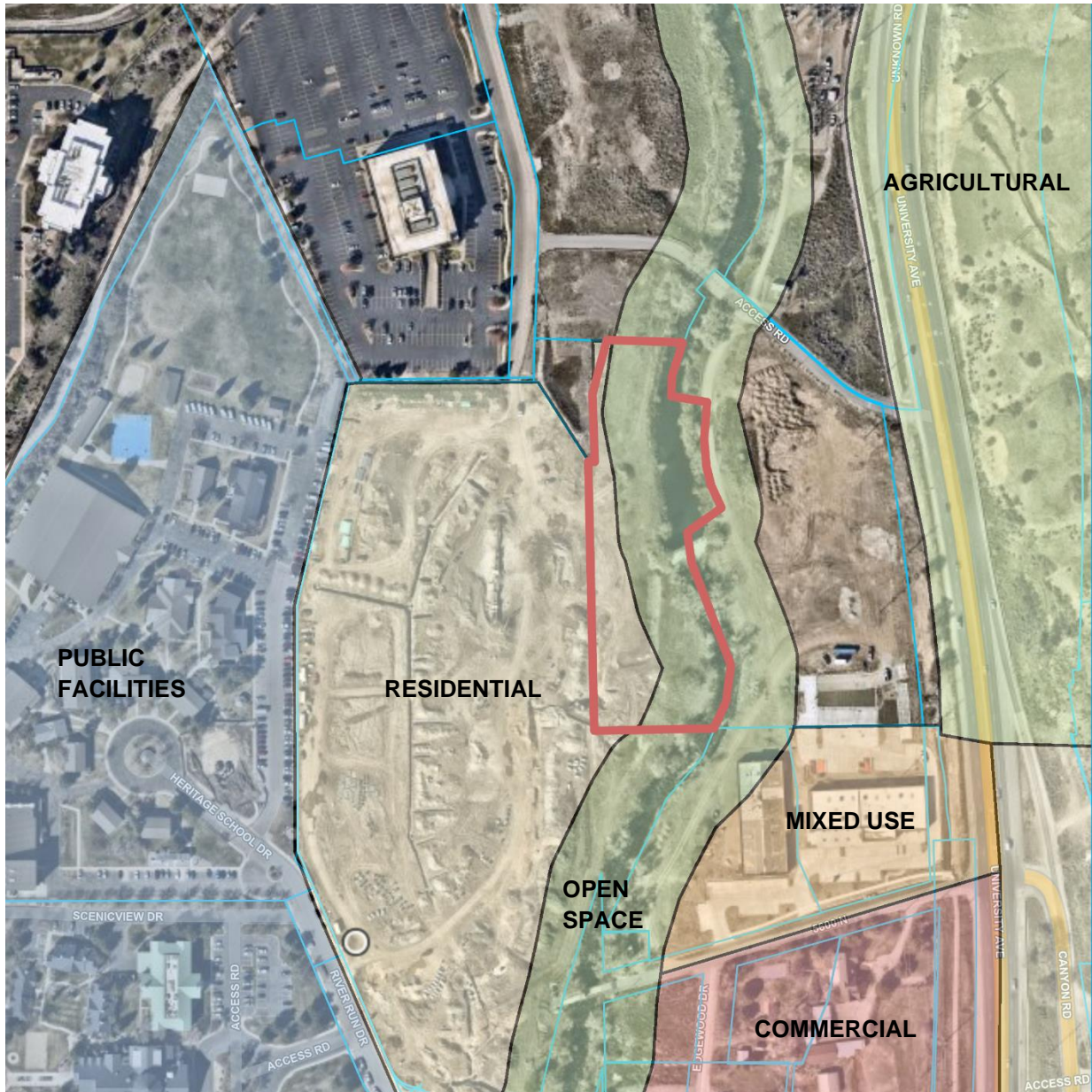
ATTACHMENT 1 – PROPERTY MAP



ATTACHMENT 2 – ZONE MAP



ATTACHMENT 3 – GENERAL PLAN MAP



ATTACHMENT 4 – PROJECT SITE PLAN

