

Provo City Planning Commission

Report of Action

September 24, 2014

ITEM 1* The Provo City Community Development Department requests a General Plan Map Amendment from R (Residential) and (C) Commercial to (PF) Public Facilities designation to allow for a rezoning request to HCF (Health Care Facilities) zone, for the UVRMC campus expansion, comprising of approximately 14 acres of land, generally located between 800 N and 940 N and between 200 W and 440 W, in the *North Park Neighborhood* 14-0003GPA

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 24, 2014:

RECOMMENDATION TO APPROVE

On a vote of 4:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Ross Flom

Second By: Randy Christiansen

Votes in Favor of Motion: Ross Flom; Randy Christiansen; Fred Bandle; Diane Christensen.

Diane Christensen was present as Chair.

LEGAL DESCRIPTION FOR PROPERTY TO BE AMENDED

The property to be amended to Public Facilities (PF) is described in the attached Exhibit A.

RELATED ACTIONS

- 14-0023SF Planning Commission August 27, 2014
- 14-0001SV Planning Commission August 27, 2014
- 14-0007R Planning Commission September 24, 2014

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- The area for the General Plan Amendment includes properties that are not owned by IHC Health Services but does not include them in the zone change. They will be able to continue to use their property under the existing residential zone.
- The Health Care Facilities zone is a subzone of the Public Facilities zone and would be allowed under the General Plan designation of Public Facilities.
- The future vision of this area is to become a health care campus and the residential designation will be replaced with the Public Facilities designation.

CITY DEPARTMENTAL ISSUES

- CRC has given approval.

NEIGHBORHOOD MEETING DATE

- The Neighborhood Chair determined that a neighborhood meeting would not be required.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- No neighbors or other interested parties addressed the Planning Commission.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- IHC Health Services has acquired three of the seven parcels that with the general area but are not included in the rezone as they were not in their ownership at the time the application was submitted.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- An explanation as to why the General Plan Amendment (GPA) designation will be Public Facilities (PF) and not Health Care Facilities (HCF) was that the General Plan designates land uses very broadly and that the HCF zone is a subzone of the PF zone and could therefore be placed in areas designated for PF on the General Plan.
- An explanation on how the parcels that are not owned by IHC Health Services will be incorporated once they obtain them was that because they are part of this GPA, they will only need to go through a rezone process at that time. Property owners will be able to continue their existing use as their zone is not being changed from a residential use, just the General Plan designation.

Exhibit A

Description of Area to be Included in GPA

COMMENCING AT A POINT ON THE SOUTH RIGHT-OF-WAY OF 940 NORTH STREET, SAID POINT BEING NORTH 89°17'31" EAST ALONG THE SECTION LINE 582.40 FEET AND NORTH 1.06 FEET FROM THE NORTH QUARTER CORNER OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: NORTH 89°17'31" EAST 217.28 FEET, NORTH 84°10'02" EAST 282.93 FEET AND ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT 33.44 FEET, THE CHORD OF WHICH IS SOUTH 47°56'14" EAST 29.68 FEET TO THE WEST RIGHT-OF-WAY LINE OF 200 WEST STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 0°02'29" EAST 40.63 FEET; THENCE SOUTH 71°28'05" WEST 104.31 FEET; THENCE ALONG EXISTING PROPERTY LINES THE FOLLOWING NINETEEN (19) COURSES: SOUTH 0°52'21" WEST 74.16 FEET, SOUTH 89°17'31" WEST 0.18 FEET, SOUTH 0°17'31" WEST 78.00 FEET, NORTH 89°17'31" EAST 0.16 FEET, SOUTH 0°17'31" WEST 34.03 FEET, SOUTH 89°17'31" WEST 0.09 FEET, SOUTH 0°17'31" WEST 43.99 FEET, SOUTH 89°17'31" WEST 0.05 FEET, SOUTH 0°17'31" WEST 50.00 FEET, SOUTH 89°17'31" WEST 0.04 FEET, SOUTH 0°17'30" WEST 50.00 FEET, SOUTH 89°34'07" WEST 0.05 FEET, SOUTH 0°17'31" WEST 80.00 FEET, NORTH 89°17'31" EAST 0.52 FEET, SOUTH 0°52'21" WEST 56.01 FEET, SOUTH 89°16'27" WEST 7.99 FEET, SOUTH 0°17'31" WEST 112.00 FEET, SOUTH 89°17'31" WEST 8.63 FEET AND SOUTH 0°17'31" WEST 65.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 800 NORTH STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: SOUTH 89°17'31" WEST 104.53 FEET, NORTH 89°42'32" WEST 50.00 FEET AND NORTH 89°42'29" WEST 850.00 FEET TO THE CENTERLINE OF 440 WEST STREET; THENCE ALONG SAID CENTERLINE THE FOLLOWING TWO (2) COURSES: NORTH 0°17'31" EAST 230.02 FEET AND NORTH 13°36'55" EAST 126.35 FEET; THENCE NORTH 89°42'29" WEST 100.61 FEET TO THE WEST LINE OF PARCEL 210050078 AS DESCRIBED IN WARRANTY DEED ENTRY NUMBER 83055:2013 ON RECORD AT THE UTAH COUNTY RECORDERS OFFICE, THENCE ALONG SAID PARCEL THE FOLLOWING THREE (3) COURSES: NORTH 4°17'00" EAST 92.50 FEET, SOUTH 86°00'00" EAST 61.50 FEET, AND EAST 24.11 FEET; THENCE SOUTH 85°51'58" EAST 7.44 FEET TO THE WEST RIGHT-OF-WAY LINE OF 440 WEST STREET; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES; NORTH 9°37'24" EAST 36.36 FEET AND THENCE ALONG AN ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT 12.49 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 880 NORTH STREET, THE CHORD OF WHICH IS NORTH 65°30'52" EAST 12.14 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: SOUTH 89°49'00" EAST 60.01 FEET, NORTH 89°28'50" EAST 81.74 FEET, AND SOUTH 89°42'29" EAST 364.74 FEET; THENCE SOUTH 89°42'41" EAST 48.75 FEET TO THE CENTERLINE OF 300 WEST STREET; THENCE NORTH 0°17'31" EAST ALONG SAID 300 WEST CENTERLINE 222.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.742 ACRES (598582 SQ. FT.)



Planning Commission Chair



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS



**Planning Commission
Staff Report
General Plan Amendment
Hearing Date: September 24, 2014**

ITEM 1* The Provo City Community Development Department requests a General Plan Map Amendment from R (Residential) and (C) Commercial to (PF) Public Facilities designation to allow for a rezoning request to HCF (Health Care Facilities) zone, for the UVRMC campus expansion, comprising of approximately 14 acres of land, generally located between 800 N and 940 N and between 200 W and 440 W, in the **North Park Neighborhood** 14-0003GPA

<p>Applicant: Provo City Community Development Staff Coordinator: Dustin Wright</p> <p>Property Owner: IHC Health Services, Inc. Parcel ID#: Multiple Current General Plan Designation: Residential & Commercial Proposed General Plan Designation: Public Facilities Current Zone: PO & R1.6A Acreage: Approximately 14 Number of Properties: Multiple</p> <p>*Council Action Required: Yes</p> <p>Related Application(s): 14-0007R</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is October 22, 2014, 5:00 p.m.</i></p> <p>2. Recommend Denial of the proposed General Plan Map. <i>This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings</u>.</i></p>	<p><u>Current Legal Use:</u> Vacant lots, one-family homes, and professional office.</p> <p><u>Relevant History:</u> Planning Commission has forwarded a positive recommendation to the Municipal Council for a street vacation located within this area. The majority of properties in this area have been purchased by IHC Health Services.</p> <p><u>Neighborhood Issues:</u> The neighborhood chair was contacted regarding this proposal and elected to not hold a neighborhood hearing. No issues from the neighborhood have been made know to staff.</p> <p><u>Summary of Key Issues:</u></p> <ol style="list-style-type: none">1. Remaining residential uses will be able to continue as residential uses2. Need for the General Plan to match the zoning3. General Plan designation and Subzone of PF <p><u>Staff Recommendation:</u> Forward a recommendation to the Municipal Council in favor of the proposed General Plan Map amendment, as presented in the Staff Report. <i>This action <u>would be consistent</u> with the recommendation of the Staff Report. Any changes should be stated with the motion.</i></p>
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OVERVIEW

A General Plan Map Amendment from R (Residential) and (C) Commercial to (PF) Public Facilities designation is needed for the desired rezoning to reflect the General Plan's designation.

The area being proposed for the designation changes consists of approximately 14 acres of land, generally located between 800 N and 940 N and between 200 W and 440 W.

Changing the General Plan designation for this area will not change the existing legal use of properties. Properties not owned by IHC Health Services will be able to continue to with their existing legal use.

FINDINGS OF FACT

1. The General Plan policy is that proposed changes in zoning that do not comply with the recommendations of the General Plan will be considered only after making a decision on an application to amend the General Plan.
2. The Public Facilities (PF) designations on the General Plan Map allows for the Public Facilities zone.
3. The Health Care Facilities (HCF) zone is a sub-zone of the PF zone and would be allowed in areas designated as PF on the General Plan Map.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of general plan amendments:

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.*

Expansion of the hospital campus will allow for needed upgrades and improvements to the existing campus.

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

Amending the General Plan map will help establish the area for the regional hospital to expand.

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

Key Land Use Policies to address the goals of the North Park Neighborhood:

Develop a zone that addresses the unique needs of the Utah Valley Regional Medical Center and surrounding related facilities.

This zone has been established and this map amendment is needed to facilitate land to be rezoned for its use.

- (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.*

No timing and sequencing issues.

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

The proposed amendment is not seen to hinder or obstruct the policies in the General Plan.

- (f) *Adverse impacts on adjacent land owners.*

Land owners will still be able to use their properties as before. Their legal existing use will not be changed by this proposal.

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

Zoning and General Plan 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.*

No conflicts have been found.

CONCLUSIONS

Staff finds that the proposed General Plan map amendment will help implement goals and policies found in the General Plan for the North Park Neighborhood and the region. Existing land owners will be able to continue with the legal uses they have under their current their zoning designation.

STAFF RECOMMENDATION

Forward a recommendation to the Municipal Council in favor of the proposed General Plan Map amendment, as presented in the Staff Report. *This action would be consistent with the recommendation of the Staff Report. Any changes should be stated with the motion.*

ATTACHMENTS

1. General Plan Map

Attachment 1 - General Plan Map

