

Provo City Planning Commission

Report of Action

September 27, 2023

*ITEM 6 David Peterson requests a Zone Map Amendment for two parcels from DT1 (General Downtown) to the ITOD (Interim Transit Oriented Development Zone) zone in order have all parcels in the same zone to construct a new apartment building, located at 156 W. 500 S. Downtown Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLRZ20230158

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 27, 2023:

RECOMMENDED APPROVAL

On a vote of 9:0, the Planning Commission recommended that the Municipal Council approve the above noted application and authorize the Mayor to sign the development agreement.

Conditions of Approval:

1. That a development agreement is approved and signed prior to establishing the ITOD Zone.

Motion By: Lisa Jensen

Second By: Raleen Wahlin

Votes in Favor of Motion: Lisa Jensen, Raleen Wahlin, Robert Knudsen, Jeff Whitlock, Daniel Gonzales, Andrew South, Barbara DeSoto, Jonathan Hill, Melissa Kendall

Daniel Gonzales was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the Interim Transit Oriented Development (ITOD) Zone is described in the attached Exhibit A.

RELATED ACTIONS

September 27, 2023 Planning Commission Item 5, concept plan application PLCP20230159

DEVELOPMENT AGREEMENT

- Applies – Draft copy sent to the Council Attorney.

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.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 06/22/2023.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- The public did not address the Planning Commission during the public hearing.

APPLICANT RESPONSE

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

- The neighborhood meeting was well attended with about 20-30 people.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- It makes sense to rezone to ITOD instead of the DT1 because the majority of the property is already zoned ITOD and the General Plan Map designates this area for transit oriented developments.



Planning Commission Chair



Director of Development Services

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 Development Services, 445 W Center Street, 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

Exhibit A

Legal Description:

Serial Number: 04:020:0017

COM S 7 RDS & W 100 FT FR NE COR BLK 21, PLAT A, PROVO; S 45 FT; W 99.9 FT; N 45 FT; E 99.9 FT TO BEG.
AREA .10 ACRE. SUBJ TO R/W.

Serial Number: 04:020:0019

COM W 107.9 FT FR SE COR LOT 7, BLK 21, PLAT A, PROVO; N 39.78 FT; W 92 FT; S 39.78 FT; E 92 FT TO BEG.
AREA .08 AC.

