

Provo City Planning Commission

Report of Action

December 11, 2024

ITEM 4* Provo City requests annexation of approximately 15.6 acres of land located at approximately 1000 N Lakeview Parkway. Lakeview North Neighborhood. Jessica Dahneke (801) 852-6413
jdahneke@provo.org PLANEX20240109

The following action was taken by the Planning Commission on the above described item at its regular meeting of December 11, 2024:

RECOMMEND APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application

Motion By: Daniel Gonzales

Second By: Melissa Kendall

Votes in Favor of Motion: Adam Shin, Barbara DeSoto, Daniel Gonzales, Jeff Whitlock, Melissa Kendall, Andrew South, and Anne Allen

Jeff Whitlock 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 THE PROPERTY TO BE ANNEXED

- The property to be annexed is described in the attached Exhibit A.

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

- No city department issues were raised.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District 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:

- A Provo resident raised concerns about housing development in the annexed area leading to the surrounding schools reaching capacity and stated that the land should be set aside for school expansion. Additionally, she stated that the traffic and parking near the high school is already frustrating and adding to the school's student body would increase the issue.

APPLICANT RESPONSE

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

- Staff addressed questions surrounding the annexation petition process stating that there could be other annexation proposals from private owners in the area that come through, this annexation was just addressing these 3 parcels.

- Staff also explained the policy that any land annexed into the city was zoned Open Space, Preservation, and Recreation (OSPR) for any development to happen on the land there would need to first be an approved concept plan and rezone followed by an approved project plan. Annexing land into the city functions as a very early step in a long approval process that allows room for public input.
- Staff explained the boundaries of the proposed annexation stating that it did not include the conservation easement, but a future annexation could include that land.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Gonzales asked the resident if she has discussed her idea of setting the land aside for Provo School District with the district and stated that deciding if that was the best course of action was outside the purview of the Planning Commission.
- Commissioner Kendall stated that whatever the future course of action is for the property, the land will need to be annexed into the city to be developed and pointed out that they are just voting on the annexation of the land.
- Commissioner Gonzales explained he felt comfortable in recommending approval for the annexation because any development of the land would have to come back to the Planning Commission and the City Council in the form of a rezone first and then a project plan. Stating that both those applications function as safeguards to the land. He also stated that he was uncomfortable with part of the high school not being in city boundaries. He again stated that he is sensitive to the concerns of the school’s capacity but felt that those concerns should be addressed through the school board.
- Commissioner DeSoto expressed her opinion that she was upset that the middle school moved from Dixon Middle School. She stated that when Shoreline Middle School reaches capacity the school district will have to rebuild Dixon Middle School. Regarding parking and traffic concerns Commissioner DeSoto stated that those concerns should be taken up with Public Works and City Council to create more walkable neighborhoods. Agreeing with Commissioner Gonzales, Commissioner DeSoto felt comfortable with the annexation since additional approvals would have to be granted after the annexation for development to take place.
- Commissioner Allen asked if the annexation extended into the conservation easement.
- Commissioner Gonzales made a motion to recommend approval to the City Council for the annexation.



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 the Development Services Department, 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 BEGIN

