



Provo City Planning Commission

Report of Action

February 27, 2019

*Item 2 422 S Holdings LLC requests a Zone Change from A1.5 to R1.8 to facilitate an 18-lot subdivision, located at approximately 504 S 2470 W. Provo Bay neighborhood. Javin Weaver (801) 852-6413 PLRZ20180426

The following action was taken by the Planning Commission on the above described item at its regular meeting of February 27, 2019:

POSITIVE RECOMMENDATION

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application

Motion By: Jamin Rowan

Second By: Shannon Ellsworth

Votes in Favor of Motion: Dave Anderson, Shannon Ellsworth, Deborah Jensen, Andrew Howard, and Jamin Rowan

Abstained: Russ Phillips

Deborah Jensen 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 Single Family Residential (R1.8) zone 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. Key points addressed in the Staff's presentation to the Planning Commission included the following: An overview of the request for the Single Family Residential (R1.8) zone and limits proffered by the applicant.

- The proposed Rezone allows for development to occur that aligns with the Southwest Neighborhood Land Use Map.
- The proposed Rezone aligns with the General Plan that identifies the area as residential.

NEIGHBORHOOD AND PUBLIC COMMENT

- Neil Durrant, the Provo Bay Neighborhood vice chair was present and expressed concern for the rezone. There was a desire to have the zone be R1.10 versus the proposed R1.8 zone.

APPLICANT RESPONSE

- A neighborhood meeting was conducted last year and a reduction in the number of lots has been done reducing it from 20 lots to 18 lots.
- The applicant explained that he been approached by people who currently live in the area who want smaller lots and want to build upon this site.

PLANNING COMMISSION DISCUSSION

- David Day spoke regarding the easement and that typically the property owner would pipe the currently open ditch. If any disturbances in adjacent properties occur in process, the developer would mitigate it and replace it how it was.
- There was support for this zone change as it fits with the General Plan and Southwest Neighborhood Future Land Use Map.
- The Planning Commission recommended that the zone change be accompanied by a Development Agreement that would limit fencing height along the private driveway accessed by multiple lots.



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

EXHIBIT A

COMMENCING AT A POINT LOCATED SOUTH 1289.84 FEET AND EAST 386.50 FEET FROM THE NORTH QUARTER CORNER OF SECTION 10, TOWNSHIP 7 SOUTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH $89^{\circ}49'02''$ EAST 414.17 FEET; THENCE SOUTH $00^{\circ}49'51''$ WEST 533.91 FEET; THENCE NORTH $89^{\circ}12'40''$ WEST 399.40 FEET; THENCE ALONG THE ARC OF A 18.00-FOOT RADIUS CURVE TO THE RIGHT 28.40 FEET (CHORD BEARS N $44^{\circ}00'27''$ W 25.55 FEET); THENCE NORTH $00^{\circ}11'46''$ EAST 511.41 FEET TO THE POINT OF BEGINNING.

Area = 4.99