

Provo City Planning Commission

Report of Action

September 11, 2019

*Item #4 Cortney Huber requests a Zone Change from Residential Agriculture (RA) to R1.10 for one acre of property, located at 674 E 3230 N. Edgemont neighborhood. PLRZ20190175

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 11, 2019:

RECOMMENDATION FOR APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Conditions of Approval:

None

Motion By: Shannon Ellsworth

Second By: Robert Knudsen

Votes in Favor of Motion: Shannon Ellsworth, Robert Knudsen, Maria Winden, Deborah Jensen, Russ Philips, Laurie Urquiaga

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.
- New findings stated as basis of action taken by the Planning Commission or recommendation to the Municipal Council; Planning Commission determination is not generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the R1.10 Zone is described in the attached Exhibit A.

RELATED ACTIONS

Final Subdivision PLFSUB20190190 is under review by CRC.

APPROVED/RECOMMENDED OCCUPANCY

Detached single-family homes.

APPROVED/RECOMMENDED PARKING

Parking to conform with R1.10 zoning requirements.

DEVELOPMENT AGREEMENT

- Does not apply at this stage of review or approval.

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 applicant currently has a single-family home on an acre of land in the RA zone. The applicant would like to subdivide the lot into three lots. To accomplish this, she is requesting a rezone from RA that requires half acre lots to R1.10 that requires 10,000 square foot lots.

The existing home on the property would remain and become lot 1. Two flag lots would be created behind lot 1 with access from 3230 N. running parallel to the eastern boundary of the property.

The property has RA zone to the east and west and has R1.10 zone to the north and south.

CITY DEPARTMENTAL ISSUES

- CRC approval on this rezone.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 07/2/2019.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Vice-Chair was present /addressed the Planning Commission during the public hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

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 letter was received from a neighbor and is attached as exhibit B.
- The neighborhood vice-chair described how the neighborhood meeting went. She stated that the property may not be a full acre and therefore could not be split into two lots under the current zone. Asked if two flag lots could be next to each other. There would need to be some kind of hammerhead for turning around. Asked if the existing home would meet the setbacks of the new zone. Wanted to ensure that the driveway would be on the east side.
- A neighbor that was also at the neighborhood meeting recalled that only a couple of people on the street expressed concerns with the proposed rezone, but for the most part, neighbors are supportive of the rezone.

APPLICANT RESPONSE

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

- Her parents are looking to age in place.
- This lot will allow her parents to build a home on one of the lots and then sell the third lot.
- The lot size would be more manageable for aging couple to maintain.
- The General Plan discusses a need to provide adequate housing for the growing population. This infill will be a responsible reinvestment into the neighborhood without changing the character. The General Plan states the importance of providing an optimal housing inventory so the neighborhood is vibrant and stable. The General Plan also states the goal to maintain and encourage good quality, sustainable housing and infill developments.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Rezoning would allow them to get two flag lots instead of just one under the existing zoning.

- The driveway will not be on the west side of the property because there is not enough space for the two flag lots to combine the drive access.
- The cost of the rezone application was \$1,100.
- The lot with the existing home will still be able to comply with setback in the new zone.
- The flag lots will be able to comply with the code requirements.



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, 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