

Provo City Planning Commission

Report of Action

November 13, 2019

*ITEM 1 Daniel LaFontaine requests a Zone Change from R1.10 to Low Density Residential for 1.07 acres for a townhome development, located at 50 E 3900 N. Riverbottoms neighborhood. Aaron Ardmore (801) 852-6404
aardmore@provo.org PLRZ20190265

The following action was taken by the Planning Commission on the above described item at its regular meeting of November 13, 2019:

CONTINUED

On a vote of 5:0, the Planning Commission continued the above noted application to a date uncertain.

Motion By: Maria Winden

Second By: Laurie Urquiaga

Votes in Favor of Motion: Maria Winden, Laurie Urquiaga, Robert Knudsen, Dave Anderson, Shannon Ellsworth
Dave Anderson was present as Chair.

- 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 LDR Zone is described in the attached Exhibit "A".

RELATED ACTIONS

The related concept plan (PLCP20190266) was also continued as Item 2 on the agenda.

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: Staff gave an overview of the area, the proposed zone change, and the proposed site plan. Staff gave reasoning for recommendation.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held in April 2019 for an initial proposal of eight units. However, there was no new meeting held after the application was received by the City and changed to 12 units.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present and addressed the Planning Commission during the public hearing.
- Neighbors or other interested parties were present and 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:
- Not having a neighborhood meeting with the applicant after he applied
- The proposal changed multiple times without neighborhood input
- A lack of complete concept plans
- The proposal not being in character with the neighborhood
- Increased traffic and potential impact on home values for the area
- That 3900 North is only a right-in, right-out intersection so a large amount of vehicle trips would be added through the neighborhood to the east

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following: Mr. LaFontaine described the history of his proposals and those to the north and south of him (Orchard Estates and Olde Ivy developments). He described the effect the Olde Ivy project has on his property and is looking for some consideration from the City due to that development. Mr. LaFontaine also stated ways that his proposal fits with goals of affordable housing, and that it would not have an adverse impact on local traffic.

PLANNING COMMISSION DISCUSSION

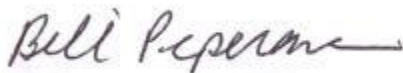
Key points discussed by the Planning Commission included the following: The commission discussed the main issues of the proposal, being land use and access. These issues were held as having minimal impact on the neighborhood by the Planning Commission. The concerns that the Commission had with the proposal were the lack of complete plans, no studies or findings on the possible impacts, and a lack of participation between the applicant and the neighborhood. Moving forward, the commission would like to see a neighborhood meeting to work out the issues with neighbors, and have the applicant provide complete concept plans that respect the design of the neighborhood and the corridor.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

The Planning Commission identified the following findings as the basis of this decision or recommendation: That a neighborhood meeting is needed, and that complete concept plans should be brought forward to make a decision on a zone change.



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 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