

Provo City Planning Commission

Report of Action

January 8, 2020

Item 3* Courtyard at Jamestown, LLC, requests an Ordinance Text Amendment to the Professional Office Zone (Section 14.16.120) to allow the Development Services Director to vary the permissible lot coverage percentage by up to five-percent if the lot or parcel is adjacent to a public amenity, such as a public trail or park. Citywide application.
Brandon Larsen (801) 852-6408 jblarsen@provo.org (PLOT20190432)

The following action was taken by the Planning Commission on the above described item at its regular meeting of January 8, 2020:

Recommend Approval

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

Motion By: Dave Anderson

Second By: Andrew Howard

Votes in Favor of Motion: Dave Anderson, Andrew Howard, Deborah Jensen, Robert Knudsen, Laurie Urquiaga, and Lisa Jensen

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.

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 recently received project plan approval for the expansion of the Jamestown Assisted Living Facility.
- However, the applicant has discovered title issues on a portion of the land included in the project. The applicant would like to eliminate such portion from their project, but if they do they will exceed the 30-percent lot coverage maximum of the Professional Office (PO) Zone.
- The applicant proposes a text amendment that would give the Development Services Director the authority to adjust or vary the lot coverage requirement of the PO Zone by up to 5-percent, if the particular lot lies adjacent to a public amenity.
- Staff has proposed alternative language to make the allowance a "by right" allowance for those lots that lie contiguous to public/private parks and trails.
- Staff reviewed the lots in the PO Zone and found that of those lots that lie contiguous to a park or trail, all but one shares a common border with a park or trail for at least approximately 70 feet along their respective perimeters.

APPLICANT COMMENTS

- The applicant has experienced a number of setbacks related to the proposed expansion of the Jamestown Assisted Living Facility, including title issues with the Lover's Lane trail portion of the project. They have tried to work with the Parks and Recreation Department to figure-out how to include this land in their project.
- The applicant stands to lose substantial monthly revenue if they reduce the size of a proposed building included in the project (to meet the current lot coverage requirement).

CITY DEPARTMENTAL ISSUES

- Staff is aware of no concerns from City departments.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.
- An email correspondence (between Mike Roan, Northeast Area Representative, and Brandon Larsen) regarding the proposed ordinance text amendment was given to the Planning Commission at the meeting.

NEIGHBORHOOD AND PUBLIC COMMENT

- No comments from neighborhood chairs or the public were received at the meeting.

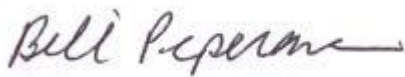
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Lisa Jensen raised a concern relative to basing the exception to the PO Zone lot coverage requirement on adjacency or contiguousness with a park or trail. She questioned what would happen in the event the land for a park or trail was repurposed. Would a lot that had taken advantage of the exception continue to enjoy it after it no longer lied adjacent to a park or trail? Staff did not share her concern and noted most trails and parks are of a public nature and are not likely to be repurposed.
- Commissioner Jensen also raised a concern about lots with very little adjacency to a park or trail taking advantage of the proposed exception. As noted above, staff reviewed the lots in the PO Zone and found that of those lots that lie contiguous to a park or trail, all but one shares a common border with a park or trail for at least approximately 70 feet along their respective perimeters.
- Commissioner Anderson questioned whether it was better to adjust the lot coverage requirement to 35-percent. This idea prevailed and the Planning Commission's recommendation was to simply adjust the lot coverage requirement to 35-percent. Staff raised no concerns regarding the recommendation.



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