

Provo City Planning Commission

Report of Action

May 27, 2020

Item 5* Chris Ensign requests a zone change from Residential Agricultural (RA) and A1.5 to R1.7 for property located at approximately 901 W 1560 S. Lakewood neighborhood. Brian Maxfield (801) 852-6429 bmaxfield@provo.org PLRZ20200079

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 27, 2020:

RECOMMENDED APPROVAL of the proposed Rezoning; APPROVED the Subdivision Concept Plan, subject to the Council's approval of the rezoning.

On a vote of 6:0, the Planning Commission recommended approval of the proposed rezoning and approved the concept plan for the Heron's Landing subdivision.

Motion By: Andrew Howard

Second By: Robert Knudsen

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

Deborah Jensen was present as Chair.

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:

- Current zoning of the property and the land use designation of the area on the Southwest Area Neighborhood Land Use Map.
- The layout and connectivity of the proposed development.
- Previous delays to the project were principally due to the sewer capacity issues in the western areas of the city, and that those issues have now been adequately addressed.
- The desirability, but the inability to force the entire area to develop at once.
- Why the proposal should not be considered leap-frogging.
- The need for fill material to be brought in, especially in the southern portion of the site.

CITY DEPARTMENTAL ISSUES

None that would hinder the rezoning from going forward. Because of the fill that will be needed on the site, resulting drainage and storm water runoff will need to be examined closely at the time of the preliminary plat approval for the development.

NEIGHBORHOOD MEETING DATE

This project was reviewed during at least two previous neighborhood meetings, with the last Neighborhood Meeting review of the project in January 2018. The site and area were also included in meetings dealing with the adoption of the Southwest Area Land Use Plan toward the end of 2018.

NEIGHBORHOOD AND PUBLIC COMMENT

Several neighborhood comments were received by staff and distributed to the Planning Commission prior to the meeting. Comments from the Lakewood Neighborhood Chair, Becky Bogdin were forwarded to the Planning Commission relating to some of the above concerns. During the meeting Ms. Bogdin spoke to her concern about the project not being presented again to the neighborhood since the most recent presentation had been in January 2018. She also brought up her concerns about the project being a “leap-frog” development. She also expressed her concern about the large amount of fill-material needed for the site.

CONCERNS RAISED BY PUBLIC

Concerns expressed in submitted comments included flooding and groundwater; loss of farmland, the timing of the development given the current economy; resulting traffic impacts; wildlife impacts; and impacts from dust during construction. Pam Argyle called during the meeting and asked if a traffic study had been done regarding 1560 South.

APPLICANT PRESENTATION AND RESPONSE

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

- A summary of the considerations made in the proposed layout and the utility connections for the project.
- The applicant stated he believed he had received usable input and feedback from the neighborhood at previous neighborhood meetings and the other meetings regarding the development of the Southwest Area Neighborhood Plan. He stated that much of that input was incorporated into the current design and density of the project.

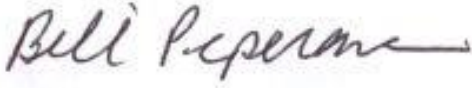
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission asked questions of staff regarding most of the items of concern mentioned in the various submitted comments including wetland and ground water issues; bird habitat; sewage capacity and servicing; street access and emergency access issues.
- Staff stated the opinion that this is not leap frog development because this project is adjacent to R1.8 zoning and development to the north.
- The Planning Commission noted this area is planned by the Southwest Area Plan to be residentially developed. Robert Knudsen, stated that the adjoining agriculturally zoned areas are actually pasture and not farming areas in the sense of crop production.
- The issue of any need for an additional neighborhood meeting was also discussed, with most, if not all Commissioners expressing their belief the proposal has addressed many of the past concerns; that it presents a well laid out project; that it meets the direction of the Southwest Area Plan; and, that an additional presentation to the neighborhood would not yield any additional information or identify any impact that had not yet considered. It was noted that the current plan has the fewest lots of several previous plans that were considered. This is the first plan to show four units per acre as a NET calculation.



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