



Provo City Planning Commission Administrative Hearing Report of Action

ITEM #1 Michael Shane requests Project Plan approval for the Mountain American Cougar Blvd bank, located at 430 W Cougar Blvd in the General Commercial (CG) zone. Carterville neighborhood. Brandon Larsen (801) 852-8408 jblarsen@provo.org PLPPA20200053

The following action was taken on the above described item by an Administrative Hearing Officer, acting on behalf of the Provo City Planning Commission, on **October 21, 2020**:

APPROVED WITH CONDITIONS

Administrative Hearing Officer: Aaron Ardmore

Includes facts of the case, analysis, and conclusions outlined in the Staff Report, with any changes noted. Administrative Hearing Officer determination is consistent with the Staff analysis and determination.

Conditions of Approval

1. That all remaining CRC comments be addressed prior to building permit approval.

STAFF PRESENTATION

- Staff gave an overview of the request as outlined in the staff report. Also, staff noted a submitted concern it received from an adjacent property owner about a temporary fence that has been erected around the subject property and safety issues the adjacent neighbor believes the fence has caused when exiting his parking lot onto a driveway to the west of this parking lot.

NEIGHBORHOOD AND PUBLIC COMMENT

- No public comment was received during the hearing.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Administrative Hearing Officer included the following:

- The applicant noted the proposed landscaping improvements and fence on the west property line, which will beautify the subject property. The applicant expressed a desire to be a good neighbor and noted the proposed Mountain America (MACU) branch property will help to beautify the subject property. Speaking of the temporary fence issue, noted above, the applicant stated they could potentially move the fence a couple of feet.

FINDINGS / BASIS OF ADMINISTRATIVE HEARING OFFICER DETERMINATION

The Administrative Hearing Officer identified the following findings as the basis of this decision or recommendation:

- The administrative hearing officer spoke about the concern of the adjacent property owner. He noted the driveway—and the width thereof (approximately 20 feet)—between the proposed MACU branch property and

the adjacent neighbor to the east. The officer stated the safety issue related to the existing parking lot of the property to the east (adjacent neighbor's property) is unrelated to the issue of making a final decision on the proposed MACU branch property. The officer agreed with the analysis and findings of the staff report and approved the proposal with the condition that all outstanding CRC comments be resolved prior to building permit approval.



Administrative Hearing Officer

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report for further detailed information. The Staff Report is a part of the record of the decision of this item.

Administrative decisions **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community and Neighborhood Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Hearing Officer'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