

Provo City Planning Commission

Report of Action

October 28, 2020

ITEM 6 Daniel La Fontaine requests Concept Plan approval for 10 townhomes in a proposed Low Density Residential (LDR) zone, located at 50 E 3900 N. Riverbottoms Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLCP20190266

The following action was taken by the Planning Commission on the above described item at its regular meeting of October 28, 2020:

APPROVED WITH CONDITIONS

On a vote of 7:1, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. Facades and architecture of the proposed buildings be varied to appear as multiple single-family homes.
2. That the four-unit building be separated in some way to appear as two separate buildings.

Motion By: Laurie Urquiaga

Second By: Robert Knudsen

Votes in Favor of Motion: Laurie Urquiaga, Robert Knudsen, Deborah Jensen, Ally Jones, Brian Henrie, Dave Anderson, Daniel Gonzales

Votes against the Motion: Lisa Jensen

Dave Anderson 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.

RELATED ACTIONS

The Planning Commission also recommended a conditional approval of the related Zone Change (PLRZ20190265) at this hearing.

APPROVED/RECOMMENDED OCCUPANCY

10 Total Units

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. Staff gave an overview of the project, noting the changes made since the last hearing.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 02/25/2020.

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:

- Dave Rosen spoke about the consistent concerns addressed by the neighborhood and stated that he still desires the project to change or be turned down.
- Dave Horne noted his opposition to the development, saying it is unsafe.
- George Nelson stated there is a history of keeping the neighborhood single family detached housing and is concerned with traffic.

APPLICANT RESPONSE

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

- Dave LaFontaine stated he has tried to meet all the concerns from the past Planning Commission hearings with his concept plans and answered questions of the Planning Commission including grading for the site, garbage collection, and his ability to enter into a development agreement for ten units.

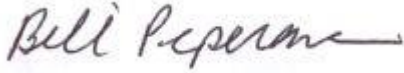
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Laurie Urquiaga stated that the placement on the edge of the neighborhood seemed like a good place for LDR zoning, thought VLDR could work as well if the zone was available when the applicant applied, and asked about garbage collection.
- Lisa Jensen asked if the applicant could do VLDR, but the number of units would drop. She also stated that she would like to see the number of units decrease but noted the applicant has tried to address other concerns from past hearings.
- Deborah Jensen inquired about a Development Agreement with the applicant, stating she would be much more comfortable with the zone change with a guarantee of ten units. She believes ten units is reasonable as a transition with University Avenue to the west and that a mixed neighborhood is more successful in her experience.
- Brian Henrie asked about the unit count and if it could be lowered and asked the applicant what the price points would be on the proposed townhomes. He also feels for the neighborhood concerns but cannot find a way to address them. He would like Public Works to look at the entry off of University Avenue onto 3900 North.
- Dave Anderson stated that the number of units proposed with the zone change does not matter as much as the design and that the LDR zone is appropriate for the site.
- The Planning Commission spoke at depth about the proposed design of the townhomes related to the zone change, with the following recommendations as options to improve the project:
 - Provide a varied wall setback in the four-unit building, physically separate the four-unit into two buildings, redesign the four-unit building to narrower units, apply different architecture to provide variety in the façade, use different materials on each building, use different colors on each building, present the buildings as four separate homes by varying architecture features.



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 and Neighborhood 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