

Provo City Planning Commission

Report of Action

March 24, 2021

- *ITEM 4 Dave Morton requests Zone Changes from A1.10 to M1 (Light Manufacturing), R1.8PD (Performance Development), and RA (Residential Agricultural) for approximately 54 acres of property, located at approximately 3450 W Center Street. Provo Bay and Fort Utah neighborhoods. Brandon Larsen (801) 852-6408 blarsen@provo.org PLRZ20180197
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The following action was taken by the Planning Commission on the above-described item at its regular meeting of March 24, 2021:

RECOMMENDED APPROVAL

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

Motion By: Laurie Urquiaga

Second By: Robert Knudsen

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

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.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the M1 (Light Manufacturing), R1.8PD (Performance Development), and RA (Residential Agricultural) is described in the attached Exhibit A.

RELATED ACTIONS

The Planning Commission also conditionally approved the related Concept Plan, Item 3 at the March 24, 2021 hearing.

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.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on September 11, 2018.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair did not address the Planning Commission during the hearing.

CONCERNS RAISED BY PUBLIC

- There were no public comments received at this meeting for the subject item.

APPLICANT RESPONSE

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

- Mr. Dave Morton addressed the Planning Commission and acknowledged their concerns, including access to the river through the proposed development, dedication of open space to the City, and style or type of fencing for residences that back onto the Provo River. He expressed a willingness to work with City staff to potentially address the Planning Commission's concerns through a development agreement.

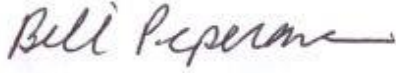
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission was generally supportive of the proposed zone map amendment, but had concerns with the following issues related to proposed development: (1) public access to the Provo River, (2) public access and use of proposed development amenities near the Provo River, and fencing styles or types for residences that back onto the Provo River.
- Some members of the Planning Commission also expressed a concern about (1) the flood potential for the residential development because of the Provo River, (2) the perceived challenges with performance developments, and (3) noise from the airport and the potential impacts it may have on the residents of the proposed residential development.
- The availability of sewer facilities was discussed. Mr. Morton, and David Day, Development Engineering Coordinator for Provo City Public Works, both referenced the idea of sewer facilities being available for this development in the Fall of 2022.
- Dave Anderson, Planning Commission Chair, identified three (3) issues the Planning Commission would like addressed in a development agreement between the applicant and the City in relation to the proposed zone map amendment and conceptual development. The issues are as follows:
 - That the applicant defines the types of fencing (no more than two options) that would be allowed along the river;
 - That the applicant dedicates the open space—the portion of the subject land currently along the Provo River—to the City after improving it with a trail that meets the City's standards, and developing the picnic area, as shown on the concept plan; and
 - That connections are included to the Provo River through the east, west, and north sides of the development.
- Laurie Urquiaga made the following motion: Approve the proposed zone map amendment. The motion passed, 6-0.



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

EXHIBIT A

