

Provo City Planning Commission

Report of Action

June 9, 2021

*ITEM 4 Sidney Allsop requests a Zone Change for approximately .80 acres from Residential Conservation (RC) to Medium Density Residential (MDR) for a townhome development, located at 690 E 500 S. Maeser Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20210086

The following action was taken by the Planning Commission on the above-described item at its regular meeting of June 9, 2021:

RECOMMENDED APPROVAL WITH CONDITIONS

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: Ally Jones, Laurie Urquiaga, Dave Anderson, Daniel Gonzales, Lisa Jensen, and Robert Knudsen

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 Medium Density Residential Zone (MDR) is described in the attached Exhibit A.

RELATED ACTIONS

The Planning Commission also approved the related Concept Plan, Item 3, at the June 9, 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 waived by the Neighborhood Chair.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Maeser Neighborhood Chair was not present for the meeting.
- Staff read or summarized comments from the following members of the Public:
 - Diana Larson is concerned about the amount of development occurring in the city, the ongoing drought, and depletion of resources and asked the City to be judicious in their decisions.

- Rodney Bills is opposed to the development. Mr. Bills made the following statement: “If changing a conservation zone becomes as simple as purchasing a property and applying for a zoning change then the hard work of creating zoning laws and the sought-after protections that they were meant to provide become meaningless.”
- Kathleen and Paul Damron are concerned whether the proposed development would raise property taxes. They also questioned whether the development would increase the need for police patrols and impact local schools.

APPLICANT RESPONSE

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

- Mr. Sid Allsop stated the developer would be happy to enter into a development agreement with the City, so that the developer obtains desired development rights and to ensure the property is used for single-family residential use. He said what you see on the concept plan is essentially what will be developed on the subject property. The developer is willing to comply with design standards.

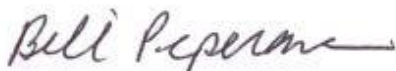
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Lisa Jensen believes the requested use is compatible with existing residences in the area. She believes the proposal could help facilitate an owner-occupied development to support existing, owner-occupied units near the subject property.
- Commissioner Lisa Jensen believes the proposed development is a good buffer use (it buffers single-family residences to the north from attached residences to the south).
- Commissioner Laurie Urquiaga made the following motion: Recommendation of approval of the proposed zone map amendment with a condition that the applicant enter into a development agreement to develop the attached, single-family residential development shown in the proposed, approved concept plan. 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

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT OF WAY OF 500 SOUTH, SAID POINT BEING SOUTH 89°48'08" EAST 346.329' FROM NORTHEAST CORNER OF BLOCK 1, PLAT "C", PROVO CITY SURVEY OF BUILDING LOTS, SAID POINT ALSO BEING NORTH 811.785' AND WEST 147.442' FROM THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 07, TOWNSHIP 7 SOUTH, RANGE 3 EAST SLB&M; AND RUNNING THENCE SOUTH 89°48'08" EAST 212.800 FEET; THENCE SOUTH 00°44'43" EAST 107.588 FEET; THENCE NORTH 89°46'57" WEST 76.108 FEET; THENCE SOUTH 00°13'03" WEST 92.480 FEET; THENCE NORTH 89°46'57" WEST 138.500 FEET; THENCE NORTH 00°13'03" EAST 199.980 FEET TO THE POINT OF BEGINNING,

PROPERTY CONTAINS 0.822 ACRES, 35,790 SQUARE FEET.