

Provo City Planning Commission

Report of Action

April 13, 2022

- *Item 1 Phillip Ng requests a Zone Map Amendment from the R1.8 (One-Family Residential) zone to the LDR (Low-Density Residential) zone in order to allow for an accessory dwelling unit, located at 1029 West 1020 North, Rivergrove Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org
PLRZ20220075
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The following action was taken by the Planning Commission on the above described item at its regular meeting of April 13, 2022:

RECOMMENDED APPROVAL

On a vote of 8:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Conditions of Approval:

N/A

Motion By: Brian Henrie

Second By: Peter Fife

Votes in Favor of Motion: Brian Henrie, Peter Fife, Miles Miller, Daniel Gonzales, Laurie Urquiaga, Lisa Jensen, Robert Knudsen, Ally Jones

Laurie Urquiaga 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 LDR Zone is described in the attached Exhibit A.

RELATED ACTIONS

N/A

APPROVED/RECOMMENDED OCCUPANCY

*Type of occupancy: Family with an ADU

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.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present /addressed the Planning Commission during the public hearing.

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:

- The Rivergrove neighborhood chair informed the Commission that there was a neighborhood meeting held for this item and there was support for the rezone. There was a neighbor that was concerned about parking with an accessory apartment, and he felt like this concern had been addressed with off-street parking being provided.

APPLICANT RESPONSE

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

- The applicant answered a question from the Commission about the amount of parking being provided. The idea of there being more parking than required was shown to help address the concern about parking being on the street.
- The applicant is representing his mother as the property owner that would live in the home.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- There was a concern about there being too much parking shown on the conceptual site plan.
- The ADU would be located within the new home and not detached as allowed in the LDR zone.
- There was a concern from a commissioner that this type of amendment could set a precedent and wanted to be reassured that there was a mechanism that would be able to handle this in the future if an issue arose. The fact that these amendments must go through this same process would be a sufficient tool to address issues in the future.
- Short-term rentals would not be allowed in the LDR zones.
- This proposal fits within the existing character of the neighborhood as there are duplexes and single-family homes on the same block.



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

LOT 2, PLAT A, ALAN AND JENNIFER NG SUB AREA 0.172 AC.

