

Provo City Planning Commission

Report of Action

June 08, 2022

*ITEM #1 Jose R Mijares requests approval of an Ordinance Text Amendment to Section 14.21D.020, Provo City Code, to add new and used car sales, service stations, and automobile repair as permitted uses in the WG (West Gateway) zone. Citywide. Sione Manoa (801) 852-6405 smanoa@provo.org PLOTA20220117

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 08, 2022:

RECOMMENDED DENIAL

On a vote of 8:1, the Planning Commission recommended that the Municipal Council deny the above noted application.

Motion By: Dave Anderson

Second By: Lisa Jensen

Votes in Favor of Motion: Dave Anderson, Lisa Jensen, Melissa Kendall, Miles Miller, Peter Fife, Brian Henrie, Dan Gonzales, Robert Knudsen

Votes Against the Motion: Laurie Urquiaga

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.

TEXT AMENDMENT

The text of the proposed amendment is attached as Exhibit A.

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.

- Planning Staff added some context with the history of the WG zone and the current permitted uses.

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held.
- Citywide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present /addressed the Planning Commission during the public hearing.
- This item was City-wide or affected multiple neighborhoods.

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:

- Benjamin Ellis (neighborhood chair) detailed meeting with the applicant prior to the hearing and the results of the meeting and neighborhood Facebook comments. The neighborhood wants the area to clean up, but had concerns about the dealership use. Overall, the majority of responses favored the concept for 920 West Center Street.

APPLICANT RESPONSE

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

- Mr. Mijares identified the reasons and goals for the amendment request as it relates to the property at 920 West Center Street. He also presented his plans for the property at 920 West to the Planning Commission to help identify the reasons for the ordinance text amendment.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission questioned how the Maverick service station was approved on Center Street.
- Dave Anderson asked about other uses along west Center Street, and there was some discussion on legal, non-conforming uses.
- Laurie Urquiaga identified the new design standards for the WG zone and verified those would apply.
- Brian Henrie asked staff about the goal and purpose of the WG zone.
- Robert Knudsen asked the applicant about the business plan for the property at 920 West Center.
- Lisa Jensen asked about how the site would work at 920 West Center Street and shared concerns about vehicles in need of repair being on the site.
- Dan Gonzales inquired about the specifics of construction for the site at 920 West Center and shared concerns about the proposed uses.
- Planning Commission had some discussion about the site plan in Mr. Mijares presentation.
- Lisa Jensen shared concern that the amendment would open it up for any car sales or auto repair, not just the one shown in the applicant presentation. She stated the commission should be careful to protect the purpose and look of the WG zone.
- Laurie Urquiaga asked about the accessory uses section of the zone and what regulations are involved with accessory uses.
- Dave Anderson stated that the intent of one property owner doesn't translate to an improvement of the zone if the proposed uses are permitted.
- Miles Miller stated that the restaurant use would be ideal, that the other proposed uses aren't needed.
- Peter Fife asked about the possibility of use variances.
- There was additional discussion about what the zone what currently allow.



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