

Provo City Planning Commission

Report of Action

October 26, 2022

- *Item 1 Stephen Sowby requests a Zone Map Amendment from the R1.8 (One Family Residential) zone and the RC (Residential Conservation) zone to the LDR (Low Density Residential) zone in order to build a twin home, located at 1220 East 960 South. Provost South Neighborhood. Dustin Wright (801) 852-6414
dwright@provo.org PLRZ20220244

The following action was taken by the Planning Commission on the above described item at its regular meeting of October 26, 2022:

RECOMMENDED APPROVAL

On a vote of 4:2, the Planning Commission recommended that the Municipal Council approve the above noted application with the following conditions:

Conditions of Approval:

1. Parcel A in Attachment 2 becomes part of a new lot through an approved subdivision plat.

Motion By: Andrew South

Second By: Jeff Whitlock

Votes in Favor of Motion: Andrew South, Jeff Whitlock, Lisa Jensen, Daniel Gonzales

Votes Opposed to Motion: Melissa Kendall, Robert Knudsen

Lisa Jensen 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

PLCP20220245 is item 2 on the same Planning Commission agenda.

APPROVED/RECOMMENDED OCCUPANCY

Twin home with single-family residential occupancy.

DEVELOPMENT AGREEMENT

- Does not apply at this stage of review or approval.

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

- No information was received from the Neighborhood Chair.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- Neighbors or other interested parties were present or 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:

- The Planning Commission received some letters from neighbors that expressed concerns about safety and that the roads are already overparked. General plan policies about not changing from a single-family neighborhood.
- There have been substantially more townhomes and apartments than single-family homes built in recent years. The southeast plan calls for R1 zone to be protected.
- The angle of the driveway will cause problems that may lead to people not using the driveway and with the location of the school crossing.
- This lot should be a single-family home and not a twin home. There needs to be cohesion between the neighborhoods.

APPLICANT RESPONSE

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

- The neighbor to the west has agreed to provide the needed land to make this site meet the width requirements
- The large trees will not be affected and will be a nice buffer for development.
- They stated that the look of the development could improve, this is just a concept. The total square footage would be over 3,000 square feet.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- There were concerns about finding consistency with the Southeast neighborhood plan policies that call for the residential R1 properties not to change and about filling vacant property.
- The property is adjacent to the proposed LDR on the Future Land Use Map.
- The 4,000 square feet is the minimum needed for a twin home.
- The character of the proposal is not that dissimilar from the surrounding properties.
- The frontage is sufficient for a single-family home. It needs the extra piece from the adjacent parcel for the twin home to work.
- Having 2 homes on the property will create more traffic than if there was only one home.



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, 445 West Center Street, 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

PARCEL A

BEGINNING AT A POINT LOCATED NORTH $0^{\circ}47'6''$ WEST ALONG SECTION LINE 1104.62 FEET AND WEST 157.51 FEET FROM THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH $20^{\circ}48'5''$ WEST 32.31 FEET; THENCE SOUTH $89^{\circ}0'0''$ EAST 12.00 FEET; THENCE SOUTH $1^{\circ}0'0''$ WEST 30.00 FEET TO THE POINT OF BEGINNING.

AREA = 180 SQ FT OR 0.004 ACRES

PARCEL B

BEGINNING AT A POINT LOCATED NORTH $0^{\circ}47'6''$ WEST ALONG SECTION LINE 1037.28 FEET AND WEST 21.81 FEET FROM THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTH $89^{\circ}0'0''$ WEST 137.78 FEET; THENCE NORTH $1^{\circ}0'0''$ EAST 94.94 FEET; THENCE SOUTH $89^{\circ}0'0''$ EAST 50.34 FEET; THENCE NORTH $46^{\circ}2'40''$ EAST 8.39 FEET; THENCE SOUTH $37^{\circ}56'22''$ EAST 129.68 FEET TO THE POINT OF BEGINNING.

AREA = 9471 SQ FT OR 0.217 ACRES

