

Provo City Planning Commission

Report of Action

November 09, 2022

*ITEM #3 Kristen Lamb Reilly requests a Zone Map Amendment from the RC (Residential Conservation) zone to the LDR (Low Density Residential) zone in order to create a two-lot subdivision, located at 515 South 700 East. Maeser Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLRZ20220322

The following action was taken by the Planning Commission on the above described item at its regular meeting of November 09, 2022:

RECOMMENDED APPROVAL

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

Motion By: Raleen Whalin

Second By: Robert Knudsen

Votes in Favor of Motion: Raleen Whalin, Robert Knudsen, Melissa Kendall, Lisa Jensen, Jeff Whitlock, Andrew South
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.

APPROVED/RECOMMENDED OCCUPANCY

*2 Total Units

*Type of occupancy approved: Family

*Standard Land Use Code: 1111

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.

- Bill Peperone gave an overview of the staff report, a history of the property, and detailed a current property line issue with the neighbor to the east that is ongoing. He indicated that staff will not finalize the zone change if it gets approved until the property line issue is resolved.

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

- The Neighborhood Chair determined that a neighborhood meeting would not be required.

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:

- Chad Hales (neighbor to the east) described the process he has gone through with the applicant on the property line dispute and is fully supportive of the zone change.

APPLICANT RESPONSE

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

- Ms. Lamb Reilly gave a brief history on how she got into a property that she believed could easily be subdivided and given to her two children. She also detailed the property line dispute that is close to resolution with a seven-and-a-half-foot adjustment.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Lisa Jensen confirmed that the old buildings are down and that with or without the zone change there will be two new buildings constructed on the property. She also confirmed with staff that the new boundary line will still maintain at least 8,000 square feet.
- The Planning Commission discussed that the real difference in the zone change will be one property owner instead of two property owners.
- The Commission noted that in this area the neighborhood plan already calls for increased density, and the request is for less density than what is on the Maeser Future Land Use Plan.
- Lisa Jensen described her support for the rezone and indicated that the neighborhood chairs response and the density around the property make her feel comfortable with this request, especially with the proposal for two single family lots.
- Robert Knudsen agreed with Mrs. Jensen's comments and noted that the architecture will fit in with the newer units in the area.
- Melissa Kendall stated her support for the rezone is due to the compliance with the neighborhood plan.

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 W 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

BEGINNING AT A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF 700 EAST STREET AND THE SOUTHERLY RIGHT-OF-WAY OF 500 SOUTH STREET, SAID POINT BEING LOCATED NORTH 89°05'28" EAST ALONG THE SECTION LINE 170.36 FEET AND SOUTH 1851.21 FEET FROM THE NORTH QUARTER CORNER OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 89°30'22" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY OF 500 SOUTH STREEET RIGHT-OF-WAY 83.58 FEET; THENCE SOUTH 112.05 FEET; THENCE WEST 82.32 FEET TO SAID EASTERLY RIGHT-OF-WAY OF 700 EAST STREET; THENCE NORTH 00°38'29" WEST ALONG SAID EASTERLY RIGHT-OF-WAY OF 700 EAST STREET 112.78 FEET TO THE POINT OF BEGINNING.

AREA = 9,324 SQ. FT. OR 0.214 ACRES