Provo City Planning Commission

Report of Action

April 12, 2023

*ITEM #9	Ryan Salmon is requesting a General Plan Map Amendment from a Commercial designation to Residential designation in association with a zone change request and concept plan for a twelve-unit apartment building in a proposed **MDR** (**Medium** Density Residential) zone, located at 2050 N Canyon Road. Pleasant View Neighborhood. Aaron Ardmore (801) 852-6404 PLGPA20220301

The following action was taken by the Planning Commission on the above described item at its regular meeting of April 12, 2023:

RECOMMENDED APPROVAL

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

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

The property to be amended to the Residential designation is described in the attached Exhibit A.

RELATED ACTIONS

The related rezone (PLRZ20220302) and concept plan (PLCP20220303) were also heard at the April 12th Planning Commission hearing, with the rezone recommended for approval with a Development Agreement and the concept plan being approved.

DEVELOPMENT AGREEMENT

- Applies - referred applicant to Council Attorney.

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. Staff gave an overview of the staff report and indicated that a MDR zone would be supported, and the Director of Development Services will adjust the setbacks with the MDR zone to make the concept work.

CITY DEPARTMENTAL ISSUES

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

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held in October 2022.

NEIGHBORHOOD AND PUBLIC COMMENT

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

- Paul Evans expressed his appreciation and support for a project that works in the neighborhood and that development agreements provide security for the community.
- Lilly Mott expressed some concern regarding the view from her windows into the project but hopes the development agreement will take care of the major concerns.

APPLICANT RESPONSE

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

- Ryan Salmon stated his reasoning for proposing the project. He also related correspondence from the former neighborhood chair and answered the questions sent with that email.
- Mr. Salmon also discussed his hope to have owner-occupied units and enhance the design as it moves forward.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Jensen confirmed that the proposed development agreement would hold the development to twelve units, two stories, and site layout. She also noted that a MDR zone could be an option, with the same development agreement.
- Commissioner Kendall and Gonzales confirmed with staff that the development agreement would run with the land.
- Commissioner Jensen appreciated the site plan, façade, and intention to provide owner-occupancy. However, she did have a concern that the garbage truck would have difficulty in the site but noted that can be adjusted in the project plan application.
- Commissioners liked the project and hoped for owner-occupancy in the units as much as possible.
- The commission discussed the characteristics that allow for a small neighborhood commercial property to thrive.

Lisa Jensen

Planning Commission Chair

Bill Peperone

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 Development Services, 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


2120 N
CANYON RD
2100 N
2090 N
1980 N
180 E
220 E
80 E
2050
Provo City
provo
0
0.015
0.03
0.06 mi
Author: Provo City
Date: 4/4/2023
This map is for graphical representation only and not for construction or defining feature locations.