



Provo City Planning Commission

Report of Action

July 25, 2018

****Continued from June 27, 2018 Hearing**** VP Homes request a Zone Change from A1.5 to R1.6PD for approximately three acres, located at 1138 N Geneva Road to allow for a twelve-lot subdivision (Lakeview Meadows). Lakeview North neighborhood. Robert Mills (801) 852-6407 PLRZ20180089

The following action was taken by the Planning Commission on the above described item at its regular meeting of July 25, 2018:

RECOMMEND APPROVAL

On a vote of 6:0, the Planning Commission recommended the item be approved by the Municipal Council. The recommendation differs from the findings detailed in the staff report; however, the Planning Commission included new findings which are detailed below:

Findings of Fact

1. The proposed zone change is supported by the neighborhood and neighborhood chair.
2. The location of the site appropriate for the residential uses proposed.
3. The proposed density with the development is appropriate and consistent with the General Plan and surrounding land uses.
4. The proposed zone change will allow for additional housing which is needed in Provo and consistent with the General Plan Goals and Policies.
5. The proposed zone change and associated development will consist of single-family detached dwellings which are highly desirable by the neighborhood.
6. The proposed zone change and associated development is less dense than the project immediately to the north, which consists of large twin homes and is zoned R2PD.

Motion By: David Anderson

Second By: Brian Smith

Votes in Favor of Motion: David Anderson, Deborah Jensen, Robert Knudsen, Russell Phillips, Jamin Rowan, and Brian Smith

Deborah Jensen was present as Chair.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the R1.6PD Zone is described in the staff report.

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

- The request is to rezone approximately 3 acres of a 5.9 acre property from A1.5 to R1.6PD to allow the development of twelve (12) single family detached homes.
- Issues regarding sewer connection allocations still have not been resolved.
- The interpretation of density (either gross or net) still has not been resolved and will not be for some time.

- Although some of these issues still have not been resolved, and the recommendation of the staff report is still valid; staff acknowledged that it would seem appropriate to move the request to the Municipal Council. Ultimately Council will be the decision maker and staff felt this project would be a good introduction to the issues that will need to be resolved.

CITY DEPARTMENTAL ISSUES

Public Works reported that they will be presenting the findings of the sewer analysis to the Municipal Council on August 7, 2018 and they will present the same information to the Planning Commission on August 8, 2018.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on May 31, 2018 and everyone seemed in support.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present and addressed the Planning Commission during the public hearing. She said the neighborhood supported the project and she felt that this project would be a good starting point for the Council to begin to address the concerns of sewer and the interpretation of four (4) units to the acre.
- One member of the public emailed testimony in support of the proposed zone change.

CONCERNS RAISED BY PUBLIC

- A representative of the irrigation company expressed concerns with the utility system, specifically how future development will impact water delivery.

APPLICANT RESPONSE

The applicant was fully willing to abide by a condition that no development occur until the sewer issues were resolved, but would like to move forward to discuss the project with the City Council. The applicant felt the interpretation of density was like “moving the goal posts” and that they had been designing under the ideas of gross density. The applicant felt that moving the item forward would allow for continued discussions with the Council to resolve some of the issues expressed.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

Mr. Smith expressed the concern that other applicants had come forward with applications, but had been told that the timing was not appropriate. Staff clarified that all applicants have been told the concerns and that if they move forward they would likely be given a recommendation of denial by staff. This applicant has chosen to move forward in spite of those circumstances.

The other commission members felt that even though some of the issues have not been resolved, by moving the proposal on to the Council it may help in finding solutions so development can start again.



Director of Community Development

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 Development 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.).