



Provo City Planning Commission

Report of Action

September 26, 2018

Gardner and Associates requests a Zone Change from Public Facilities (PF) to R1.6PD to facilitate a 33-lot subdivision, located at 1776 S Buckley Lane. Provost South neighborhood. Josh Yost (801) 852-6408 PLRZ20180224

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 26, 2018:

RECOMMEND APPROVAL

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Andrew Howard

Second By: Brian Smith

Votes in Favor of Motion: Andrew Howard, Shannon Ellsworth, Dave Anderson, Deborah Jensen, Jamin Rowan, Russ Phillips, Brian Smith

Deborah 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 R1.6 PD Zone is described in the attached Exhibit A.

RELATED ACTIONS

Gardner and Associates request Preliminary Subdivision approval for a 33-lot subdivision in a proposed R1.6PD Zone. Provost South Neighborhood. PLPSUB20180223

APPROVED/RECOMMENDED OCCUPANCY

*Total number of units – 33 lots

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

- This is the site of the former Utah County Jail. In 2004, the property was deeded to Provo City. The site has now been cleared and offered for sale. The applicant is currently under contract for the purchase of the site.

- In previous discussions with the neighborhood on this site there has been a stated preference for single-family, detached housing. The applicant has communicated the neighborhood's preference for single-family homes on this site.
- The proposed zone change is aligned with the General Plan and recently adopted Neighborhood Plan. The requested zone provides for single-family homes on a challenging site furthering the goals and policies delineated in the general plan and the future land use designated in the Southeast Neighborhood Plan.

CITY DEPARTMENTAL ISSUES

- Preliminary traffic study submitted.

NEIGHBORHOOD MEETING

- A neighborhood meeting was held.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present /addressed the Planning Commission during the public hearing.
- Vicki Knect, Provost South Neighborhood Chair, addressed the Planning Commission, but did not directly address the zone change application. The result of the neighborhood meeting was to support the proposed zone change.

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:

No members of the public addressed the Planning Commission during the hearing.

APPLICANT RESPONSE

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

The applicant asserted the neighborhoods desire to have single-family homes constructed in this area and explained the necessity of the Planned Development overlay in accomplishing that goal.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

The Planning Commission discussion focused on the Preliminary Subdivision Approval presented as Item 4.



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.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

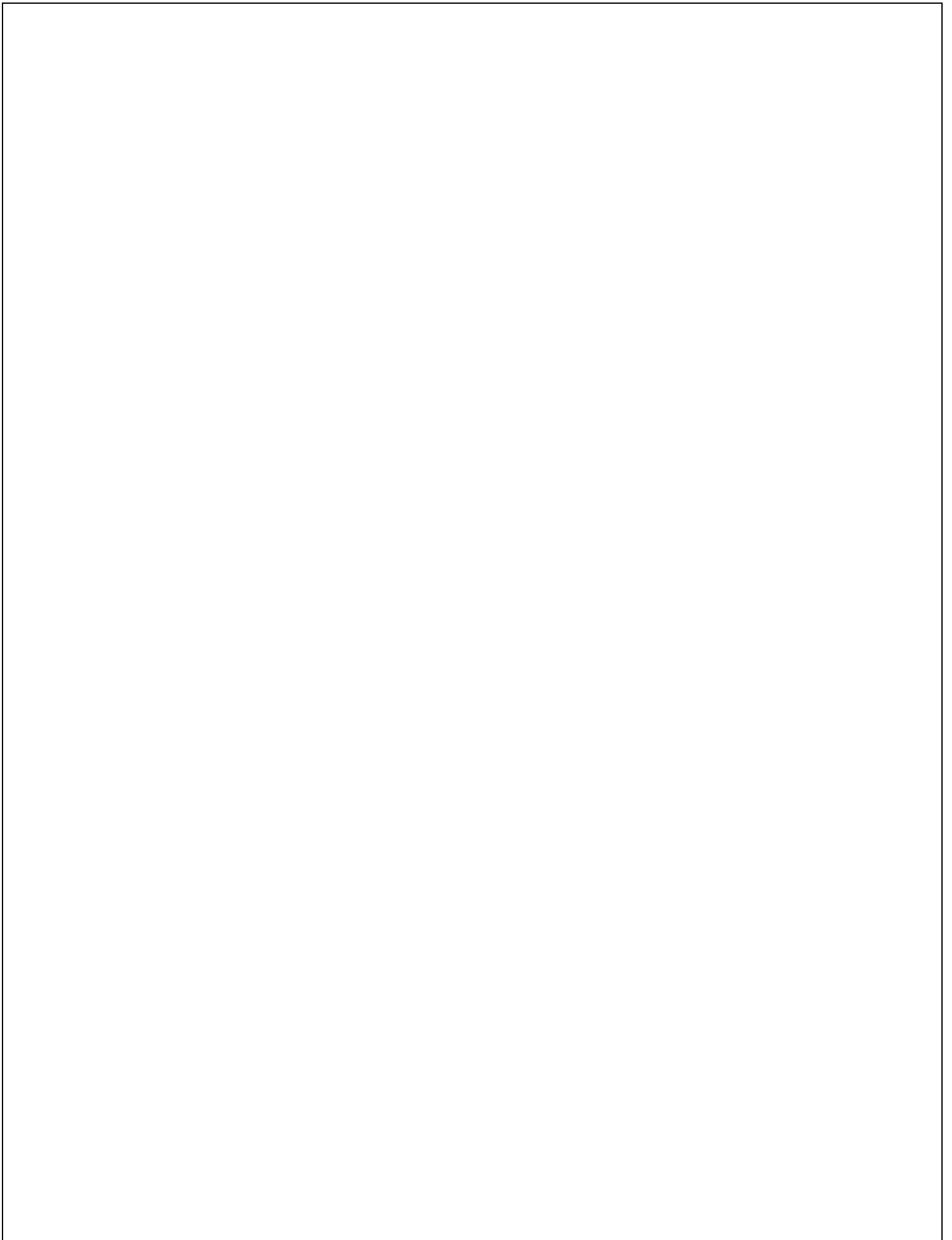


Exhibit A

Bay View Legal Description

Beginning at a point located North 0°42'40" West along section line 51.11 feet and East 2372.96 feet from the West Quarter Corner of Section 17, Township 7 South, Range 3 East, Salt Lake Base and Meridian; thence South 89°14'52" East along a fence line and extension thereof a distance of 257.26 feet; thence continuing along said fence line the following four courses and distances: 1) South 87°07'40" East 231.52 feet, 2) North 5°56'43" East 160.40 feet, 3) South 89°55'27" West 101.32 feet, and 4) North 41°24'31" East 191.86 feet; thence South 24°11'19" East along the southerly right-of-way line of Nevada Avenue a distance of 193.52 feet; thence along the Provo City School District title lines (said title lines reference the monumented Center of Section 17 which lies North 10.95 feet and West 0.80 feet from the actual Center of Section 17) the following four courses and distances: 1) South 11°22'11" West 173.71 feet, 2) South 10°25'57" West 419.16 feet, 3) South 40°21'48" West 186.53 feet, 4) South 10°33'50" West 6.96 feet; thence North 60°06'30" West 26.26 feet; thence North 79°43'52" West 361.49 feet; thence along the easterly right-of-way line of Slate Canyon Drive the following two courses and distances: 1) along the arc of a 533.00 foot radius curve to the left 195.51 feet through a central angle of 21°01'02" (chord bears North 06°50'05" East 194.42 feet), and 2) North 3°40'25" West 349.85 feet to the point of beginning.

Area = 7.422 Acres