



Provo City Planning Commission

Report of Action

September 23, 2020

*Item 3 Jeffrey Rands requests a Zone Change from Residential Conservation (RC) to Very Low Density Residential (VLDR) to subdivide the lot to create one 5,000 sf, single-family lot, located at 189 S 500 W. Franklin Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20200124

The following action was taken by the Planning Commission on the above described item at its regular meeting of September 23, 2020:

RECOMMENDATION OF APPROVAL WITH CONDITIONS

On a vote of 7:0, the Planning Commission recommended approval of the above noted application with conditions.

Motion By: Deborah Jensen

Second By: Lisa Jensen

Votes in Favor of Motion: Deborah Jensen, Ally Jones, Laurie Urquiaga, Lisa Jensen, Brian Henrie, Dave Anderson, and Robert Knudsen

Laurie Urquiaga was present and acted as Chair.

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

The property to be rezoned to the Very Low Density Residential (VLDR) Zone is described in the attached Exhibit "A."

RELATED ACTIONS

The Planning Commission also approved the associated concept plan for the subject property (Item 4, PLCP20200184).

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 Staff's presentation to the Planning Commission included the following: Staff gave an overview of the proposal and staff recommendation as read in the Staff Report.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification. An alternative method to a neighborhood meeting (social media post) was used to gathering feedback from the public. Development Services did receive an email from citizens that live adjacent to the subject property. The citizens were concerned about the density of the proposal, neighborhood stability, and maintaining the historic and architectural character of the Franklin Neighborhood.

NEIGHBORHOOD AND PUBLIC COMMENT

- No comments or questions for this item were received from the public at this meeting.

APPLICANT RESPONSE

The following are key points the applicant made during the meeting:

- His current plan is to build a single-family dwelling on the proposed lot.
- The new dwelling would not be kept as a rental; his intent is for single-family, owner-occupancy.
- He does not believe this proposal squeezes in another dwelling site; the proposal fits with the built environment.
- A new home that embraces the historic nature, including architecture, of the neighborhood could add value to the neighborhood and attract a better feel to the area.
- He does not believe the welfare and safety of the area would be negatively impacted by a new home.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Lisa Jensen stated that she appreciates the first goal of the Future Land Use section of the Franklin Neighborhood Plan, which states: “Replace existing RC (Residential Conservation) zoning with new zones to allow positive change in the Franklin Neighborhood.” She believes this goal supports the proposal. She appreciates the new concept plan. Commissioner Jensen also noted that it appears the applicant listened to the recommendations of the Planning Commission in revising his concept plan.
- Commissioner Deborah Jensen stated that she believes the proposal is in-line with the stabilization of the Franklin Neighborhood objectives. The proposal allows for in-fill, single-family housing. She expressed that compatible, in-fill development could occur on the subject property.
- Commissioner Urquiaga questioned whether there are design requirements that ensure that new construction would harmonize with the existing neighborhood style. Staff stated they were aware of no such requirements.
- Commissioner Lisa Jensen wanted to know if the existing home was on an historic registry or historic overlay zone. Staff stated that it was not.
- The proposal was recommended for approval according to the conditions listed in the staff report.



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 Development Services 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"

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

COM. AT SW COR OF BLK 49, PLAT A, PROVO CITY SURVEY; N 5 RODS; E 8 RODS; S 5 RODS; W 8 RODS TO BEG.