



Provo City Planning Commission

# Report of Action

October 28, 2020

\*Item 7 Jeffrey Rands requests a Zone Change from Residential Conservation (RC) to Low Density Residential (LDR) to subdivide the lot to create one approximately 4,600 sf, single-family lot, located at 189 S 500 W. Franklin Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLRZ20200124

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The following action was taken by the Planning Commission on the above described item at its regular meeting of October 28, 2020:

## **RECOMMENDATION OF APPROVAL**

On a vote of 8:0, the Planning Commission recommended approval of the above noted application.

Motion By: Deborah Jensen

Second By: Laurie Urquiaga

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

*Dave Anderson was present as Chair.*

### **LEGAL DESCRIPTION OF PROPERTY TO BE REZONED**

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

### **RELATED ACTIONS**

The Planning Commission approved the associated concept plan for the subject property (PLCP20200184) on September 23, 2020.

### **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**

- Due to the pandemic, an alternative method to a neighborhood meeting (social media post) was used to gather feedback from the neighborhood. 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.
- Another email from a neighbor of the subject property expressed concern that the proposed lots are small and will not help bring stability to the neighborhood. The homes built on these small parcels will attract short-term residents.

## NEIGHBORHOOD AND PUBLIC COMMENT

- Kip Smith, neighbor of subject property, stated that many residents did not attend the neighborhood meeting at which this application was discussed.
- Mr. Smith stated that he polled five (5) nearby neighbors (owner-occupied units) and they were not supportive of the proposal.
- Mr. Smith further stated that once you eliminate the greenspace in a backyard, you cannot go back. There is not much greenspace to give up in the area.
- He noted the historic nature of the neighborhood and stated that a proposed home would need to match the existing, adjacent homes.

## APPLICANT RESPONSE

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

- This proposal fits the long-term plan for the area and revitalizes the neighborhood.
- A nearby property is zoned LDR.
- A development agreement has been proffered to the City to limit the use of the property to single-family dwellings.

## PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Urquiaga stated that the Planning Commission has a good understanding of the proposal and she believes “it’s a good project.”



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Planning Commission Chair



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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.