



Provo City Planning Commission

Report of Action

June 12, 2019

Item 4* Brady Deucher requests a Zone Change from R1.10 to 14.50(30) Project Redevelopment Option Zone for approximately 2.1 acres located at 1320 S State Street. . Spring Creek neighborhood. Robert Mills (801) 852-6407
PLRZ20190100

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 12, 2019:

Approve with Conditions

On a vote of 5:1, the Planning Commission recommended the item be approved by the City Council subject to the following conditions:

1. That at least sixty percent (60%) of the units will be owner-occupied;
2. That each unit will be limited to a family or not more than two adults individuals;
3. The project site is limited to development of only 64 units;
4. The project site shall be developed with 130 standard parking stalls even though the underlying zoning would only require 90 parking stalls; and,
5. The applicant be required to finalize the certification to allow the proposed units to qualify for FHA-backed mortgages.

Motion By: Jaiman Rowan

Second By: Maria Winden

Votes in Favor of Motion: Shannon Ellsworth, Deborah Jensen, Robert Knudsen, Jaiman Rowan

Votes in Opposition: Dave Anderson

Deborah Jensen was present as Chair.

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 proposed zone is consistent with the General Plan and the Southeast Provo Neighborhoods Future Land Use Map.
- The proposed project will consist of 64 two-bedroom condo units offered for sale.
- The applicant has submitted concurrent applications for a text amendment to rename the subject PRO Zone and a Project Plan.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on April 4, 2019.

NEIGHBORHOOD AND PUBLIC COMMENT

- Multiple Neighborhood Chair(s) were present or addressed the Planning Commission. The Spring Creek Neighborhood Chair was generally supportive of the proposed zone change and project.

APPLICANT RESPONSE

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

- They have been able to construct this product in other cities with great success.
- The project will be managed by an outside management company which contracts with the HOA.
- The requirements for owner-occupancy will be recorded on the plat and on the deed.
- The project will have very strong Covenants, Conditions and Restrictions (CC&Rs) to limit occupancy and to keep the project FHA compliant in perpetuity.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Discussion among planning commission members focused on the parking reduction request and the affordability of the project in perpetuity. Some of the commissioners were concerned about the location of the project and the availability of needed services. However, the majority of planning commissioners felt the project was consistent with the intent for the area and would support the project.



Planning Commission Chair



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