



Provo City Planning Commission

# Report of Action

September 12, 2019

Item 1\* Silverado Management (Dave Hunter) requests a General Plan amendment from Commercial (C) to Residential (R) for property located at 1900 N Canyon Road to facilitate a 120-unit apartment building for married, student housing. Pleasant View Neighborhood. Robert Mills (801) 852-6407 PLGPA20190251

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The following action was taken by the Planning Commission on the above described item at its regular meeting of September 11, 2019:

## Recommend Approval with Condition

On a vote of 6:0, the Planning Commission recommended the item be approved by the City Council with the following condition:

1. If development permits for the proposed site are not approved within three (3) years from the date of the approval, the General Plan Map Designation for the subject property will revert to the current “C” designation. If it can be shown that development permits are actively being pursued, a time extension may be granted by the Development Services Director commensurate with the anticipated time needed to secure such approvals.

Motion By: Maria Winden

Second By: Robert Knudsen

Votes in Favor of Motion: Shannon Ellsworth, Deborah Jensen, Robert Knudsen, Russell Phillips, Laurie Urquiaga, and Maria Winden

*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:

- Language in the General Plan supports a change from the “C” designation to “R”.
- The proposed amendment would likely result in less intense uses on the site.

### **NEIGHBORHOOD MEETING DATE**

- A neighborhood meeting was held on August 20, 2019.

### NEIGHBORHOOD AND PUBLIC COMMENT

- The Pleasant View Neighborhood Chair was present and spoke in general opposition to the proposed amendment.
- The Edgemont Neighborhood Vice-chair was present and spoke in opposition.
- Approximately three (3) residents of the surrounding neighborhood spoke in opposition to the proposed amendment. They cited the precedent such a change would make for other areas, detriments of losing commercial areas, and encroachment into residential areas as primary reasons for opposing the proposed amendment.

### APPLICANT RESPONSE

- The applicant explained that the purchase price of the property would likely limit any type of small-scale commercial development on the site.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Jensen noted that changing the commercial designation will likely help to reduce pressure on surrounding single-family residential areas to redevelop as more intense uses.



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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 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**