



Provo City Planning Commission

Report of Action

December 04, 2019

ITEM 1 Enigma Events LLP requests a Conditional Use Permit for a dance hall, located at 1700 N State Street in the General Commercial (CG) zone. Carterville neighborhood. PLCUP20190309

The following action was taken by the Planning Commission on the above described item at its regular meeting of December 04, 2019:

APPROVED WITH CONDITIONS

On a vote of 5:0, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. A copy of a shared parking agreement from the property owner is provided to staff for the 151 parking stalls to be shared out of the 219 stalls;
2. Requirements and standards in 14.34.370 – Dance Halls as a Conditional Use shall be followed;
3. Requirements and standards in 6.15 – Commercial Entertainment Business Security shall be followed;
4. That the hours of operation are followed per 6.15.060; and
5. Without an approved grease trap, no on-site cooking is allowed; food warming only.

Motion By: Maria Winden

Second By: Shannon Ellsworth

Votes in Favor of Motion: Maria Winden, Shannon Ellsworth, Deborah Jensen, Russ Phillips, Laurie Urquiaga
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.

APPROVED/RECOMMENDED OCCUPANCY/PARKING

604 occupants with 151 parking stalls (1 stall per 4 occupants)

Land Use Code 7396

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.

CITY DEPARTMENTAL ISSUES

- If there will be cooking then an approved grease trap would be required.

NEIGHBORHOOD MEETING DATE

- The Neighborhood Chair determined that a neighborhood meeting would not be required.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.

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:

- A letter was received from a member of the public that expressed concerns with the noise that would be created from the proposed use as a dance hall.

APPLICANT RESPONSE

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

- This would be a great use for this location and allow an existing business in Provo to be relocated within Provo due to new development of the existing site.
- A lighting study has been done for the site. There is existing lighting that provided sufficient light to the parking lot.
- This proposed use has full support from the property owner.
- They will follow the hours of operation as outlined in the Provo City Code.
- They have been working on upgrades to the ceiling and walls for more sound proofing in an effort to reduce noise and comply with noise ordinances.

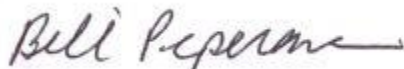
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- A Commissioner indicated that she lives near the existing dance hall and has not heard complaints from neighbors about noise or parking.
- This location makes sense and would be good use for the vacant space.
- The staff report has good conditions that will help ensure that the use fits well at this location.



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 Community and Neighborhood 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