



Provo City Planning Commission Administrative Hearing Report of Action

ITEM #1 Dudley and Associates request Project Plan approval for a 2.69-acre commercial development, located at 4878 N University Ave in the Neighborhood Shopping Center (SC1) zone. Riverbottoms Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLPPA20200126

The following action was taken on the above described item by an Administrative Hearing Officer, acting in behalf of the Provo City Planning Commission, on: September 16, 2020

APPROVED

Administrative Hearing Officer: Bill Peperone

Includes facts of the case, analysis, and conclusions outlined in the Staff Report, with any changes noted. Administrative Hearing Officer determination is consistent with the Staff analysis and determination.

RELATED ACTIONS

- A Conditional Use Permit was granted for this item as Item #2 at this Administrative Hearing on September 16, 2020, for a third story and reception center use (PLCUP20200152).

STAFF PRESENTATION

- Staff gave an overview of the request as outlined in the staff report and illustrated the distance from the proposed building to adjacent developments.

NEIGHBORHOOD AND PUBLIC COMMENT

- Dave Rosen commented on the results of the neighborhood meeting regarding this proposal, illustrating architecture adjustments made by the applicant and concerns regarding light and noise from the reception center.
- Lance Nelson shared concerns with the proposed third story, citing loss of northern view corridor. He asked if the developer could alter the location or height of the building.

APPLICANT RESPONSE

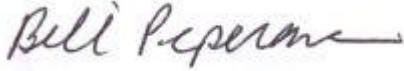
Key points addressed in the applicant's presentation to the Administrative Hearing Officer included the following:

- Curtis Miner, architect on the project, responded to questions regarding the design of the building. He responded to the concerns of Mr. Nelson, indicating that the residential transition code requirements force the open balcony on the north end of the building and cannot be switched to the south. He indicated that he would work with Mr. Nelson to show how the building would affect the view corridor.

FINDINGS / BASIS OF ADMINISTRATIVE HEARING OFFICER DETERMINATION

The Administrative Hearing Officer identified the following findings as the basis of this decision or recommendation:

- That the distance from the proposed three-story building to the mortuary is at least three hundred feet, which would exceed any code requirement for a height/distance ratio. The Hearing Officer stated that there is not enough of an impact to reduce the proposed height. He also explained the process of appeal to anyone that may be interested in appealing the decision made.



Administrative Hearing Officer

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report for further detailed information. The Staff Report is a part of the record of the decision of this item.

Administrative decisions 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 Hearing Officer'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