

Provo City Planning Commission

Report of Action

June 09, 2021

*Item 2 5600 N University, LLC requests a Zone Change from Manufacturing Park (MP) to General Commercial (CG) for approximately 3.8 acres located at 5600 N University Ave. Riverbottoms Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLRZ20200272

The following action was taken by the Planning Commission on the above described item at its regular meeting of June 09, 2021:

RECOMMENDED APPROVAL

On a vote of 6:0, the Planning Commission recommended that the Municipal Council approve the above noted application with conditions.

Conditions of Approval:

1. A development agreement is recorded that ensures that the required parking that is located on the adjacent property is dedicated for this site.

Motion By: Laurie Urquiaga

Second By: Robert Knudsen

Votes in Favor of Motion: Laurie Urquiaga, Robert Knudsen, Ally Jones, Lisa Jensen, Daniel Gonzales, Dave Anderson. Dave Anderson 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.

LEGAL DESCRIPTION FOR PROPERTY TO BE REZONED

The property to be rezoned to the General Commercial (CG) Zone is described in the attached Exhibit A.

RELATED ACTIONS

PLCP20200279 Item 1 June 9, 2021 Planning Commission Hearing.

DEVELOPMENT AGREEMENT

- Applies – The agreement will be sent to the City Attorney for review.

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

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 09/17/2020.

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:

- No public spoke at the hearing.

APPLICANT RESPONSE

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

- The applicant has been working with UDOT, Provo and Orem cities, and Utah County to get this project where it is.
- The applicant expressed that they would be expending a lot of money to install and maintain the trail and landscaping.
- They would also be improving 5600 North and would help generate a good tax base within the City.
- There will be new restaurants, retail, a gym, bike rentals, and other tenants at this location.
- The improved green space will allow people to have food brought to them from the restaurants and watch a movie on the lawn or have other live events and music.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- There will be a project plan that will come back to the Planning Commission if the rezone is approved.
- There is an existing building within the 100 foot setback of the Provo River. This predated the ordinance to not have a structure located within 100-feet of the river.
- The trail is located between University Ave. and the applicant's property.
- The zoning in Orem on the adjacent property that the applicant owns is a commercial zone.
- Public Works indicated that there will be a signalized intersection at 5600 N and University Ave. at some point in the future. This causes a concern with the location of the private drive shown on the concept plan, but not with the proposed zone change.



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

Exhibit A

