

Provo City Planning Commission

Report of Action

February 22, 2023

*ITEM #1	Dudley & Associates requests a Zone Map Amendment from the MDR (Medium Density Residential) zone and A1 (Agricultural) zone to the PO (Professional Office) zone to allow for new office development, located approximately at 5515 N Edgewood Drive. Riverbottoms Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLRZ20220005
----------	---

The following action was taken by the Planning Commission on the above described item at its regular meeting of February 22, 2023:

RECOMMENDED APPROVAL

On a vote of 5:0, the Planning Commission recommended that the Municipal Council approve the above noted application, with the following conditions:

Conditions of Approval: That a Development Agreement addressing staff concerns is fully agreed to and executed prior the updating the zoning map.

Motion By: Robert Knudsen

Second By: Jeff Whitlock

Votes in Favor of Motion: Robert Knudsen, Jeff Whitlock, Daniel Gonzales, Raleen Wahlin, Andrew South
Daniel Gonzales 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 PO Zone is described in the attached Exhibit A.

RELATED ACTIONS

The related Concept Plan (PLCP20220015) and Conditional Use Permit (PLCUP20220032) were approved at the February 22, 2023 Planning Commission meeting.

DEVELOPMENT AGREEMENT

- Applies - referred applicant to Council Attorney.

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

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 02/03/2022.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.
- Neighbors or other interested parties were not present or did not address the Planning Commission.

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: None.

APPLICANT RESPONSE

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

- Jason White gave an overview of the vision for the project area and noted that the phases will be several years apart.
- Jamie Chapman shared multiple renderings for the project and detailed the architecture for the proposal.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Daniel Gonzales inquired of staff how the adjacent building heights of existing structures compared with the proposal.
- Robert Knudsen confirmed with staff that the residential home to the south of the proposal was staying and would still have access to 5600 North and 5200 North.
- The Commission commented on the history and context of the proposals and that there were not any concerns with these latest submissions.
- The Commission discussed the height of the buildings, relating that the location is a good fit without a lot of residential nearby to affected and that the landscaping against University Avenue will help to buffer the buildings. They also complimented the architecture as interesting and a good variety, stating that the plans offer quality offices that may keep new businesses in Provo.
- Andrew South confirmed with staff that no precedent is being established in the area, as adjacent sites are in different zones and have different rules for height.



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 Development Services Department, 445 W Center Street, 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

Commencing at a point located South $00^{\circ}44'56''$ East along the Section line 9.97 feet and West 27.26 feet from the Southeast corner of Section 12, Township 6 South, Range 2 East, Salt Lake Base and Meridian: thence North $00^{\circ}04'25''$ East 812.82 feet; thence North $26^{\circ}56'16''$ East 43.77 feet more or less to the south side of 5600 North Street; thence North $75^{\circ}09'23''$ East along 5600 North Street 585.73 feet to the beginning of a non-tangential curve along the westerly boundary line of University Ave, said curve turning to the right through an angle of $10^{\circ}10'43''$, having a radius of 5706.42 feet, and whose long chord bears South $05^{\circ}30'31''$ West 1012.3995 feet to a point of intersection with a non-tangential line; thence North $89^{\circ}19'07''$ West 489.91 feet to the point of beginning.

Area = 11.71 acres