

Provo City Planning Commission

Report of Action

April 12, 2023

ITEM #6 Nathan Rory Gagon requests a Conditional Use Permit for a Dance Hall, located at 247 W Center St, in the General Downtown (DT1) zone. Downtown Neighborhood. Aaron Ardmore (801) 852-6404
aardmore@provo.org PLCUP20220400

The following action was taken by the Planning Commission on the above described item at its regular meeting of April 12, 2023:

APPROVED WITH CONDITIONS

On a vote of 6:0, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. That the Fire Protection requirement noted in the staff report be completed prior to occupancy.
2. That the Building Permit requirements be met and that the electrical permit be issued prior to occupancy.
3. That the TDM is approved.
4. That occupancy be limited to 250 persons in the building, with a maximum of 208 persons in the concert hall after the Fire and Building requirements are met.
5. That one private security guard be on duty during dance hall functions.
6. That all other standard conditions of Section 14.34.250(3), Provo City Code, apply.

Motion By: Melissa Kendall

Second By: Robert Knudsen

Votes in Favor of Motion: Melissa Kendall, Robert Knudsen, Lisa Jensen, Jeff Whitlock, Daniel Gonzales, Andrew South
Lisa 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

- Maximum of 250 persons in the building, 208 persons in the concert hall.

APPROVED/RECOMMENDED PARKING

- Four (4) off-street parking spaces on site (TDM approved).

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. Staff gave updates to the proposed conditions from those in the Staff Report.

CITY DEPARTMENTAL ISSUES

- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved.
- Important issues raised by other departments – addressed in Staff Report to Planning Commission

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: None.

APPLICANT RESPONSE

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

- Rory Gagon stated his agreement to the proposed conditions.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Jensen asked about limits in code section 14.34.250(3)(b) on number of dances, that section would not apply to the proposed use.



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, 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