

Provo City Planning Commission

Report of Action

March 27, 2024

ITEM 4 Tyson Reynolds requests Preliminary Subdivision approval for a new 8 lot single family subdivision including grading slopes of over 30% in the R1.8 (One Family Residential) Zone, located at 2000 North Canyon Road. Pleasant View Neighborhood. Nancy Robison (801) 852-6417 nrobison@provo.org PLPSUB20240049

The following action was taken by the Planning Commission on the above described item at its regular meeting of March 27, 2024:

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. Complete all CRC Comments.
2. Record the plat with the county.
3. Supply required bonding.
4. Revegetate the area as required.

Motion By: Jonathon Hill

Second By: Lisa Jensen

Votes in Favor of Motion: Jonathon Hill, Lisa Jensen, Jeff Whitlock, Robert Knudsen, Barbara Desoto

Jeff Whitlock 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.

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 12/07/2023.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood District Chair was present /addressed the Planning Commission during the public hearing. Sharon Memmot brought up concerns about a guarantee that it will be for single family homes. Bonding and revegetation required for the site. She asked if it was part of the Critical Hillside Overlay? Would there be retaining walls built? Does allowing this negate the actual need for the Critical Hillside Overlay? They hadn't discussed the removal of the hill at a neighborhood meeting, instead they gave input on the first presentation for this area being a large batching single apartment building.

CONCERNS RAISED BY PUBLIC

- Boyd Nuttal was concerned about creating a danger to the homes on the east of the parcel with this new slope.
- Gary Kearl didn't want this to set a precedent to allow it anywhere, and cautioned about a canal and tail water that runs through the property underground.

- Dee Jacobs speaking for the Garden Villa HOA was concerned about dust, noise, and traffic. Also questioning the water that runs through the property.
- Rebecca Shoemaker had concerns about the slope between the property and the Garden Villa Condos.
- Kay Woodworth concerns about safety of the retaining wall, and also thought the parcels should be larger than 8,000 sq ft.
- Pam Jones is in favor of eight single family lots. Concerned about dangers of the hill removal. Also questioned about the increase in traffic.
- Eric Chase thinks the area should be built with a higher density.
- Paul Evans thinks this is a good idea for single family homes. Once the hill is gone there is no guarantee the plans will stay the same for the subdivision, so he would like a guarantee.
- Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following: Making sure the hill would be stable once graded. Getting a commitment from the developer on what he is doing with the property possibly in the form of a bond, and concerns about traffic, noise and dust.

APPLICANT RESPONSE

The applicant maintained that they would follow the engineering guidelines in grading the hill. They would also do what they can to mitigate noise, dust, and the traffic route of the trucks.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The lots are big enough for Provo City Standards in the R1.8 zone.
- Getting rid of a steep driveway is a plus.
- The noise and dust is annoying but it's not against the law.
- They feel comfortable with the guarantees that staff will require of the applicant.
- A couple of commissioners were fine with an increase in density in the area.
- There was a question on what would happen if the applicant was given permission to grade the slope and then they decided that with their business model they needed to put in higher density. Would this allow them to? The applicant would have to present the different plans before they would be given a grading permit.



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 Development Services, 445 W Center St., 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