

Provo City Planning Commission

# Report of Action

May 22, 2024

<b>*Item 5</b>	David Pitcher requests a Zone Map Amendment from the A1.5 (Agricultural) Zone to the R1.6(TDR-R) (One Family Residential with a Transferable Development Rights Receiving Overlay) Zone in order to create 48 new residential lots, located approximately at 1098 N Geneva Road. Lakeview North neighborhood. Nancy Robison (801) 852-6417 nrobison@provo.org PLRZ20230227
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The following action was taken by the Planning Commission on the above described item at its regular meeting of May 22, 2024:

## APPROVED

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Jeff Whitlock

Second By: Lisa Jensen

Votes in Favor of Motion: Barbara DeSoto, Lisa Jensen, Robert Knudsen, Daniel Gonzales, Jeff Whitlock, Melissa Kendall, 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 R1.6 (TDR-R) Transferable Development Rights Receiving Overlay Zone is described in the attached Exhibit A.

### **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 October 12th, 2023.

## NEIGHBORHOOD AND PUBLIC COMMENT

### APPLICANT RESPONSE

The question was asked by the commission whether or not there should be a new neighborhood meeting held. The answer is no, because nothing more is being asked for than what was presented at the October 12<sup>th</sup>, 2023, meeting. If any further development will be pursued, the applicant will need to go through all the steps for that new development.

### PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following: They were in support of the proposal just like the last time it was presented. They were happy that the Transfer of Development Rights was already working. They also thought it is better so that the property owners will still have the opportunity to develop more in the future if that is their desire.



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Planning Commission Chair



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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, 445 West 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**

Parcel # 19-048-0031

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM N 921.06 FT & E 925.31 FT FR S1/4 COR SEC 34, T6S, R2E, SLM; N 14'38"E 72.33 FT; S 89-44'06"E 192.12 FT; N 15'54"E 100

Parcel # 19-048-0030

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM N 921.06 FT & E 925.31 FT FR S1/4 COR SEC 34, T6S, R2E, SLM; N 14'38"E 72.33 FT; N 89 DEG 44'06"W 80.07 FT; S 52 DEG

Parcel # 19-048-0026

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM. 9.28 CHS S & 13.65 CHS E & 2.39 CHS N 40 15' W FROM NW COR OF S 1/2 OF SE 1/4 OF SEC 34, T6S, R2E, SLB&M; E 8.02 CHS; N

Parcel # 19-048-0039

SEC/TWN/RNG/MER:SEC 34 TWN 06S RNG 02E COM E ALONG SEC LINE 862.27 FT & N 796.64 FT FR S 1/4 COR SEC 34, T6S, R2E, SLM; N 41 04'W 67.50 FT; E 164.65 FT; S 75 58'W