



Provo City Planning Commission

Report of Action

May 10, 2017

ITEM 1* PEG Development requests an Ordinance Amendment to Section 14.50(22) of the Provo City Code to allow an apartment complex buffered by townhomes located between 4750 and 4800 North, and between approximately 245 West and University Avenue in the PRO-R22 Zone. **Riverbottoms Neighborhood.** 16-0024OA, Brian Maxfield, 801-852-6429

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 10, 2017:

RECOMMEND APPROVAL

On a vote of 5:0, the Planning Commission recommended the Municipal Council approve the above noted application with Option “B” which allows only single-family lots along the north side of 4750 North Street.

Motion By: David Anderson

Second By: Deborah Jensen

Votes in Favor of Motion: David Anderson, Deborah Jensen, Brian Smith, Ed Jones, Jamin Rowen

Jamin Rowan was present as Chair.

- The motion 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, but includes a recommended allowance for only single-family lots along 4750 North.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

The proposed text amendment is attached as 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. Key points addressed in the Staff's presentation to the Planning Commission included a general review of the hearings to date regarding this project, and the proposed changes in the project since the previous hearing before the Planning Commission.

CITY DEPARTMENTAL ISSUES

- Alternatives for sewer utilities have been presented with the application, all of which could be feasible. Details for all utilities will be reviewed for final determination with review of the Project Plan.

NEIGHBORHOOD MEETING DATE

- The most recent neighborhood meeting for the Riverbottoms Neighborhood was held April 25, 2017.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was present and addressed the Planning Commission during the public hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

PUBLIC CONCERNS AND COMMENTS

The staff report included the most recent report of the Neighborhood Chair, David Rosen. Comments received after the staff report was distributed, but prior to the PC meeting, were distributed at the meeting. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Dave Rosen, Riverbottoms Neighborhood Chair, summarized his neighborhood report and concerns expressed by neighbors. His summary included comments from 4750 North neighbors and the impact of townhomes on them; resulting benefits to the Riverwoods Mall (The Shops at Riverwoods); the need for apartments and the proposed density at this site given the existing and proposed units north of 4800 North; questions regarding sufficiency of City infrastructure; and the resulting limitation of areas left for the development of new single-family homes.
- Ben Markham (a member of, but not representing, the City's Transportation and Mobility Advisory Committee) presented information regarding future traffic circulation needs for the neighborhood including the need for this project to provide a direct connection between 4800 North and 4750 North.
- Some neighbors stated there was a need to support The Shops at Riverwoods, and a need to provide housing for workers at the businesses there as well as those in the business park.
- Neighbors along 4750 North spoke in opposition to the Townhome option (Option "A") and wanted only single-family lots directly opposite their homes.
- A number of statements were made that there is plenty of high density elsewhere, or else high density development is more appropriate north of 4800 North.
- Additional comments included statements that more single-family homes are needed; we need people that will benefit the community, not transient tenants; transition in the mass of this project between the single-family neighborhoods and The Shops at Riverwoods doesn't work.

APPLICANT PRESENTATION AND RESPONSE

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

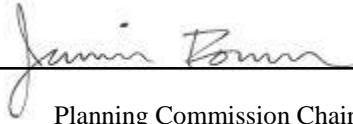
- Giving background to the various versions of the project including the current proposal (Option "A") and an alternative proposal (Option "B") prepared in response to the latest neighborhood meeting.
- Review of the targeted occupancy of the project.
- Review of the project's features including the proposed open space and green space.
- Clarifying statement that although the proposed project can be associated with the future re-development of the Movie Theater area across the street to the north, the developer (PEG) is not associated with that possible project.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Dave Anderson expressed his preference to have the commission review everything at once (amendment and project plan), but feels this request could move forward with the established guidelines of the ordinance. He stated he was undecided on which option to recommend as he believes the townhomes would be the best fit in a planning sense, but is also sensitive to the concerns of the neighbors on 4750 North.
- Deborah Jensen stated her understanding that change is difficult; that with two major streets, this isn't a single-family area; that the plan seems to have changed in response to neighborhood concerns, but then there is push back on the changes made to address those concerns; she appreciated the comments on the future street connectivity need; and, felt that Option A was well thought out.
- Brian Smith stated that he was happy to hear from more people on 4750 North. He's been more in favor of single-family homes along 4750 because he feels it will have less impact. Regarding for the overall project, he believes single-family for the entire project doesn't fit and the proposed density is proper for the site. He too feels that he would like to look at the whole package together (with project plan), but believes the amendment can move forward as now presented. He supports "Option B" as it includes the one-family lots.
- Ed Jones asked clarifying questions as to what the actual vote would be on.
- Jamin Rowan asked questions in order to clarify some of Deborah's reasoning behind her responses. He emphasized that change happens and that although neighbors were promised at the time of annexation that no changes would occur in the area, to him, those arguments were not very persuasive. He stated that he would do

the project differently, reversing the higher portion of the project back toward the University Avenue/4800 North Intersection and that he felt the current plan is not as well thought out as he'd hoped.



Planning Commission Chair



Director of Community Development

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 Development 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