



Provo City Planning Commission

Report of Action

May 08, 2019

*ITEM 5

PLRZ20180321 Todd Sinks request a Zone Change from Regional Shopping (SC3) to Health Care Facilities Zone (HCF) for 22.12 acres, and to Campus Mixed Use for 8.94 acres, located at 178 E 1860 S. East Bay neighborhood. Josh Yost (801) 852-6408 PLRZ20180321

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 08, 2019:

RECOMMEND APPROVAL

On a vote of 3:1, the Planning Commission recommended the Municipal Council approve the above noted application.

Motion By: Dave Anderson

Second By: Andrew Howard

Votes in Favor of Motion: Deborah Jensen, Andrew Howard, Russ Phillips

Deborah Jensen was present as Chair.

- Report of Action for item previously continued after a public hearing or other discussion.
- 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 Health Care Facility (HCF) and Campus Mixed Use (CMU) Zone is described in the attached Exhibit A.

RELATED ACTIONS

Concept Plan Approval - PLCP20180322, Approved May 8, 2019.

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

Staff presented both the Zone Change and Concept Plan Concurrently

Relevant History: The 22.12 acre parcel was conveyed to GT Medical Holdings LLC by the City for the development of the Noorda School of Osteopathic Medicine. The 8.94 acre parcel was acquired by TG Development LLC for the development of the associated apartment housing.

Summary of Key Issues: The primary issues pertaining to the proposed rezone are the provision of utilities to the site and the reconfiguration of on-site storm water facilities. The applicant continues to work through the CRC process to develop acceptable solutions to each of these issues.

Staff Recommendation: Staff recommends the Planning Commission recommend approval of the request for a Zone Change from Regional Shopping (SC3) to Health Care Facilities Zone (HCF) for 22.12 acres, and to Campus Mixed Use (CMU) for 8.94 acres, located at 178 E 1860 S.

CITY DEPARTMENTAL ISSUES

- Traffic study required and reviewed at this stage of project approval.
- Preliminary traffic study submitted.
- Important issues raised by other departments are addressed in Staff Report to Planning Commission

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on 10/17/2018.

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present during the hearing.
- No neighbors or other interested parties were present or addressed 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:

No public comment was received during the hearing.

APPLICANT RESPONSE

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

The Zone Change and Concept Plan applications were presented and discussed concurrently.

Todd Sinks, applicant introduced the project team and their presentations.

Richard Nielsen, President Rocky Mountain University of Health Professions reviewed the mission of the school and its impact on Provo and the greater Wasatch Front. He provided a history of RMU and explained the genesis of the Noorda College of Osteopathic Medicine (NCOM).

John Dougherty, Dean of the proposed NCOM shared an overview of the college's purpose, education philosophy and potential impact.

Curtis Leetham, Director of Healthcare Environments at MHTN reviewed the proposed concept plan. He explained the design development process and shared the many constraints present on the site. Mr. Leetham addressed concerns expressed by Planning Commission members at the previous meeting, indicating that parking structures and college buildings had been adjusted in the site to improve the proximity and relationship between the buildings and to move the parking facilities to the periphery. He also shared the redesigned pedestrian way leading from the apartment housing to the center of the NCOM campus.

Chris Huntsman of Five Degrees Design presented the revised concept for the apartment housing. He explained that four buildings had been combined into two buildings and that the primary street frontages now feature apartment units opening directly onto the sidewalk. He also reviewed the tenant amenity spaces and parking facilities. Finally, he explained the material selections for the buildings.

Concluding the presentation and in response to questions from the Planning Commission, Mr. Sinks indicated that we was willing to enter into a development agreement which would include the concept plan elements of building siting and arrangement.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

In the previous meeting comments were made by members not present at the second meeting.

In this meeting, Jamin Rowan expressed the following

- His most significant concern with the concept plan is the way in which the proposed buildings are situated in relation to one another on the site and the types of mobility that their situated-ness encourages among those using them. That is to say, the design and placement of the buildings on the site play a much bigger role in determining whether people will walk, bike, or drive to the site than amenities such as wide sidewalks, raised sidewalks, or pleasant landscaping play (though such amenities are undoubtedly important).
- He strongly recommended that the applicant reconsider placing two parking garages between the 793-unit apartment development and the buildings that students will use on campus.
- He also expressed concern that the sheer amount of space that paved roads take up on the site will encourage driving. For as small as the campus is (six structures), there seems to be an inordinate amount of the site dedicated to automobile infrastructure.
- Despite the applicant's insistence that he and his team have done the absolute best they could do with the site on which they are working, Mr. Rowan remained convinced that there is more that could be done with the site to make a much more walkable and user-friendly space.

Also in the first meeting, Shannon Ellsworth concurred with Mr. Rowan's comments and expressed additional concern about the appropriateness of the apartment and medical school land uses in general. She then shared her desire to obtain the best possible design for this development, especially considering the city's significant involvement in facilitating the project.

The following discussion occurred in response to the applicant's presentation in this second meeting.

Deborah Jensen noted the improvements that had been made after the initial hearing and expressed her appreciation for the presentation of the design development process. She questioned the applicant as to the likelihood of change in the plan from concept to final design. Mr. Leetham answered that any substantial change to building form or location was unlikely as it would require major redesign of the street and utility plans that underlie the concept plan. Mr. Sinks then proffered a Development Agreement to memorialize the key features of the concept plan.

Dave Andersen expressed concern about the remoteness and isolation of the proposed housing from other residential neighborhoods, services and daily needs. He continued by stating that the location for the Medical School is appropriate and acceptable. He then articulated his additional concerns related to the apartment housing element of the project.

- Provo City has approved, and continues to approve, apartment projects on a regular basis;
- Provo has more than its share of apartments in comparison to other cities in the county;
- The apartment land is ripe for commercial, business or even retail uses that would spin off from the Medical School or may be ancillary to the Medical School.

Andrew Howard questioned the apparent disconnection between the apartment housing and the medical school and asked staff if it was primarily related to site or engineering constraints. Staff responded that the appearance of a disconnect is primarily related to the presentation of the two elements separately and that they are being designed by different architects, leading to only minimal representation of the other element of the project in each architects presentation.



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