

Provo City Planning Commission

Report of Action

January 08, 2025

ITEM 5 David Peterson requests Project Plan approval for a new 129-unit apartment project in the ITOD (Interim Transit Oriented Development) Zone, located at 156 West 500 South. Downtown Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.org PLPPA20240141

The following action was taken by the Planning Commission on the above described item at its regular meeting of January 08, 2025:

APPROVED WITH CONDITIONS

On a vote of 8:1, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

1. A final plat is approved by CRC and is recorded.
2. Developer will make a good faith effort to work with the owner of the coffee shop and Development Services to convert a space for a commercial space.

Motion By: Jonathon Hill

Second By: Andrew South

Votes in Favor of Motion: Jonathon Hill, Andrew South, Barbara DeSoto, Lisa Jensen, Anne Black, Melissa Kendall, Adam Shim, Jeff Whitlock

Votes Opposed to the Motion: Daniel Gonzales

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.

APPROVED/RECOMMENDED OCCUPANCY

*129 Total Units

*Type of occupancy approved: Family

APPROVED/RECOMMENDED PARKING

151 Total parking stalls required

175 Total parking stalls provided

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 AND PUBLIC COMMENT

- The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.
- 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:

- There were many people from the public that addressed the Planning Commission and along with a few letters that were sent to the Planning Commission prior to the hearing.
- The majority of the comments expressed heavy opposition to the existing coffee shop being demolished to make way for this development proposal. There was a lot of support offered to consider finding a way to keep the coffee shop as it plays a pivotal role in many people's lives and provides jobs.
- The structure that exists there now has a rich history that if removed will be lost. This is a “third place” and efforts need to be made to keep this.
- The amount of traffic around there is already high, and this development will bring even more.
- The General Plan calls for promoting sustainable development and economic growth of businesses.

APPLICANT RESPONSE

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

- Wants to bring market rate and affordable housing for people to live close to where they work.
- There are environmental and structural issues with the existing building.
- Tenants were given notice years ago that this was going to be developed.
- The zone change and the rezone have been approved, and this development meets the guidelines of the existing zone.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The percentage of the building that will be affordable housing was believed to be close to 100%
- There was a discussion about changing some of the space in the building to be used as a commercial space to allow the coffee shop to stay. There is extra parking available to potentially make something work.
- Continuing the item into the future would have impacts of deadline that the developer needs to meet, and there was questionable grounds for being able to continue an administrative item that meets code.
- David Day from Public Works addressed the traffic concerns by indicating that the existing street will be able to accommodate the traffic for 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 Department, 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