



## PROVO MUNICIPAL COUNCIL Work Meeting Minutes

12:00 PM, Tuesday, February 07, 2017  
Room 310, City Conference Room  
351 W Center, Provo, UT 84601

### Agenda

#### Roll Call

The following elected officials were present:

Conducting: Council Member David Sewell  
Council Member David Knecht  
Council Member George Stewart  
Council Member David Harding  
Council Member Kay Van Buren  
Council Member Gary Winterton  
Mayor John Curtis

Excused: Council Member Kim Santiago (joined meeting via conference call)

#### Prayer

The prayer was offered by Corey Norman, Deputy Mayor.

#### Approval of Minutes

- o January 3, 2017 Work Meeting
- o January 12, 2017 Development Approval Process Review Retreat
- o January 17, 2017 Work Meeting

*Approved by unanimous consent.*

#### Business

Deon Turley, who was appointed to the TMAC later that evening, introduced herself to the Council. She has been interested in serving the City on a committee; in the past, she has served on the PTA, the State PTA Board, and is interested in education issues. She is moving from the Grandview Neighborhood, where she was formerly a neighborhood chair, to the Joaquin Neighborhood. She had applied for a position with the committee and she is grateful for the Mayor's appointment. Ms. Turley's daughter is receiving a PhD in urban planning with a transportation specialty, so she is excited for the opportunity to share her committee-work with her daughter and contribute her learnings.

1. A presentation by BYU MPA students regarding a project in the Franklin and Franklin South Neighborhoods (17-018)

Kevin Orton, a student receiving a Master's of Public Administration at Brigham Young University, presented information on a project focused on the Franklin and Franklin South Neighborhoods. He and his classmates, Rebecca Stewart and Romuald Rambikarison, have worked with Scott Bowles in Economic Development to evaluate this area of the city.

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Elizabeth VanDerwerken, Executive Assistant

Mr. Orton and his classmates identified three questions to guide their analysis:

1. What could we do to attract millennials to Franklin and Franklin South neighborhoods?
2. Would the Startup district be its own neighborhood?
3. In short, would we [as individuals of the target demographic] want to live here?

There is a lack of commercial properties in the Franklin and Franklin South neighborhoods, and consequently, not many amenities available to residents of the area. Two thirds of the residents in these two neighborhoods are renters. There wasn't much demographic data available as far as the housing stock, so they would recommend completing a comprehensive housing study. A housing study would allow better analysis of whether residents are there temporarily or for a long-term period. Identifying these differences will aid in selecting the strategies which could be used to address the needs of those residents.

Mr. Orton introduced TOD areas (transit-oriented development) and suggested that Frank and Franklin South could capitalize on its TOD classification. Most millennials want to live in urban areas; most of the neighborhood is within a 20-minute walk of the UTA FrontRunner station. Mr. Orton also outlined several guiding principles and helpful strategies which could be used in the revitalization of the Franklin and Franklin South areas:

- Imageability
- Human Scale
- Complexity
- Enclosure
- Transparency
- Zoning

With regards to zoning, Mr. Orton referenced provisions of the RC (Residential conservation) zone. Most areas of Franklin and Franklin South which are zoned as RC primarily utilize this designation to preserve the historical character of neighborhoods and help homeowners reduce costs that could be incurred with compliance to modern zoning standards. However, the RC zone allows for certain commercial conditional uses. None of the properties that the MPA students examined were taking advantage of this exception. This begs the question of whether the RC zone is the most appropriate for the areas in which it is currently applied. Mr. Orton and his classmates recommended strategic rezoning (to retain RC classification in certain areas, or change it in others) in order to ensure proper historical preservation as well as to encourage proper commercial development in bringing more amenities to the neighborhoods.

Mr. Orton cited several examples of commercial development which would be appropriate to this area with the goal of attracting millennials to the area. Small neighborhood grocery stores or gyms could be used in conjunction with mixed use buildings in the area which encourage walkability. Mr. Orton pointed to the Startup district as an area which is headed in the right direction as far as density and diversity to implement some of these strategies in the neighborhood.

Mr. Orton reiterated and summarized his group's recommendations:

- Conduct a comprehensive housing study of the entire area
- Encourage mixed use developments while maintaining historic ideas and ambience
- Conduct a comprehensive survey of current Franklin and Franklin South residents and Provo residents in general to determine preferences for amenities
- Provide amenities that attract millennials (gyms, grocery stores, etc.)
- Reevaluate RC zone to attract businesses that will influence economic development for the area

Council Member David Knecht asked whether "millennials" refers to singles or married couples. His anecdotal information points to many millennials who are happy in Provo South and similar areas. Mr. Orton clarified that "millennials" refers to the young professional-type working class, which could include either contingent of this group (either single millennials or young married millennials). Mr. Orton clarified that analysis of the Provo South area was outside of the scope of this project examining Franklin and Franklin South, but indicated that there are other cities whose populations might provide a

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good case study for evaluating those types of housing needs. Council Member David Harding indicated that he has accessed some information regarding housing demographics in these areas, but perhaps it is due for an update. Mr. Harding also felt that the traditional definition of working class was fairly descriptive of the area. Mr. Orton clarified that in this presentation he was referring to the post-graduate, young professional working class, rather than the traditional working class.

Mr. Knecht gave some background information on the intent of the RC zone when it was created and implemented. His impression was that it was never intended as a long-term zone, but as a transitional zone to permit a sequence of appropriate development.

Council Member Gary Winterton asked about areas such as Startup Crossing and whether this housing type has been filled with student residents or if it was occupied by the desired millennial market. Mr. Winterton explained that he continues to hear a lot of demand from millennials who need someplace to live; he wonders if some of this housing being used up by students. Mr. Winterton clarified that students may make up a portion of Provo's millennial population, but he has observed from conversations with his constituents and residents that we are not meeting the current needs and market demands. Mr. Harding suggested that the Housing Committee could look into this question, using some of Matt Taylor's previously compiled material as a starting point. No formal action was taken by the Council; this item was informational only.

2. A presentation from the Utah Ombudsman's Office regarding eminent domain proceedings (17-022)

Brent Bateman, Utah Ombudsman's Office, presented this item (see attachment). He explained that eminent domain generally results in upset in one form or another. He isn't aware of anything inherently wrong with how Provo has handled recent eminent domain situations, but it is helpful to review the common issues and pitfalls.

Mr. Bateman works for the State of Utah in the Executive Division and the Department of Commerce. He doesn't represent the state or the citizens/property owners necessarily; as ombudsman, he helps to resolve problems due to eminent domain and make sure that proceedings meet the legal requirements for all parties involved. Mr. Bateman iterated the importance of a trusting attitude, openness of communication, and fairness. These are individuals, not just pieces of land. If municipalities remember this, things goes more smoothly for all parties involved.

Council Member David Knecht asked a question regarding a recent eminent domain decision on Provo's west side—whether the City can compensate for more than the value of the property. Mr. Bateman explained that property values is an interesting topic; you could get two appraisals which are totally different. Property value is a spectrum – in the middle are low and high realistic figures, then the outliers are high above this and low below this. He discourages paying high above this; people talk and they know if they fight the City it will work for them too—it is important to stay within the spectrum in order to build and maintain trust, as well as not set precedents that the City is not prepared to maintain. However, certain cases might necessitate granting the higher amount within the spectrum. The U.S. Constitution says that citizens are entitled to “just compensation.” Eminent domain is never something a City turns to in order to save money. But if the City give people what's fair, trust levels will increase.

Mr. Bateman explained that there is a large body of case law which supports the view that every piece of property is unique, if for no other reason than when you stand on it, it has a slightly different view. Each property has its own value and it is ultimately a matter of what someone will pay on the open market for that piece of property. Even if two neighboring properties are the same size and shape, there may still be other factors which affect the market rate—it's all a matter of what someone will pay for the property on the open market. Any kind of existing amenities such as water rights, real estate or buildings on the property, etc. may influence the value of the property.

Council Member Gary Winterton asked about the County Assessor's valuations. Mr. Bateman said that the County Assessor examines other factors and may not use the same variables as a market-rate appraisal; consequently their figure may not be reliable. Mr. Bateman said that eminent domain appraisers are careful about what comparables they use and how they compare these aspects.

Council Member David Harding expressed his curiosity about several items on Mr. Bateman's chart depicting common issues in eminent domain law: "business losses," "compensation for severance damages," and "compensation for cure damages." Mr. Bateman explained some of the nuances between these items. When a municipality takes property through eminent domain, there are three things which must be paid per Constitutional mandate:

1. Fair market value for what you took, or compensation for the property taken;
2. Severance damages (after a city takes the best part, then the rest of the property value goes down, so the city must pay the severance), or the loss of value to the remainder;
3. Compensation to cure damages, such as torn down fences, trees removed, etc.

Mr. Bateman explained that reimbursement does not occur for business losses or lost profits—when a city uses eminent domain, they are buying the property owner's land as opposed to the property owner's business. He clarified that if the city takes a portion of the land which renders the rest of the land less valuable because the business won't work as well, then the city pays for that since it is tied to the value of the land, as opposed to reimbursing lost profits. Lost profits are speculative and not tied to the land value.

Council Member David Harding asked about how relocation works with regards to eminent domain. Mr. Bateman said that this is not constitutionally mandated, but is mandated by Utah State statute and often factors in as a fourth item that cities must pay in eminent domain proceedings. He drew a distinction between business and residential relocation, as the process and its outcomes are very different. The residential relocation process is very generous, in order to relocate families into a new home. He said however that the process for business relocation is not ideal. Mr. Bateman said relocation is not something he would handle without the necessary expertise. Mr. Bateman said beyond the State statute, there are many federal regulations governing relocation. There are approximately 10 relocation experts statewide and Mr. Bateman's office can connect Provo with a relocation expert should Provo need to address these types of concerns in conjunction with eminent domain.

Mr. Bateman also explained the resources that are available to residents and the public. He suggests that the City make sure people are made aware as soon as possible that the Utah Ombudsman Office is a resource for them to be able to use if they want help with arbitration, mediation, appraisals, etc.

Council Member Gary Winterton asked a question to clarify Mr. Bateman's information about business losses. Mr. Bateman explained that eminent domain is a snapshot—a city pays for the property value at the time in which the city took the land. As far as business space where the property owner's profits are a result of tenant leases, there is a fine line. The reimbursement will not cover the losses of profits as a result of no longer leasing the property, but an example Mr. Bateman gave illustrated the point. If two properties both have tenants with a current lease, if the lease is in effect, the duration of the lease may impact the property value at the time. A property with a tenant who has leased the space for the next 20 years will be more valuable than one in which the tenant's lease only extends one year. Mr. Bateman clarified that the payments won't cover the loss of the lease, but the active lease will reflect on the property value. Billboards present more complications, which he will not address in this presentation. Mr. Bateman addressed several tools which are available to municipalities handling eminent domain proceedings. He highlighted mediation as well as "additional appraisals." Their office offers "Additional Appraisals," which is similar to getting a second opinion from another physician. The Utah Ombudsman Office hires an outside appraiser, who then can compare their appraisal against the initial appraisal, which may have been contested by the property owner or another party. Often this results in settling many of

these cases without having to go to court, as both parties can utilize these tools to reach consensus on the appraisal. Because the additional appraiser is hired by the Ombudsman Office (after researching any conflicts of interest) and not the involved parties, this lends the proceeding a degree of impartiality not afforded otherwise. Mr. Bateman reiterated that the purpose of the Bill of Rights is to protect citizens from the government; his job is to tell citizens what their rights are in this context.

### 3. A discussion on the West Side Sewer Line planning (17-023)

Dave Decker, Public Works Director, introduced this item. In December, Mr. Decker had spoken with Wayne Parker about plans for the sewer line and the timing of taking a proposal to the Council. During a previous Council Meeting, during David Walter's presentation on some items regarding Duncan Aviation, he alluded to the plans to move elsewhere a lift station which was intended to be installed at Duncan Aviation. When this question arose regarding sewer plans on the West Side, Public Works wanted to apprise the Council of the plans for the sewer servicing of the west side of Provo.

Mr. Decker provided background information on sewer projects in the area. During fiscal year 2015, Public Works budgeted and the Council approved \$1 million for a project on Geneva Road, which later was increased to \$3.7 million, to connect sewer to the northwest area of Provo. This was one of the projects included in a bond Public Works had done for water and sewer improvements. In February, this money became available. Liz Nesbit, Provo City Engineer, about a year ago spent time doing design work for these improvements on Geneva Road. When Public Works felt the design was in a solid place, they began working with UDOT and other agencies on constructability issues. There were some restrictions UDOT wanted to impose—no working during daytime hours/the project needed to be done at night, utility conflicts, etc. Some major red flags arose for Public Works as these reports came from UDOT. Mr. Decker foresaw many problems for residents and their quality of life were Provo City required to do a night project for the duration of the summer. Public Works began exploring other options to make the project more viable for all parties involved.

A power corridor runs several blocks west parallel to Geneva Road. They examined the option of running the sewer line through an existing power corridor. The main purpose of this was in order to get sewer service to the northwest corner of Provo. There had been sewer capacity issues with Broadview Shores and Geneva Road which Public Works is seeking to address. Rebecca Andrus, Provo City Engineer, became involved with the project as well and another option brought to Mr. Decker was that of moving the sewer to align with Lakeview Parkway. The City engineers came with several options for the project, which addressed the capacity needs for the northwest corner of Provo, as well as the sewer and wastewater infrastructural backbone on the west side of Provo. This presentation is intended to bring the Council up-to-date on developments with this project and the options up for consideration. There are some challenging aspects to the project, particularly issues with groundwater. Public Works is addressing these issues and is awaiting results from consultants on the project. If Public Works' solutions are viable, this concept will eliminate five lift stations (and corresponding maintenance concerns) from the west side.

Gary Calder, Water Resources Director, presented further details of the project (see attachment). The first map shows the sewer running through the Geneva Road corridor, as intended in the 2010 Master Plan. Mr. Calder identified several of the challenges to the project as originally planned on Geneva Road:

- With the sewer located at a depth of 20-25 feet, where can groundwater be displaced in an existing subdivision?
- UDOT would require Public Works to maintain 2-way traffic during the project
  - This would require building a shoulder to facilitate traffic and rebuilding the road later
- Relocation of existing sewer and water lines, fiber optics, and other utility lines
- They looked at the power corridor as an option (in order to avoid a project on Geneva Road and the challenges noted above) but the elevations of the power corridor meant that the sewer line would be nearly at surface level at the north end.

The next slide depicts the Geneva Outfall Scenario in which the dashed green line represents the Geneva Corridor. There are some other obstacles which Public Works has taken into consideration: the relocation of Provo High School, Duncan Aviation, and several other projects. They have tried to work out a solution that would meet the needs of all of these projects. Rebecca Andrus and other staff determined the best option would be to relocate the sewer line to the west side, along Lakeview Parkway. Mr. Calder referred to the corresponding slide (Lakeview Parkway Outfall Scenario) and noted several benefits:

- No existing utilities (in other areas, existing utilities require crews to work around/relocate lines)
- Gravity line is possible
- Can connect to the existing newly constructed Northwest Lift Station
- Five lift stations can be eliminated (one of which, Duncan Aviation, design work was in process and has been halted), noted in red on map
- Only one lift station would be needed—Southwest Lift Station, shown in a tentative location

Public Works has talked to many contractors and consulting engineers about some of the issues they would face. An RFP has been received from three consulting companies; these companies have worked in Vineyard and Saratoga Springs, so these engineering groups are familiar with concerns in this area. Public Works posed this question to them: “What made your project successful, and what can we expect as far as problems or issues.” Public Works has not selected a consultant, but they are examining the issues and keeping those in the forefront of the selection process. Mr. Calder noted several specific challenges:

- Groundwater
  - Public Works has also secured necessary right-of-way areas for groundwater displacement and developed a plan for trenching and dewatering the sites.
- Peat moss and settling (problematic for driving/moving equipment)
  - The consultant will coordinate hiring a reputable geotechnical contractor/engineer as well as negotiate pricing so that Provo can address these concerns.
- Relocation of Provo High School
- Provo Delta project – the issue of relocating the line to the area where the river will be relocated
  - It is much simpler to install the line cutting into dry ground than having to relocate after the river is relocated, so Public Works intends to address this up front.
- Duncan Aviation – installing this line in time to service needs of Duncan Aviation (late 2018)

Mr. Calder shared several cost estimates as broken down by area of the project, totaling over \$9 million. After putting the sewer line in, the availability of sewer and water utilities/infrastructure will spur growth in this area. Mr. Calder clarified the term “outfall”—this refers to the trunk line, which is frequently a gravity line. Council Member David Knecht asked about the previous discussions regarding the possibility of building a new sewage treatment plant on the west side and how that relates to this project. Mr. Calder explained that this is a challenging and expensive question, as that decision is still several years out, but the placement of this project will affect the future sewage treatment plant plans.

Mr. Decker provided some clarification to some of the sewer details depicted in the Lakeview Parkway Outfall Scenario. The 36” line is shown in aqua on the drawing and was designed as a parallel 36” line. This existing line flows south along 1150 East, across I-15, and to the east across the mall to the treatment center in East Bay. Currently the State is studying Utah Lake and the results of this study (particularly for the Provo Bay area) may impact the City’s options. By routing the sewer line as proposed, this still allows for the additional 36” line to be designed to either flow to the east and the existing treatment plant, or to flow to the west to a new treatment plant, thus maintaining the City’s flexibility for a future decision. Mr. Decker emphasized the strengths of this interim plan—it allows the City to use either option. Public Works also recommends that the forced main (likely a lined, steel line) be designed so it could be reversible in the future, utilizing the gravity flow if it were running to a future west side treatment plant.

Council Member Gary Winterton asked whether Public Works will need to coordinate any sewer work with Orem City. Mr. Calder clarified that they are not changing any of the existing sewer lines on Geneva

Road; these sewer lines will continue to operate as usual. Relocating the trunk line to Lakeview Parkway prevents some of the issues which would have been encountered if Public Works had needed to do work on Geneva Road. The Lakeview Parkway Outfall Scenario will be \$7 million cheaper to go to the west, by alleviating the costs related to asphalt restoration, refill, traffic control, PR/communications, etc. which would have been incurred in doing work on Geneva Road.

Council Member Gary Winterton asked several questions about the five lift stations which this project would propose to eliminate. Public Works staff confirmed that all of these lift stations are totally independent of each other; they serve different areas and function independently. All five of these have backup power and the engineering consultants will help to address those types of issues with the larger, central life stations in order to support the needed capacity and its maintenance needs.

Council Member Kim Santiago had several other questions regarding the bond and financing of the project. Mr. Decker explained that the \$10 million bond for wastewater in fiscal year 2015 was allocated for several projects:

- \$1.2 million of this bond money was set aside for the Duncan Aviation lift station which was initially part of the CIP (Capital Improvement Project) proposal.
- \$2.7 million mentioned earlier was also part of the bond
- \$7.4 million in combined projects which Public Works could dedicate towards this larger area project—including the Duncan lift station. As Public Works moves forward with a consultant, working with the \$7.4 million which is currently allocated for these projects, they intend to bring this project budget back to the Council in March during discussions of the 2018 budget.

They intend to begin construction this summer, as the Duncan Aviation component of the project must be live by 2018 in order to move the project forward. Dave Decker expects another \$1 million to be requested in the CIP for this project. There is also an unknown variable regarding the needs of the new high school and the surrounding homes, and when this infrastructure needs to be in place. Mr. Decker also believes the City's water rates have been too low for too many years and consequently, some of these issues have fallen by the wayside. The recent rate increases have been significant, but Provo is still on the low end compared to neighboring municipalities and their water rates.

4. A discussion regarding a proposed resolution expressing opposition to House Bill 164 and support for municipalities with respect to Enterprise Funds transfers (17-028)

This item was presented by Cliff Strachan, Council Executive Director. Mr. Strachan introduced a bill which is under review by the State Legislature with potential consequences to Provo City. There is a willingness to downgrade the proposal at the State level, but if pushed too far, the sponsor may revert back to the original language in the bill. The joint resolution [of the Mayor and Provo Municipal Council] language has been added to the document which will be sent to the Legislature following its formal approval by the Council. Provo City stands by its desire to have the option to transfer from the enterprise funds to the general funds. If this item is passed tonight, it will be fast-tracked to get signatures and submit to the legislature. Council Member Gary Winterton was emphatic about his and the Council's opposition to the measure.

Mr. Strachan expressed that Corey Norman and ULCT (Utah League of Cities & Towns) have been great partners in working with the State legislature, in one of the more challenging of recent legislative sessions. The sponsor of the bill, Jefferson Moss, had previously served as a council member in Saratoga Springs. A financial situation arose in Saratoga Springs related to enterprise funds, but it was the opinion of Provo City administration that this difficulty came about due to poor planning, and consequent raiding of the enterprise funds in Saratoga Springs. Mayor Curtis expressed his views on the matter—he sees this as being more an issue with transparency, rather than the ability to use enterprise funds. He welcomes the opportunity for Provo City to be more transparent. Many cities transfer a dollar amount at the end of the year, so the measures proposed at the State level would be difficult for many cities to implement as a line

item on a utility bill. Wayne Parker, CAO, shared an example of a neighboring city: Spanish Fork is capital-based; they use a portion of their enterprise funds for capital improvements, so their transfer occurs at the end of the year based on the net profit of the utility, which then is transferred to CIP funds. While it is not a common practice to use this system of a percentage of annual net profit, it would still be difficult to estimate what that amount would be during a given month. Ms. Santiago shared a comment shared during a session of the ULCT Legislative Policy Committee which reiterated some of the issues noted by Mayor Curtis and Mr. Parker. She shared an observation that doing this on each bill (as a line item) for residents would be confusing because the amount can change from month to month.

Mayor Curtis shared that Provo residents have been wildly supportive of this transfer rather than increasing property taxes. Mayor Curtis thinks this is a great story and opportunity with transparency. Representative Moss, the sponsor of the bill, was gracious enough to meet with them and Mayor Curtis felt that they found some ways to address the concerns on both sides.

5. A report on the progress of the Urban Deer Program (15-076)

This item was continued to a future meeting as Camille Williams was ill. A spreadsheet from the Division of Wildlife Resources will be sent to all Council Members when Ms. Williams returns. Genelle Pugmire of the Daily Herald has also requested that Cliff Strachan share the spreadsheet with her.

Mayor Curtis provided a brief, minor update on this. A constituent called him and asked when they intended to start the program; Mayor Curtis explained that the point of the program is that by design it is very discrete. This is a multi-year approach, so residents won't see a radical reduction in deer in the first year; the crew knows where the deer are and watching their migrating habits, so they are choosing specific deer to be impactful. This is not intended to catch the deer that are coming down for the winter; it is simply to capture the deer who have moved down permanently. This winter is especially bad, so we'll have more deer this winter. Officer Drew Hubbard explained that they can focus on a particular neighborhood. If a resident wants action, they can provide specific information to Officer Hubbard and the Animal Control staff will know specific areas who are happy to host the crew/hunters.

Mayor Curtis mentioned that they can provide more financial updates when they give the full report. They are also evaluating safety procedures in order to make the program safer for officers (one officer was kicked in the face by a deer). Provodeer.com is also a resource for more information.

6. A presentation from Utah Transit Authority regarding development near the proposed BRT line in Provo (17-021)

***This has been postponed to eliminate confusion between this item and the BRT item on Council Meeting for February 7, 2017.***

7. A discussion on an update regarding the city-wide Economic Development Strategic Plan (17-019)

This item was presented by Dixon Holmes, Chief Deputy-Economic Development, and Scott Bowles, Management Analyst. Until 2011, Provo City had never had an Economic Development Strategic Plan. Part of Vision 2030 acknowledged the need for this type of plan, and in 2013 the Council adopted this plan as an advisory document. It is definitely their recommendation to be more strategic in our efforts for Economic Development. Mr. Bowles clarified some aspects of the Economic Development Strategic Plan. It is not a formula to achieve a specific result, but it is a compilation of very specific research dedicated to our community, addressing opportunities and resources for the City of Provo and Economic Development department.

Council Member George Stewart asked about some of the Economic Development successes and work of the last five years. Mr. Bowles shared some updates on this regard. Economic Development has built

strategic relationships with various sectors of BYU in order to better collaborate. The Council has been involved with a number of Economic Development projects in Provo, including renovations of the Startup Building, which has been home to many successful business ventures, and Mountain Vista Lane and on-going commercial development in that area.

Council Member David Knecht asked about some of the challenges with mixed use developments, specifically in the Alpine Village retail space on Freedom Boulevard. Mr. Holmes mentioned that some of these spaces had been converted back to residential uses within the complex, but the challenges to specific mixed use developments, in particular Alpine Village, have been or are difficult to identify. Mr. Holmes explained that in Provo, there is a lot of availability for commercial leases, but not a lot of available commercial real estate that is for sale. The main focus of Economic Development is to help businesses located here to move to their second phase. Mr. Holmes also mentioned that many businesses in the downtown area do both online retail as well as that in their brick-and-mortar locations; generally those who do both have been the most successful. Mr. Holmes reiterated that retail is not dead as much as it is changing and morphing. Most of the well-known big-box stores are represented somewhere in Utah Valley. While Economic Development does not engage in corporate recruiting, they are in some continuing discussions with retail vendors. To some degree, various neighborhood demographics have an impact, for example, regarding the on-going discussion of a West Side grocery store.

Mayor Curtis also noted that the market does a good job of putting retail where it belongs; if you try and force it, the result may be something that is not as successful. He cited Plum Tree Plaza as an example – their study resulted in more of a mixed-use approach but initially they wanted to put in more retail.

Council Member David Knecht asked Mr. Holmes and Mr. Bowles their views on how Provo is improving its reputation with businesses. Mr. Holmes pointed out the necessity of recognizing who your constituents are, and finding a balance between those constituents, which group may include both businesses and residents. There is no way to please everyone, but he believes that Provo has a good reputation and strives to balance those competing interests. Some information in Economic Development's Reports is vague by nature due to confidentiality purposes. He expressed that they are happy to meet or speak with Council members to answer more questions on sensitive issues.

## **Break**

## **Business**

8. A discussion on a proposed ordinance regarding camping on public property (17-020)

This item was presented by Officer Tyler Nisonger of the Provo Police Department. He shared a mantra of the Police Department: "See a need, fill a need." This ordinance was drafted in response to some consistent issues which the Police Department has noted regarding homeless and transient issues on public property.

Officer Nisonger shared some of the statistics for calls coded "homeless." These statistics reflected any calls, whether pertaining to public or private property. Specific incidents could involve any number of concerns: disorderly conduct, trespassing, servicing of warrants, family fights, intoxication, etc. The Police Department has noted drastic increases across the board with these types of calls, but at this presentation they did not have statistics to show whether certain types of complaints have increased proportionally. Officer Nisonger clarified that there is a contingent of transient persons the Police Department knows and interacts with on a regular basis, but there has been a significant increase in transience of other people coming to Provo.

This ordinance addresses camping on public property. Examples include the area between curb and sidewalk, commonly referred to as the park strip; camping in public parks; sleeping/living in vehicles or

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Elizabeth VanDerwerken, Executive Assistant

RVs on public streets (current ordinance requires moving a vehicle or RV within 72 hours). Officer Nisonger cited specific community business concerns as well as neighborhoods which have experienced significant problems: Smith's on 350 North Freedom Boulevard, Utah First Credit Union located adjacent to Smith's, Whitlock Auto Body and East Bay Post Office on 900 South, Maeser Park, and Pioneer Park.

Officer Nisonger shared several specific incidents where the implementation of this ordinance could have presented officers with solutions to alleviate concern which escalated into greater problems. Officer Nisonger highlighted a transient camp in the Spring Creek area—there were ten different spots with camps, including tents in the Union Pacific Railroad yard. A homicide occurred in the train yard involving residents of the transient camps. Officer Nisonger also shared photographs from a location near Moon River Drive on the Provo River. The Police Department has experienced consistent problems with public intoxication and defecation from this individual and the Police Department has concerns about the environmental impact with the proximity to the River as well as other public property.

Officer Nisonger shared several of the resources available to the local community: Food & Care Coalition, Community Action, voucher systems, Transitional Housing, Provo Housing, Wasatch Mental Health, which are resources available to people if they would choose to accept them.

This ordinance was based in part on a similar ordinance passed in Oregon. It is not criminalizing homelessness; rather it criminalizes camping on public property; challenges against the Oregon law were denied in 2015. If passed in Provo, the enforcement of this ordinance will be preceded by an education period – educate and warn violators of ordinance until March 15, 2017 when enforcement will begin. This will give people plenty of time to know what the code is and what is or is not allowed before the Police Department begins enforcement.

Council Member Kim Santiago asked whether this ordinance would help with the Foothills area—part of this is Provo area, other areas are forest land (possibly federally owned land) and there are campsites set up there. Officer Nisonger says that this will allow the Police Department to enforce within City boundaries in the Foothills area. Council Member Gary Winterton asked whether this ordinance would do anything to address camping or trespassing on private property. Officer Nisonger clarified that this ordinance involves public property only, but if private property owners had specific concerns, they could work with the Police Department to address issues pertaining to trespassing. This ordinance gives the Police Department the ability to solve problems more immediately, by asking an individual in violation to cease and desist. The individual then has an opportunity to clean up a campsite with 24 hours of notice. Previously, the Police Department had to issue numerous trespassing citations before there was any action that could be taken to address concern about camping in a specific area.

**Motion:** Council Member George Stewart moved that this item be heard at the February 21, 2017 Council Meeting. Seconded by Council Member Gary Winterton.

**Roll Call Vote:** Approved 7:0.

9. A discussion on mission statements for all Council Committees (17-030)

*Committee name:* Policy Governance

*Mission statement:* “The mission of the Policy Governance Committee is to examine existing and proposed policy and bring recommendations to the Council body relative to the vision and policy for the Council and Provo City.”

*Committee designation:* Standing (not active; committee would reconvene periodically)

***Approved by unanimous consent.***

*Committee name:* Neighborhood Program Review Committee

<http://publicdocuments.provo.org/sirepub/docs.aspx>

Elizabeth VanDerwerken, Executive Assistant

*Mission Statement:* “Perform a comprehensive review of the Neighborhood Program and recommend any changes based on how they will best help individual neighborhood organizations reach their full potential.”

*Committee designation:* Ad hoc

*Approved by unanimous consent.*

*Committee name:* Budget and Audit Committee

Ms. Santiago would like to discuss the mission statement with the Budget Committee. ***Discussion on the Budget & Audit Committee continued to a future meeting.***

*Committee name:* Rules Committee

*Mission Statement:* "The Rules Committee reviews Council rules and procedures and brings suggested improvements to the Council for consideration."

*Committee designation:* Standing

*Approved by unanimous consent.*

Staff will make revisions to reflect these changes on the Boards & Committees table.

10. A discussion on a Budget Committee request for a Water Division review (17-029)  
***Item continued to the February 21, 2017 Work Meeting.***
11. A discussion about whether the Council would like to fund both a new attorney and another zoning officer in the upcoming budget year (17-025)

Brian Jones, Council Attorney, shared background information on this item and introduced the topic of discussion. Council Member George Stewart expressed that the consensus of the Zoning Compliance Committee was they would like both and that this item received a unanimous recommendation from the Zoning Compliance Committee.

Mayor Curtis expressed that he was not aware of a very deep analysis of the second question, as pertaining to hiring another zoning officer in the upcoming budget year. He indicated that the Administration would want to look into the logistics with the Zoning division to determine the current needs and how they intend to utilize an additional staff member.

Council Member Kay Van Buren noted that a more detailed description of this item read, “a decision on funding for zoning enforcement needs.” He asked Mayor Curtis whether this department was lining up equally with their expenses at this point in the fiscal year. Mayor Curtis indicated that it is too early to know how much head room they will have in the next fiscal year; they’re still trying to determine revenues. In approximately one or two months they should be better able to answer this question.

Several council members agreed on this approach of seeing what are the needs of the Zoning division and helping them to fill those needs. The general consensus was that the Council were in favor of this following further review and recommendation from the Administration.

## **Administration**

Dave Decker, Public Works Director, has been working with John Borget on an issue relative to salt purchase. The Public Works division has exceeded the budget allotted to salt purchases for the current fiscal year. They anticipate bringing a proposal before the Council soon; there is at least another month of snow potential and possibly more beyond that. Mr. Decker outlined the salt usages for the last several months: 286 tons of salt in November, 290 tons in December, and over 2000 tons in January alone. He explained that Public Works must staff and maintain equipment and supply needs for an average winter; with this year’s strong winter and heavy snows, their resources and staff have been stretched thin. They

<http://publicdocuments.provo.org/sirepub/docs.aspx>

Elizabeth VanDerwerken, Executive Assistant

are trying to save tax dollars by keeping staff at an appropriate level, but the setup comes with inherent challenges; the snow removal crews have been at work the last three Christmas holidays and on New Year's Day this year. Their snow crews are pleasant and pleased to serve the City. The Council extended thanks to the Public Works Department for their diligence and dedication in serving the City.

## Closed Meeting

12. The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with § 52-4-204 and 52-4-205 et. seq., Utah Code.

**Motion:** Council Member George Stewart moved to close the session. Seconded by Council Member David Harding.  
**Roll Call Vote:** Approved 7:0.

*Work Meeting reopened by unanimous consent.*

## Business

Introduction of Dave Anderson, who has been recommended for appointment to the Planning Commission. Mr. Anderson has lived in Provo for 25 years and currently resides with his family in the Joaquin neighborhood. He has worked for the City of Spanish Fork for 11 years, where he is the Community and Economic Development Director. His specialty is in urban planning. In many ways, he sees his experience working in Spanish Fork as an asset, in order to provide a different perspective on the issues faced in Provo City.

*A committee appointment was introduced to the Council. Discussion only.*

## Closed Meeting

**Motion:** Council Member David Harding moved to close the session. Seconded by Council Member Kay Van Buren.  
**Roll Call Vote:** Approved 6:0; Council Member Kim Santiago abstained.

## Adjournment

**Motion:** Council Member Gary Winterton moved to adjourn the meeting. Seconded by Council Member Kay Van Buren.  
**Roll Call Vote:** Approved 5:0; Council Members Kim Santiago, George Stewart abstained.



# Franklin and Franklin South Neighborhoods Revitalization Plan

**Prepared for:**

Provo Economic Development  
Department

**Prepared by:**

Kevin Orton  
Rebecca Stewart  
Romuald Rambikarison

Brigham Young University, Romney Institute of Public Management  
December 12, 2016

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## Executive Summary

This document explores the efficiency of the Franklin and Franklin South neighborhoods. Provo City wants more information on how viable these two neighborhoods are and their future sustainability. After reviewing the demographics and area, we recommend bringing mixed-use developments into the neighborhood. Specifically, we recommend revitalizing three areas: the startup district, the intersection of 500 West and 300 South, and land where an abandoned foundry lies. Additionally, we recommend reevaluating the Residential Conservation (RC) zone in both neighborhoods.

## Introduction

The Provo Economic Development Office asked that we develop an independent action plan to revitalize the Franklin and Franklin South Neighborhoods. We reviewed research by professionals on neighborhood revitalizing, toured the neighborhoods, and analyzed demographic information. To keep an objective opinion, we did not discuss options with current residents.

## Questions

In performing this analysis we sought to address the following questions:

1. What could we do to attract millennials to the Franklin and Franklin South Neighborhood?
2. Would the startup district be its own neighborhood?
3. In short, would we want to live here?

## Demographics

### Households

Based 2010 ESRI information, Franklin and Franklin South neighborhoods represent about 6% of the households in Provo. The two neighborhoods comprise about 2,334 units.

### Housing Value

In the Franklin Neighborhood, 70% of the housing units fall under \$100,000-\$200,000 range, whereas it is 40.8% for the Franklin South Neighborhood. This confirms the affordability of housing in the Franklin Neighborhood Plan.

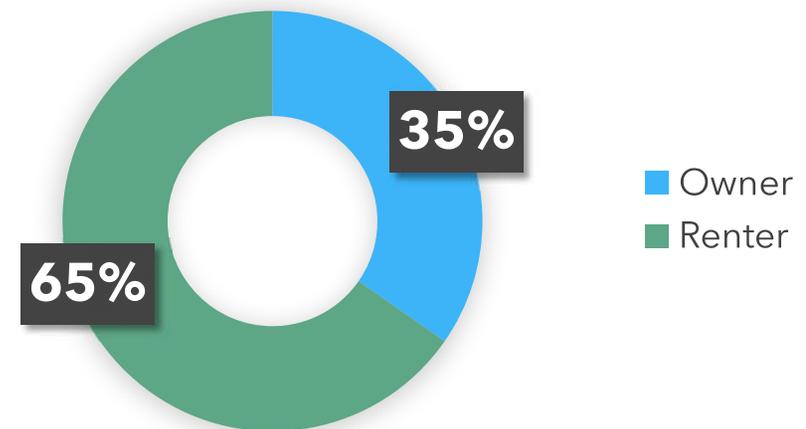
### Housing Occupancy

The 2012 ACS data shows that 2,157 of the 2,334 units were occupied in both neighborhoods. Thus, the rate of vacancy in those areas represents approximately 7.5%, which is a little higher than the vacancy rate for Provo City (5%). The 2010 ESRI data demonstrates that 34.7% of units are owner-occupied (748 owner-occupied units) and 65.3% are rented (1,409 units).

### More Data Needed

The latest up-to-date demographics for both neighborhoods are from 2010. We recommend gathering more demographic data from both neighborhoods to adequately understand the residential development needs. We strongly suggest a comprehensive housing study be conducted in the entire Franklin and Franklin South areas to better understand the current state of housing and attract a millennial base to these neighborhoods. These neighborhoods will benefit from the economic impact of this study.

### Housing Occupancy



## Overall Strategies

The following strategies are guidelines we used to develop our recommendations.

### Mixed-Use & Transit Oriented Developments

Transit-Oriented Developments (TODs) are developments designed to attract residential and commercial businesses around transportation infrastructure. Typically, TODs are also mixed use developments, or buildings that combine residential and commercial uses (i.e. commercial business at ground level with apartments on the top levels). Incorporating TODs in Franklin and Franklin South's master plan is crucial to the attraction of millennials. Figure 1 shows the concept at The Shops at Riverwoods in Provo as an example of what mixed-use could look like. Combine mixed-use with transit stations and this makes a successful TOD.

Research shows that millennials are much less likely to move to suburbs than the generation before them<sup>1</sup>. A Portland, OR city commentator, Joe Cortright, suggests in 2015 that millennials between the ages of 20-29 are more likely to move to cities as

opposed to suburbs. Cortright suggests that, “[i]f principal cities are doing a better job of attracting people in their 20s, it has major ramifications for future city population and economic growth” specifically to the college town cities<sup>1</sup>.



Figure 1

Provo in general is considered a college town and right now, Franklin and Franklin South neighborhoods are participating very little in the attraction of college-goers even though the Frontrunner Station is within walking distance of both

neighborhoods. For example, the absence of a grocery store in these neighborhoods is not conducive to a college experience thereby diverting college-goers from living in these neighborhoods. Additionally, 51% of all Provo residents are between the ages of 18-35 and amenities<sup>2</sup> such as mixed-use and TODs that attract millennials are minimal throughout Franklin and Franklin South. A survey of college students and their preferences will also benefit Provo City in knowing which amenities would more fully attract millennials to these areas. Not only will a revitalization of these neighborhoods serve the short-term attraction of millennials, we suggest incorporating mixed-use growth to support the long-term sustainability of Franklin and Franklin South.

With redevelopment comes considerations of both current and future concerns including transportation infrastructure, design qualities, and housing redevelopment.

### **Transportation Infrastructure**

One major advantage millennials see of TODs or mixed-use developments is minimizing the need to travel outside the development for errands. Trip generation or the number of trips per person a development can attract is another factor

millennials consider when moving into a neighborhood. By placing amenities and services closer together, trips are made within a development rather than into or out of the development<sup>4</sup>. Reid Ewing, research Professor at the University of Utah said. “In a master planned community... a lot of the trips are going to stay within the community. If you have a stand-alone, freeway-oriented community that happens to have mixed-used, a much smaller percentage will stay within the community.”<sup>3</sup>. With this in mind, several design qualities can assist Provo City in mitigating the challenge of too much traffic in these revitalization projects.

In a 2015 article in the Transportation Research Record, several variables called “D” variables were identified and used to assess developments for smooth traffic viability to mixed-use zones. The D variables include: destination accessibility, density (more apartments and townhomes), diversity (land uses such as residential, retail, and office), design (toward pedestrians), distance (short distance to and from transit), and development scale<sup>4</sup>. These variables are crucial in analyzing the traffic feasibility generated by mixed-use developments.

## Design Qualities

Another set of qualities to consider when developing mixed-use areas are the five qualities of urban design<sup>5</sup>:

1. Imageability
2. Enclosure
3. Human Scale
4. Transparency
5. Complexity

Figure 2 illustrates how these design qualities are used together to produce a mixed-use area.



Figure 2

### Imageability

Imageability includes the quality of a place that makes it distinct, recognizable, and memorable. For example, historic buildings, outdoor dining, courtyards and parks, and buildings

with identifiers are some of the specific elements that make imageability a successful people draw.

### Enclosure

Enclosure, the second design quality of urban development, is similar to imageability. Enclosure refers to the design aspects of an area and how public places are visually defined by elements such as buildings, walls, trees, and other vertical elements.

### Human Scale

The size, texture, and articulation of the elements in a development should match the size and proportions of the people that frequent those developments. Street shrubbery, trees, furniture, and pavement texture contribute to this quality, along with building details such as building height. People should be able to see the elements of a development that lie beyond the street through doors, windows, landscaping, fencing, and other openings.

### Transparency

The ability of people to see surroundings includes windows and places to look within buildings. These transparency elements

are inviting and catch consumers' eyes as opposed to staring at a blank brick wall.

### Complexity

Just as the current facade of houses and buildings in Franklin and Franklin South neighborhoods have a historic and complex feel, so should the future revitalization projects and the ornamentation, landscaping, and signage<sup>5</sup>. These neighborhoods are in need of several of the above-mentioned design qualities to peak interest, maintain premises, and grow. If Provo City is concerned that additional development would generate greater traffic congestion in residential areas, traffic calming measures can be implemented to ease the flow and amount of traffic<sup>6</sup>.

Diversity of uses is key to the success of a transit-oriented development. The final Provo stop on the Frontrunner needs revitalization and other community draws to enhance the look, feel, and success of that area and attract millennials. Zoning can be altered to achieve high values of each of the variables.

Figure 3 further illustrates another idea of how the five design qualities revitalize areas with mixed-use developments.



Figure 3

### Zoning

Generally, the purpose of conservation zones is to keep the unique characteristics of a specific neighborhood<sup>7</sup>. Likewise, the Provo RC zone, “is established to encourage conservation of existing housing by limiting the use of a given lot or parcel to the legal use existing on April 2, 2002<sup>8</sup>. Most of the Franklin South neighborhood is zoned RC, but only a portion of the Franklin Neighborhood is zoned RC. It seems Provo City’s use



## Specific Recommendations

Using the guidelines in the previous section, we developed specific recommendations for three areas within the Franklin and Franklin South Neighborhoods: the start-up district, the intersection of 500 West and 300 South, and the location of an old foundry. Figure 5 is a map of our recommendations for the zoning of these neighborhoods.

### Start-Up District

Redevelopment is key in this area. The Start-up District is necessary to highlight and capitalize on the uniqueness of both neighborhoods. This district will allow other uses to enter into the community to balance the sea of RC Zones throughout the neighborhoods.

### Land Use and Transportation

Two of the “D” variables, density and diversity would work well in this area. Density in the Start-Up District is an important consideration with the advent of development. The district is relatively compact (about 20 acres), which requires a certain amount of density. Including various types of land-uses

within a mostly residential area enhances diversity. This allows the land to be frequented and utilized more than its current and solely residential use. The design of the Start-Up District will likely follow the unique design features of the area, but should also reflect Provo City’s vision for the area. The scale of this district is accurately reflective of the surrounding area.

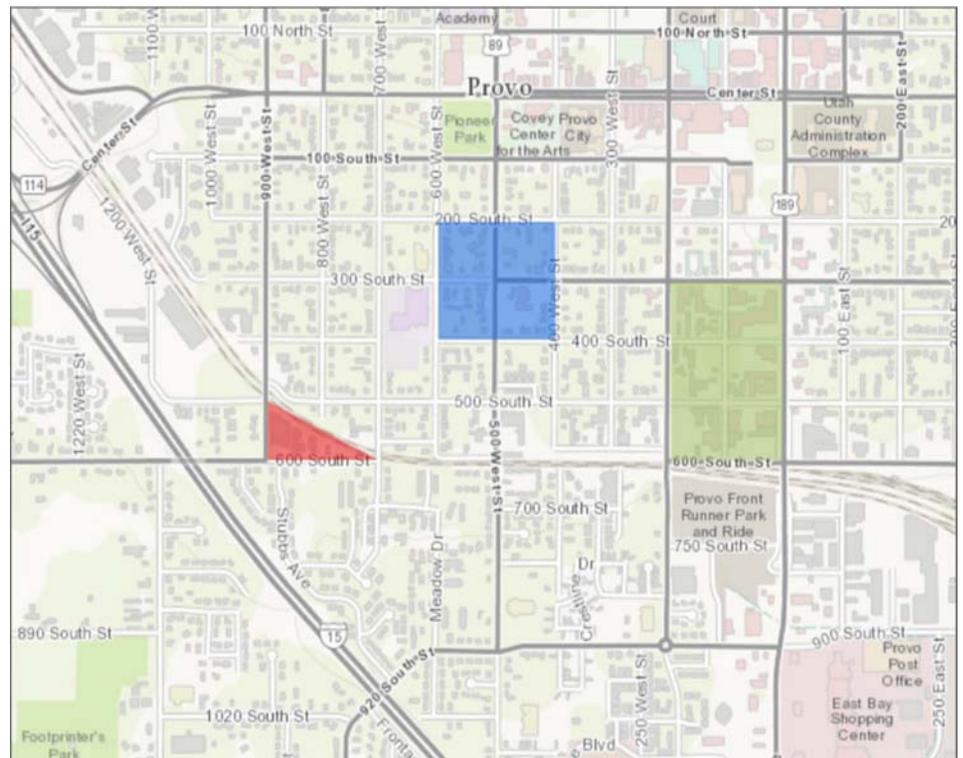


Figure 5 (Blue: 500 West and 300 South; Green: Start up District; Red: Foundry)

**Design Qualities**

The design of this independent district must include accessible points in several directions. Specifically, the number of through streets, striped roads, and pedestrian accessibility are important considerations. The non-through streets in Franklin South should be carried through to adequately support the Start-Up District. This particular area is very close to transit. In fact, an individual district here would likely incentivize citizens and visitors to use the transit available in the Franklin and Franklin South areas. The Start-Up District will elicit a recognizable and memorable feeling when finally complete. Even in its current state, the Start-Up Building embodies a different kind of area within the Franklin and Franklin South neighborhoods. The Start-Up District will demand attention as it stands out from the areas around it.



Figure 6

Figure 6 is an example of a mixed-use development that incorporates historic elements of the present surrounding.

Street trees, street furniture, and pavement texture are considerations to include when developing the Start-Up District. The Start-Up building itself requires a deep remodel to

open the building up with windows and landscaping. Variety of physical environment is enhanced by the redevelopment, expansion, and rezoning of the Start-Up District as its own place. Human activity in this area will benefit from a separate district here and will attract people within and outside of the Franklin and Franklin South neighborhoods (“Streetscape Features Related to Pedestrian Activity” 2014).

Windows on the street, continuous building facades forming a street wall, active street frontage, proportion of historic buildings, number of buildings with identifiers, and number of

pieces of street furniture are the most important factors that allowed for higher evaluation scores in academic Streetscape Studies. Currently, the Start-Up District is historical, but lacks street furniture, active street frontage, windows on the street, and overall curb appeal and maintenance. Figure 7, previously mentioned, is an example of what the Start-Up District should include in its plans to produce quality redevelopment in this future independent district. In order to accomplish these ideas, zoning can be altered to achieve high values of each of the “D” variables and Five Urban Design Qualities.

### Housing

Right now most of the start up district is either zoned ITOD or DT2. Both zones are appropriate for the type of development we would recommend for the area.

### 300 South 500 West

The intersection of 300 South and 500 West is an ideal location for implementing some of the mixed-use design concepts. Refer to Figure 7 for the potential vision of the use of this intersection.

### Land Use and Transportation

Redevelopment of the intersection is vital for such a prominent part of the Franklin and Franklin South communities. Density in this particular intersection is crucial to the revitalization of Franklin and Franklin South neighborhoods. At the present moment, this intersection is not a location that attracts future neighborhood residents, nor does it stimulate the commercial activity as much as it could.



Figure 7

The tenants that occupy the four corners of 300 South 500 West are not necessarily hindering the economic progress of these two neighborhoods, but the land is greatly underutilized. Figure 7 is an example of how this intersection can be revitalized. The current return on investment of these commercial and residential uses does not provide the necessary support for both commercial and community well being.

Diversity of land uses in prime locations is key in the success of this intersection. Research shows that mixed-use locations are conducive to the traffic flow of developments. For example, if residential areas are located by a restaurant, the uses are more likely to be occupied at varying times of the day and week as opposed to restaurants that are congested at similar times.

### **Design Qualities**

The design aspect of this intersection should reflect the character of Franklin and Franklin South neighborhoods and increase the efficient nature of the buildings, sidewalks, and streetscapes. The scale of this intersection will hopefully expand to other commercial and mixed-use areas in the neighborhoods in the future.

The intersection design must include accessible points in several directions. This intersection is fortunately located in an extremely accessible area for automobiles. However, the pedestrian accessibility needs improvement. Pulling sidewalks away from the busy street and inserting shade elements enhances what is known as Walkability of an area.

This intersection is lacking in imageability. The entirety of the development lacks character and vision, not to mention efficient use of the land in a highly visited and visible area. Street trees, street furniture, and pavement texture are also considerations to include when developing this intersection. Pedestrian-friendly elements are crucial to a viable area, especially an area ripe with customers to future commerce. Including windows for window-shopping invite people into an area. When creating the plans for this intersection, it is critical to remember that windows attract people.

Including walking areas, sitting areas, shade, and other interesting urban design concepts in this particular development means more successful business, happier residents, and higher tax revenues for the City of Provo. For

example, these neighborhoods are seriously lacking locations to purchase groceries—namely, produce.

The Franklin and Franklin South neighborhoods are primarily residential areas. Even the nearest grocery store is located just outside the neighborhood's boundaries. Using the little amounts of commercial areas efficiently and effectively is key to revitalizing these neighborhoods. Figure 7, previously mentioned, is an example of what the intersection could look like to embody a revitalized Franklin and Franklin South vision while maintaining the overall character of these neighborhoods. This particular photo is of 1300 South and 1700 East in Salt Lake City. This intersection is not nearly as visited as Provo's 300

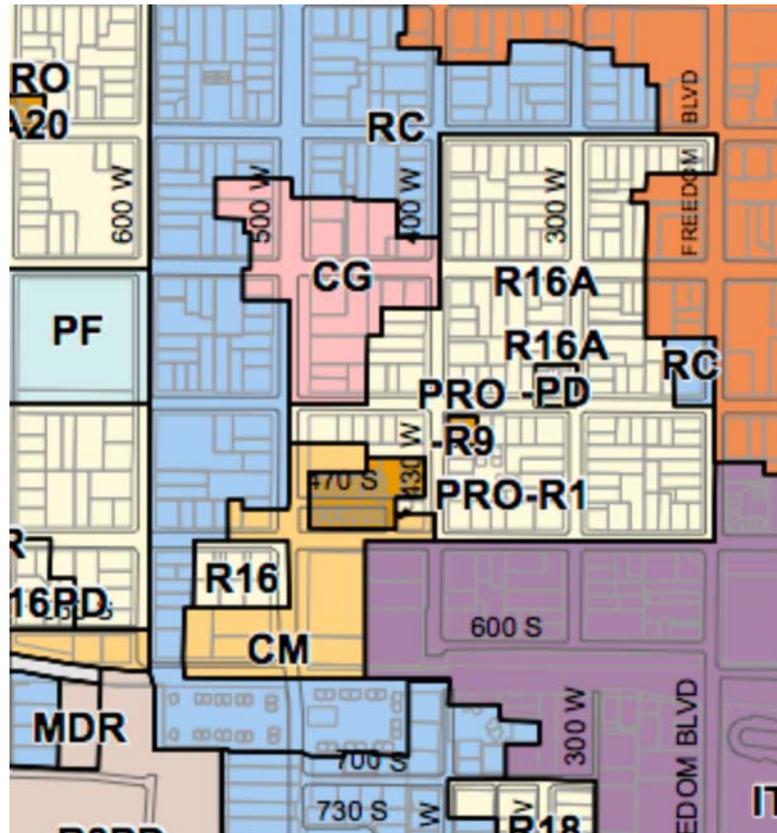


Figure 8

with its current zones.

South and 500 West. This Harmon's is meant to be a neighborhood market and therefore has significantly lower parking stalls to encourage neighborhood activity and walkability. We suggest broadening this development even further to include residential or office space above the building and take advantage of the well-visited Provo intersection.

### Rezoning

Right now on the east side of 500 W exists commercial businesses. The current zoning for those businesses is Commercial General (CG). We recommend rezoning the entire intersection to encourage mixed use zoning instead of the current CG zone. Figure 8 is a map of this intersection

## Foundry

At 900 West and 600 South sits an old foundry. Its location is a prime area for mixed-use development like Figure 9. Even though it could primarily help the Franklin South neighborhood, we believe it could also benefit Franklin. Refer to Figure 9 when considering the possible land uses for this particular area.

### Land Use and Transportation

Density in this area relates to the excellently placed location of the Foundry. That is, the Foundry is not in use and what should go in its place must be a great use of this particular area. The zoning in this area is important to consider. Without a shift in its zoning, this Foundry area cannot be used to its fullest potential. Transforming this into a TOD zone will increase the value of the land, will adequately use the land for more economically viable purposes, and create diversity within the neighborhoods. Design is important and should include the elements in Figure 9.

The Foundry is located next to the both Amtrak and Frontrunner railroad tracks, but lacks safe rail crossings for

automobiles and pedestrians. Its accessibility is hindered because of the lack of through streets surrounding this area as well as the unfinished roads and safety enclosures around the rails.



Figure 9

**Design Qualities**

The Foundry is not the epitome of the kinds of historic areas the Franklin and Franklin South neighborhoods represent. The Foundry lacks creativity and good use of land. Even re-purposing the Foundry will not likely accomplish the revitalization vision for these neighborhoods. Street trees, street furniture, and pavement texture are considerations to include when developing the Foundry and the surrounding areas, especially if millennials are to be attracted to this development. The Foundry as it stands is closed and uninviting. The replacement development should contain windows and inviting structures with safe and inviting areas for pedestrians and other residents.

The Foundry is not as effective or nearly as efficient as this area should be. The Foundry does not contribute to the viability of these neighborhoods in any way. Figure 9 an example of what

“In order to accomplish these ideas, a comprehensive housing study should be conducted so zoning can be altered to achieve high values of each of the “D” variables and Five Urban Design Qualities.”

the Foundry should include in its plans to produce quality redevelopment in a great location. In order to accomplish these ideas, a comprehensive housing study should be conducted so zoning can be altered to achieve high values of each of the “D” variables and Five Urban Design Qualities. We specifically

recommend considering a grocery store, local gym, restaurant, or a combination of these and other attractive elements for the sake of catering to millennials.

**Housing**

Except for rezoning the Foundry area as TOD, we don’t recommend rezoning any other part of Franklin South. Unless the entire Franklin South

neighborhood is transformed into a mixed used area, we don’t believe rezoning the area will bring new growth since the RC zone is similar to the current single-family housing zones, and there are no historical buildings within Franklin South to allow conditional use permits.

## Recommendation Summary

Provo City presented us with the Franklin and Franklin South Neighborhoods to analyze their economic viability in the future, which our research suggested is closely tied with attracting millennials into these areas. The research we analyzed pertaining critical elements for enhancing the likelihood of economic sustainability such as land use, urban design qualities, rezoning, and housing led us to several conclusions. However, our suggestions require further information and data to substantiate them. We chose three critical areas in the Franklin and Franklin South neighborhoods to display how these elements would hypothetically apply. Our findings suggest incorporating the following recommendations to answer the questions we posed at the beginning of this analysis and enhance the likelihood of community development:

- Conduct a comprehensive housing study of the entire area
- Encourage more mixed use developments while maintaining historic ideas and feels, not necessarily buildings as they currently stand
- Conduct a comprehensive survey of current Franklin and Franklin South residents and Provo residents in general to determine preferences for amenities
- Provide amenities that attract millennials (gyms, grocery stores, etc.)
- Reevaluate the RC zones to attract businesses that will influence economic development for the area

# References

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<sup>1</sup> See <http://www.citylab.com/housing/2015/03/where-millennials-are-moving-now/388748/>.

<sup>2</sup> See <https://suburbanstats.org/population/utah/how-many-people-live-in-provo>.

<sup>3</sup> A. Schmitt, How Better Traffic Models Can Lead to More Mixed-Use Development, Streetsblog. 06/04/2013. See <http://usa.streetsblog.org/2013/06/04/how-better-traffic-models-can-lead-to-more-mixed-use-development/>.

<sup>4</sup> “Traffic Generated by Mixed-Use Developments—13-Region Study Using Consistent Built Environment Measures,” *Transportation Research Record*, accepted (with G. Tian, A. White, J. Walters, J.P. Goates, A. Joyce, and S. Hamidi). Accepted, 02/2015.

<sup>5</sup> “Measuring the Unmeasurable: Urban Design Qualities Related to Walkability,” *Journal of Urban Design*, Vol. 14, Issue 1, 2009, 65-84 (with S. Handy). Published, 2009.

<sup>6</sup> “New Traffic Calming Device of Choice,” *ITE Journal*, December 2009, pp. 26-31 (with J. Gulden). Published, 2009.

<sup>7</sup> “Protecting Older Neighborhoods Through Conservation District Programs.” See <http://forum.savingplaces.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=7273cba5-f16a-94ba-0905-1a3d66430805>.

<sup>8</sup> Provo City Code Sec. 14.32.010. See <http://www.codepublishing.com/UT/Provo/?Provo14/Provo14.html>.

Figure 1: [http://wfrc.org/image\\_library/ImageLibrary/Villages/4/lg/Villages\\_Mixed\\_Use\\_-\\_Provo\\_Riverwoods\\_3\\_.htm](http://wfrc.org/image_library/ImageLibrary/Villages/4/lg/Villages_Mixed_Use_-_Provo_Riverwoods_3_.htm)

Figure 2: Pleasant Grove Image

Figure 3: <https://www.memphisdailynews.com/news/2015/oct/31/mix-it-up/>

Figure 4: Provo City Map

Figure 5: Provo City Map

Figure 6: <http://www.columbusunderground.com/mixed-use-development-planned-for-historic-dublin-bw1>

Figure 7: Photo of Salt Lake City

Figure 8: Provo City Map.

Figure 9: <http://gramor.com/lease-property/murray-scholls-town-center/>

# Eminent Domain Law - Common Issues

3 Parts

Just Compensation

Ombudsman's Role

Public Purpose

Compensation for  
The Take

Information & Options

Private Entities

Compensation for  
Severance Damages

Mediation

Business Losses

Compensation to  
Cure Damages

Arbitration

My Rights

Relocation

Additional Appraisals

VICTORY!!

Attorney Fees

Litigation

# Office of the Property Rights Ombudsman

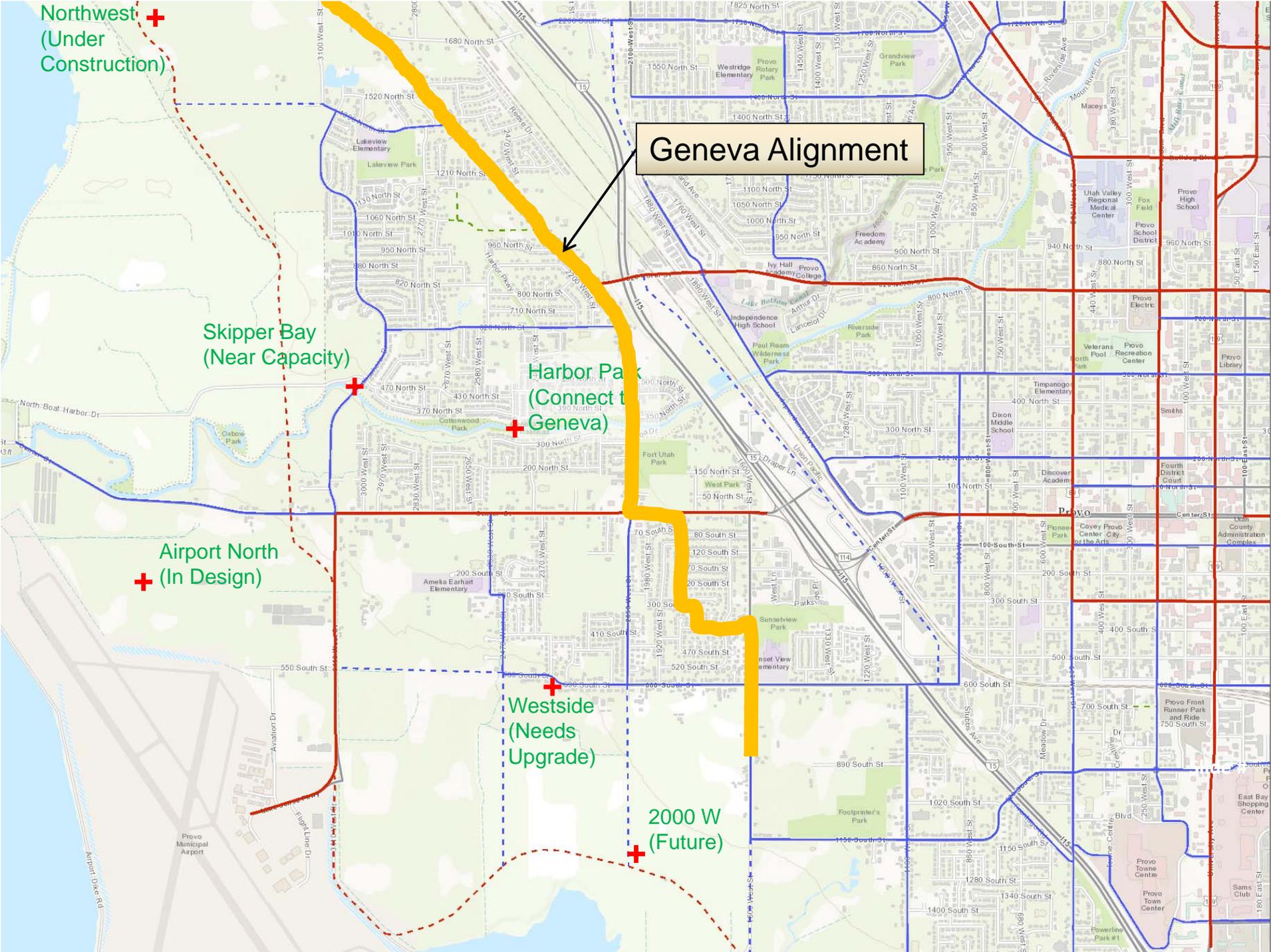
P.O. Box 146702  
Salt Lake City, UT 84114  
801-530-6391  
Statewide: 1-877-882-4662  
FAX 801-530-6338

[propertyrights@utah.gov](mailto:propertyrights@utah.gov)

[propertyrights.utah.gov](http://propertyrights.utah.gov)

# WESTSIDE SEWER OUTFALL





Northwest  
(Under  
Construction)

Geneva Alignment

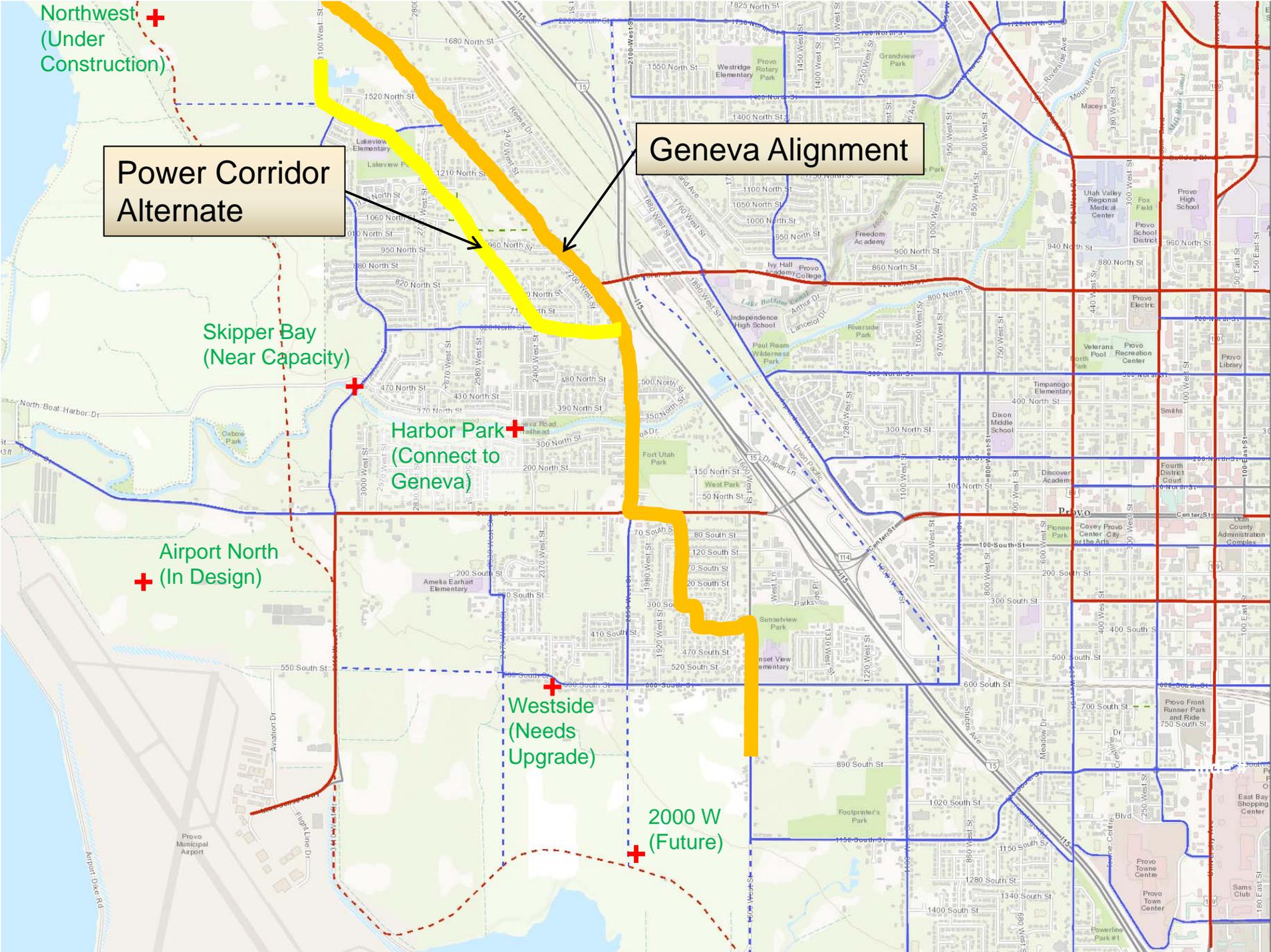
Skipper Bay  
(Near Capacity)

Harbor Park  
(Connect to  
Geneva)

Airport North  
(In Design)

Westside  
(Needs  
Upgrade)

2000 W  
(Future)



Northwest +  
(Under Construction)

Power Corridor Alternate

Geneva Alignment

Skipper Bay  
(Near Capacity)

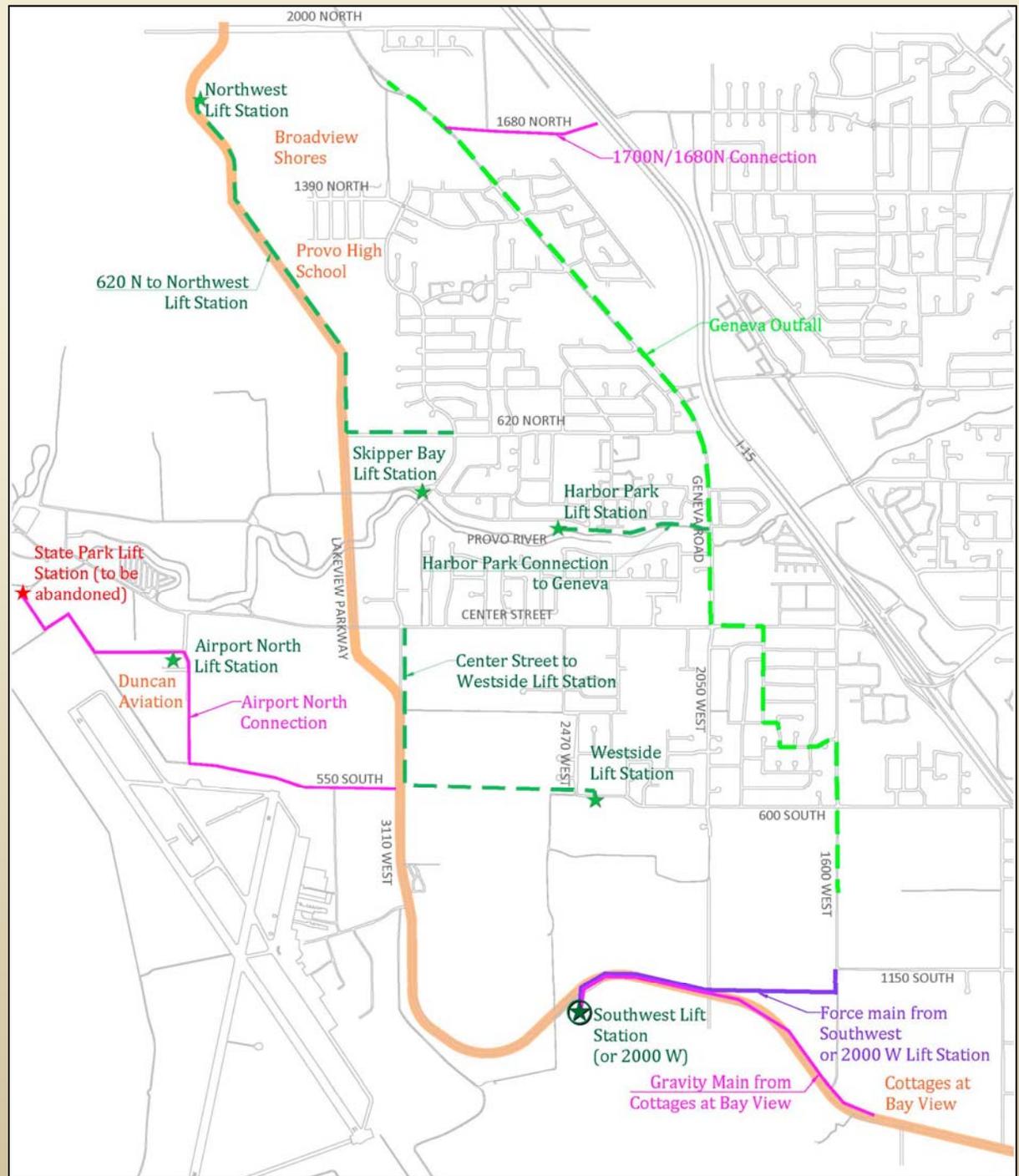
Harbor Park +  
(Connect to Geneva)

Airport North +  
(In Design)

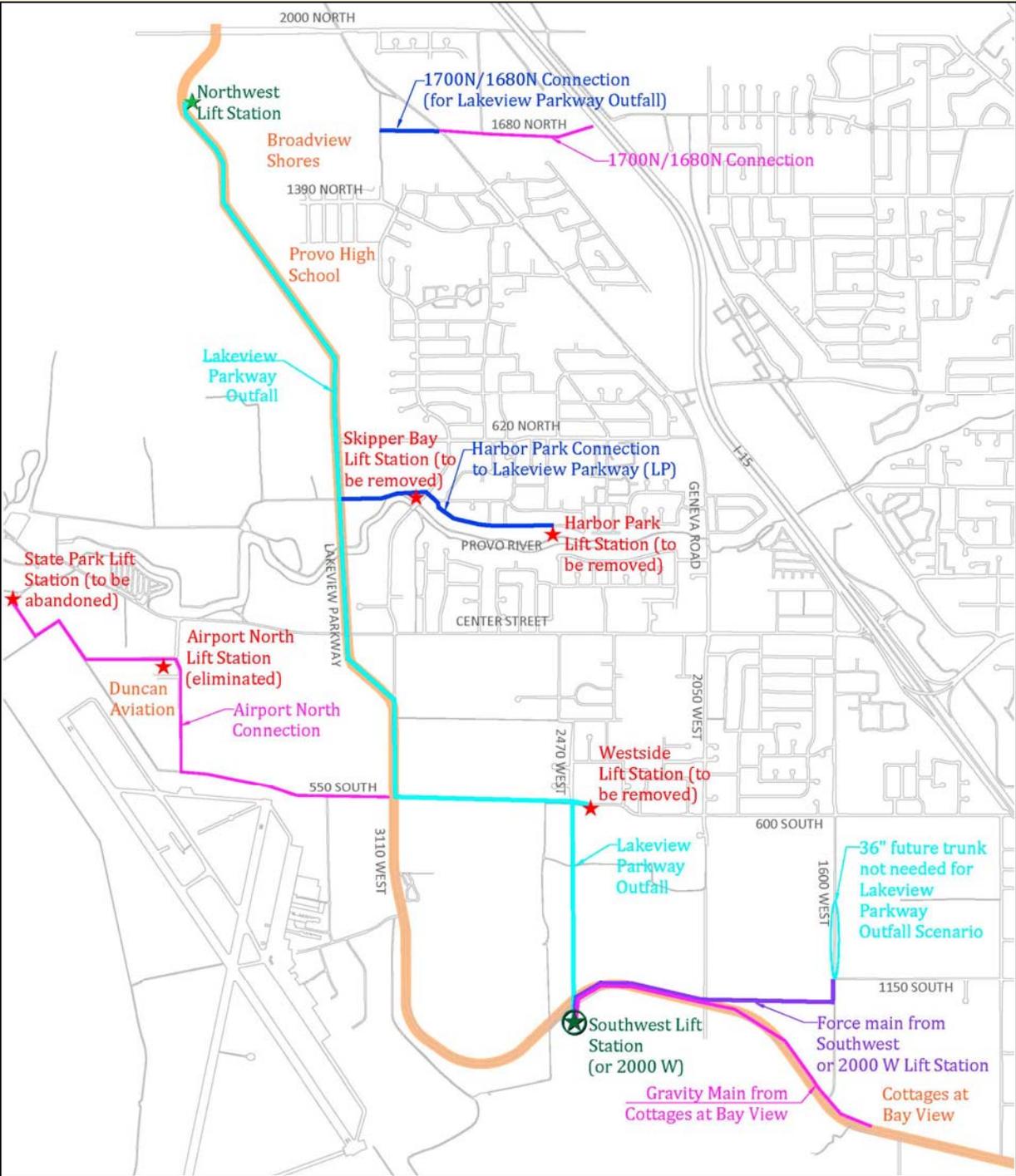
Westside  
(Needs Upgrade)

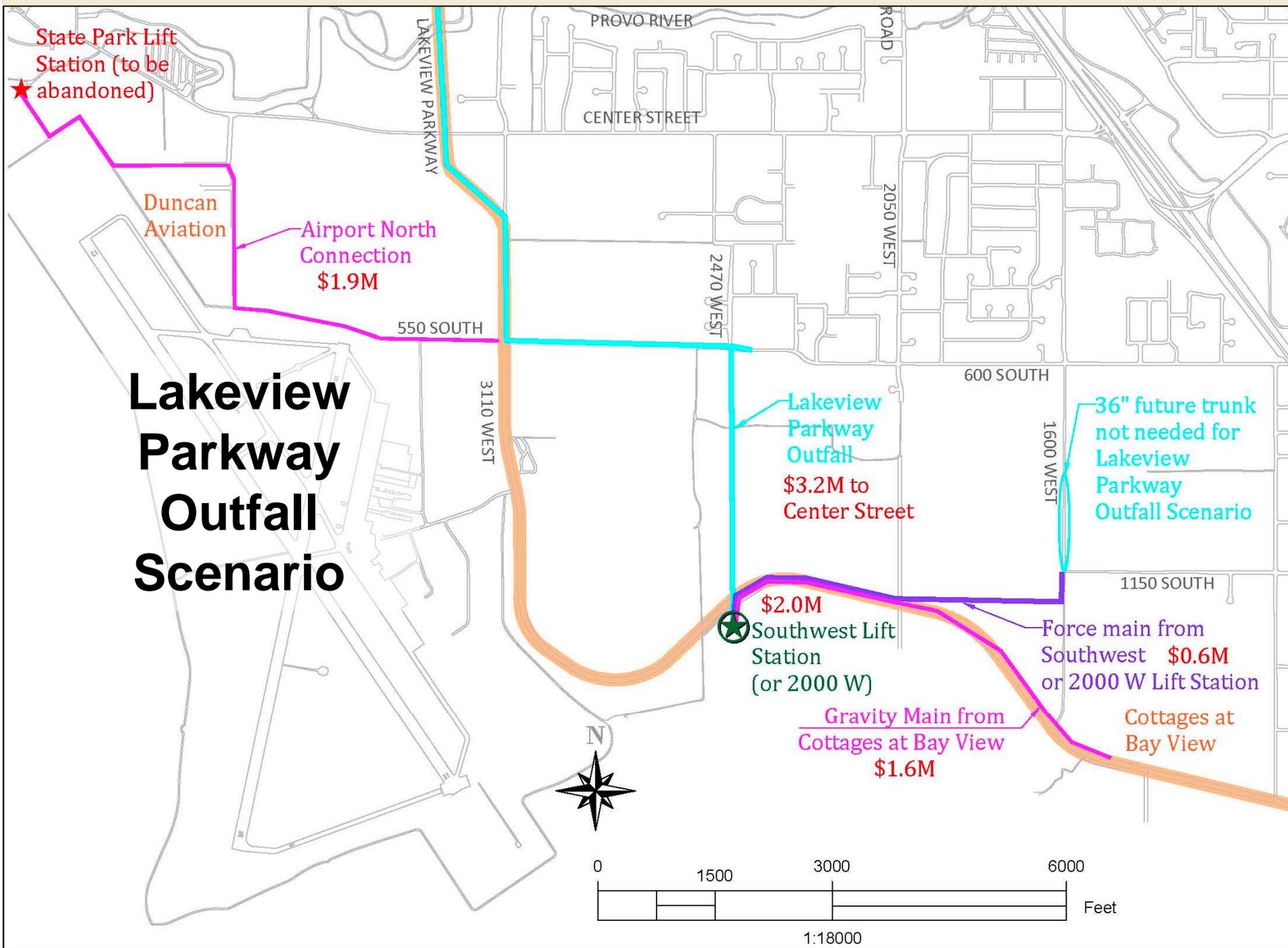
2000 W  
(Future)

# Geneva Outfall Scenario



# Lakeview Parkway Outfall Scenario





# Moving the Westside outfall to Lakeview Parkway

## Challenges

- Soils (peat), Depth and Groundwater
- Right-of-Way
- Timing for Provo High, Duncan Aviation and Lakeview Parkway construction

## Advantages

- \$7 Million less based on contractor provided estimate
- Allows five lift stations to be replaced with one, greatly reducing the future operation and maintenance cost
- Eliminates over 11,000 feet of sewer transmission pipe
- Opens up the southwest area for development
- Allows better coordination with proposed and future projects including the potential relocation of the Wastewater Treatment Plant

## Project Status

- Received proposals for design February 2
- Previously allocated funding available for project \$7.4M now, \$2.0M requested for FY 2017/18
- Coordinating with Lakeview Parkway and other projects to move forward efficiently

# Questions

# Westside Sewer Outfall Scenarios

## Geneva Scenario (Dashed)

Total Pipe (56,060 ft)	\$13,350,000
Total Lift Station Capital Costs	\$6,000,000
<b>Total Capital Costs</b>	<b>\$19,350,000</b>

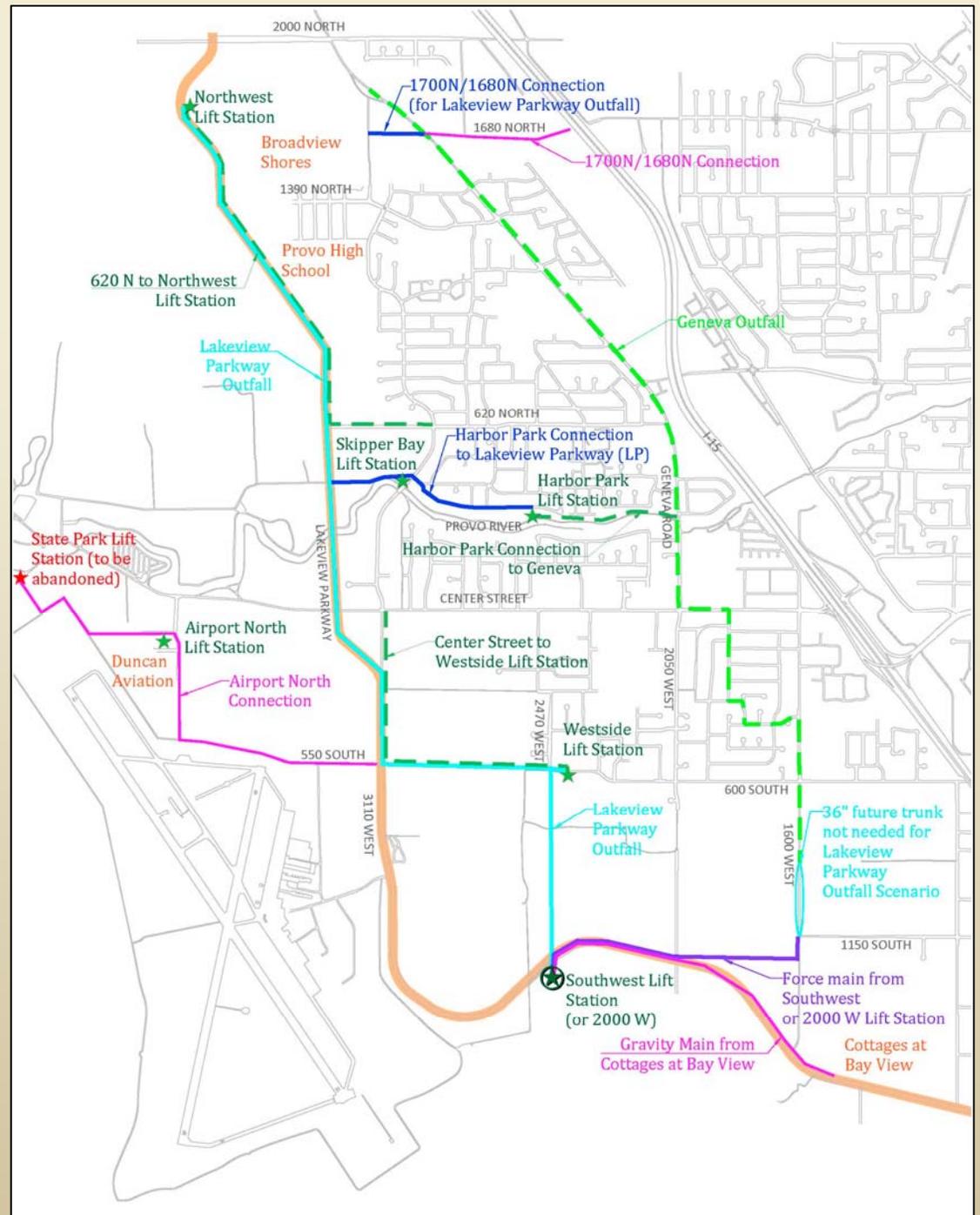
## Lakeview Scenario (Solid)

Total Pipe (46,110 ft)	\$10,220,000
Total Lift Station Capital Costs	\$2,000,000
<b>Total Capital Costs</b>	<b>\$12,220,000</b>

36" Trunk to Sewer Plant (reduced 1,660 ft)

## Difference between Geneva and Lakeview Outfall Scenarios

Length	(11,610)
Cost	(\$7,130,000)



# Public Property Camping Prohibited Ordinance

“See a need, fill a need”

## Increase in calls for service

Jan-Jun 2016	50
Jun-Nov 2016	109
Nov 2016- Jan 2017	100
Nov 2016 – April 2017	197 (projected)

118% increase 2016

81% increase projected April 2017

199% increase Jan 16-April 17

# Camping on Public Property

- Camping between curb and sidewalk
- Camping in public parks
- Sleeping/living in vehicles on public streets
- Sleeping/living RV's on public streets
- Transient population migrating from Salt Lake area via Front Runner

# Community/Business Concerns

- Smith's Food and Drug 350 N Freedom
- Whitlock's Auto Body 836 S 100 E
- East Bay Post Office 936 S 250 E
- Maeser Park 451 E 600 S
- Pioneer Park 500 W Center
- Utah First Credit Union 300 N 100 W



**Salt Lake Road Home 2016**





## Transient Camp Spring Creek

1 of 10



**Moon River Driver/Provo River**



**Moon River/Provo River**

# Resources Available

- Food and Care Coalition
- Community Action
- Voucher System
- Transitional Housing
- Provo Housing
- Wasatch Mental Health

# Oregon Circuit Court

State of Oregon v. Barrett

Denied Feb 2015

# Education of Ordinance

- Educate and warn violators of ordinance until March 15, 2017 when enforcement will begin