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## **PROVO MUNICIPAL COUNCIL**

### **Redevelopment Agency of Provo**

#### **Regular Meeting Minutes**

5:45 PM, Tuesday, August 27, 2019

Room 200, Municipal Council Chambers

351 W. Center Street, Provo, UT 84601

## **Opening Ceremony**

### **Roll Call**

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member David Harding	Council Member David Knecht
Council Member George Handley	Council Member Gary Winterton
Council Member Vernon K. Van Buren	Council Member George Stewart
CAO Wayne Parker	Mayor Michelle Kaufusi
Council Executive Director Cliff Strachan	Council Attorney Brian Jones

Conducting: Council Chair David Harding

Excused: Council Member David Sewell

On Tuesday, August 27, 2019 at 5:30 p.m., prior to the scheduled council meeting at 5:45 p.m., the Provo City Municipal Council and Mayor convened as the Board of Canvassers to certify the results of the 2019 municipal primary election. The prayer and Pledge of Allegiance were offered at the beginning of the Board of Canvassers meeting.

### **Prayer**

Jack VonSosen offered the opening prayer.

### **Pledge of Allegiance**

Patricia Stika lead the Council in the Pledge of Allegiance.

## **Presentations, Proclamations, and Awards**

- 1. A presentation regarding an update on the improvements to 500 West and Bulldog Boulevard. (19-026) ([0:02:24](#))**

Leah Jaramillo, a UDOT representative, presented an update regarding the improvements to 500 West and Bulldog Boulevard. It had been six months since the last update on the project. The purpose of the 500 West project was to improve the aging roadway, upgrade infrastructure, and add active transportation, such as bike lines. The project would completely rebuild the section of road along 500 West from 500 South to 800 North and then restripe to

add bike lanes from 800 North to 1230 North (Bulldog Blvd.). There would be new and improved sidewalks, medians, and crosswalks. Storm drains and waste water lines were also being upgraded as part of the project. The road would be repaved in concrete, not asphalt. The project was on schedule to be finished in fall of 2020.

The Bulldog Boulevard project was intended to convert one lane in each direction to protected bicycle lanes. UDOT was installing raised medians between the signalized intersections, adding a new signal at 400 West, and adding landscaping. One new item had been added to the scope of the project and that was burying overhead powerlines; this had delayed to overall schedule by approximately 30 days. The final striping was scheduled to be finished by mid-October 2019.

Ms. Jaramillo noted that BYU football game days would increase traffic in the areas. UDOT suggested the use of UVX and encouraged drivers to avoid the construction areas.

Mr. Winterton acknowledged the impact these two projects had on the City. He said the construction on 800 North in Orem near the mouth of the Canyon had also created some additional traffic issues in North Provo, he asked when that project would be finished. Ms. Jaramillo was not sure when the scheduled completion date was for that project but said she would find out and follow up with Mr. Winterton.

Chair Harding said that citizens were recognizing the Bulldog Boulevard project was nearing completion and some were questioning when the trees and landscaping would be installed. Ms. Jaramillo said landscaping was the final step and would be coming soon.

Regarding the 500 West project, Mr. Harding noted there was another year remaining on the project. Ms. Jaramillo said this was a large project because not only were they upgrading the infrastructure, they were also regrading the road which would lessen the amount of maintenance required in the future.

Mr. Harding wanted to know more about the planned curb extensions for all of the minor side streets; this would increase walkability. Ms. Jaramillo said there would be curb bulb-outs on the Provo City side of the streets along 500 West.

## **Action Agenda**

### **2. Approval of Minutes**

The July 9, 2019 and July 23, 2019 Council Meeting Minutes were approved by unanimous consent.

### **Public Comment ([0:24:45](#))**

Chair Harding opened public comment and Brian Jones, Council Attorney, read the public comment preamble.

Rachel Favreau, Provo resident, shared concerns about fire code violations at Christensen Oil. Neighbors could smell fumes coming from the property and questioned the safety of the operation. She and other neighbors had been investigating the violations and had spoken with the Fire Chief about the violations. She encouraged the Mayor and Council to approach this issue in a more serious manner.

Ted Buhler was from Portland, Oregon, but he owned contiguous to Christensen Oil. He recently noticed new construction taking place and contacted Bill Peperone to see if the proper permits were in place; it resulted in a stop work permit being issued to Christensen Oil. He and neighbors had compiled a list of 19 possible fire code violations. Mr. Buhler said there was an oil tank installed without a permit several years ago and it held about 20,000 gallons of oil. He guessed there was up to 100,000 gallons of gasoline onsite and he thought Council should ask Christensen Oil to demonstrate their full compliance with the fire code before a new permit is issued.

Pat Stika had been a Provo resident since 1979 and started Great Salt Lake Guitar Company with her husband in 1988. She was recently retired and had a passion project which she shared with Council. She volunteered at the Rooftop Concert Series every year and was sad to see it come to an end. Ms. Stika suggested there should be a walk of stars in Provo. There were so many notable people who had contributed in Provo in great ways. Shreveport, Louisiana also had a walk of stars. She thought this would be a great project to bring vibrancy to Provo. She had a background in sales and was willing to put in the time for this project.

Jay Goodliffe, Provo resident, read the following statement:

*My name is Jay Goodliffe, and I am a resident of Edgemont neighborhood. I am here to talk about the process of selling Timp Kiwanis Bounous Park.*

*The most important steps of a process are the first step, and the last step. Let's look at those for Bounous Park and see how much transparency and public involvement there was.*

*The first step in selling Bounous Park was when Provo City School District approached Provo City to buy, not Bounous Park, but the city land northwest of Timpview High School. The City said, "Don't ask for that land. Ask for Bounous Park." That is, the City told the School District that they were interested in selling a 50-year old legacy park it had promised to keep a city park "in perpetuity," rather than undeveloped land. This was not a transparent part of the process since this information is not publicly available. There was no public input on this part of the process, which was perhaps the most important part.*

*The last steps of the process were reversed with little notice: The City Council voted to sell the park before an agreement was made with the School District on future use of the*

*park. The agreement became the last step. There was no public input on the agreement, because the agreement, such as it was, came after the City Council vote.*

*Let's take a few steps back. When the federal government approved the sale of Bounous Park, what did Provo City staff do? They told their allies. They did not tell the Edgemont neighborhood, that is, the Provo citizens, or anyone sympathetic to those citizens. The citizens, and some City Council members, found out when the agenda item of the sale was posted a couple of days before the meeting.*

*Let's review: Withholding information, giving little notice, changing what you said you would do: These are excellent methods to demobilize your opposition. These are great ways for bureaucrats to get what they want: "You can't fight city hall." Here is what they are not: These are not acts of transparency. They are not acts of integrity.*

*I have already heard the response: Everything done was legal. As a citizen of Provo, you expect me to vote and be involved in my community even though it is not legally required because it is the right thing to do. Likewise, I expect more of Provo City than to do just what is legal. I expect you to do what is right, and this process was not right.*

*I hope by bringing this to your attention, you will make the important parts of your processes more open and transparent and bring more integrity to future processes.*

*Thank you for the opportunity to share my comments.*

Felicia Kane was from Salt Lake but was currently a Provo resident. She was concerned that there was not a convenient or accessible way to recycle in Provo. She was taking her recycling back home to Salt Lake on the weekends. She thought the lack of recycling was reflective of a deeper issue. She said other areas, including BYU, were taking steps toward being more environmentally friendly and she hoped Provo would do the same. Mr. Harding told Ms. Kane about Provo's curbside recycling program and recommended that she contact him for additional information.

**3. Resolution 2019-44 consenting to the Mayor's appointment of William Peperone as the Director of Development Services for Provo City. (19-090) ([0:37:46](#))**

**Motion:** An implied motion to adopt Resolution 2019-44 as currently constituted, has been made by council rule.

Mayor Michelle Kaufusi presented the item. She said Mr. Peperone would be the first director of the recently created department of Development Services. Mr. Peperone started working for Provo City in 2010 as a Senior Planner and eventually became the Assistant Community Development Director. Prior to working for Provo City, he was the principal planner for Salt Lake City. Mr. Peperone previously served in many other distinguished positions that qualified him for this position. Mayor Kaufusi explained there had been a national recruitment process and said Mr. Peperone was the top candidate. Mr. Peperone thanked the Council for

considering this resolution. He said this was the fourth position held with Provo City and he looked forward to helping the Council achieve their goals.

Mr. Stewart said Mr. Peperone was the best choice for the position.

Mr. Winterton was excited for the new department and thought Mr. Peperone was the right person for the job.

Mr. Knecht asked Mr. Peperone to explain his main duties. Mr. Peperone's focus was improving and streamlining the development review process to make it more efficient and transparent.

Mr. Van Buren congratulated Mr. Peperone. As a developer and Council Member, Mr. Van Buren's experience with Mr. Peperone had been very positive.

Mr. Harding had fond memories of working with Mr. Peperone. They first met at a Dixon neighborhood meeting in 2010. He appreciated his professionalism and thought Mr. Peperone may have been the first person to suggest that Mr. Harding should run for City Council. He said the purpose of the new department was not just to speed things through, it was also to protect the quality of life in Provo.

Mr. Handley was also excited about the new position and said Mr. Peperone had always been very helpful and was fountain of knowledge.

Chair Harding opened public comment. There was no response. He called for a vote on the implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

**4. Resolution 2019-45 appointing Brittany Hyde to the Parks and Recreation Board. (19-003) ([0:45:55](#))**

**Motion:** An implied motion to adopt Resolution 2019-45 as currently constituted, has been made by council rule.

Clifford Strachan, Executive Director of the Council, presented. He said this appointment was intended to be included with the other appointments on July 9 but was inadvertently omitted.

Chair Harding opened public comment, there was no response. He called for a vote on the implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

**5. Ordinance 2019-36 amending Provo City Code Chapter 9.80 to update language and amend procedures regarding permit parking areas. (19-002) (0:47:01)**

**Motion:** An implied motion to adopt Ordinance 2019-36 as currently constituted, has been made by council rule.

Brian Jones, Council Attorney, explained this had been under discussion for some time. The purpose of the amendment was to clarify the process for creating a new parking permit area. Instead of every application being reviewed by the Planning Commission and the Transportation and Mobility Advisory Committee (TMAC), analysis from staff and other applicable entities would be given to the Mayor and Council by the parking coordinator; this could include feedback from the Planning Commission and TMAC. The intent was for the parking coordinator to determine which departments and outside bodies might have relevant information and consult with them as needed. The Council would still have the ability to request feedback from a specific body.

After reviewing the ordinance, Mr. Harding noted that section 6b used the acronym for the Transportation and Mobility Advisory Committee; he asked if the full name would be more appropriate. Mr. Jones said from a legal perspective, TMAC was defined in the code and could be cross referenced. For public consumption, Mr. Jones understood why the full name might be helpful.

Chair Harding opened public comment, there was no response.

**Motion:** Council Member Knecht moved to amend section 6b to use the full name for the Transportation and Mobility Advisory Committee instead of the acronym TMAC. Council Member Winterton seconded the motion.

Chair Harding called for a vote on the motion to amend the implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

There was no other discussion. Chair Harding called for a motion on the substituted implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

**6. Resolution 2019-46 of intent to study the creation of a permit parking area on Slate Canyon Drive in the Provost and Provost South Neighborhoods. (18-084) ([0:52:20](#))**

**Motion:** An implied motion to adopt Resolution 2019-46 as currently constituted, has been made by council rule.

Hannah Peterson, Provost Neighborhood Vice Chair, presented. She reminded the Council this was a resolution of intent to study the possibility of a parking permit area. The permit area would include Slate Canyon Drive. The permit area would begin at 300 South and go south toward the intersection of Slate Canyon Drive and State Street. There were a few other smaller sections of street that would be included, this was displayed on a map.

The neighbors were proposing a nighttime only permit program from the hours of 1:00 a.m. to 6:00 a.m. The cost of the permit would be \$15 annually per permit which would include 10 visitor passes and one seven-day visitor pass. All properties on Slate Canyon Drive, whether they have street frontage, would be entitled to one permit. If they had an additional 18 feet of frontage, they could request additional permits. All permit holders would need to be in compliance with rental dwelling license requirements. The permits would be transferrable to another compliant property.

Ms. Peterson said many residents had worked together to come up with this program. She asked the Council to move forward with the study. If they eventually move forward with the program, postcards would be mailed to every home. She asked that staff be allowed to weigh in on the process because it would affect Community Development staff members. She said many residents were in support and many hours of effort had been put in. She estimated about 70 percent support from the neighbors living on Slate Canyon Drive.

If approved, Ms. Peterson thought this program would create more peace and cohesiveness in the neighborhood. She noted that some of the people opposed to the program lived in the neighborhood but not in the impacted area. She encouraged the council to ask these important questions throughout the feedback process.

Mr. Knecht pointed out that even in the areas where neighbors did not want a parking permit program, they still acknowledged that it was needed on Slate Canyon Drive. Ms. Peterson said they diligently tried to communicate with all of the neighbors because if a permit program is implemented on Slate Canyon Drive, the parking would migrate to the surrounding streets.

Chair Harding clarified there were three private developments adjacent to Slate Canyon Drive where the roads were private, and parking was not enforced by Provo City.

Jess Haddow was a homeowner in the Canyon Meadow HOA and said he had not been informed about this proposal. He was opposed to the program because it was a transfer of a public resource to private ownership. He said it was not appropriate for tax payers to subsidize

private parking. He viewed this as another example of a flaw in the neighborhood program because too many people were excluded from voicing their opinions.

Mr. Jones took a moment to explain the process for having a parking permit area approved. He said this was the first step of a long process and it required the council to hold a public hearing to consider whether there was interest in establishing a parking area. It did not require consensus. The only thing the resolution would do is direct that a study take place about the proposal. Next, the Parking Coordinator would have a period of time to conduct the study and then return to the council with their findings and another resolution would be presented. That resolution, if approved, would say that the Council intends to create a parking permit area and notice would then be published to everyone affected by the program. There would be another period of time before a final decision could be made by Council.

Mr. Knecht asked who would receive the notification. Mr. Jones said that each address of record within the parking area and each property owner of record within the area would receive notification.

Chair Harding resumed public comment, there were no other comments.

Mr. Handley previously lived in the area and understood the problem. He was in favor of authorizing the study to take place.

Chair Harding said parking permit programs were generally used in residential areas near large institutions where the traffic impacts the surrounding neighborhood. This was an interesting situation because the overdemand of parking was actually being caused by the residents themselves. He looked forward to the results of the study. Mr. Harding did not anticipate this would be an easy process and he assumed it would take more than three meetings to come to a solution. He wanted to be careful about using public property for private use. The current parking regulations required that every property must have sufficient off-street parking for the vehicles operated from that property. He mentioned that if everyone had adequate off-street parking and utilized it, this would not be necessary.

Mr. Knecht explained that a few Councilors and Staff recently traveled to Salt Lake City to see how they were addressing their parking concerns. They also visited Logan to see how parking was handled near the university. Logan did have a parking permit program for the neighborhoods near the university. Because there was no on-street parking in Logan for four months of the year to allow for snow plows, most homes had adequate off-street parking. Mr. Knecht thought this had a tremendous impact on investors because they could not over-occupy units.

Councilor Knecht recalled when the Slate Canyon subdivision was built in the 1990's and the first few years he would receive lists of illegal units on Slate Canyon Drive. He explained this was not a typical street because it was originally planned to be twin homes, but the developer had trouble selling them. The director of community development at the time approached Mr.

Knecht in his capacity as a neighborhood chair to discuss the possibility of allowing individual homes to be built but with the same density and capacity of the twin homes. This resulted in 4,000 square foot lots with a large house on each one and it was very dense. Many of the homes were large enough to have an accessory apartment but the underlying zone and the density precluded a second kitchen. When Mr. Knecht would receive these lists of illegal units, he would report it to the City but unless he could testify personally about having personal knowledge of the people living there, nothing could be done. When he learned they were not allowed to have second kitchen, he approached the City again and reported the second kitchen and enforcement became a little easier. It had been an ongoing problem with this particular street.

Mr. Knecht noted that those who had an extra 18 feet of frontage and qualified for a second permit would not be entitled to exclusively use the frontage directly in front of their home. The permit would allow them to park somewhere within the zone but at least it would allocate the number of spaces fairly and evenly. It matched the demand with the available spaces. Those who did not live in the neighborhood would not be allowed to park their cars and trailers in the neighborhood overnight.

There was no further Council discussion. Chair Harding called for a vote on the implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

**7. Ordinance 2019-37 to amend Provo City Code regarding design standards in various Higher Density Residential and Campus Mixed Use zones. City-wide impact. (PLOTA20190025) ([1:17:46](#))**

**Motion:** An implied motion to adopt Ordinance 2019-37 as currently constituted, has been made by council rule.

Bill Peperone, Development Services Director, presented. This had been discussed in a council meeting a few weeks earlier. He explained that six or seven years ago staff wrote five new residential zones and accompanying design guidelines, these were mostly geared towards residential family development. The intent was to ensure a certain minimum level of quality and to avoid writing a unique Professional Redevelopment Option (PRO) zone for every multi-family project that came along. The administration of PRO zones was tedious.

The design standards had been in place for a few years and Mr. Peperone explained they had identified ways they could be improved. He provided an example, there was a very large building in the Joaquin Neighborhood that was only required under the current code to have one door on each street. The neighborhood wanted more accessibility to the building; having more doors was safer for the pedestrians.

The amended guidelines also gave the Planning Commission some flexibility to deviate from certain strict guidelines.

Mr. Knecht asked how many PRO zones were in place throughout the city. Mr. Peperone said the new Mill Race project was the 36<sup>th</sup> PRO zone to be created; however, it was the only new one in approximately 10 years. Mr. Knecht asked if there was any commonality of the PRO zones that had been created and if so, he suggested a new zone could be written to satisfy these needs. Mr. Peperone said this is what they did when they wrote the five or six new zones he mentioned earlier.

Mr. Handley said the Report of Action from the Planning Commission had two conditions for approval. He asked if these had been incorporated. Mr. Peperone said these had been addressed in the most recent version.

Mr. Harding explained this had been postponed for several weeks in hopes of receiving more feedback. He asked if any new comments had been received but there had been none.

Chair Harding opened public comment, there was no response. He called for a vote on the implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

**8. Ordinance 2019-38 approving the annexation of approximately 2.547 acres of property generally located at 1860 South and Colorado Avenue, Provo. East Bay Neighborhood. (PLANEX20190140) ([1:24:57](#))**

**Motion:** An implied motion to adopt Ordinance 2019-38 as currently constituted, has been made by council rule.

Brian Maxfield, Planning Supervisor, presented the item. He noted this was brought to Council in early June, where they accepted annexation petition. It was presented to the Planning Commission on July 10 followed by a period for protests. No protests were received, and this was the first meeting following the protest period.

Mr. Maxfield described where the property was. The intent of the annexation was to provide for storage units. The applicants also owned the property to the east of the site, and they had considered annexing the rest of the area through a future annexation, but it was not included at this time. Mr. Maxfield said approval of the annexation was recommended.

Mr. Winterton asked whether there was infrastructure capacity to support the storage units. Mr. Maxfield said there was water and other services nearby that would be brought to the site. The type of development required a limited number of hookups which was ideal for this situation.

Mr. Harding asked if the City was financially responsible for installing the infrastructure. Mr. Maxfield said the developer would be responsible for the cost.

Chair Harding invited the applicants, Thomas Hunt or Spencer Wright, to speak. Jenn Gordon was a partner in the East Bay Development Group. She said they were excited about this annexation and acknowledged they would be paying for the infrastructure. She indicated their intent to annex the property to the east in the future. The site would be used for large RV and boat storage. She assured Council it would be a nice facility.

Chair Harding invited the East Bay Neighborhood Chair to speak but he was not available.

Chair Harding opened public comment. There was no response.

Mr. Harding said there was a presentation in the work meeting where they discussed the overall Provo Annexation Plan and how this fit into that. He appreciated Ms. Gordon's intent to annex the other properties in the future.

Chair Harding asked if there was any interest in continuing the item to the next meeting. There was none. He called for a vote on the implied motion.

**Vote:** The motion was approved 6:0 with Council Members Handley, Harding, Knecht, Sewell, Stewart, Van Buren and Winterton in favor. Council Member Sewell was excused.

**9. An ordinance amending the zone map classification of the real property generally located at 800 North University Avenue and known as Amanda Knight Hall from Public Facilities (PF) to Campus Mixed Use (CMU). Joaquin Neighborhood. (PLRZ20190244) ([1:31:15](#))**

**Motion:** An implied motion to adopt the ordinance as currently constituted, has been made by council rule.

Dustin Wright, Planner, presented the item. The Amanda Knight Hall was a significant historic structure. He shared several images of the building, past and current. It was one of Provo's iconic structures, according to Mr. Wright. It had been the first women's dormitory for Brigham Young Academy.

Mr. Wright explained that BYU was planning to demolish the building but many in the community spoke out and encouraged BYU to preserve it. Through much work and negotiation, a development group purchased the building with the intent to preserve the building and return it to the original use of a women's dorm.

This item had been presented to the Planning Commission, they recommended approval of the rezone from PF to CMU. Mr. Wright shared a zone map and described how it compared with the neighboring zones. Most of the surrounding properties were in the CMU zone. The Landmarks Commission was very excited about restoring the building, they also recommended

approval. The biggest concerns had been from the neighbors regarding the limited parking. The existing parking would be a non-conforming use.

Chair Harding invited Brandon Smith, the applicant, to present. Mr. Smith represented Mountain Classic Real Estate and he said they specialized in restoring historic buildings like this one. They were one of the few groups to utilize historic tax credits to renovate properties; as part of this process, they were required to maintain all aspects of the building. One of the big changes would be upgrading the HVAC system and the roof. It would not be a cheap project, there were many upgrades needed. They were trying to balance the density with the fiscal viability of the site.

Mr. Smith addressed the parking concerns. He said some of the fixes they have used elsewhere would not be practicable at this site, so they were working on other solutions. He said there would be 60-70 beds and they had 24-25 parking stalls.

Mr. Knecht stated there was a committee in place to explore whether a parking permit area should be implemented in this area. He asked how this might affect their development. Mr. Smith assumed the program would be limited to residents only and he was supportive of the idea. He acknowledged there was a parking issue in the neighborhood and understood it was a concern.

Mr. Handley was grateful the building was being preserved. Although, he did have concerns about parking. Mr. Handley worked at BYU and had been working with them to encourage students not to bring cars to campus. He thought this building was a good opportunity to declare this building as a place you live when you do not bring a car. He thought this declaration might be a reassuring gesture. Mr. Smith said the proximity to the school would be a strong focal point in the marking.

Mr. Harding told Mr. Smith that in the past there had been other developments with insufficient parking, and they leave it up to the students to work out, this wasn't always effective. On 800 North there was no on-street parking allowed adjacent to University Avenue. It appeared to Mr. Harding that if there was a parking permit program, there may not be an option for residents to park on the street without a permit. There was a requirement for every vehicle operated from a property to have an off-street parking space. With the number of beds planned, it sounded liked many residents would not be able to bring a car. With ongoing strides to decrease vehicle usage, Mr. Harding was confident the parking could be worked out.

Mr. Knecht listed the many modes of ecofriendly transportation available in Provo, including the recently added electric scooters. The community was becoming more walkable and supported those without vehicles.

Chair Harding invited the neighborhood chair to speak, she was not present.

Brenda Smith, Hacienda Heights, California, was the owner of a neighboring property. She was opposed to this proposal. If allowed, this would adversely affect her property, as well as the others in the neighborhood due to the lack of parking. She was appalled that she was never informed of the proposal. She showed council the post card she received in the mail on August 19, but the hearings took place in April, four months earlier. She was in favor of preserving the building but had concerns about the parking. She said the access to the parking for the property was through an easement they granted to BYU many years earlier. She heard there were 71 beds and 21 bedrooms, but she could only count 19 or 20 usable parking spaces. She estimated there would be 50 new vehicles that required parking in the neighborhood. She did not see how this could be resolved. Ms. Smith noted her home was also considered historic. There were six people living there and they were required to have six parking stalls. She strongly disapproved of this use unless something could be done to resolve the parking issue.

Angela Merrick, Provo resident, also owned a home near the Hall. She was glad the structure was being saved. She owned married housing and their leases include a steep fee for each vehicle parked at the home. In her experience, the fee had been enough to incentivize tenants to use the bus and other modes.

Pat Stika, Provo resident, was glad the building was being saved. She has lived in downtown Provo for several years, but before that she was in the Joaquin area. She said times are changing and fewer kids wanted to have a car. This new generation was using other modes of transportation like Uber and the bus system. Ms. Stika said she put less than 2,000 miles on her last year because of her proximity to everything available in downtown Provo.

Chase Geertsen, Provo resident, lived in the home owned by Ms. Smith. As a student he thought it was preferable to have a car. Taking the bus was a last resort. He was concerned about the parking and thought it would become a problem. He said the driveway was small and parking availability was limited.

There were no other comments from the public.

Mr. Knecht was not on the Council when Joaquin Village was approved. It was bigger in scope and size, but that was a similar discussion with similar problems. They tried to solve it through a parking permit program, but the program never happened. He hoped they would eventually get this parking permit program. Mr. Knecht felt the parking permit program incentivized students not to bring a car when they move here for school. He was supportive of the project, but he understood the risk. Without a permit program in Joaquin, they would continue to have people take advantage of the on-street parking and not make the hard choices they ought to and use alternative transportation.

Mr. Winterton was concerned about the lack of parking but thought the building was worth saving. He did not see another path forward for the building. He hoped there would be opportunities to deal with parking. As a lifetime resident of Provo, he recognized the historical significance of the building. He was confident solutions could be found.

Mr. Handley asked what the next step in the process would be. He thought if parking deductions were incentivized or a fee required, he was confident there would not be a problem. There were many kids attending BYU who were from Provo, including Mr. Handley's daughter, and they did not need cars. Mr. Handley said his daughter would jump at the opportunity to live in the building despite not being allowed to have a car onsite. The majority of students may want cars, but this still left thousands of students who would be interested in this despite not having parking.

Mr. Jones said there was no ability for the council to ask for something after this is approved. The decision the council was making was whether to rezone the property. He said in some situations where concerns exist, developers will sometimes proffer a development agreement to address the concerns. This was a voluntary effort on the part of the developer. The role of the Council was to express their concerns and accept or not accept the zone change.

Mr. Harding responded to Mr. Handley's concerns. He said even if they grant a zone change, they would still be required to provide as many off-street parking stalls as the number of vehicles that are operated from the premise. If everyone followed this, there would be no problem, but that did not always happen. Mr. Harding said 800 North and University Avenue were not places where people could park on-street. If a parking permit program were implemented it would make it harder for the residents to own a car and Mr. Harding thought this was an increased incentive. Further, he thought a parking permit program would be more effective than anything else that might be done.

Mr. Harding questioned the wisdom of past councils who approved projects like Joaquin Village without a parking permit program in place. In turn, this made Mr. Harding question his own inclination to approve this without a permit program in place. However, like Mr. Winterton said, this was a community asset and a big part of Provo's heritage that he saw no other option than to help it succeed.

Mr. Knecht asked Mr. Peperone to describe how likely it was something like this would ever be approved if it were not a historical restoration. He mentioned that other developments are sometimes granted exceptions with development agreements and some will prepare a Transportation Demand Management plan. Mr. Peperone said this would score favorably because of its proximity to the UVX line. He said as long as the parking issues are managed well, like Campus Plaza, there is no problem.

Mr. Peperone suggested to continue this item for two weeks and let the applicant come back with language in their lease to show how parking would be controlled. Mr. Peperone was grateful President Worthen approved this property to be sold and restored. He agreed with Mr. Handley and thought they would find people to live there who did not have cars. He thought the applicant should demonstrate in stronger terms how they plan to manage the parking issue.

Mr. Van Buren requested to continue the item for two weeks.

Mr. Harding spoke to Mr. Smith and said if he had any questions about the suggestions that had been made, he should contact Mr. Peperone. He said the Council wanted to see their plan for not further contributing to the on-street parking problem in the area. Mr. Harding recalled there were 20 stalls available, he asked if any of those would be dedicated for visitors.

Mr. Harding thought this building, window air conditioning units aside, was a beautiful building. He questioned why new construction could not match the grandeur of these older buildings. It would be nice to have new development to these standards. This was a wonderful example of the community rallying behind something that was so meaningful to the community. It was part of Provo's heritage. He was grateful that people were willing to listen to the concerns of the community and change their plans accordingly. He was also thankful to Mr. Smith's company for preserving this building. Mr. Harding viewed this as a win-win situation for the community. This was a great example of a large institution listening to the community, he appreciated this.

Chair Harding announced this would be continued to the next meeting by council rule.

10. **\*\*\*CONTINUED\*\*\* The Community Development Department requests an Ordinance Text Amendment to Chapter 14.37 of the Provo City Code to establish minimum bicycle parking standards. City-wide impact. PLOTA20190217**
11. **\*\*\*CONTINUED\*\*\* An ordinance to amend Provo City Code 14.34.295 (Downtown Development Design Standards) to clarify architectural requirements in the Downtown Zones. Central Business District, Joaquin, Maeser, Franklin, Timp Neighborhoods. (16-0005OA)**

#### Adjournment

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The meeting was adjourned by unanimous consent at approximately 7:38 p.m.