

Provo City Planning Commission

Report of Action

November 11, 2020

Item 7 George Bills of Gardner and Associates, requests concept plan approval for 204 dwelling units on 8.5 acres located at approximately 1724 S. State Street, in a proposed Medium Density Residential (MDR) Zone. Spring Creek Neighborhood. Brandon Larsen (801) 852-6408, jblarsen@provo.org
PLCP20190357

The following action was taken by the Planning Commission on the above described item at its regular meeting of November 11, 2020:

CONTINUED

On a vote of 5:0, the Planning Commission continued the above noted application.

Motion By: Lisa Jensen

Second By: Laurie Urquiaga

Votes in Favor of Motion: Laurie Urquiaga, Lisa Jensen, Brian Henrie, Dave Anderson, and Daniel Gonzalez

Dave Anderson was present as Chair.

RELATED ACTIONS

The associated concept plan for the subject property (Item 6, PLRZ20190356).

RECOMMENDED DENSITY

The applicant proposes 204 dwelling units on two (2) proposed parcels (approximately 8.5 acres).

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in Staff's presentation to the Planning Commission included the following: Staff gave an overview of the proposal (Remington Commons) and staff recommendation, as set forth in the Staff Report.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was held on October 3, 2020. A question of drainage for the development was raised. The applicant stated that his drainage plan had been approved by the Public Works Department. Traffic was a topic of discussion for the proposed development, especially in relation to (1) the traffic produced by the school and (2) 1640 South Street. There were comments about using 1640 South Street for egress for the development. Improvements to 1640 South Street were also discussed. Treeside Charter School (TCS) parking was also discussed. The developer noted the proposed development has sufficient parking to meet applicable requirements.

NEIGHBORHOOD AND PUBLIC COMMENT

- Mary Millar, Spring Creek Neighborhood Chair, made the following comments:

- The traffic study for the development has not been made available and TSC will want to review the study.
- The Southeast Neighborhoods Plan (SE Plan) establishes zoning compliance as an important issue for this area of the City.
- The MDR designation for the westside of South State Street—on the Future Land Use Map, SE Plan—was to help over-occupancy issues in other parts of the surrounding area.
- There were no negative comments at the neighborhood meeting for this project; traffic was raised as a concern.
- Ms. Townsend, apparently a representative of Treeside Charter School, stated the following:
 - The engineer cited several misrepresentations in his traffic study (for the development).
- Erin Preston, representative for Treeside Charter School, asserted the following:
 - The traffic study for the proposal has erroneous information.
 - There are traffic back-ups at TCS during drop-off/pick-up times.
 - The traffic study does not call for improvements at the intersection of State Street and the driveway to TCS at 1724 South.
 - The owner of the property upon which TCS lies is also the owner of the land upon which the proposed development would lie.

APPLICANT RESPONSE

The following are key points the applicant made during the meeting:

- We have worked with Staff to revise development plans.
- The owner of the property upon which TCS lies is NOT the owner of the land upon which the proposed development would lie.
- The design of the development is contemporary.
- The applicant believes the units will be well lit.
- With this proposal, we are cleaning-up a lot of unattractive properties.
- The proposed mix of units for the development is marketable.
- A neighborhood meeting was held, but most conversation drifted toward the dispute between TCS and the owner of the land upon which the school lies. Any issues noted have been addressed.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Commissioner Urquiaga expressed a concern about traffic in relation to the proposal; she stated that left turns in/out of the development (1724 South) could be precarious.
 - David Day, Provo City Public Works, noted that 1640 South Street has been identified by UDOT as a location for a potential, future traffic signal. He further stated that perhaps a warrant study should be pursued with UDOT to get current data relative to the need for a signal at 1640 South Street.
- Commissioner Henrie expressed a concern that the proposed dwelling units would be dark because of lack of windows.
- Commissioner Anderson raised the following concerns:
 - Where is zoning for a grocery store in the area?
 - What does the demographics and housing stock of this area look like?
 - Would additional studio apartments enhance the area?
 - Is there another use (for the subject property) that might help create a balance of uses?
- Commissioner Anderson noted that left-hand turns can really contribute to the need for a signal light. He expressed a belief that peak hour left turns will warrant a signal.
- Commissioner Urquiaga questioned whether a barrier fence was proposed between the school and the proposed development?

- The applicant stated that no fence is proposed, but we could put a fence on the southside of the development. They would not put a fence elsewhere because of driveways through the property and a cross-access easement that encumbers the property.
- Commissioner Lisa Jensen made the following comments:
 - The [SE Plan] calls for MDR for the property; however, this recommendation may cause an imbalance of uses. Perhaps, too much MDR zoning is recommended.
 - She does not like the design of the development.
 - She appreciates that land would be cleaned-up by this proposal, but she believes that does not mean we have to accept the proposal, as is.
 - She also noted an appreciation for the mix of housing types, but has a hard time believing the proposal will be a high-quality development in the long-term.
 - Bill Peperone, Development Services Director of Provo City, replied with the following comments:
 - The SE Plan sent a signal to the developers to submit MDR projects.
 - We asked the developer to not reuse plans from other developments and to change its plans (which they did).
- Commissioner Henrie commented, as follows:
 - This is a good location for a high-density project.
 - The project has good block structure.
 - He does not like the architecture. It is modern, but overloaded.
 - What about four (4) bedroom townhomes?
- Commissioner Gonzalez questioned whether this property could better be used for commercial uses.
- Commissioner Anderson expressed the following concerns:
 - There is a lack of diversity of housing stock in the area.
 - We need to review demographic and housing stock data for the area—to better inform our decisions for this application.
 - There is a lack of retail development in the area.
 - He would like to see the proposed plans show access to the property to the south (the SE Plan recommends neighborhood commercial zoning for this property) and the proposed residential uses scaled-back on the project.
- Commissioner Lisa Jensen requested the developers show egress options for the property to the south of the project.
- Commissioner Henrie commented as follows:
 - He is also concerned about a connection between the proposed project and the recommended commercial property to the south.
 - This project could see a lot of transitory movement.
- Commissioner Urquiaga agreed with earlier desires to see demographic and housing stock data for the area.
- Commissioner Anderson made the following comments:
 - He spoke of the potential for this project to interface with commercial development on the recommended commercial property to the south.
- Commissioner Lisa Jensen made the following motion:
 - To continue the item to allow the developer and staff to do the following:
 - Staff:
 - Provide demographic and housing stock data for the area
 - Provide information relative to the following question: Why isn't commercial development thriving in the South State region of the City?
 - Developer:
 - Provide an updated traffic study
 - Provide a vicinity plan—address connection with property to the south



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Development Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS