Provo City Planning Commission

Report of Action

December 9, 2020

Item 2 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 December 9, 2020:

APPROVED

On a vote of 8:0, the Planning Commission approved the above noted application.

Motion By: Brian Henrie
Second By: Lisa Jensen

Votes in Favor of Motion: Laurie Urquiaga, Ally Jones, Deborah Jensen, Russell Phillips, Lisa Jensen, Daniel Gonzales, Brian Henrie, and Robert Knudsen

Abstained from Voting: Dave Anderson

Dave Anderson was present as Chair.

RELATED ACTIONS
The associated concept plan for the subject property (Item 1, 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); information on demographics, housing stock, and commercial development in the South State area of Provo; 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 subject property has not changed in over 40 years.
  - The proposal is a positive thing. It is a very good development for this area.
  - This area is not necessarily a terrible, low-income area.
  - The developer has worked diligently with staff.
  - Ms. Millar trusts the staff's expertise and developer to produce a quality project.
  - The neighborhood is aware of the issues with the light (presumably referring to the discussion of a signal, or lack thereof, for 1640 South).
  - The neighborhood has seen a lot of development in the neighborhood and that it is exciting.
  - Ms. Millar indicated that it is ludicrous to expect that someone will bring you everything you need, and that it is close enough to services.
- Mrs. Townsend, representative of Treeside Charter School (TCS), stated the following:
  - The traffic study is inaccurate.
  - The cross-parking covenant clashes with their lease.
  - TCS has an exclusive lease for the access, parking, and ingress/egress to the school. They would have to permit or agree to allow another entity to use the access, parking, and ingress/egress to school.
  - Traffic accidents have occurred at, or near, the school.
- Erin Preston, representative for Treeside Charter School, asserted the following:
  - TCS is not opposed to Remington Commons or housing development going into this area; however, there are still some concerns:
    - The traffic study is inaccurate. It refers to businesses that are no longer on the property and an inaccurate and low number of students at the school. It does not account for what has gone on in the last year, such as accidents and congestion.
    - A neighborhood meeting has never been held where there was an accurate study to consider.
    - Ms. Preston said her concern for traffic is increased by the applicant's commercial concept plan (shown at the meeting).
    - A traffic study done with accurate information should be done and which considers the commercial concept plan.

APPLICANT RESPONSE

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

- The applicant has been working on this project for over a year and has worked with Staff to address a number of issues.
- They have neighborhood support for their project, which is not a low-income project.
- Some of the units, including apartments, will be sold.
- Townhomes are designed to be owner-occupied.
- The project will have 140% amenity space.
- They have not asked for parking waivers.
- The townhomes would be fairly expensive.
- They believe they have a marketable mix of housing.
- If the General Plan needs to be updated to discourage more MDR housing in this area, do so after considering the developer's project. They believe it would be unfair to close the door on the developer when they have been working through the approval process.
- The road between the north and south portions of the proposed development is owned by Mr. Morley (Zions M-13 Development LLC). The applicant does not know what use restrictions are on the road.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Concerns about adding more medium density housing (MDR)—to an area that has seen many MDR units approved in the recent past—was expressed.

- Household median income level for the area was noted. A concern that the proposal would add residents of a similar income level and the potential negative impact this could have on commercial development in the area was expressed.
- The sentiment was expressed that the vicinity is not likely to attract detached, single-family dwellings.
- The subject area is adjacent to rail lines and struggles commercially.
- Concerns of creating an imbalance of housing types was expressed.
- Resident tenure may be a concern in this proposed development; this proposal will not help the composition of the Spring Creek Neighborhood.
- One commissioner expressed that the proposal meets the letter of the law but is not necessarily what the Neighborhood needs.
- How do we attract higher-quality MDR developments? We are saturated with low-income housing in this area.
- Concern about traffic, especially making left turns out of the driveway at 1724 South State, was expressed.
- A desire to see a traffic signal to benefit the subject property was implied, especially at 1640 South.
- The mix of housing is favorable, and this proposed development is only about 1.5 miles from the medical school and may attract married medical students.
- South State is getting over-built with two-bedroom units.
- Lack of amenities in this area is a concern.
- South State is redeveloping, and the subject property is blighted.
- The applicant knows his market.
- The application is appropriate for the area and is supported by the neighborhood chair.
- Design corridor standards will help ensure the quality of development is appropriate.
- The applicant has worked with staff to make this project as good as possible.
- The project is not perfect, but the Neighborhood is in favor and it meets the needs for the area. The development fulfills a need for housing for those who are not ready for detached, single-family residences.



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