Provo City Planning Commission

Report of Action

May 12, 2021

ITEM 1 Tim Metler requests Concept Plan approval for a 65-unit apartment complex in a proposed Campus Mixed Use (CMU) zone, located from 46 W to 90 W 800 N. North Park Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLCP20210113

The following action was taken by the Planning Commission on the above described item at its regular meeting of May 12, 2021:

CONTINUED

On a vote of 7:0, the Planning Commission continued the above noted application to a date uncertain.

Motion By: Laurie Urquiaga
Second By: Daniel Gonzales
Votes in Favor of Motion: Laurie Urquiaga, Daniel Gonzales, Robert Knudsen, Dave Anderson, Deborah Jensen, Lisa Jensen, Brian Henrie
Dave Anderson was present as Chair.

- New findings stated as basis of action taken by the Planning Commission or recommendation to the Municipal Council; Planning Commission determination is not generally consistent with the Staff analysis and determination.

RELATED ACTIONS
The Planning Commission also continued Item 2, the related zone change request to this concept plan.

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. Public Works staff added more detail regarding the expansion plans of 800 North right of way in regard to space needed, costs, and timing.

CITY DEPARTMENTAL ISSUES
- There are remaining issues from the Coordinator Review Committee (CRC) review that need to be resolved in a future Project Plan application if the zone change were to be approved.
- Important issues raised by other departments – addressed in Staff Report to Planning Commission

NEIGHBORHOOD MEETING DATE
- The Neighborhood Chair determined that a neighborhood meeting would not be required.

NEIGHBORHOOD AND PUBLIC COMMENT
- The Neighborhood Chair was present and addressed the Planning Commission during the public hearing.

CONCERNS RAISED BY PUBLIC
Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:
- Eric Chase noted the response on the neighborhood Facebook page. He also gave his view that the property was a good spot for the CMU zone and the RC zone really does not belong.

APPLICANT RESPONSE

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

- Mr. Metler stated he would be happy to compromise with staff on addressing issues with the right-of-way and setback issues and try to address Planning Commission concerns. He also responded to questions from the Planning Commission.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Deborah Jensen asked why the Foxwood Apartments were part of the zone change request. She stated she could support the CMU zone here but has site plan concerns with the changes needed due to the 800 North expansion. The other concerns raised during the hearing would be handled during a Project Plan review and the CMU zone standards.
- Lisa Jensen asked questions about the commercial part of the CMU zone, intended occupancy, and the building height for the project. She believes CMU is a good fit, but the setbacks and design of the concept makes approving it now a difficult decision.
- Brian Henrie asked if retail was important in this area. He stated his opinion that the architecture of the concept is not great and should be revisited. He would hate to hinder the project because of a future widening of 800 North.
- Dave Anderson called out issues with the site plan and would have a problem moving forward with a zone change due to that. He does not believe more rental housing is needed.
- Daniel Gonzales shared a concern regarding the loss of street trees.
- Laurie Urquiaga has concerns about minimal setbacks for a large apartment building and would like to see more artistic architecture, she has no concern with the CMU zone at this location.

FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION

The Planning Commission identified the following findings as the basis of this decision or recommendation: The site plan must go through significant changes due to future expansion of 800 North. Those changes need to be shown on the concept plan and be brought back before the Commission can be comfortable moving forward with the zone change.

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 Community and Neighborhood 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