

Provo City Planning Commission

Report of Action

May 25, 2022

ITEM #1 George Bills of Gardner & Associates requests Project Plan Approval for 204 new residential units in the MDR (Medium Density Residential) zone, located at approximately 1702 S State St. Spring Creek Neighborhood. Brandon Larsen (801) 852-6408 jblarsen@provo.org PLPPA20210168

The following action was taken by the Planning Commission on the above-described item at its regular meeting of May 25, 2022:

APPROVAL

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

Motion By: Lisa Jensen
Second By: Robert Knudsen

Votes in Favor of Motion: Lisa Jensen, Robert Knudsen, Laurie Urquiaga, Daniel Gonzales, and Melissa Kendall

Dave Anderson was present but abstained from voting.

Laurie Urquiaga was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

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.

- Planning staff reviewed details of the proposed development and reminded the Planning Commission of the administrative nature of the application. Staff recommended approval of the application with a few conditions, as follows:
 1. That the outstanding CRC comments be resolved prior to building permit application approval;
 2. That the associated final subdivision plat be recorded prior to building permit application approval;
 3. That the applicant enter into an improvement agreement with Provo City Public Works Department relative to traffic improvements; and
 4. That a gate required in the applicable development agreement (Utah County Recorder Entry No. 152504;2021) be identified on the approved site plan for Remington Commons.

CITY DEPARTMENTAL ISSUES

- There are a few outstanding traffic and street issues that need to be resolved with the Provo City Public Works Department and UDOT.

NEIGHBORHOOD MEETING DATE

- A neighborhood meeting was not required for this item.

NEIGHBORHOOD AND PUBLIC COMMENT

- A neighborhood chair, Mary Millar, was present and voiced support for the project. She stated the project would be an asset to the Spring Creek Neighborhood.

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 after the Staff Report or public comment during the public hearing included the following:

- Numerous comments were received just prior to this Planning Commission meeting, and at the Planning Commission meeting. Safety for the children was the primary concern.
- Numerous comments raised concerns about traffic circulation, especially related to the fire access lane just north of the school.
- Some individuals referenced concerns that the approval of the proposal would cause the Treeside Charter School to not to comply with the applicable requirements of the State, as well as fire codes.
- There were multiple concerns express about parking, especially in relation to the fire access road.

APPLICANT RESPONSE

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

- The applicant noted the amount of work that had gone into the project; they made themselves accessible for comments.
- The applicant explained that numerous traffic studies were conducted for the project.
- UDOT has not yet found that a signal is warranted at 1640 South. However, the applicant expressed a willingness to enter into an agreement with Provo City Public Works to help participate in the cost of traffic signal at 1640 South when sufficient warrants have been identified by UDOT.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Numerous questions were asked about traffic, including a request to know what traffic improvements were left to address with Provo City Public Works and UDOT.
- There was much discussion about a gate that was supposed to be identified in the previously mentioned development agreement.
- Commissioner Jensen noted that she was personally aware of another school in the area that has dealt with similar traffic issues. According to Jensen, the school has managed those issues well, and expressed belief that the school could navigate any additional traffic and circulation issues related to the development.
- Commissioner Jensen expressed confidence in the reviews done by public agencies for this proposal. She believes the requirements for the proposal have been met.
- Commissioner Gonzales expressed confidence in UDOT's rigorous review processes.
- Commissioner Urquiaga expressed a belief that traffic issues would work themselves out. She also stated an understanding that this proposal would be a higher-end project, and a belief that the proposal could be a benefit the students attending Rocky Mountain University's medical school.
- Commissioner Jensen made the following motion, which was seconded by Commissioner Knudsen:
 - Approve the subject proposal with the following conditions:
 1. That the outstanding CRC comments be resolved prior to building permit application approval;
 2. That the associated final subdivision plat be recorded prior to building permit application approval;

3. That the applicant enter into an improvement agreement with Provo City Public Works Department relative to traffic improvements; and
4. That a gate required in the applicable development agreement (Utah County Recorder Entry No. 152504;2021) be identified on the approved site plan for Remington Commons.

The proposal was approved by the Planning Commission 5-0.



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