

Please Note – These minutes have been prepared with a timestamp linking the agenda items to the video discussion. Electronic version of minutes will allow citizens to view discussion held during council meeting.



PROVO MUNICIPAL COUNCIL

Work Meeting Minutes

2:30 PM, Tuesday, September 20, 2022

Council Chambers

445 W. Center Street, Provo, UT 84601 or

<https://www.youtube.com/provocitycouncil>

Agenda ([0:00:00](#))

Roll Call

The following elected officials participated:

Council Chair George Handley, conducting

Council Vice-chair Katrice MacKay

Councilor Travis Hoban

Councilor Rachel Whipple

Councilor Shannon Ellsworth

Councilor David Shipley

Councilor Bill Fillmore, arrived 2:35 PM

Excused: Mayor Michelle Kaufusi

Prayer

Dixon Holmes offered the prayer.

Approval of Minutes

June 21, 2022 Council Meeting Minutes

July 12, 2022 Work Meeting

July 26, 2022 Work Meeting

August 2, 2022 Truth in Taxation Public Hearing

August 23, 2022 Work Meeting

August 23, 2022 Council Meeting Minutes

September 6, 2022 Work Meeting

September 6, 2022 Council Meeting Minutes

Approved by unanimous consent.

Business

1. **An ordinance amending the Zone Map classification of approximately 14.45 acres of real property, generally located at 5544 N River Run Drive, from Research and Business Park (RBP) to Medium Density Residential (MDR) and authorizing a related development agreement. Riverbottoms Neighborhood. (PLRZ20220008) ([0:12:58](#))**

2. **An ordinance amending the General Plan designation from Mixed Use to Commercial for property generally located at 5515 N Edgewood Drive. Riverbottoms Neighborhood. (PLGPA20220004) ([0:15:54](#))**
3. **An ordinance amending the General Plan Map designation from Commercial to Residential for property generally located at 5544 River Run Drive. Riverbottoms Neighborhood. (PLGPA20220007) ([0:17:10](#))**

Bill Peperone, Development Services Director, presented these three related items together. These recently went to the Planning Commission, along with the concept plan. This proposal includes a rezone from research and business park to medium-density residential; the developer already owns other property zoned as MDR across the river next to University Avenue; they are essentially relocating the MDR designation so the portion along University Avenue can be changed to commercial. The residential portion includes 198 units and exceeds the needed open space and parking requirements. Mr. Peperone noted neighboring property owners have raised many questions; they plan to address these questions in detail at the Council Meeting that evening. Mr. Peperone addressed the plans for the street through the development, as well as how the design facilitates future installation of a signaled intersection at 5600 North and University Avenue (which will eventually tie in with River Run Road and Canyon Road). The Council will consider two general plan amendments and a zone change.

Councilor Bill Fillmore asked about the vision for this project and how the parcels were connected. Mr. Peperone explained that the property owner wants to take the maker spaces and innovation spaces Provo has become known for and take that to the next level. This project would expand the availability of commercial office space, as many companies end up leaving Provo as they expand and outgrow the office space available. This would also locate housing units nearby for those who want to utilize the makerspaces. The townhome units will be owned and rented out by the developer. Although this would not expand owner-occupancy opportunities in the City, it also prevents the townhomes from being bought by investors and potentially over-occupied. With local ownership by one entity, the maintenance will also be better coordinated. Ryan Smith, founder of Qualtrics, is the project owner. Mr. Fillmore shared comments about innovation and incubating technology companies in Provo. Mr. Peperone also addressed several questions about the building height requirements and maximums allowed. Mr. Fillmore asked about several of the surrounding properties; Mr. Peperone related some of the issues with those properties, including one located in Orem.

Councilor Shannon Ellsworth asked about the relation between this area and the Community Development project area the Redevelopment Agency previously approved. Keith Morey, Economic Development Director, explained that the Community Development Project Area was adjacent to this parcel, on the Qualtrics campus, and it was approved but never activated. Councilor George Handley shared concerns he received from Ron Woolley about potential coal ash contamination. Mr. Peperone indicated the developer would do soil testing to make sure there are no problems with the site. Mr. Peperone reiterated that the project exceeds the requirement for 10% open space in the MDR zone, as it has even more open space. The developer has also met and exceeded the amount of required parking, which is rare. ***Presentation only. These three items were scheduled for the Council Meeting on September 20, 2022.***

4. A resolution adopting the Provo Moderate-Income Housing Supply and Strategies Report. (22-069) ([0:32:02](#))

Brandon Larsen, Planning Supervisor, presented. He referenced several changes to the report, including several corrections and updated references. The most notable change is that the report now recognizes 440 accessory dwelling units (ADUs). Mr. Larsen invited questions and feedback on the updated version, which had previously been distributed to the Council. The City is required by State law to adopt the report by October 1.

Councilor Shannon Ellsworth commented on the approval timeline for the state. Councilor Rachel Whipple asked about several of the definitions in the report and whether a single-family home with an ADU is still designated as such; Hannah Salzl and Brandon Larsen indicated that such a residence is still considered a single-family home. Ms. Whipple noted that 2.4% of single-family homes having a registered or permitted ADU was extremely low. Mr. Larsen agreed with Ms. Whipple's suggestion that if there were more ADUs, that would qualify more housing units as moderate-income housing. Councilor Travis Hoban commented on the ratio of ADUs and rental housing in the City, and whether more ADUs were needed since Provo has many rentals.

Councilor Bill Fillmore thought this needed additional public input. He also asked without the housing audit, how confident Development Services was about the ADU figure. Mr. Larsen explained that 440 is the number of licensed or registered ADUs in the City. In response to additional questions from Mr. Fillmore, Mr. Larsen explained that this report did not establish specific quotas for ADUs. Hannah Salzl, Planner, added to this response and clarified that the numbers in this report become Provo's benchmark and generally the report requires some improvement, so in future years Provo's improvement will be measured against this initial report. Mr. Larsen added that the State uses this report to evaluate the City's compliance with state code and there are some funding opportunities contingent on the report. He explained that every city has to adopt at least three strategies identified by the State; Provo has to adopt a fourth since Provo has a fixed rail system (Frontrunner).

Ms. Ellsworth asked where the strategies originated. Mr. Larsen explained that the state provides a list of which the City must choose three strategies, with the additional fourth strategy identified based on the rail system. Ms. Salzl indicated that the implementation matrix for housing goals in general is part of the General Plan. She indicated that if the Council has concerns about goals in this table, as long as they aren't required by the state, they can remove them. Staff offered clarification on the purpose and scope of the report.

Councilor Katrice MacKay shared comments about ADUs and her concern that allowing more ADUs would result in less availability of larger single-family homes. She noted that Provo has a high percentage of low- and moderate-income housing compared to surrounding cities.

Councilor George Handley shared comments. He noted that the student population is not distinguished in the report. He felt that it was misleading to consider Provo as leading the state in low- and moderate-income housing because much of the housing in those categories is student housing; he suspected that without the students, Provo's ratio was much closer to the state

average, so it was still very important to provide adequate housing for non-students who fall into those low- and moderate-income brackets. He thought it was important to examine demographic data and whether it illustrated shifts in the non-student population of Provo so adequate housing can be planned in the City. Mr. Handley noted that this was important to pass as city staff needed bandwidth to work on and advance the General Plan. Mr. Larsen said staff felt the moderate-income housing report is ready to be passed. They would appreciate having more of their time to work on the General Plan, which they intend to resume working on next week. ***Presentation only. This item was already scheduled for the Council Meeting on September 20, 2022.***

Closed Meeting

The Municipal Council or the Governing Board of the Redevelopment Agency will consider a motion to close the meeting for the purposes of holding a strategy session to discuss pending or reasonably imminent litigation, and/or to discuss the purchase, sale, exchange, or lease of real property, and/or the character, professional competence, or physical or mental health of an individual in conformance with 52-4-204 and 52-4-205 et. seq., Utah Code.

Motion: Shannon Ellsworth moved to close the meeting. Seconded by Katrice MacKay.

Vote: Approved 7:0.

Adjournment

Adjourned by unanimous consent.