



Provo City Planning Commission

Report of Action

March 08, 2023

ITEM 5	Tim Metler requests Project Plan approval for a 59-unit apartment complex in the CMU (Campus Mixed Use) zone, located at 90 West 800 North. North Park Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLPPA20220246
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The following action was taken by the Planning Commission on the above described item at its regular meeting of March 08, 2023:

APPROVED

On a vote of 7:0, the Planning Commission approved the above noted application.

Motion By: Daniel Gonzales

Second By: Raleen Wahlin

Votes in Favor of Motion: Daniel Gonzales, Raleen Wahlin, Lisa Jensen, Robert Knudsen, Jeff Whitlock, Melissa Kendall, Andrew South

Lisa Jensen 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.

APPROVED/RECOMMENDED OCCUPANCY

*59 Total Units

*Type of occupancy approved: Family

*Standard Land Use Code: 1151

APPROVED/RECOMMENDED PARKING

*88.5 Total parking stalls required

*83 Total parking stalls provided

TRANSPORTATION DEMAND MANAGEMENT (TDM) AGREEMENT

- Applies – TDM approved reduced parking to 83 parking stalls.

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.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

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

NEIGHBORHOOD AND PUBLIC COMMENT

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- Neighbors or other interested parties were not present.

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:

- An email from Terry Cirac (a neighbor) indicated concerns with the height, density, and setbacks for the proposal.

APPLICANT RESPONSE

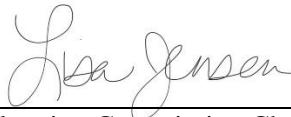
Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Tim Metler gave an overview on site changes due to 800 North future expansion, how he will manage parking, and what he expects the occupancy to be. He also noted updates to the elevations from the recommendations of the Design Review Committee.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Planning Commission confirmed with staff that the Project Plan can be approved after a related Concept Plan was denied, and that the Development Agreement.
- The Commission discussed the past reviews of the plan and concerns that were expressed at the earlier hearings including parking, zone purposes, and inclusion of the foxwood apartments.
- The Commission noted that the location was good for a small reduction in parking, that the amenities were good for the project, and that there are strong agreements to ensure parking would be managed appropriately.
- Commissioners noted that parking shouldn't be a big problem with the proposal, the proximity to BYU, transit, and tenant needs helps the .1 parking reduction.
- Other TDMs in the City were discussed, with lessons learned from past approvals.



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