



Provo City Planning Commission

# Report of Action

April 24, 2019

Item 3 Tim Soffe requests Project Plan Approval for a 60-unit apartment complex located at 442 & 490 South State Street. Approval of the Project Plan is subject to a Zone Change. Maeser Neighborhood. 17-0013PPA

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The following action was taken by the Planning Commission on the above described item at its regular meeting of April 24, 2019:

## APPROVED WITH CONDITIONS

On a vote of 6:0, the Planning Commission approved the above noted application, with the following conditions:

### Conditions of Approval:

1. That the zone change is approved by the City Council;
2. That the building height be limited for the north building to three stories and the east building to four stories, with a maximum building height of 44' and the south building to two stories;
3. That the total number of dwelling units be limited to 60;
4. That the existing lots are combined into one lot;
5. That CRC approval is received; and
6. That DRC conditions are met.

Motion By: Jamin Rowan

Second By: Andrew Howard

Votes in Favor of Motion: Jamin Rowan, Andrew Howard, Robert Knudsen, Debora Jensen, Russ Philips, Shannon Ellsworth.

Abstained: Dave Anderson

*Debora 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.

### RELATED ACTIONS

- Report of Action from Planning Commission Hearing on January 24, 2019.

### APPROVED/RECOMMENDED OCCUPANCY

\*Total number of units = 60

\*Type of occupancy approved = Family housing

**APPROVED/RECOMMENDED PARKING**

\*Total number of parking stalls = 101

\*Number of parking stalls per unit = 1.5 for one-bedrooms and 2.25 for two-bedrooms.

\*46 one-bedroom units and 14 two-bedroom units.

**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.

**NEIGHBORHOOD MEETING DATE**

- A neighborhood meeting was held on 05/16/2017.

**NEIGHBORHOOD AND PUBLIC COMMENT**

- The Neighborhood Chair was present /addressed the Planning Commission during the public hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

**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:

- There is a desire from residents to also have the building on State Street to be limited to three stories.
- An estimated average daily trips of 750 is projected and slowing traffic down to increase safety is desired.
- There could be a need to provide additional parking so that there is not a parking issue.
- There is an existing issue along the streets in this area with parking. Adding this development will make it a bigger issue.
- Limit the development to three stories to help maintain a smaller scale residential feel in the neighborhood.

**APPLICANT RESPONSE**

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

- There has been a lot of working with the neighbors to address the concerns. Not all concerns can be practically met, but there have been a lot of changes to help address as many as possible.
- The density is just over the Medium Density Residential limit of 30 units per acre.
- Height would meet the requirements for the MDR zone.
- Worked with UDOT to get permission to have an entrance on State Street.
- Adjustments will be made to the intersection on 500 South and State to meet the request for Provo Public Works to improve the alignment.
- Expressed willingness to do a development agreement limiting the site to the items listed in the staff report and have the project plan be incorporated into the development agreement.

**PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- The number of units has decreased by four since this item was last heard by the Planning Commission.
- The intersection at 500 South and State is less pedestrian friendly since the last time that the Planning Commission saw this item.
- The buffering and fencing will play an important role in limiting impacts on adjacent residential.
- The townhomes on 500 South will be for rent, but could be for sale.
- The parking requirement is 101 and the proposed site will meet that requirement.
- There have been a lot of positive changes since the Planning Commission saw the first proposal.
- Provo has a lot of apartments and other housing options should be considered.




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Planning Commission Chair




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Director of Community Development

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 Development 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**