

Tom and Linda Lowe | March 8, 2023

Items 3 & 4 on 3/8/23 Hearing

Dear Planning Commission,

I am writing to ask you to DENY the two referenced items presented by Orchard Estates. I agree with the staff recommendation. This plot is and must remain LDR.

I am a resident of Broadstone Estates and I live on 4040 N. The proposed development will be directly across the street from my home so naturally I am very interested in what the development of the lot will bring.

I think the staff did a great job on studying the plan and making a recommendation. However there is one point that I would like to add...the staff relied on information supplied by a representative of the developer and other hired experts. One piece of information supplied was a parking study by A-Trans Engineering. The expert deviates from the parking formula by citing Provo code Section 14.34.050 (2)(d)(vi) *If the development is an expansion of an existing use, or if a similar facility exists elsewhere in Utah, historical data indicating parking lot usage experience at the existing development or facility.*

The expert then goes on to use parking data from Legacy facilities in UT, AZ, and CO. On page 8 of the report, the expert shows bullets from five independent living facilities and the percentage of residents that have vehicles. This is pretty compelling...but not accurate. I called the sales office in St. George and was told that less than 50% of the independent living apartments were sold. The bullet makes it look like all the units are occupied when in fact no more than 20 are occupied. The ration would then be (25 of 20) 1.25

Likely the expert relied on data supplied by the developer but the misrepresentation in the parking make me suspect of all the data points that the developer supplied.

The plot is LDR for a reason and the development agreement must remain unaltered. Please deny the requested concept plan and recommend that the City Council deny the Zone Map Amendment.

We are for any development which fits within LDR.

Respectfully,

Tom and Linda Lowe

30 E 4040 N

Ken & Sandy Bourne | March 8, 2023

Regarding Items 3 & 4 on Planning Commission Hearing 3/8/2023

Dear Commissioners/Council Members,

I would like to express my concerns over items 3 & 4 scheduled for the hearing on March 8, at 1800.

I feel the proposed actions would create, density, traffic, parking, and safety issues if allowed to proceed as proposed. It is my belief that the specifics of those concerns will be addressed by residents at the meeting.

The proposed actions presented by Mr. Smith are not in alignment with the current zoning (LDR) for the area, or the development agreement currently in place for development the property listed.

A change in zone from the current LDR to MDR would be very much out of sync with the present LDR make up of the surrounding neighborhood.

The neighbors are not opposed to Mr. Smith's developing the property, but feel that the development should be within the requirements of the current LDR zone, and the development agreement, which was the representation made by the property owner, Perry Homes, when they marketed their Broadstone Estates townhomes project to potential buyers, which is immediately across the street from Mr. Smith's proposed development.

Thank you for your consideration of this matter.

Ken & Sandy Bourne
92 East 4040 North
Provo, 84604

Richard Bowler | March 2, 2023

Legacy Village Phase II expansion

It has come to my attention that the Planning Commission has been requested to approve a Concept Plan (PLCP20220344) and Zone Map Amendment (PLRZ20220345) relating to the Legacy Village Retirement Home, located at 4093 N 100 E. I object to approval of these items because it will have an adverse effect on adjacent landowners and others. I plan to attend the meeting and provide more specific comments on my objections.

David Rosen | March 3, 2023

PLPC20220344 and PLPC20220345 Cole Smith and Legacy Village Retirement

Dear Planning Commission Members,

Thank you for taking time to review and consider the opinions and comments of neighbors.

I have the following comments on the upcoming meeting on March 8, 2023 and items 3 and 4 on the agenda as reference above.

There are two things that were not mentioned in the neighborhood meeting that should have been by the developers:

1-The developers should have mentioned there is an existing Development Agreement already in place and that limits the number of units for the remainder of the site. This should have been mentioned by the developer as a proper disclosure.

2-At the same meeting there was no mention that the property was being sold to a different entity. We all were under the "impression" that Perry Homes and Legacy were developing the property and they would be the owners. This is a major point that should have been made very clear at the neighborhood meeting.

These are the types of disclosures that should be made at neighborhood meetings.

In order for this property to remain as an Assisted Living Center and provide protection to the neighborhoods surrounding it, the zone needs to stay as LDR. Moving the zone to MDR will open up many additional uses for the property and any buildings on the property. These uses would not require the land owners to return to the planning commission or council for approval. These uses are not in harmony with the original development and what was promised to the neighbors and those who invested in the homes immediately across the street. The Developers proposed using a development agreement to give assurances to the neighbors that the use remains as an Assisted Living Center. However, they are seeking to void a development agreement that was put in place to protect those very concerns.

Development agreements are a tool that the City has used to promote development and also protect those that surround the development. As mentioned by the planning staff, when these agreements are set aside in favor of new

development they lose any efficacy and thus the trust and confidence of the citizens of Provo in its elected and appointed staff members to hold fast to these agreements.

For these reasons I request that you follow the planning staff recommendations and deny the proposed changes to this property

Respectfully,

Dave Rosen

David Sewell | March 6, 2023

3/8/23 meeting, agenda items 3 and 4

Re: Planning Commission, 3/8/2023, Agenda Items 3 and 4

Dear Planning Commissioners Melissa Kendall, Miles Miller, Peter Fife, Lisa Jensen, Daniel Gonzales, Andrew South, Raleen Walhlin, Robert Knudsen, and Jeff Whitlock:

I am writing in support of staff's recommendation to deny the requested Concept Plan Application for agenda item 3 and to recommend to the City Council denial of the requested Zone Map Amendment for agenda item 4. As mentioned by staff, the original proposal some ten years ago was indeed controversial. Over 700 signatures were gathered in opposition to the original higher density proposal – mostly from area residents but also from parents with children attending the nearby school. With help from then Mayor John Curtis, a hard-earned compromise was worked out between representatives of area residents and the developer – resulting in the current LDR zoning and development agreement.

The development thus far has been a benefit to the city and to the Riverbottoms area. The facility provides needed assisted living services, is visually compatible with the Riverbottoms Design Corridor, and is compatible with adjacent uses. The traffic signal installed to facilitate the development, the “right in, right out” intersection at 4040 North, and the road looping behind the development have solved a major traffic flow and safety issue associated with school traffic queuing, allowing it to occur behind the development rather than on University Avenue.

Perry Homes should be commended for their contribution to our community. I was initially supportive of expansion plans based on how well their current facility integrates with the community and complements adjacent uses. However, the current proposal dramatically increases the number of expansion beds by nearly three times to 151 (as per staff report) from 54. Furthermore, though the proposal is for assisted living units, the developer stated in the last neighborhood meeting that the intent was for these to be “independent living” units, with fewer services provided than are provided for current residents. That type of resident will bring more cars and drive more than current residents.

The residents to the south and the school to the north made investments in reliance on the current development agreement concerning what would be built. The surrounding community gave its blessing for the original project to proceed based on the parameters in the development agreement. I believe the best way for an expansion to remain compatible with adjacent uses, and with the surrounding community, is to abide by the parameters of the original development agreement.

Thank you for your service to our community.

Dave Sewell

Richard and Sue Hammond | March 6, 2023

Legacy Village Phase II expansion

Dear Council members,

A request to approve a Concept Plan (PLC20220344) and Zone Map Amendment (PLRZ20220345) relating to the Legacy Village Retirement Home , located at 4093 N 100 E. has been submitted to you. I object to the approval of these plans because of the adverse effect on the neighboring community and adjacent landowners. A three-story building with 130 apartment units will essentially occupy the entire street in front of the single family homes. The area is designed for single family type living, not apartment style buildings.

Respectfully,

Richard and Sue Hammond

60 Marrcrest South, Provo, UT 84604

Richard Bowler | March 6, 2023

Planning Commission meeting agenda items 3 and 4

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Richard Bowler

3998 N 60 E

Provo, Utah 84604

Athena Lampros Bowler | March 6, 2023

March 8 Planning Commission meeting agenda items 3 and 4

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Athena Bowler

3998 N 60 E

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