

ITEM 2 David Bragonje requests Concept Plan approval for a new 66-unit condo building in a proposed PRO-A10 (Arbors on the Avenue) Zone, located approximately at 5610 N University Ave. North Timpview Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLCP20230326

<p>Applicant: David B Bragonje</p> <p>Staff Coordinator: Aaron Ardmore</p> <p>Property Owner: CIRQUE CONDOS LLC</p> <p>Parcel ID#: 20:014:0051; 20:014:0066; 20:014:0065; 20:014:0102; 20:014:0103; 20:014:0108</p> <p>Acreage: 7.84 (2.85-acre project area)</p> <p>Number of Properties: 6</p> <p><u>ALTERNATIVE ACTIONS</u></p> <p>1. Approve the requested Concept Plan. <i>This action <u>would not be consistent with the recommendations of the Staff Report.</u> The Planning Commission should <u>state new findings.</u></i></p> <p>2. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is April 24, 2024, at 6:00 P.M.</i></p>	<p>Current Legal Use: There are no current established uses on the property.</p> <p>Relevant History: A portion of this property was graded in 2018. As the applicant went through staff review with his proposal, Public Works discovered a sewer capacity issue in the “freedom trunkline” that would not allow this project to move forward without large infrastructure improvements (see attached “Freedom Trunkline ERC memo”). The applicant has updated his request to the Arbors on the Avenue PRO Zone to address some of the earlier concerns with the HDR Zone.</p> <p>Neighborhood Issues: This item was discussed at the January 24, 2024 District 1 Neighborhood meeting. There was more support for a Medium Density project (up to 30 units/acre) than a High Density project (up to 50 units/acre). The following were listed as specific concerns:</p> <ul style="list-style-type: none"> • Traffic on Indian Hills Road/Canyon Road • Developing more than the described 2.85 acres • Allowable building height in the HDR Zone <p>Summary of Key Issues:</p> <ul style="list-style-type: none"> • The request has changed from asking for the HDR Zone to the PRO-A10 Zone. • The proposal is for 66 condominium units. • The limits on sewer connections for this property restrict the staff from recommending approval. <p>Staff Recommendation: That the Planning Commission deny the proposed concept plan.</p>
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OVERVIEW

David Bragonje is requesting concept plan approval for a 66-unit residential condominium project at the mouth of Provo Canyon, approximately 5610 North University Avenue in a proposed Arbors on the Avenue (PRO-A10) Zone. This site has been left vacant since a grading on a portion of the site was done in 2018.

The proposal is to build a four-story condo building with underground and surface parking, accessed from Indian Hills Road. The concept plan shows twenty-three (23) three-bedroom units, thirty-one (31) two-bedroom units, and twelve (12) one-bedroom units, along with some amenity areas on each level. The site includes additional gathering space amenities, including a dog park, hot tub area, and trail connections.

The property around the site is vacant, open land to the north and east in the Agricultural (A1) and Open Space, Preservation, and Recreation (OSPR) Zones. To the south is a power station for Provo Power and the Indian Trail trailhead and parking lot. Further south, within approximately 500 feet south along Canyon Road, there are four to five single-family homes on Utah County land, with some agricultural uses. West, across University Avenue, there is a developing commercial center at 5609 N University Ave in the CG (General Commercial) Zone, and future office development in the PO (Professional Office) Zone to the southwest.

While additional housing is needed in Provo, and adding this type of housing in the northeast would be a benefit, Public Works Staff have found that there is not enough sewer infrastructure to support this rezone. In the attached Freedom Trunkline ERC memo, it concludes that the amount of property already zoned for development will use the remaining capacity of this sewer system due to several constraint points in the line that come with very high price tags to correct. These sewer improvements are not within the five-year improvement plans for Public Works, and therefore, staff must recommend denial on the requested zone change.

FINDINGS OF FACT

1. The current zones on the property are the A1.5 and OSPR Zones (*Chapters 14.08, 14.33, Provo City Code*).
2. The proposed zone is the PRO-A10 Zone (*Chapter 14.50(10), Provo City Code*).
3. The proposed parking is 140 stalls.
4. The required parking is 140 stalls (*Section 14.37.060, Provo City Code*).

APPLICABLE ZONING CODES

15.03.100 Adequate Public Facilities.

Land shall be developed where existing infrastructure is in place or will be timely provided to service proposed development. For each such development an analysis shall be completed to determine whether adequate public facilities are available to service the development and whether the development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. A proposed development shall not be approved if demand for public services is shown to exceed accepted levels of service. No subsequent approval of such development shall be given until either the developer or the City installs improvements calculated to raise service levels to accepted norms.

CONCLUSIONS

Though staff have taken the time to evaluate this proposal and help the applicant find ways to handle the zoning standards, the big issue remains the infrastructure limitations. A similar proposal on a future year may be appropriate in helping fill housing needs, but this proposal is untimely considering current infrastructure constraints. The above reasoning and code section on adequate public facilities leaves staff without a feasible alternative to denial of this request at this time.

ATTACHMENTS

1. Area Map
2. Concept Site Plan
3. Concept Renderings
4. Concept Floor Plans

ATTACHMENT 1 – AREA MAP



ATTACHMENT 2 – CONCEPT SITE PLAN



ATTACHMENT 3 – CONCEPT RENDERINGS







ATTACHMENT 4 – CONCEPT FLOOR PLANS

CIRQUE CONDOS

(23) 3-BEDROOM UNITS	x 2.25 STALL = 51.75
(31) 2-BEDROOM UNITS	x 2.25 STALL = 69.75
(12) 1-BEDROOM UNITS	x 1.5 STALL = 18
66 UNITS TOTAL	REQ. STALLS = 140

AMENITIES:

- TRASH CHUTE (TR)
- ELEVATOR (EL)
- MAIL ROOM (M)
- BALCONY
- STORAGE UNITS
- GARAGE PARKING

