

***ITEM # 5** Lindy Deller requests a Zone Change from A1.10 to Airport Industrial (AI) for approximately 33 acres, located at 3701 W Center Street. Provo Bay Neighborhood. Dustin Wright (801) 852-6414 dwright@provo.utah.gov PLRZ20210263

<p>Applicant: Lindy Deller</p> <p>Staff Coordinator: Dustin Wright</p> <p>Property Owner: KBO LIMITED PARTNERSHIP and G CARTER FARMS LLC</p> <p>Parcel ID#: 21:026:0054 and 21:033:0016</p> <p>Acreage: 32.6</p> <p>Number of Properties: 3</p> <p>Current Zone: A110</p> <p>Council Action Required: Yes</p> <p>Development Agreement: Yes</p> <p><u>ALTERNATIVE ACTIONS</u></p> <ol style="list-style-type: none"> Continue to a future date to obtain additional information or to further consider information presented. The next available meeting date is July 27, 2022 at 6:00 p.m. Recommend denial of the requested Rezone Application. This action <u>would not be consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>. 	<p><u>Current Legal Use:</u> Vacant land in the Agricultural Zone.</p> <p><u>Relevant History:</u> The Airport Industrial zone was created in 2021 for property surrounding the Provo Municipal Airport.</p> <p><u>Neighborhood Issues:</u> The item has been on Open City Hall and has received supportive comments for the rezone.</p> <p><u>Summary of Key Issues:</u></p> <ul style="list-style-type: none"> The proposed rezone is supported by the Southwest Area Future Land Use Map. A development agreement from the applicant will address the issues that Public Works had related to adequate utilities and traffic demands from end users. <p><u>Staff Recommendation:</u> Recommend approval of the requested Rezone Application to the Municipal Council with the Development Agreement that addresses the remaining CRC concerns.</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

BACKGROUND

The applicant is requesting approval to rezone the two properties from Agricultural (A110) to Airport Industrial (AI) to allow for three new warehouse buildings to be constructed.

The proposed rezone will consist of two parcels totaling approximately 32.6 acres of land. The parcels will be bisected with a public street. The proposed rezone is supported by the Southwest Area Future Land Use Map that calls for "Airport Compatible Industrial/Commercial".

The city owns a small parcel of land is .11 of an acre on the corner of Center St and 3800 W. This parcel is being included in the rezone request for consistency with this new zone on the larger parcel.

FINDINGS OF FACT

Sec. 14.020.020(2) establishes criteria for the amendments to the zoning title as follows:
(Staff response in bold type)

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

Staff response: The proposed zone will provide compatible uses with the airport help increase usage of the airport.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Encouraging uses that will support the airport while minimizing any impacts on nearby residential uses is what the proposed zone was designed to accomplish.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: Rezoning the property will align with the future land use map for this area.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff response: The new airport zones were created and adopted last year with intent to apply them to property surrounding the airport.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff response: Since the zone was created for the areas around the airport for property identified on the future land use map and not for other areas of the city, this should not hinder any of the General Plan policies.

(f) Adverse impacts on adjacent land owners.

Staff response: The land has been used for agricultural purposes and with the rezone would change to airport industrial uses there will be increased activity at the site than there has been historically.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: The land use map from the General Plan has been reviewed and found to be correct for this area.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: There are no conflicts noted by staff.

STAFF ANALYSIS

The property to the north is zoned Agricultural (A1.10) and unincorporated Utah County. To the east there is light manufacturing (M1) and the Public Facilities (PF) zone and to the south of the property is the new Airport (A) zone.

A concept plan application was submitted concurrent with this rezone request. The concept plan shows that it would be able to comply with the zone requirements of the proposed AI zone. There are items that have been identified by Public Works that were concerning related to the potential impacts on utilities depending on the end user that occupies the new development. To help address these concerns, the applicant is requesting a development agreement be entered into for this rezone to be approved.

Staff finds that with a development agreement in place to address the concerns Public Works identified about the ultimate end use of the property, this rezone would be in line with the General Plan and would be appropriate for this location.

Staff has discussed with the applicant that if there are any changes to the approved concept plan that the development agreement would need to be amended with Municipal Council approval.

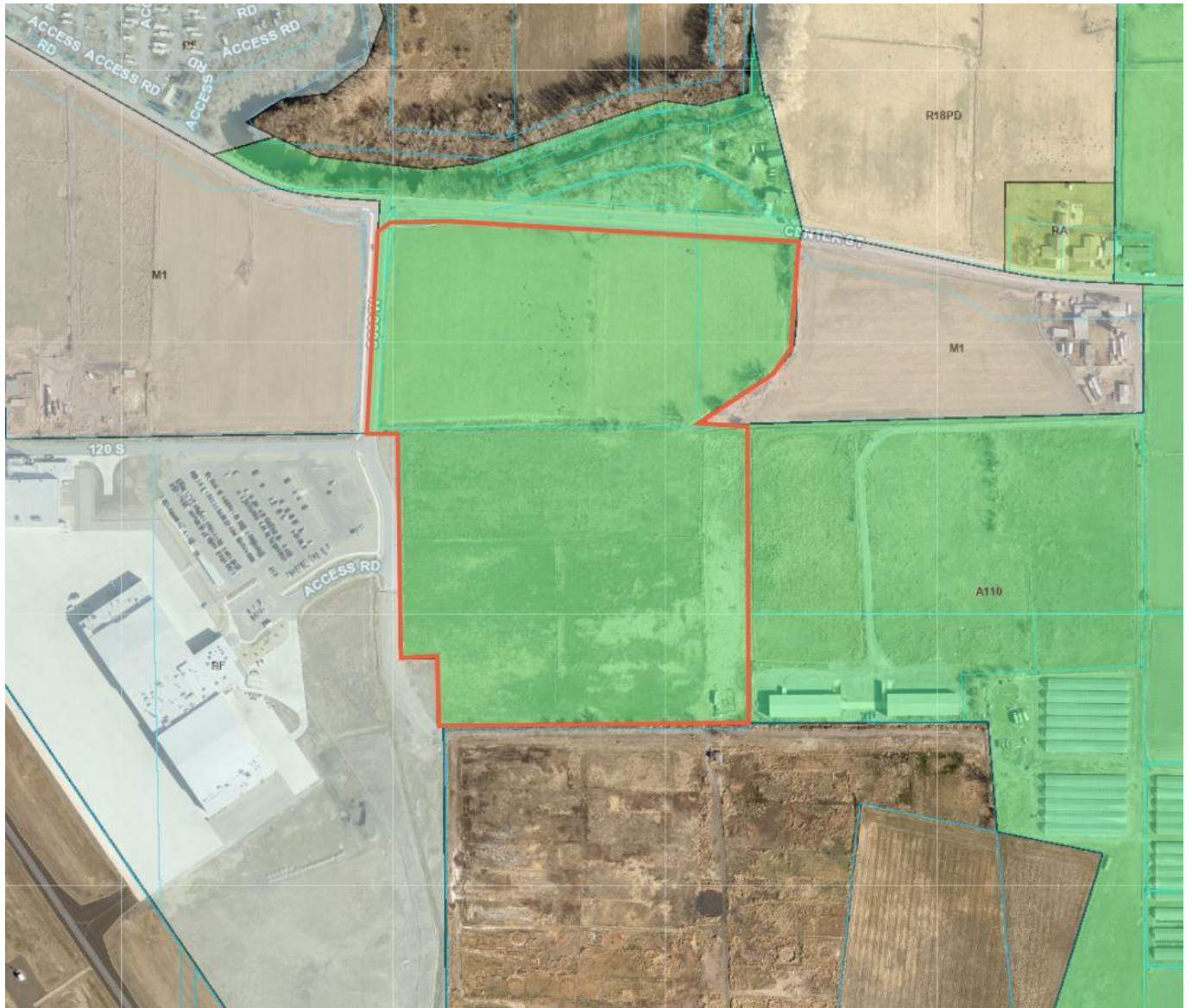
ATTACHMENTS

1. **Aerial of Site**
2. **Current Zone Map**
3. **General Plan Map**

Attachment 1 – Aerial of Site



Attachment 2 – Current Zone Map



Attachment 3 – General Plan Map

