

Provo City Planning Commission Administrative Hearing

Report of Action

August 03, 2022

Item #1 Tom Stuart Construction requests Project Plan approval for a new industrial building in the PIC (Planned Industrial Commercial) zone, located at 2103 S Tracy Hall Pkwy. Spring Creek Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLPPA20220088

The following action was taken on the above described item by an Administrative Hearing Officer, acting in behalf of the Provo City Planning Commission, on: August 03, 2022.

APPROVED WITH CONDITIONS

Administrative Hearing Officer: Dustin Wright

Includes facts of the case, analysis, and conclusions outlined in the Staff Report, with any changes noted. Administrative Hearing Officer determination is consistent with the Staff analysis and determination.

Conditions of Approval

1. That staff provides the applicant with a copy of Chapter 9 regulations on noise.

APPROVED/RECOMMENDED PARKING

- 20 Total parking stalls required
- 28 Total parking stalls provided

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 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:

- Mary Millar stated she spoke with the adjacent neighbors and the only concerns had to do with possible noise. She noted that the plan meets the General Plan and zoning regulations and hopes for a clean and quiet property.
- Ray Ringer also worried about possible noise from the future tenants of the building.
- Leslie Ringer asked about the future plans and if they will be restricted on noise at night.

APPLICANT RESPONSE

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

- Casey Call represented that the development construction will follow allowances on time of construction by Provo City, that he does not yet have a tenant for the building, and that the future may bring cooling fans on the roof but shouldn't cause noise pollution.

ADMINISTRATIVE HEARING OFFICER DISCUSSION

Key points discussed by the Administrative Hearing Officer included the following:

- Recognized that the city has standards for noise, lighting, and outside storage or work in the code and felt comfortable that the proposal has been shown to meet all city standards. He suggested that sending those standards to the applicant can help mitigate any future issues.



Administrative Hearing Officer



Development Services Director

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report for further detailed information. The Staff Report is a part of the record of the decision of this item.

Administrative decisions 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 Hearing Officer'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