

***ITEM #4** Keaton Morton requests a General Plan Map Amendment from a Residential (R) designation to an Airport Related (AR) designation in order to develop an industrial park, located approximately at 3450 West Center Street. Fort Utah Neighborhood. Aaron Ardmore (801) 852-6404 PLGPA20220334

OVERVIEW

Keaton Morton is representing the ownership group for the property at approximately 3450 West Center Street in applying for a General Plan Map Amendment. The request is to change the General Plan designation from Residential to Airport Related in anticipation of a new industrial park.

The proposal would make the property similar to the land across Center Street, to the south, in that it would allow for airport-related activities. Specifically, the proposal for this property is to create a new flex warehouse business park that would complement and make use of the proximity to Provo Airport, adjacent major roads and proximity to freeway interchanges. Amending the General Plan for this area would allow the applicant to move forward with their design plans and rezone application.

STAFF ANALYSIS

One justification for the change from residential to industrial is that the subject property lies under the flight-path of one of the airport runways (attachment #5). The Airport Master Plan proposes the eventual replace of this runway with one that will not pass over the subject property, but it could still be many years before the city is able to achieve this change.

Sec. 14.02.020(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: There are a couple of ways the public would benefit from the proposed amendment. First, if the property were developed as residential it would be cut off from the rest of the neighborhood by two major roadways and a river. It also currently sits in a flight path from the Provo Airport which does not provide an exceptional quality of life. Second, allowing businesses to be established here would be an economic benefit for Provo.

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

Staff response: This amendment would pave the way for the property owners to move forward in designing new airport-related warehouse and office spaces in proximity to the Provo Airport and key travel corridors, helping to fulfill the public purposes stated above.

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

Staff response: Chapter Seven of the General Plan lists the following as goals: (1) “foster the entrepreneurial spirit” and (2) “encourage growth” of businesses within the city. Staff believes that allowing for this new airport industrial space that these goals would be furthered.

(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: There are no “timing and sequencing” issues relating to this request.

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

Staff response: Staff believes that finding the best use for this land is important to meeting the policies and goals of the General Plan. Since there could be negative impacts with residential development here, and there is growth in the market for flex warehouse and office spaces; there should be no obstruction of reaching the General Plan’s articulated policies with this request.

(f) Adverse impacts on adjacent land owners.

Staff response: The amount of traffic associated with the proposed land use designation is much lower than it would be if it stayed residential, so there should not be an adverse impact in regards to daily vehicles in the area. And again, as referenced above, the property has pretty clear buffers from adjacent parcels that should prevent any other adverse impacts on adjacent land owners.

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

Staff response: Staff has verified the zoning and General Plan designation are correct.

(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: Staff has found no conflicts between the map and policies.

CONCLUSIONS

Staff is in support of this General Plan amendment. This property has very clear buffers in the Provo River to the north and Lakeview Parkway to the east that separate it from already established residential land in the larger area. These boundaries create a pocket of land that is more appropriate as an airport-related use than a residential use.

Additionally, the proximity to the airport and major roadways make this an ideal location for a use that is in high demand.

ATTACHMENTS

1. Neighborhood Report
2. General Plan Map
3. Concept Plan
4. Applicant Statement
5. Flight Path Exhibit
6. Public Works Report

ATTACHMENT 1 – NEIGHBORHOOD REPORT

Aaron Ardmore

From: Fort Utah <fortutah@gmail.com>
Sent: Saturday, October 22, 2022 12:45 PM
To: Aaron Ardmore
Subject: Fwd: Halladay proposal review committee report

Categories: Rezones

CAUTION: This email originated from outside of Provo's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Aaron,

The neighborhood process for the Halladay property was a two-step process. First, Bill Peperone asked me to set up an ad hoc review committee with members of the original land use map committee. The developer presented to use, and we conducted follow-up research by contacting Public works and the airport with questions. Our report, which I sent to Bill in August, is copied below. We then held a neighborhood meeting. The meeting was not well attended, with three neighborhood residents and two city councilors (McKay and Whipple) in attendance. No comments were made in the meeting. However, I talked to the residents attending via zoom afterward. They reported that they were happy to see homes or a business park. Either one was fine. The only concern raised was that the developer was promising a lot of amenities, and they were unsure if he would actually deliver. Another resident stated that he thinks the city is under utilizing the river, and would like to see a more public-facing business go in there, but he doesn't want to put up a fight. As I have informally talked to others, they have also indicated they are happy either way. Due to the buffer that Lakeview Parkway creates, they are not too concerned with what goes in there.

Please, let me know if you have any questions.

Jonathon

Begin forwarded message:

From: Fort Utah <fortutah@gmail.com>
Subject: Halladay proposal review committee report
Date: August 9, 2022 at 4:58:35 PM MDT
To: Bill Peperone <BPeperone@provo.utah.gov>
Cc: Dave Morton <dmorton@and-dev.com>

Dear Bill Peperone,

At your request, I have organized a committee to review a proposed general amendment plan on the Halladay property, located at 3500 W Center Street. Committee members included the following members of the West Side Land Use Map Committee who live near the property: F. Richard Smith (Fort Utah resident), Wendy Newman (Provo Bay Vice-Chair), Aaron Mccullough (Provo Bay Vice-Chair), and Robert Knudsen (Planning Commission Member).

We met on two occasions. Our first meeting was held on July 7. At this meeting, we heard the proposal from the developer. We then dismissed the developer and had an initial discussion. During the discussion, we identified two questions we wanted answered. I sent these questions

to the appropriate parties, and then we met a second time, on July 21, to discuss and decide what our final recommendations would be.

Here, we will summarize the proposal, its advantages, and issues that we feel need to be resolved.

Summary of the proposal

David Morton, of Anderson Development, has proposed a general plan amendment and zone change for the Halladay property on Center Street. The property is designated as a "Res" zone on the Land Use Map. It is also just outside the Airport Protection Zone and lies under the flight path for runway 18/36. The same developer had proposed a residential project on the property approximately two years ago. However, the west side lift station must be finished before sewer connections become available, so nothing has been done on the property at this time. The developer is now proposing to change the zone for the property to a light industrial development (See attached figure). The proposed development includes the currently zoned property, an adjacent property, and potentially a property across the river.

Consistency with the Westside Policies

We reviewed the Westside Policies and believe that the new proposal is in harmony with all of the criteria for development laid out in the Westside Development Policy document.

Advantages of the new proposal

We feel that the new proposal provides several community benefits over the existing proposal including:

- 1.
2. Building
3. light industry buildings will provide jobs in Provo, boosting our economy.
- 4.
- 5.
6. The
7. developer is proposing to include several improved trails along the Provo River. This will provide a nice amenity to the area and will improve river access for the community.
- 8.
- 9.
10. According
11. to David Day at Public Works, the development would generate less traffic than a residential neighborhood would.
- 12.
- 13.
14. According
15. to Brian Torgersen at the Provo Airport, the development would generate fewer noise complaints, as the property is located right under the flight path for one of the runways. However, the concern for airport noise complaints from residential development is
16. tempered somewhat by the fact that the runway is generally used for small aircraft, so the frequency and severity of the noise are unclear.
- 17.
- 18.
19. The

20. development will fit well with other airport-related uses in the area, and Lakeview Parkway provides a natural buffer between the light industrial buildings and neighboring houses.
- 21.

Drawbacks and solutions

- 1.
2. The
3. change would reduce the number of single-family homes available in Provo, which are in high demand. We recommend that planning work on a plan to redistribute the approximately 100 residential units currently allocated to the location.
- 4.
- 5.
6. The
7. new development may lead to more trucks on Center Street. We recommend that signage directing trucks to use Lakeview Parkway be required on this property, as was done with the development across the street.
- 8.
- 9.
10. The
11. developer does not currently own the entire area covered in the proposal. Enthusiasm for the project is greatly diminished if the adjacent parcel remains residential, as there would be no buffer between the two. We recommend that the zone for both parcels
12. be kept the same.
- 13.

Conclusion

Overall, we support the request for a general amendment change. We believe that the new project makes sense for the area, fits the westside policies, and provides significant community benefits. In addition, the drawbacks we identified can all be mitigated through careful planning and stipulations for approval. However, we emphasize that these concerns must be addressed to gain our support.

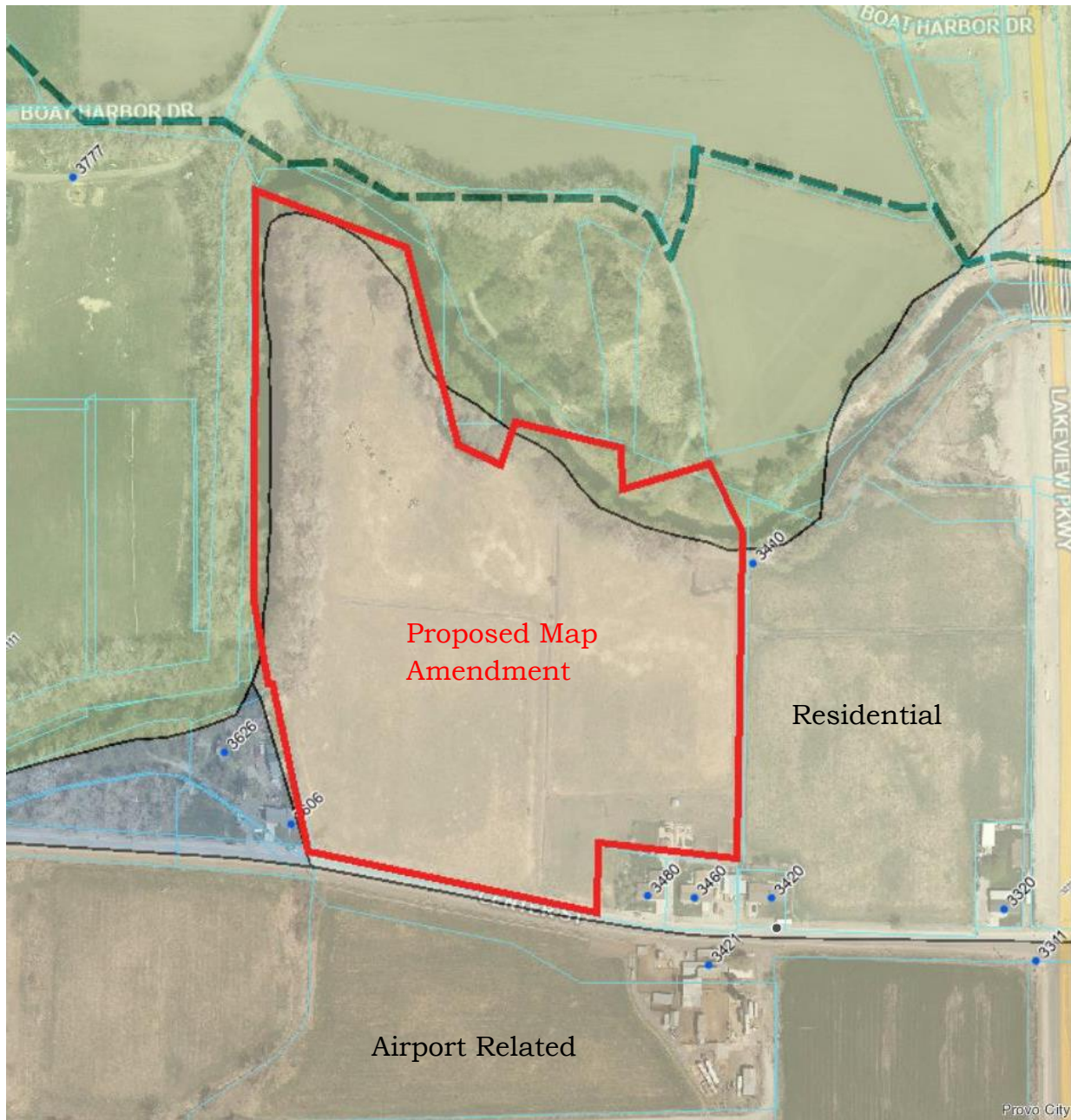
We are happy to discuss this further if you would like. We note that our opinions may not reflect those of our neighbors, but a neighborhood meeting has been scheduled for August 18 to gather feedback from the community.

Sincerely,

Jonathon Hill

On behalf of F. Richard Smith, Wendy Newman, Aaron Mccullough, and Robert Knudsen

ATTACHMENT 2 – GENERAL PLAN MAP



ATTACHMENT 3 – CONCEPT PLAN



ATTACHMENT 4 – APPLICANT STATEMENT

Written Petition- Parcel: 21:029:0043 - Halladay Industrial Rezone application

- RD Development is seeking to rezone the above mentioned parcels to the Airport Industrial (AI) Zone.

- Our justification for a rezone are below:
 - o This zone will put less strain on the cities current infrastructure in the area.
 - o Will be less traffic on Center Street.
 - o Better use for the expanding airport.
 - o Can use Lakeview Parkway as a delineation for the Residential Zones and Industrial Zones.

- Rezoning this area to the Airport Industrial zone will provide the city with a much better use for the cities expanding airport and will bring additional synergy to the area for this use. With the ever growing online shopping market Industrial Flex space has become one of the state's most sought after property uses. We know that rezoning this area to the Airport industrial zone will make this area something the city can be very proud of.

- Our vision/current plan is to use the area for a flex space use. This type of use has really taken off and we feel that it serves as a great amenity for the area.

ATTACHMENT 5 – FLIGHT PATH EXHIBIT



ATTACHMENT 6 – PUBLIC WORKS REPORT



PUBLIC WORKS
TEL. 801 852 6780
1377 S 350 E
PROVO, UT 84606

Public Works Staff Report
Hearing Date: 12/7/2022

General Plan Map Amendment from a Residential (R) Designation to an Airport Related (AR).

Item #4 Summary:

Keaton Morton requests a General Plan Map Amendment from a Residential (R) designation to an Airport Related (AR) designation in order to develop an industrial park, located approximately at 3450 West Center Street. Fort Utah Neighborhood. Aaron Ardmore (801) 852-6404 PLGPA20220334

Staff Recommendation:

Public Works staff has concerns with the requested action. There is currently no sewer capacity available at this location until planned capital improvement projects are completed.

Dave Decker, Public Works Director
David Day, Development Engineering Coordinator