

Provo City Planning Commission

Report of Action

December 07, 2022

*ITEM #3 Ryan Thompson requests a General Plan Map Amendment from a Residential (R) Designation to a Airport Related (AR) designation in order to develop flex warehouse/office space, located at 3410 West Center Street. Fort Utah Neighborhood. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLGPA20220338

The following action was taken by the Planning Commission on the above described item at its regular meeting of December 07, 2022:

RECOMMENDED APPROVAL WITH CONDITIONS

On a vote of 4:1, the Planning Commission recommended that the Municipal Council approve the above noted application with a recommended condition.

Conditions of Approval:

1. That the boundary also includes the property to the north (parcel 21:029:0077).

Motion By: Melissa Kendall

Second By: Robert Knudsen

Votes in Favor of Motion: Melissa Kendall Robert Knudsen, Raleen Whalin, Andrew South

Votes Against the Motion: Daniel Gonzales

Daniel Gonzales was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

LEGAL DESCRIPTION FOR PROPERTY TO BE AMENDED

The property to be amended to the AR General Plan designation is described in the attached Exhibit A.

DEVELOPMENT AGREEMENT

- Does not apply at this stage of review or approval.
- May apply with future approvals.

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.

- Bill Peperone added some historical context for the current General Plan designation resting in the owners interest at the time the Southwest Future Land Use Map was adopted, but indicated that those feelings have changed over time.
- David Day added that the lack of utility infrastructure at this location should be noted, but that by the time the project comes forward, there should be capacity.

CITY DEPARTMENTAL ISSUES

- The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

NEIGHBORHOOD MEETING DATE

- Neighborhood meetings were held in July 2022.

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:

- Jonathon Hill (neighborhood chair) gave an overview of the public process that he had with the developer and the neighborhood, indicating that overall the committee and neighbors were supportive of the change.
- Ben Holland spoke on his support for the amendment but hoped that there could be different uses against the river.
- Mikel Hines stated that she does not support the proposal, that the area should be protected for the safety and natural environment.
- Shawn Miller said as long as the dike and trees are protected, the change would be acceptable.

APPLICANT RESPONSE

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

- Dave Morton informed the commission on his plans for the area, stating reasons for the change similar to that in the staff report. He believes he can make better use of the river with the proposed warehouse uses and would be happy to work with the neighbors on finding the best amenities to have along the riverbank.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The commission spoke about future plans along the river including the River Delta project from the Federal government.
- Daniel Gonzales indicated trouble trying to find balance between residential uses and airport support uses in the area and wondered if there could be a commercial node somewhere close to this property.
- There was a lot of discussion about the riverbank treatment and the hope to preserve as much vegetation as possible and identify the best way to amenitize that boundary.
- The commission stated that the change supports some of the General Plan goals and that having a flight path go through this property is a major factor in supporting the change from residential.
- There are issues to be addressed, but will be worked out in the Rezone and Concept Plan proposals.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Community and Neighborhood Services Department, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission'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

EXHIBIT A

