

CITY OF OREM  
**PLANNING COMMISSION MEETING MINUTES**  
**January 16, 2019**

The following items are discussed in these minutes:

- Plat Amendment for Cove Estates Plat J including a vacation of Lot 1, Plat D Cove Estates Subdivision – Approved
- Preliminary Plat for Alger Acres - Approved
- Vacating University Mall NM-14 Subdivision Plat A Lots 3 and 5 Second Amended and Final Plat of University Subdivision Plat A Lot 3 Second Amended - Approved
- Vacation of Lot 2 Plat A OBOK Subdivision and Lot 3 Plat A Amended Murano Subdivision and Final Plat of Plat B OBOK Subdivision - Approved
- Amend sections 22-7-5 and 22-7-12 of the Orem City Code - Positive recommendation to City Council
- Vacation of public utility easement located at 730 E 950 South in the PD-34 Zone - Approved
- Site Plan for Salmon Pharmacy - Approved

**STUDY SESSION**

**Place:** City Council Conference Room

**At 3:30 p.m.** Chair Cook called the Study Session to order.

**Those present:** Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Division Manager; Christian Kirkham and J. Kirby Snideman, Long Range Planners; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

**Those excused:** Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer

The Commission and staff briefly reviewed agenda items and minutes from December 5, 2018 meeting, had a discussion of landscape ordinance revisions and adjourned at 4:25 p.m. to the City Council Chambers for the regular meeting.

**REGULAR MEETING**

**Place:** Orem City Council Chambers

**At 4:30 p.m.** Chair Cook called the Planning Commission meeting to order and asked Mr. Moulton, Planning Commission member, to offer the invocation.

**Those present:** Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Division Manager; Christian Kirkham and J. Kirby Snideman, Long Range Planners; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

**Those excused:** Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer

Chair Cook asked Mr. Kirkham to introduce **Agenda Item 3.1:**

**Agenda Item 3.1** is a request by Scott Miller to request the City approve the plat amendment for Cove Estates Plat “J” including a vacation of Lot 1, Plat “D” Cove Estates Subdivision located at 1387 East 1160 North in the R12 Zone.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*

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**Staff Presentation:** The applicant owns the property at 1387 East 1160 North and is looking to expand his property by buying an unused portion of his neighbor's lot. For this to be done, the plat needs to be amended.

**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the plat amendment for Cove Estates Plat "J" including a vacation of Lot 1, Plat "D" Cove Estates Subdivision located at 1387 East 1160 North in the R12 Zone.

Chair Cook asked if the Planning Commission had any questions for Mr. Kirkham.

Chair Cook invited the applicant to come forward. Roger Dudley introduced himself and had nothing to add to Mr. Kirkham's presentation.

Chair Cook opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Cook closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

**Planning Commission Action:** Mr. Moulton moved to approve the plat amendment for Cove Estates Plat "J" including a vacation of Lot 1, Plat "D" Cove Estates Subdivision located at 1387 East 1160 North in the R12 Zone. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Cook asked Mr. Kirkham to introduce **Agenda Item 3.2:**

**Agenda Item 3.2** is a request by Skyline Holdings Group, LLC to request the City approve the Preliminary Plat for Alger Acres, located at 200 N 1000 E in the R8 zone.



**Staff Presentation:** The applicant owns a large lot (.69 acres) and wishes to subdivide their one lot into three (3) lots for future development. Plat "H" only describes one of the three lots, a future Plat "I" will describe the remaining two.

**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the Preliminary Plat for Alger Acres located at 200 N 1000 East in the R8 Zone.

Chair Cook asked if the Planning Commission had any questions for Mr. Kirkham.

Chair Cook invited the applicant to come forward. Ryan Litke introduced himself. The property was foreclosed on and Mr. Litke purchased it. The Alpine School District has expressed an interest in purchasing Lots 2 and 3. They have a program for kids to build houses.

Chair Cook asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

**Planning Commission Action:** Ms. Jeffreys moved to approve the Preliminary Plat for Alger Acres, located at 200 N 1000 E in the R8 zone. Mr. Iglesias seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Cook asked Mr. Snideman to introduce **Agenda Item 3.3:**

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**Agenda Item 3.3** is a request by University Mall Shopping Center LC to request the City vacate University Mall NM-14 Subdivision Plat A Lots 3 and 5 2nd Amended and approve the final plat of University Mall Subdivision Plat A - Lot 3 - 2<sup>nd</sup> Amended at 450 East 1150 South in the PD-34 zone.



**Staff Presentation:** The applicant desires to amend the amend Lot 3 of Plat A with the following note: “9’ air rights easement is in favor of University Mall Shopping Center, LC, and covers the area where the anchor building overhangs Lots 3D and 3E.”

**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code.

Chair Cook asked if the Planning Commission had any questions for Mr. Snideman. He then said the only thing that is changing on this plat is the air rights, is that correct. Mr. Snideman said yes.

Chair Cook invited the applicant to come forward. Kathy Olson introduced herself. Ms. Olson said this is being done because the last plat that was recorded caused the County to decide that the two parcels on the south side of Macy’s were no longer parcels and they took away the tax ID numbers. The air rights were on a previous plat. On this new plat, they are showing all four previous plats on one so there is no change to this plat if the previous plats were combined. They are correcting the County’s error in taking away the parcel numbers.

Chair Cook asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

**Planning Commission Action:** Mr. Spencer moved to approve the vacation of University Mall NM-14 Subdivision Plat A Lots 3 and 5 Second Amended and approve the final plat of University Mall Subdivision Plat A - Lot 3 – Second Amended at 450 East 1150 South in the PD-34 zone. Mr. Cook seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Cook asked Mr. Snideman to introduce **Agenda Item 3.4:**

**Agenda Item 3.4** is a request by OB-OK LLC to request the City vacate Lot 2, Plat “A”, OBOK Subdivision and Lot 3, Plat “A”, Amended Murano Subdivision and approve the final plat of Plat “B” OBOK Subdivision located at 460 West 1600 North in the NVD-C zone (North Village District - Core).

**Staff Presentation:** The applicant owns two adjacent parcels, each of which have a separate plat. The applicant desires to vacate these two separate plats and adopt a final plat which will include both parcels.



**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code.

Chair Cook asked if the Planning Commission had any questions for Mr. Snideman.

Chair Cook invited the applicant to come forward. Ivan Shelton introduced himself. He said they did a lot line adjustment from one property to the other to give an access easement.

Chair Cook asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

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**Planning Commission Action:** Mr. Cochran moved to approve the vacation of Lot 2, Plat “A”, OBOK Subdivision and Lot 3, Plat “A”, Amended Murano Subdivision and approve the final plat of Plat “B” OBOK Subdivision located at 460 West 1600 North in the NVD-C zone (North Village District - Core). Mr. Staker seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Cook asked Mr. Snideman to introduce **Agenda Item 3.5:**

**Agenda Item 3.5** is a request by the Development Services Department to amend sections 22-7-12 and 22-7-5 of the Orem City code to require the density of a project to be related to an approved concept plan.

**Staff Presentation:** The existing PRD (planned residential development) ordinance requires that a concept plan shall be submitted with every application to apply the PRD zone to a parcel of property. Once a property is zoned PRD, it must adhere to the concept plan.

The proposed amendments to sections 22-7-12 and 22-7-5 will clarify the existing ordinance and give more discretion to the City Council on whether to approve or deny a concept plan if a property is already zoned PRD and a property owner desires to submit a new concept plan.

**Recommendation:** Staff recommends the Planning Commission forward a positive recommendation to City Council to amend sections 22-7-12 and 22-7-5 of the Orem City code.

Chair Cook asked if the Planning Commission had any questions for Mr. Snideman. Mr. Staker said this is to protect the City from a developer coming in, changing a zone to a PRD and then coming back to get a higher density than was originally proposed. Mr. Snideman said this will clarify that when a concept plan is approved, that it is binding and to make a change, it will have to go back through the process and the City Council. Mr. Earl said when a developer comes in to request a rezone to PRD, they submit a concept plan with materials used, elevations, etc. Many times the City Council approves the project based on the representations that are made at that time. There is nothing in the ordinance that says someone cannot come back and amend that concept plan. This amendment will make it so the City Council does not necessarily have to approve the new one, it will be subject to City Council discretion whether to approve it or not. This eliminates the bait and switch situation. Mr. Cochran asked if this is for existing PRDs. Mr. Earl said yes, and future ones as well. Mr. Cook asked if the ordinance takes effect when the City Council approves it. Mr. Bench said once the Planning Commission makes a recommendation tonight, it is actually pending legislation and can be enforced.

Chair Cook opened the public hearing and invited those from the audience who had come to speak to this item to come forward to the microphone.

When no one came forward, Chair Cook closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

**Planning Commission Action:** Mr. Staker moved to forward a positive recommendation to the City Council to amend sections 22-7-12 and 22-7-5 of the Orem City code to require the density of a project to be related to an approved concept plan. Ms. Jeffreys seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Cook asked Mr. Snideman to introduce **Agenda Item 3.6:**

**Agenda Item 3.6** is a request by University Mall Shopping Center LC for the City to vacate a public utility easement located at 730 East 950 South in the PD-34 zone.



**Staff Presentation:** The applicant desires to vacate a public utility easement. When construction of the existing building took place a new public utility easement was provided. The vacation of the old easement was overlooked. This request will vacate the old easement.

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**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code.

Chair Cook asked if the Planning Commission had any questions for Mr. Snideman.

Chair Cook invited the applicant to come forward. Kathy Olson introduced herself. Ms. Olson said there is a survey discrepancy between a survey that was done in 1974 and one that was done recently. When the Aston was built, the Public Utility Easement (PUE) needed to be moved so it was out from under the foundation of the building that was built there.

Chair Cook asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

**Planning Commission Action:** Ms. Jeffreys moved to approve the vacation of a public utility easement located at 730 East 950 South in the PD-34 zone. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Cook asked Mr. Snideman to introduce **Agenda Item 3.7:**

**Agenda Item 3.7** is a request by Gary Nakken to request the City approve the site plan for the Salmon Pharmacy located at 865 North 980 West in the PD-22 Zone.

**Staff Presentation:** The applicant requests site plan approval for the Salmon Pharmacy at 865 North 980 West in the PD-22 Zone.



The overall site contains a total lot area of 49,252 square feet (sf) or 1.13 acres. The overall building contains a total building area of 5,120 sf on one level. Parking is calculated at one parking space for every 200 square feet of building area. The site plan requires a total of 26 parking spaces with 39 provided. Of those 39, 24 will be provided through a cross parking agreement with the WinCo lot. The building will have a drive-through access.

The proposed elevations consist of stone veneer, stucco siding, stone coated tile roof, and wood window sills. The overall height of the structure is thirty one feet, six inches. The proposed landscaping and overall site plan complies with the requirements of the PD-22 Zone.

**Recommendation:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve this request.

Chair Cook asked if the Planning Commission had any questions for Mr. Snideman.

Chair Cook invited the applicant to come forward. Gary Nakken introduced himself. He had nothing to add to Mr. Snideman's presentation. Mr. Spencer asked if this would become Winco's pharmacy. Mr. Nakken said yes, they have a good working relationship with Winco.

Chair Cook asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

**Planning Commission Action:** Mr. Cook moved to approve the site plan for the Salmon Pharmacy located at 865 North 980 West in the PD-22 Zone. Mr. Moulton seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

**Minutes:** The Planning Commission reviewed the minutes from the previous meeting. Chair Cook then called for a motion to approve the minutes of December 5, 2018. Mr. Staker moved to approve the meeting minutes for

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December 5, 2018. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Mr. Bell said this would be Ms. Jeffreys' last Planning Commission meeting. She will be missed and the Commission has really appreciated her participation. Ms. Jeffreys always came prepared and had thoughtful comments. The Staff has appreciated her service all these years and she has spent a lot of time over the years in this position.

Mr. Bell said this is his last Planning Commission meeting as well. He has had a long career, over 36 years, in public service. It is time to move on and make every day a holiday. It has been a fun ride and Orem City has been very kind to him and it has been a great place to work. He has enjoyed working with this Commission. Please come to the party next Thursday and then he will move on to his next adventure. This will be Mr. Kirkham's last Planning Commission meeting too and he will also be missed. Staff wishes him the best. He has been very instrumental in buttoning up the State Street plan and the work he has done is greatly appreciated.

Mr. Bench said it is time to take a few minutes to elect a new Chair and Vice-Chair of the Planning Commission. After taking a written vote, Mr. Spencer will be the new Chair and Mr. Staker will be the new Vice-Chair of the Planning Commission.

**Adjourn:** Chair Cook called for a motion to adjourn. Ms. Jeffreys moved to adjourn. Mr. Cook seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Carlos Iglesias, Karen Jeffreys, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

**Adjourn:** 5:05 p.m.

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Jason Bench  
Planning Commission Secretary

Approved: February 6, 2019