

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
February 20, 2019

The following items are discussed in these minutes:

Public Hearing – Vacating Cutlers, Plat A Amended and approving the Final Plat of Cutlers, Plat B – Approved

Public Hearing – Vacating Palos Verdes Estates, Plat A and Plat C and approving the Final Plat of the UVU Student Housing Subdivision - Approved

Site Plan – Approval of CUWCD Building 2 Site Plat at 1426 E 750 N in the C1 Zone - Approved

Site Plan – Approval of Apex Auto at 635 E 1700 South in the C2 Zone - Approved

Site Plan – Site Plan approval of Delta V Industrial Park Phase 2 at 1600 W 400 South in the M2 Zone – Approved

STUDY SESSION

Place: City Council Conference Room

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

Those present: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Grant Allen, Planner; J. Kirby Snideman, Long Range Planner; 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 February 6, 2019 meeting 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 Spencer called the Planning Commission meeting to order and asked Ms. Jensen, Planning Commission member, to offer the invocation.

Those present: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Grant Allen, Planner; J. Kirby Snideman, Long Range Planner; 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 Spencer asked Mr. Allen to introduce **Agenda Item 3.1:**

Agenda Item 3.1 is a request by Cutler Investment Properties to request the Planning Commission approve the plat amendment of Cutler's, Plat A Amended and approve the final plat of Cutler's, Plat B generally located at 271 North State Street in the C2 Zone.



Staff Presentation: The applicant acquired two adjacent parcels, to the south. The applicant desires to vacate the original plat and approve a final plat which will include all three parcels.

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

A complete video of the meeting can be found at www.orem.org/meetings

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Commission vacate Cutler's, Plat A Amended and approve the final plat of Cutler's, Plat B generally located at 271 North State Street in the C2 Zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen.

Chair Spencer invited the applicant to come forward. Dale Cutler introduced himself and had nothing to add to Mr. Allen's presentation.

Chair Spencer 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 Spencer 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. Cochran moved to vacate Cutler's, Plat A Amended and approve the final plat of Cutler's, Plat B generally located at 271 North State Street in the C2 Zone. Mr. Moulton seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.2:**

Agenda Item 3.2 is a request by PEG Development to request the Planning Commission vacate Palos Verdes Estates, Plat A and Plat C and approve the final plat of the UVU Student Housing Subdivision generally located at 960 South 500 West in the PD48 Zone.



Staff Presentation: The applicant was successful in getting a zone change on this site to the PD-48 Zone. This allows for high-density student housing to be constructed. The site plan was approved by the Planning Commission of February 6, 2019. As one of the conditions for approval, the applicant was required to amend the plat to combine the various parcels into one single parcel with the appropriate easements in place.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. It is recommended that the Planning Commission vacate Palos Verdes Estates, Plat A and Plat C and approve the final plat of the UVU Student Housing Subdivision generally located at 960 South 500 West in the PD48 Zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Spencer asked where the underground tunnel onto the UVU campus would be located. Mr. Allen showed on the map where the tunnel will be located.

Chair Spencer invited the applicant to come forward. Kathy Olson introduced herself and had nothing to add to Mr. Allen's presentation.

Chair Spencer 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 Spencer 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. Cook moved to vacate Palos Verdes Estates, Plat A and Plat C and approve the final plat of the UVU Student Housing Subdivision generally located at 960 South 500 West in the PD48 Zone. Mr. Staker seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.3:**

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Agenda Item 3.3 is a request by Central Utah Water Conservancy District (CUWCD) to request the City approve the CUWCD Building 2 Site Plan at 1426 E 750 N in the C1 Zone.



Staff Presentation: The Central Utah Water Conservancy District has purchased the Xactware building and desires to add an additional building on the site to be used for equipment storage.

The new addition and changes to the site will add 9,860 sq. ft. and 13 parking stalls. With 86,630 gross leasable sq. ft. and a requirement of 1 stall per 250 leasable sq. ft., 347 parking stalls are required. The total site will provide 348 parking stalls.

The addition will be finished with materials to match the existing buildings on the site. The proposed site plan complies with all applicable city code requirements.

A neighborhood meeting was held on February 6, 2019 from 6 to 7:30 pm. No neighbors attended the meeting. A copy of the neighborhood meeting report is part of the staff report for your review.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. It is recommended that the Planning Commission approve of the CUWCD Building 2 Site Plan at 1426 E 750 N in the C1 Zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen.

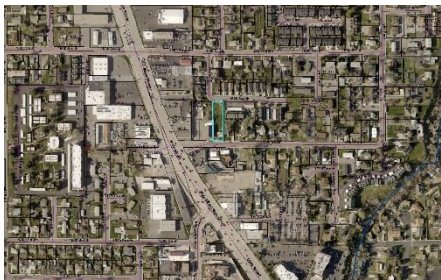
Chair Spencer invited the applicant to come forward. Ron Jones introduced himself and had nothing to add to Mr. Allen's presentation.

Chair Spencer 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 of the CUWCD Building 2 Site Plan at 1426 E 750 N in the C1 Zone. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.4:**

Agenda Item 3.4 is a request by Marin Dehtear to request the City approve the site plan of Apex Auto located at 635 East 1700 South in the C2 Zone.



Staff Presentation: The applicant requests to locate an auto dealership at 635 East 1700 South. The overall site contains a total lot area of 19,602 square feet (sf) or 0.45 acres.

The building contains a total building area of 720 sf on one level. Parking is calculated at one parking space for every 250 square feet of building area. The site plan requires a total of 3 parking spaces with 45 provided. The proposed elevations consist of stucco (EIFS) siding, cultured stone. The overall height of the structure is fifteen feet six inches. The proposed landscaping and overall plan comply with the requirements of the C2

zone.

There will be a 7' high SimTek fence installed on the eastern boundary of the lot as required by code.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the site plan of Apex Auto at 635 East 1700 South in the C2 Zone.

A complete video of the meeting can be found at www.orem.org/meetings

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Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Cook asked if there were a setback requirement. Mr. Bench said no, not in a commercial zone. Mr. Staker asked about parking requirements for customers. Mr. Bench said it is based on the size of the building, so in this case there will only be a few parking spaces.

Chair Spencer invited the applicant to come forward. Marin Dehtear introduced himself.

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

Holly Holcomb owns The Mending Shed located at 1735 S State Street. She is already surrounded by car lots. They constantly have transport vehicles dropping off cars blocking her business access. The street is riddled with cars with no registrations. It is not a wide road and there is an apartment complex there and they park on the street. It is something to consider with cars coming and going. If the parking for customers is full they will park on the street.

Mr. Earl said a car dealership is a permitted use in this zone. If a property owner or lessee comes in and applies, the City has no discretion to say no, they have to be allowed to be there. There is no latitude to say no. The problems you are describing are against the ordinance or a violation of code and those may be able to be looked at. Ms. Holcomb said the transport vehicles are there unloading for a couple of hours blocking the street. Mr. Earl said he did not know if there is a State law governing those type of vehicles, but a City ordinance does not exist. They should still not be allowed to block the road. Ms. Holcomb said there is a different driver each time, so it does no good to try to talk to them. She has to go out daily to ask them to move. Mr. Staker asked if a new business has to provide a plan. Mr. Earl said if they did, it would not speak specifically to this issue. The City does not have anything that addresses this. There may be State regulations, but that will need to be looked into. They do not have the right to block the road.

Ms. Holcomb said Avanesyan Motors even unloads wrecked cars on State Street. If 1700 South has both sides of the street blocked with parked cars, there is no where else for those transport vehicles to park. Mr. Clark said the City can send a letter out to ask them to unload on their own site. Mr. Earl said they may be able to unload at a different location or at different hours. If there are no State regulations, maybe the City can take a look at writing a City ordinance. Mr. Spencer asked who would do that. Mr. Clark said Development Services will take care of it.

Brenda Young said 1650 South is a dead-end street with homes. The north end of this proposed dealership is right on 1650 South. There are multiple housing units, single homes and there are children playing on the street. She is concerned with the parking issue because 1700 South does not have much parking. She would like to see something else considered on that property that will not bring so much traffic.

Mr. Dehtear said Apex Auto is more like Auto Maxx. They have three locations, and they do not use transport vehicles to bring the cars to the lot. The cars are transported to their shop at another location, and after passing inspections, they are driven to the lot. They never have a transport truck bring cars to the sales lot.

On the second issue regarding the 1650 South entrance, there is no entrance to the lot from the north. Mr. Bench said there will be twenty feet of landscaping so there will be no vehicles driving through there. Mr. Clark said, as people approach this business, the access will be off 1700 South. Mr. Spencer said the store front, signage and entrance are on 1700 South.

Bruce Kelly said he lives on 1600 South. He asked if there would be a time in the future where the public can come in and make comment. Mr. Spencer said no, this is it. Mr. Kelly said it seems like an encroachment to bring a car dealership that far into the neighborhood. It represents some kind of blight with those houses and all of a sudden you have a lot with a car dealership on it. He asked what prevents a future owner from making a driveway there. Mr. Bench said they would have to have City approval to do that. Mr. Kelly said it still seems like an encroachment on a residential neighborhood. Mr. Earl said once an applicant makes an application and meets all the requirements, they have a right for approval.

Chair Spencer closed the public meeting 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.

A complete video of the meeting can be found at www.orem.org/meetings

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Planning Commission Action: Mr. Staker moved to approve the site plan of Apex Auto at 635 East 1700 South in the C2 Zone. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.5:**

Agenda Item 3.5 is a request by Mark Warner to request the City approve the site plan of Delta V Industrial Park Phase 2 generally located at 1600 West 400 South in the M2 zone.



Staff Presentation: The applicant is adding another building to the Delta V Industrial park site. The proposed site contains a total lot area of 163,545 square feet (sf) or 3.75 acres.

The building contains a total building area of 12,480 sf on one level. Parking is calculated at one parking space for every 250 square feet of office area; and one parking space for every 500 square feet of warehouse area. The site plan requires a total of 28 parking spaces with 38 provided.

The proposed elevations consist of CMU block. The overall height of the structure is twenty-three feet four inches. The proposed landscaping and overall plan comply with the requirements of the M2 zone.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. It is recommended that the Planning Commission approve the site plan of Delta V Industrial Park Phase 2 generally located at 1600 West 400 South in the M2 Zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen.

Chair Spencer invited the applicant to come forward. Bryant Christensen introduced himself.

Chair Spencer opened the public meeting 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 Spencer closed the public meeting 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. Cochran moved to approve the site plan of Delta V Industrial Park Phase 2 generally located at 1600 West 400 South in the M2 Zone. Mr. Cook seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Spencer then called for a motion and then moved to approve the meeting minutes for February 6, 2019. Ms. Jensen seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Mr. Clark said he would like to officially invite everyone out to the NPS store opening tomorrow morning at 10:00.

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

Adjourn: 5:02 p.m.

Jason Bench

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Approved: March 6, 2019

Planning Commission Secretary

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