

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
August 7, 2019

The following items are discussed in these minutes:

- Site Plan – to approve the vacation of Corral West Amended Plat A and approval of Corral West 2nd Amended Plat A located at 225 W University Parkway – Positive Recommendation and Approved
- Public Hearing – Zoning Text Amendment for 22-11-35(L)(12)(b), amending fence height in the PD 22 Zone – Positive Recommendation to City Council
- Public Hearing – Zoning Text Amendment for 22-8-8(B)(7) & 22-14-20(C)(3)(b) for minor site plan amendments along State Street – Positive Recommendation to City Council
- Public Hearing – Zoning Text Enacting Article 2-37 Orem Arts District Review Board – Positive Recommendation to City Council
- Public Hearing – Zoning Text Amendment for Sections 17-4-1; 17-5-1; 22-14-20(E)(1); and 22-1-5, pertaining to DRC application expirations – Positive Recommendation to City Council
- Preliminary Plat – Approval of Victoria Park Plat F located at 660 E 700 North – Approved
- Preliminary Plat – Approval of Glendell Plat Q located at 1750 S 80 West - 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, Barry Roberts, Ross Spencer and Mike Staker, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Grant Allen, Planner; Jenna Albers and Emily Guffin, Long Range Planners; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

Those excused: Sam Kelly, City Engineer

The Commission and staff briefly reviewed agenda items and minutes from July 10, 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 Mr. Cook, Planning Commission member, to offer the invocation.

Those present: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Grant Allen, Planner; Jenna Albers and Emily Guffin, Long Range Planners; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

Those excused: Sam Kelly, City Engineer

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.1:**

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

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Agenda Item 3.1 is a request by Corral West Properties, LC to request the Planning Commission approve the site plan of Golden Corral located generally at 225 West University Parkway in the PD5 zone including vacation of Corral West Amended Plat A and approval of Corral West 2nd Amended Plat A.



Staff Presentation: The Sakura building will be removed, and the applicant will build a new Golden Corral building in its place. After completion of the new building, the existing building will be removed, and a new parking lot will be added.

The site includes 172 parking spaces with 8 ADA stalls. There will be a new teardrop entrance installed for access. The new building will be 28 feet tall and have exterior finishing of wood and stone.

The landscaping for the site meets the requirements of the PD5 zone. Along the southern boundary of the parking lot, there will be a wall installed that will match the existing wall to the west.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the site plan of Golden Corral located generally at 225 West University Parkway in the PD5 zone. In addition, staff recommends the Planning Commission vacate Corral West Amended, Plat A and approval of Corral West 2nd Amended, Plat A.

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

Chair Spencer invited the applicant to come forward. Alex Carr introduced himself. Mr. Carr said the old restaurant has been there 25 years and it is great to be a part of Orem. It is time to build a new restaurant and it is working out well with the new concept. Mr. Staker asked if they would be able to maintain the existing building while they are working on the new one. Mr. Carr said yes, they will keep the old one open during construction. When the new one opens, the old restaurant will be demolished.

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. Moulton moved to forward a positive recommendation to the City Council to approve the site plan of Golden Corral located generally at 225 West University Parkway in the PD5 zone. In addition, move to approve the vacation of Corral West Amended, Plat A and approval of Corral West 2nd Amended, Plat A. Mr. Cook seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

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

Agenda Item 3.2 is a request by Orem Child Care Holdings to request the City amend 22-11-35(L)(12)(b) to change the fence height in the PD22 zone.

Staff Presentation: The applicant is seeking to change the fence height for public or private streets in the PD22 zone from 4 feet to 6 feet. They are seeking to locate a daycare center on the site, and this would allow them to build a taller fence for the center's play and open areas. The fence will also need to meet clear vision requirements.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend 22-11-35(L)(12)(b) for fence heights in the PD22 zone.

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

Chair Spencer invited the applicant to come forward. Fred Cox, the architect representing the applicant, introduced himself. Mr. Cox said the State can shut down a facility if the fence is a little under four feet, so most child care

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centers will have a fence over four feet. The preferred height is six feet. The six feet is important to prevent a child from climbing over and getting hit by a car or taken. They may have to pull the fence a little way away from the corner for line of site and his clients are willing to do that. The fenced area around the building and parking area, will have landscaping and playground equipment where the children can play. They will be back to ask for a future parking reduction because they cannot put all the playground equipment in the area. To have this fence approved now, allows them to keep moving forward with the project. The six foot fence provides safety for the children.

Mr. Spencer asked if there will be plantings along the fence. Mr. Cox said yes, but they cannot have anything taller than three feet.

Mr. Staker asked regarding the northwest corner, is there a standard on how far the fence has to come from the corner on a street like that. Mr. Goodrich said the things he will look at when an official site plan is submitted is where the cars will stop at the stop bar. There is not a specific standard, each one is a little different. There is a possibility that the fence will not be able to go up to corner. The fence may need to be moved back a little to provide a clear line of site.

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. Staker moved to forward a positive recommendation to the City Council to amend 22-11-35(L)(12)(b) for fence heights in the PD22 zone. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

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

Agenda Item 3.3 is a request by Development Services to request the City amend Sections 22-8-8(B)(7) & 22-14-20(C)(3)(b) for minor site plan amendments along State Street.

Staff Presentation: The current requirements for minor site plan amendments do not allow for additions such as awnings, canopies, decks, patios and architectural features, which do not increase the Gross Floor Area of the building. This amendment would allow these minor changes to be added to existing site plans without complying with the current State Street standards. The proposed addition cannot exceed 5% of the replacement value of the building.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Sections 22-8-8(B)(7) & 22-14-20(C)(3)(b) for minor site plan amendments along State Street.

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

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 forward a positive recommendation to the City Council to amend Sections 22-8-8(B)(7) & 22-14-20(C)(3)(b) for minor site plan amendments along State Street. Mr. Moulton seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

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

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Agenda Item 3.4 is a request by Development Services to request the City enact Article 2-37 Orem Arts District Review Board.

Staff Presentation: In 2018, the Arts District Zone was established, which requires public art as part of the design standards for the zone. The board will include 5 members with a member of the City Council as a liaison to the board, with board members appointed by the City Manager. Pursuant to Section 22-24-4(F)(12), the board will review the submissions for and determine if applications meet requirements for public art in the Arts District zone, including description of the art, the artist, location, size, colors and estimate of the cost of the art.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to enact Article 2-37 Orem Arts District Review Board.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Spencer asked general questions regarding the requirements for being on the Board.

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. Spencer moved to forward a positive recommendation to the City Council to enact Article 2-37 Orem Arts District Review Board. Ms. Jensen seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

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

Agenda Item 3.5 is a request by Development Services to request the City amend Sections 17-4-1; 17-5-1; 22-14-20(E)(1); and 22-1-5, Orem City Code pertaining to DRC Application Expiration.

Staff Presentation: This amendment would set an expiration timeline for DRC applications. Currently, there are no application expirations, and there are applications that have been open for more than 1 year. The expiration will only apply to Preliminary/Final Plat, Site Plan, and Rezone/Ordinance Amendment applications. The expiration will ensure that DRC applications will be able to meet current code and ordinances if changes are made.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Sections 17-4-1; 17-5-1; 22-14-20(E)(1); and 22-1-5, Orem City Code pertaining to DRC Application Expiration.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Staker asked if there were any situations where an applicant could string something along like this by engaging the City and then it would restart for another year. Mr. Bench said if they are making good progress, the City could extend the application on a case by case basis. If it is something they have neglected and then come in for an extension at the last minute, the application would probably not be extended. Mr. Earl said the situation is, they submit the application and then years later the code changes, but they still want to be under the old code at the time of submittal and not the new code.

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 forward a positive recommendation to the City Council to amend Sections 17-4-1; 17-5-1; 22-14-20(E)(1); and 22-1-5, Orem City Code pertaining to DRC Application

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Expiration. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.6**:

Agenda Item 3.6 is a request by Susan Harding to request the Planning Commission approve the preliminary plat of Victoria Park Plat F located at 660 East 700 North in the R8 zone.



Staff Presentation: The applicant is requesting the city approve the preliminary plat for 2 lots. The fire code requires a turnaround for 660 East street due to the length. In 2018, owners applied for preliminary plat approval. The proposal that was forwarded at the time to Planning Commission included a 96' turnaround as was required by Staff. The applicant requested on August 1, 2018, the item be continued indefinitely to consult with the City Engineer as to other options for the property.

As of the writing of this staff report, staff is still working to resolve the turnaround issue. Staff is continuing to work with the applicant regarding a proposed solution. Without a resolution to the turnaround issue, Staff has determined it would not comply with the fire code requirements.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code subject to resolving the turnaround issue. Staff recommends the Planning Commission consider the preliminary plat of Victoria Park Plat F located at 660 East 700 North in the R8 zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Spencer asked if the idea is to make sure a fire truck can turn around in there. Mr. Goodrich said yes, the turnaround is sufficient to meet code.

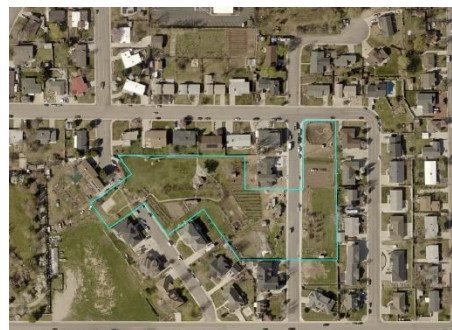
Chair Spencer invited the applicant to come forward. Susan Harding introduced herself. Ms. Harding said her father put the original improvements in before the church came in. She thinks this is an agreement that she and the City can both live with. The church sent her an email stating that they had no intention to close off the access.

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. Staker moved to approve the preliminary plat of Victoria Park Plat F located at 660 East 700 North in the R8 zone. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.7**:

Agenda Item 3.7 is a request by Corwin and Lynette Lewis to request the Planning Commission approve the Preliminary Plat for Glendell Plat Q located generally at 1750 South 80 West in the R8 zone.



Staff Presentation: The applicant is seeking to build a home on Lot 6 in the proposed amended preliminary plat. The preliminary plat includes a total of 6 lots. All the surrounding property owners agree with the proposed plat. The remaining property to the west will be addressed in a subsequent preliminary plat application.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the preliminary plat of Glendell Plat Q located generally at 1750 South 80 West in the R8 zone.

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

Chair Spencer invited the applicant to come forward. James Jacob introduced himself.

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 the preliminary plat of Glendell Plat Q located generally at 1750 South 80 West in the R8 zone. Mr. Moulton seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Spencer then called for a motion to approve the minutes of July 10, 2019. Mr. Cook moved to approve the meeting minutes for July 10, 2019. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

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

Adjourn: 5:10 p.m.

Jason Bench
Planning Commission Secretary

Approved: August 21, 2019