

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
October 16, 2019

The following items are discussed in these minutes:

- Public Hearing - Stewart Retail Addition – applicant requests the setback requirements for University Parkway and Main Street in the PD12 zone be changed – Positive Recommendation to City Council
- Site Plan – Orem Child Care Holdings site plan approval - Approved
- Public Hearing – approve River Breeze Haven Plat L - Approved

STUDY SESSION

Place: City Council Conference Room

At 4:00 p.m. Chair Spencer called the Study Session to order.

Those present: Mickey Cochran, Carl Cook, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker, Planning Commission members; Grant Allen, Planner; Jenna Albers, Long Range Planner; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

Those excused: Camille Jensen, Planning Commission member; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Sam Kelly, City Engineer

The Commission and staff briefly reviewed agenda items and minutes from September 18, 2019 meeting and adjourned at 4:25 p.m. to the City Council Chambers for the regular meeting.

The video recording did not work for the regular meeting; however, there is an audio version at orem.org/meetings.

REGULAR MEETING

Place: Orem City Council Chambers

At 4:30 p.m. Chair Spencer called the Planning Commission meeting to order and offered the invocation.

Those present: Mickey Cochran, Carl Cook, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker, Planning Commission members; Grant Allen, Planner; Jenna Albers Long Range Planner; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

Those excused: Camille Jensen, Planning Commission member; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Sam Kelly, City Engineer

Chair Spencer asked Ms. Vargas to introduce **Agenda Item 3.1**:

Agenda Item 3.1 is a request by Kevin Scholz, for the City to amend Section 22-11-24(E)(5)(6)(7) by changing the setback requirements on University Parkway and Main Street from forty (40) feet or equal to the height of the building, whichever is greater to ten (10) feet from university parkway and main street and at least forty (40) feet from 1400 south in the PD12 zone.

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Staff Presentation: The applicant is proposing to change the setback requirements on University Parkway and Main Street of the PD12 zone. Currently, the setback states that all buildings shall have a front yard setback of at least forty (40) feet or equal to the height of the building, whichever is greater. This request is to amend that so buildings fronting University Parkway or Main Street may have a front yard setback of ten (10) feet.

Stewart Retail is requesting this amendment as they are adding a new building at 21 W University Parkway. With the University Parkway widening project, this proposed setback matches the setback of the building directly to the east of the new building.

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 Section 22-11-24(E)(5)(6)(7) by changing the setback requirements on University Parkway and Main Street from forty (40) feet or equal to the height of the building, whichever is greater to ten (10) feet from university parkway and main street and at least forty (40) feet from 1400 south in the PD12 zone.

Chair Spencer asked if the Planning Commission had any questions for Ms. Vargas. Mr. Spencer asked if eventually all buildings would be pulled up to the front with parking in the rear. Ms. Vargas said yes, as they develop.

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 22-11-24(E)(5)(6)(7) by changing the setback requirements on University Parkway and Main Street from forty (40) feet or equal to the height of the building, whichever is greater to ten (10) feet from university parkway and main street and at least forty (40) feet from 1400 south in the PD12 zone. Mr. Staker seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Barry Roberts, Haysam Sakar, 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 Johnny Anderson to request the Planning Commission approve the site plan Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone and Vacating Lot 3 of Northgate Plaza Plat A and approving Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.



Staff Presentation: The applicant is proposing to develop the site with a pre-school. They are required to amend the existing plat to include cross-access parking and storm drainage easements. Additionally, they are seeking a parking deferral of 7 spaces. This will be used as an outdoor play area for the pre-school. With cross-access parking easements, they meet the parking requirement for the site, including the deferred parking. The parking deferral may be revoked by the City if it is found that the 7 deferred spaces are required for a future site plan change.

The school will be 26 feet tall and have exterior styling that meets the standards of the styles required in the PD22 zone. The roof also matches the style as outlined in Appendix Q for stone type roof tiles. The proposed landscaping and other sections of the site plan meet the requirements of the PD22 zone.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the site plan Orem Child Care Holdings located

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generally at 864 North 980 West in the PD22 zone, Vacate Lot 3 of Northgate Plaza Plat A and approve Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Sakar said he was concerned about the children's safety and asked if there would be anything besides the fence to protect the children.

Chair Spencer invited the applicant to come forward. Fred Cox, architect, introduced himself. He did talk to one of the owners and the fence will be a metal fence, they come in steel and aluminum. On the southwest corner, bollards could be added for additional safety. To the north, the building itself provides protection. Mr. Sakar said he would be comfortable with that.

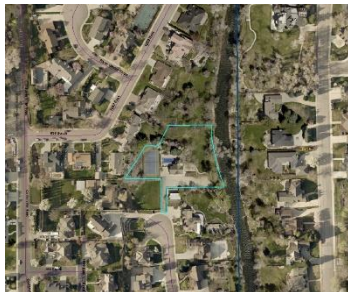
Chair Spencer opened the public meeting and invited those from the audience who had come to speak to this item to come forward to the microphone.

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. Roberts moved to approve the site plan of Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone, Vacate Lot 3 of Northgate Plaza Plat A and approve Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Barry Roberts, Haysam Sakar, 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 Julie Smith to request the Planning Commission approve the vacation of Lot 2, River Breeze Haven, Plat K and approve River Breeze Haven, Plat L located generally at 749 South 1080 East R12 zone.



Staff Presentation: The applicant is modifying an existing easement which requires a plat amendment. A portion of the easement will be changed from a 30' easement to a 20' to accommodate an addition to the existing dwelling.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the vacation of Lot 2, River Breeze Haven, Plat K and approve River Breeze Haven, Plat L located generally at 749 South 1080 East R12 zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Spencer asked to be shown the existing storm drain. Mr. Goodrich said there is an existing storm drain that runs through the property and to the Provo River. Mr. Cook asked if the tennis court went across the easement and if that were a problem.

Chair Spencer invited the applicant to come forward. Paul Washburn introduced himself. He said that currently the tennis court does cross the easement, but it will be removed. The intention in moving the storm drain is because Mr. Henry and a neighbor each bought one-half of the lot between them and extended their boundaries. The tennis court was approved when it went in, but it will be removed so access to the easement will be better than it has been in the past.

Mr. Cochran asked if Mr. Henry was going to pay for moving and putting in the new storm drain. Mr. Washburn said absolutely. Mr. Cochran asked about the blockage of the current storm drain. Mr. Washburn said there is no intention of blocking the line. Mr. Cochran said a couple of months ago the City came in and scoped that line because of flooding in the area. In scoping the line, the City found someone, and Mr. Henry was involved, had put bags of concrete into the storm drain line to divert water from the storm drain line into his water feature. He asked if Mr. Henry will remove that blockage which could cause serious flooding and is above the point where the new storm drain will be. Paul Washburn said OK.

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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 approve the vacation of Lot 2, River Breeze Haven, Plat K and approve River Breeze Haven, Plat L located generally at 749 South 1080 East R12 zone. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Barry Roberts, Haysam Sakar, 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 September 18, 2019. Mr. Cook moved to approve the meeting minutes for September 18, 2019. Mr. Roberts seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker. The motion passed unanimously.

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

Adjourn: 4:58 p.m.

Jason Bench
Planning Commission Secretary

Approved: November 6, 2019