CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
December 2, 2020

The following items are discussed in these minutes:

- Conditional use permit approval for an accessory structure, basketball court and garage, located at 1391 South 1140 East in the PD18 Zone. - Positive Recommendation to City Council
- Site plan approval of 5 Star Building Products located at 944 North 1200 West in the HS zone. - Approved.
- Amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at 925 South Carterville Road. - Positive Recommendation to City Council.

STUDY SESSION

Cancelled.

REGULAR MEETING

NOTICE OF ALL-ELECTRONIC MEETING
To minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's March 18, 2020 Executive Order, the Orem City Planning Commission meeting on December 2, 2020 will be an all-electronic meeting. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at orem.org/meetings. If you want to make a comment, please use: orem.org/comments.

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

Place: Orem City Council Chambers - Electronic

At **4:30 p.m.** Chair Cochran called the Planning Commission meeting to order and offered the invocation. After the invocation, he made the following statement: "I Mickey Cochran, as Chairman of the Orem City Planning Commission, make the following determinations: 1. Under current conditions, conducting an Orem City Planning Commission meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. 2. This determination is based on the facts that (1) COVID-19 is a worldwide pandemic threatening the health and safety of the residents of Orem; (2) the State of Utah has determined that people should maintain social distancing of at least six feet to help mitigate the spread of COVID-19."

Those present: Mickey Cochran, Planning Commission Chair; Carl Cook, Camille Jensen, Barry Roberts, Ross Spencer, Mike Staker, Planning Commission members; Terry Peterson, City Council Liaison; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Jake Harding and Cheryl Vargas, Associate Planners; Grant Allen and Matt Taylor, Long Range Planners; Brady Hale, Traffic Engineer; Steve Earl, Legal Counsel; Talia Adams, Planning Intern; via zoom.

Those excused: Haysam Sakar, Planning Commission member; Dave Lund, Staff Engineer

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

Agenda Item 3.1 is a request by Matt Hawkins for the City to approve the conditional use permit for an accessory structure, basketball court and garage, located at 1391 South 1140 East in the PD18 zone.

Staff Presentation: The applicant is adding an accessory structure containing a basketball court and garage. The lot contains a total area of 63,701 square feet or 1.46 acres. The accessory building contains a total building area of 1,735 square feet.

The ordinance requires a conditional use permit for accessory structures in the PD18 zone which are 1,000 square feet or greater. Accessory structures cannot be more than 10% of the area of the parcel. This structure is 3 percent of the lot at 1,735 square feet. The structure is also within the height requirement of the ordinance (which is 35 feet for accessory buildings/structures) at 31 feet 2-7/16 inches.

The setback requirements in the PD18 zone for accessory buildings are:

- Front – Thirty (30) feet from back of curb.
- Rear and Side – Five (5) feet from the property lines.

Proposed garage/basketball court:

- Front - One hundred twenty-nine feet seven inches (129'7") from the back of curb
- South side - Ten feet six inches (10'6")
- North side - Eight feet five inches (8'5") from the house (it is required to be a minimum of six (6) feet from the house)
- Rear - One hundred one feet (101')

It is well within the required setbacks.

The proposed elevations consist of stone and other finishes matching the existing residence. The proposed landscaping and overall plan comply with the requirements of the PD18 zone.

The applicant will also build a pool house and swimming pool. Because the pool house is only 597 square feet, it does not require a conditional use permit in the PD18 zone. The swimming pool also does not require a conditional use permit. They will, however, need to meet the zoning requirements as part of the building permit process.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to approve the conditional use permit for an accessory structure, basketball court and garage, located at 1391 South 1140 East in the PD18 zone.

There was no discussion on the item.

Planning Commission Action: Mr. Staker moved to forward a positive recommendation to the City Council to approve the conditional use permit for an accessory structure, basketball court and garage, located at 1391 South 1140 East in the PD18 zone. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Ross Spencer, and Mike Staker. The motion passed unanimously.

Chair Cochran asked Ms. Vargas to introduce **Agenda Item 3.2**:

Agenda Item 3.2 is a request by KBR Construction for the Planning Commission to approve the site plan of 5 Star Building Products located at 944 North 1200 West in the HS zone.

Staff Presentation: The applicant is proposing to build a thirty-foot-wide covered roof over the dock area of the main building. They will also be adding a new concrete loading dock.

Architecture: The proposed canopy will be 30 feet wide. It will have steel columns as part of the canopy frame and will be painted.

Parking: The installation of the new canopy and loading dock will not impact their parking. They have met the zone requirement with 70 parking stalls.

Landscaping: The overall landscape plan complies with applicable City and HS zone codes. They will be adding additional landscaping along 950 North as outlined on the landscaping plan in addition to maintaining the existing landscaping on the site.

Transportation/Engineering: No Concerns

Recommendation: Staff recommends the Planning Commission approve the site plan of 5 Star Building Products located at 944 North 1200 West in the HS zone.

There was no discussion on the item.

Planning Commission Action: Mr. Roberts moved to approve the site plan of 5 Star Building Products located at 944 North 1200 West in the HS zone Mr. Cook seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Ross Spencer, and Mike Staker. The motion passed unanimously.

Chair Cochran asked Ms. Vargas to introduce **Agenda Item 3.3**:

Agenda Item 3.3 is a request by Gene Robison for the City to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at 925 South Carterville Road.

Staff Presentation: The existing property is approximately 85,231 square feet (1.96 acres). It currently has two lots, both owned by the applicant.

The applicant would like to divide the two lots into three lots to facilitate the development of two lots along Carterville Road. The existing home will remain on Lot 1 which will have 54,851 square feet (1.26 acres). Lot 2 will have 18,177 square feet and Lot 3 will have 16,853 square feet.

The current R20 zone requires a lot size minimum of 20,000 square feet meaning that the applicant's proposed lots will not meet current zoning requirements. The proposed R12 zone would allow for the proposed two lots up front on Carterville Road and their sizes would meet the minimum size requirement of 12,000 square feet. The General Plan designation of Low Density Residential (LDR) supports the rezone to R12.

A neighborhood meeting was held and several neighbors were in attendance; however, no one had any objections to the rezone.

Recommendation: . Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at 925 South Carterville Road.

There was discussion on the item. Some of the key issues that were discussed were:

- It was noted by the applicant that even though the surrounding lots are currently zoned R20, they were previously zoned R12. After some discussion, staff confirmed it and noted that the general plan designation of LDR (Low Density Residential) allows for R12 zones.
- Mr. Staker asked what the sidewalk requirements were in this area? Staff explained that Carterville Road is the only road in the City designated as a rural road. As such, no sidewalk is required here.
- The northern access shown on the concept plan would remain in order for the applicant to maintain access to his barn.
- The applicant explained that the current access off of Carterville Road is seldom used, and would therefore not be interested in having vehicle access to his property through the proposed culdesac. However, he does intend to continue to have pedestrian access to his front door through it. After some discussion, Mr. Cook and Mr. Bench recommended that the applicant put a pedestrian easement on the plat. Doing so would not require a change of address for the applicant's property. The applicant took the recommendation and committed to make that easement on that plat as part of the approval for it.
- There were no comments made during the public hearing.

Planning Commission Action: Mr. Spencer moved to forward a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone on approximately 1.96 acres from the R20 zone to the R12 zone at 925 South Carterville Road. Chair Cochran seconded the motion. Those voting aye: Mickey Cochran, Camille Jensen, Carl Cook, Barry Roberts, Ross Spencer, and Mike Staker. The motion passed unanimously.

2021 Meeting Calendar: The Planning Commission reviewed the Planning Commission schedule for 2021. Mr. Cook moved to approve the Planning Commission schedule for 2021 as presented in the Planning Commission Staff Report for December 2, 2020. Ms. Jensen seconded the motion. Those voting aye: Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Ross Spencer, and Mike Staker. The motion passed unanimously.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Cochran then made a motion to approve the minutes of the November 18, 2020 Planning Commission meeting. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Ross Spencer, and Mike Staker. The motion passed unanimously.

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

Adjourn: 5:05 p.m.

_____

Jason Bench
Planning Commission Secretary

Approved: January 13, 2021