

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
June 7, 2023

The following items are discussed in these minutes:

- **PUBLIC HEARING** – Amending Article 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the property located generally at 883 North State Street to either the C2 zone or C3 zone and to allow SLU Code 1283 *Transitional Treatment Homes* as a permitted use in the C3 zone – Positive recommendation to City Council
- **PUBLIC HEARING** – Approval of the site plan for Maverik located at 85 West 800 North in the C2 zone - Approved

STUDY SESSION

Place: City Council Conference Room

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

Those present: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar, Planning Commission members; Cheryl Vargas and Makayla Wagstaff, Associate Planners; Grant Allen and Matt Taylor, Senior Planners; Sam Kelly, City Engineer; Gary McGinn, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Jason W. Bench, Assistant Development Services Director and Ryan L. Clark, Acting Assistant City Manager/Development Services Director

The Commission and staff briefly reviewed agenda items and minutes from the May 17, 2023 meeting and adjourned at 4:28 p.m. to the City Council Chambers for the regular meeting.

REGULAR MEETING

Place: Orem City Council Chambers

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

Those present: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar, Planning Commission members; Cheryl Vargas and Makayla Wagstaff, Associate Planners; Grant Allen and Matt Taylor, Senior Planners; Sam Kelly, City Engineer; Gary McGinn, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Jason W. Bench, Assistant Development Services Director and Ryan L. Clark, Acting Assistant City Manager/Development Services Director

Chair Komen asked Ms. Wagstaff to introduce **Agenda Item 3.1:** [\(click here for recording\)](#)

Agenda Item 3.1 is a request by Jeremy Weber, Devco, Inc. for the Planning Commission to amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the property located generally at 883 North State Street to either the C2 zone or C3 zone and to allow SLU Code 1283 *Transitional Treatment Homes* as a permitted use in the C3 zone.

Staff Presentation: This item came before the Planning Commission on May 17, 2023 and the portion that is now being requested was continued at that time. It is now coming back before the Planning Commission for approval with an updated zoning layout with the lots fronting State Street being zoned C2 and the lot fronting 400 West being zoned C3. Also, to allow SLU Code 1283 *Transitional Treatment Homes* as a permitted use in the C3 zone.

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

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There is a large parcel of vacant land at approximately 883 North State Street. The large parcel that fronts State Street is in the C2 zone. The four smaller parcels that front 400 West are in the C3 zone. There is some zone overlapping with the new lot layout in the concept plan.

This request is for the rezone only, not the preliminary and final plat. If the City Council approves the rezone application, the applicant will need to apply for a preliminary and final plat. However, a concept plan is provided to show potential development including the access from State Street to 400 West. In addition, the concept plan shows access to the project to the north and should also provide access to the properties to the south. The access to the south should be provided near the center of the project and will need to address this issue with the site plan process. Staff requests the Planning Commission recommend the City Council require a centralized access to the south for future development and access opportunities.

The concept plan shows a 2-story office building and a 2-story Center for Women and Children in Crisis, short-term transitional housing on the west side of the property, and two restaurants on the east side of the property fronting State Street.

The non-profit use would be classified as a Transitional Treatment Home (SLU Code 1283). This is currently not a permitted use in the C3 zone but is a permitted use in the C2 zone.

The Center for Women and Children in Crisis (DBA The Refuge Utah) has been in operation as a nonprofit victim services agency for 39 years. They provide a safe, caring, and therapeutic environment to assist victims of domestic violence, rape, and sexual assault in their recovery. With a focus on being trauma-informed, victim centered, and low barrier, the agency's goal is to facilitate healing and to advocate for victims with the intent to help decrease the incidence of such violence in the community in the future. Their services include a 24/7 hotline, a safe house for emergency short-term stays, transitional housing, temporary rental assistance, confidential victim advocates, 24/7 Hospital Response Team Advocates, victim educational support classes, therapy, and aftercare services that continue as individuals transition into permanent supportive housing around Utah County.

The office building could be up to 2-stories high and would be used for victims seeking services to meet with advocates, case managers, and therapists to receive individualized services and resources. It would also be used to host educational support classes, volunteer trainings, staff trainings, and community advocate meetings. Along with these services, administrative staff would be housed who would run the financial and business operations of the non-profit agency.

Because the Center for Women and Children in Crisis is considered a Transitional Treatment Home, a use which is not permitted in the C3 zone, the SLU Code 1283 *Transitional Treatment Home* is being requested as a permitted use in the C3 zone.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission to consider a recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the property located generally at 883 North State Street to either the C2 zone or C3 zone and to allow SLU Code 1283 *Transitional Treatment Homes* as a permitted use in the C3 zone.

Chair Komen asked if the Planning Commission had any questions for Ms. Wagstaff. Mr. Carpenter was concerned that the text of the motion was too ambiguous about which area was to be zoned C3 and which area was to be zoned C2. Mr. McGinn said the text was for noticing purposes only and that it would be clarified in the Exhibit A of the resolution.

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

Chris Dowling, 983 N State Street, The Dance Club: Mr. Dowling asked Ms. Wagstaff for a brief overview of the 800 N & State project.

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

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Chair Komen closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, she called for a motion on this item.

Planning Commission Action: Mr. Low moved to send a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the property located generally at 883 North State Street to either the C2 zone or C3 zone and to allow SLU Code 1283 *Transitional Treatment Homes* as a permitted use in the C3 zone. Mr. Carpenter seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

Chair Komen asked Ms. Wagstaff to introduce **Agenda Item 3.2:** ([click here for recording](#))

Agenda Item 3.2 is a request by Maverik, Inc. for the Planning Commission to approve the site plan for Maverik located at 85 West 800 North in the C2 zone.

Staff Presentation: The applicant is proposing to combine two lots, one containing an existing Maverik and the other currently containing a carwash. The new lot will be 1.47 acres.

The applicant plans to remove both the existing Maverik and the existing carwash then build a new Maverik convenience store and new fuel pump facilities. There will be 6 fuel pump stations, with 12 pumps total.

Building Location: The building will be located in the Southeast corner of the lot. A 7 foot CMU privacy wall will be provided between the site and the adjoining residential properties. The building will be setback over 20 feet from the rear property line, which complies with the required setback for a commercial building in the C2 zone which adjoins a residential zone ([22-8-8 \(A\)](#)).

Architecture: The materials used for the building will be a combination of stone veneer, steel, and fiber cement board/batten siding.

Parking: The applicant was required to provide 18 parking stalls. There are 33 parking stalls provided on the site, 2 of which are ADA stalls ([22-15-4](#)).

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission to approve the site plan for Maverik located at 85 West 800 North in the C2 zone.

Chair Komen invited the applicant to come forward. Due to traffic, the applicant was not able to attend the meeting.

Chair Komen 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 Komen closed the public hearing and asked if the Planning Commission had any more questions for staff. Chair Komen called for a motion on this item.

Planning Commission Action: Mr. Carpenter moved to approve the site plan for Maverik located at 85 West 800 North in the C2 zone. Mr. Crismon seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Komen then called for a motion to approve the minutes of May 17, 2023. Mr. Sakar moved to approve the meeting minutes for May 17, 2023. Mr. Hawkes seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously. ([click here for recording](#))

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Adjourn: Chair Komen called for a motion and moved to adjourn. Mr. Low seconded the motion. Those voting aye: Mike Carpenter, Gerald Crismon, James Hawkes, Helena Kleinlein, Madeline Komen, Murray Low and Haysam Sakar. The motion passed unanimously.

Adjourn: 4:49 p.m.

Ryan L. Clark
Planning Commission Secretary

Approved: June 21, 2023