

Provo City Planning Commission Administrative Hearing

Report of Action

January 7, 2015

ITEM 2 Todd Meyers, agent for Maverik Incorporated, requests Project Plan approval to re-build an existing Maverik site, comprising 0.65 acres, and a store size of approximately 4,189 square feet, with a new gas fill-up canopy; located at 325 South State Street, Provo, UT, in the CG (General Commercial) Zone. *Maesar Neighborhood*, 14-0021PPA **This item was continued from the December 17, 2014 meeting.**

The following action was taken on the above described item by an Administrative Hearing Officer, acting in behalf of the Provo City Planning Commission, on January 7, 2015:

APPROVED WITH CONDITIONS

Administrative Hearing Officer: Brian Maxfield

Includes facts of the case, analysis, and conclusions outlined in the Staff Report, with any changes noted. Administrative Hearing Officer's determination is consistent with the Staff analysis and determination.

Conditions of Approval:

1. The applicant is to address and resolve all remaining review comments for the project plan and subdivision plat, and obtain final CRC approval, prior to the issuance of a building permit.
2. The applicant is record the subdivision plat prior to the issuance of the certificate of occupancy.
3. Any deviation from the final approved plans by the City shall require that such changes be approved by City staff or the hearing officer, before constructed or installed.

RELATED ACTIONS:

- *On August 27, 1986 the Planning Commission conditionally approved a new Maverik convenience store;
- *On September 17, 1986, the Conditional Use Permit to allow gas pumps was approved at an Administrative Hearing.

STAFF PRESENTATION:

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

OVERVIEW:

Maverik Incorporated has been remodeling or rebuilding their sites to coincide with the new branding and design, and make improvements where needed. They have proposed to replace the old with the new at this South State Street location, and have worked with City staff to reach an agreement on the appropriate improvements.

FINDINGS OF FACT:

1. The subject property is currently within the CG (General Commercial) Zone;
2. The subject property is currently being used as a Maverik gas station and convenience store site;
3. The proposed reconstruction of the Maverik site complies with all current zoning laws.

STAFF ANALYSIS:

As stated above, the new project plan complies with the requirements of the current CG Zone. The applicant is also complying with all other development requirements or is in the process of satisfying them all. City staff is currently in the process of granting final approval on the project plan, and have just begun reviewing the subdivision plat proposal, that staff is requiring, as a result of the review of the project plan. The following is a summary breakdown of the site remodel:

- New building square footage = 4,250 / Old = 2,283
- 300 South dedication to Provo City = 1,885
- Store and Canopy Height = 19 feet
- Required parking = 15 / Provided = 18 stalls

There will also be improvements along the State Street corridor, with the new sidewalk and park-strip design, and will include a redesign to the drive entry. The site will also provide an additional seven (7) parking stalls, and will have additional landscaping, and screening in the form of a decorative masonry wall, to be installed on the east property line. The south masonry wall shall remain.

CONCLUSIONS:

City staff is satisfied with recommending an approval of the project plan, having complied with all current zoning regulations, and with the conditions listed below.

STAFF RECOMMENDATION:

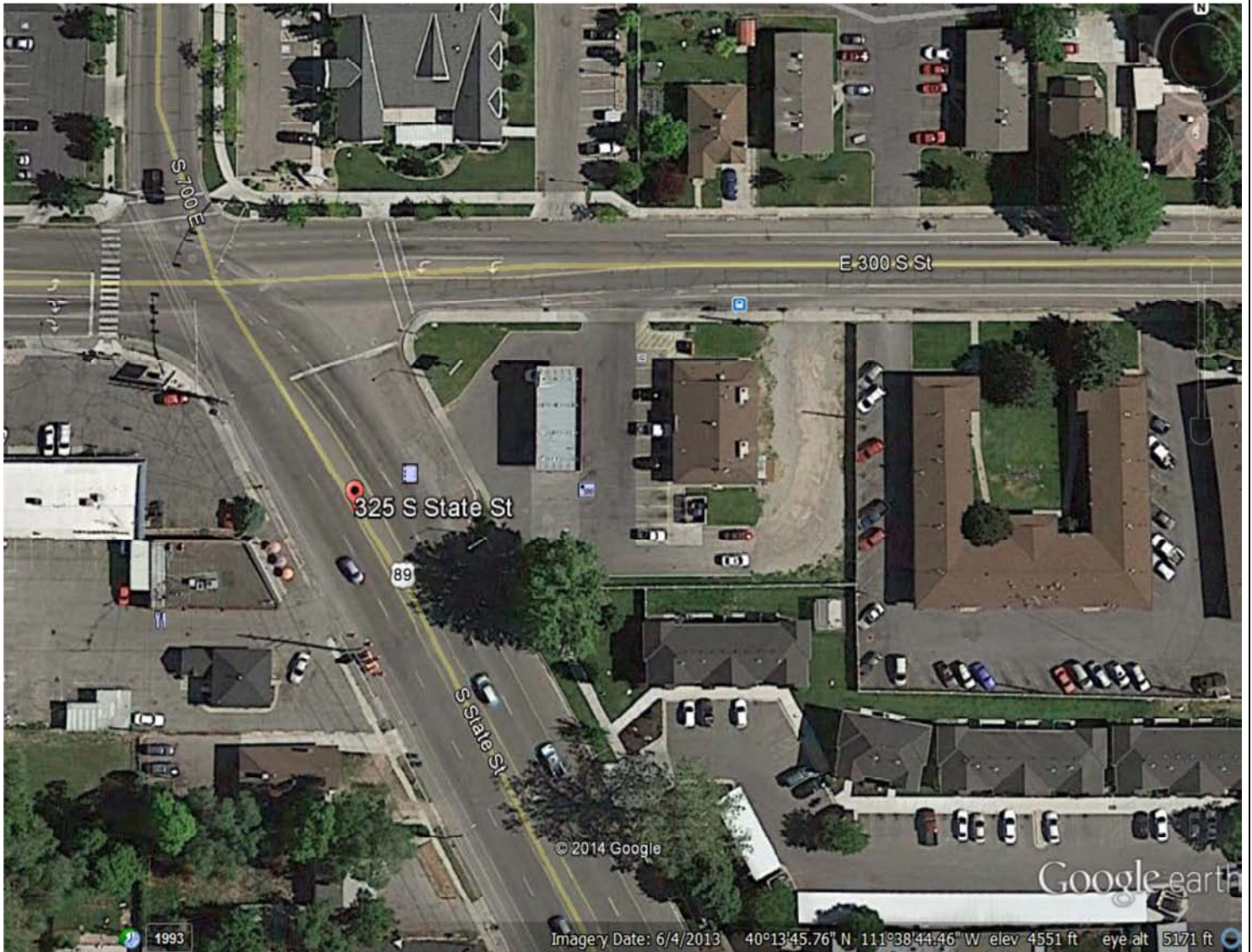
Staff recommends that the Hearing Officer **APPROVE** for the proposed project plan, to replace the current Maverik fill-up station and convenience store, with new updated structures, and all other said improvements, with the following conditions included:

Conditions of Approval:

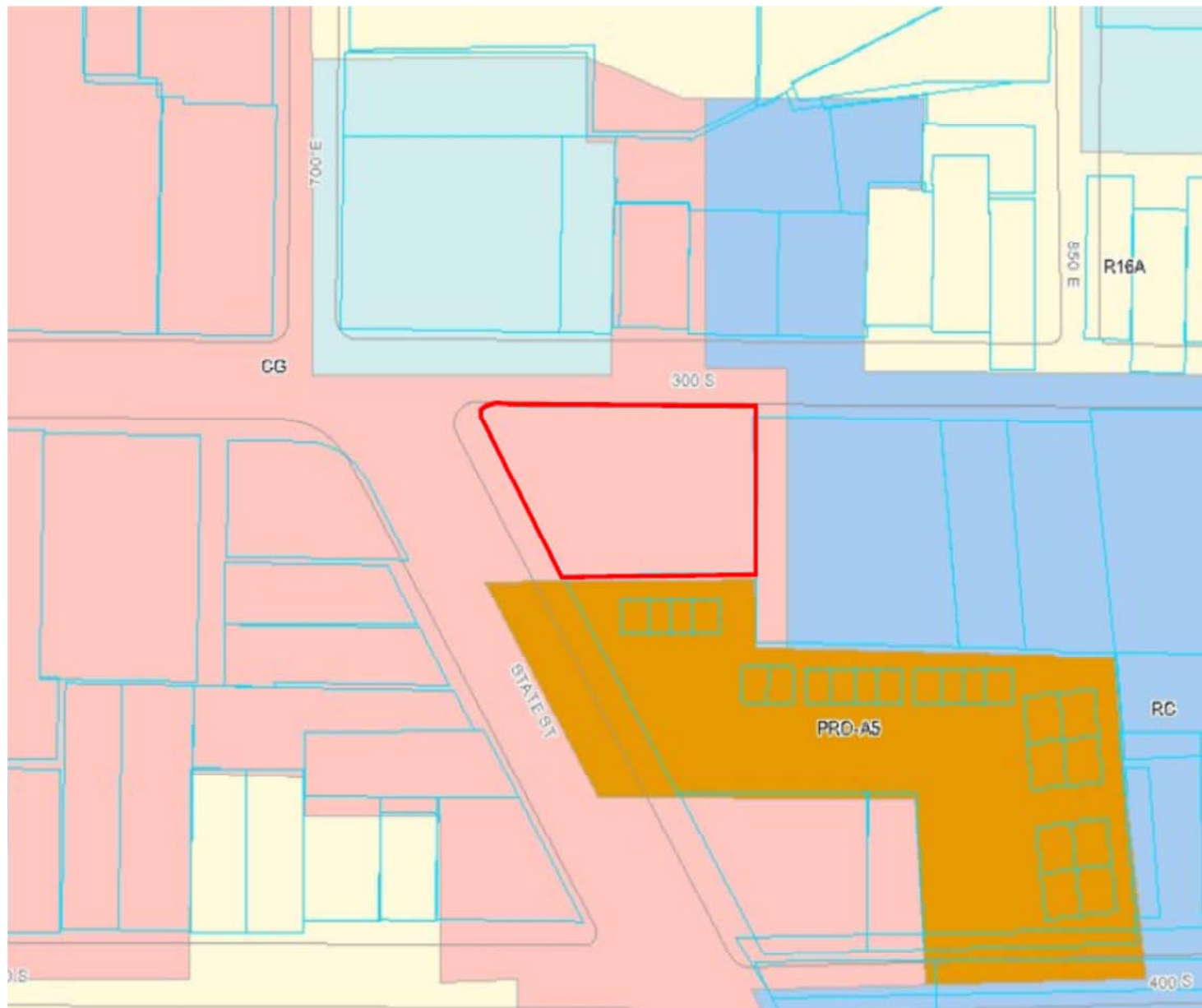
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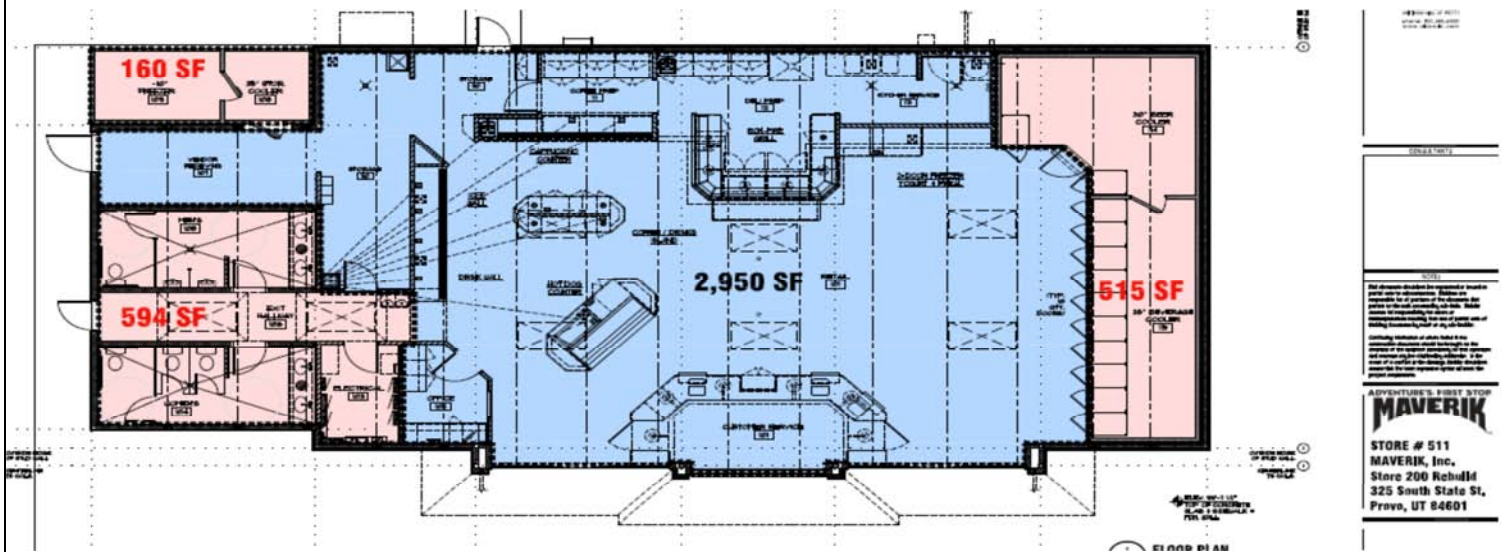
ATTACHMENTS:

- Aerial Location Map
- Zoning Location Map
- Proposed Site Plan
- Proposed Floor Plan
- Proposed Elevations

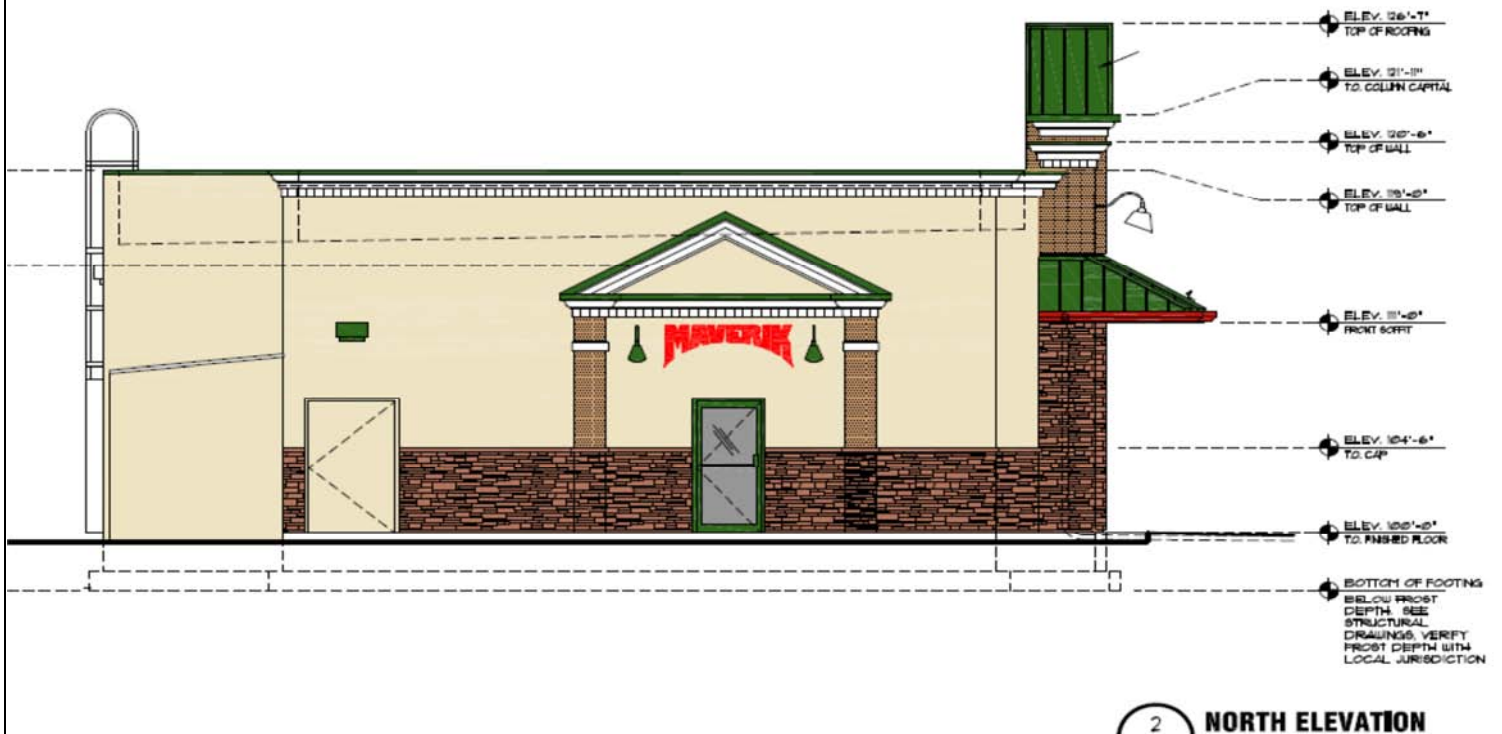


Imagery Date: 6/4/2013 40°13'45.76" N 111°38'44.46" W elev 4551 ft eye alt 5171 ft



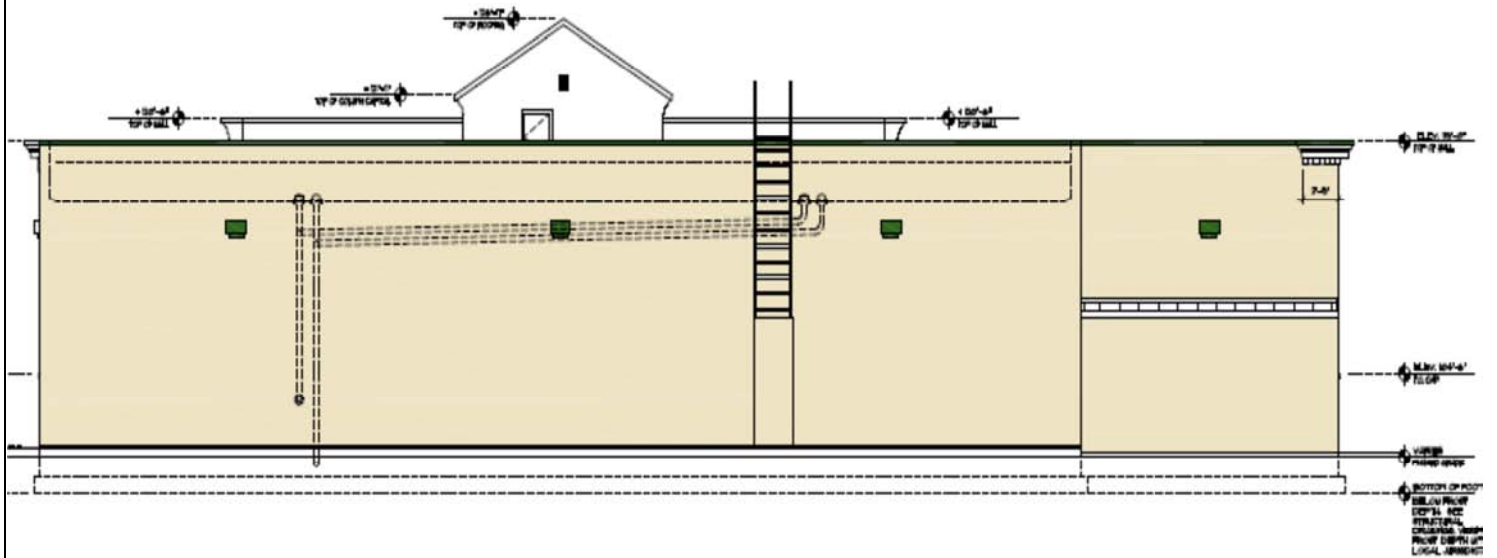


- 2,950 square foot figure represents the area used to calculate the required parking.

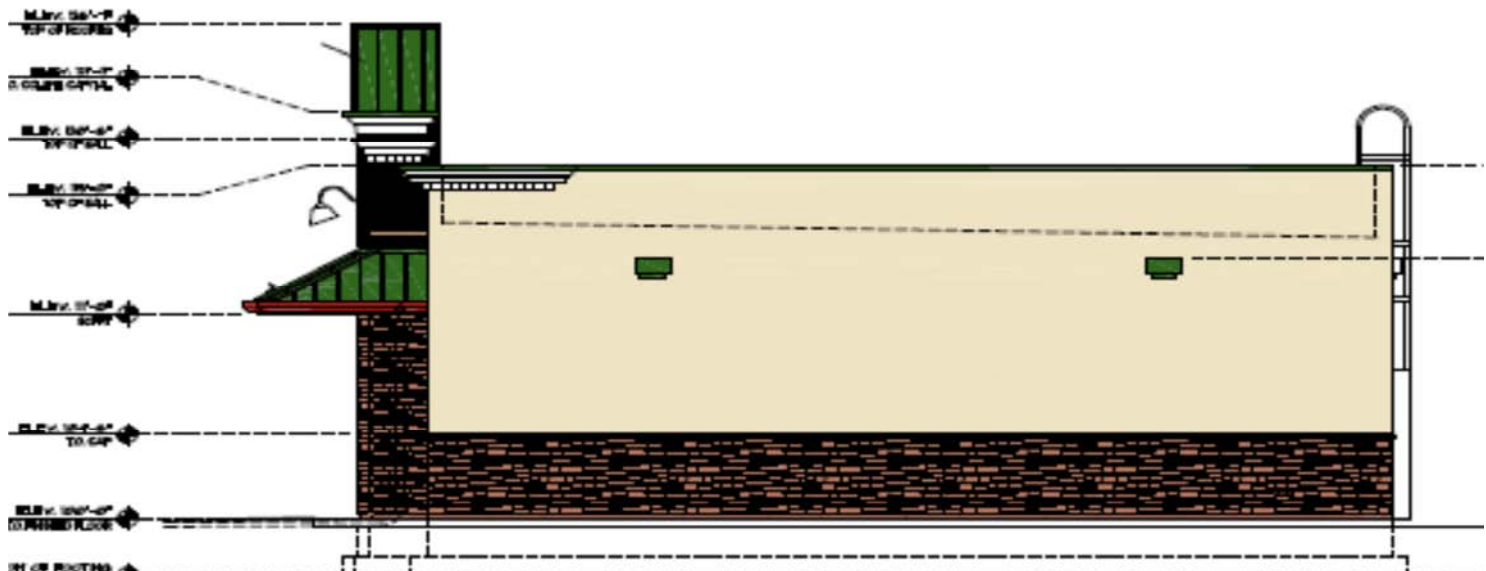


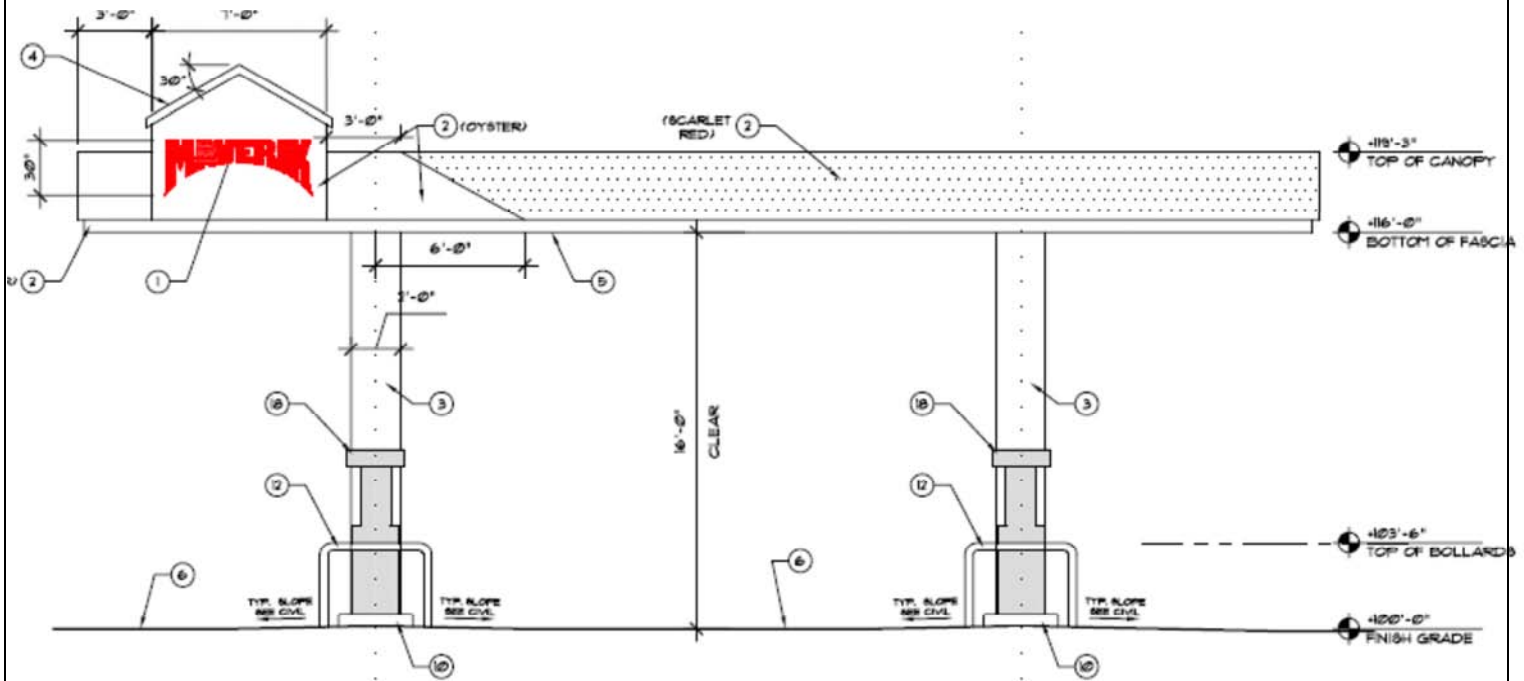


WEST ELEVATION



EAST ELEVATION





NEIGHBORHOOD AND PUBLIC COMMENT:

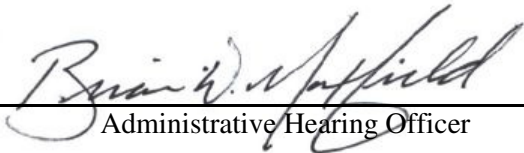
Delete all that do not apply: The Neighborhood Chair was not present or did not address the Administrative Hearing Officer during the hearing. Neighbors or other interested parties were not present or did not address the Administrative Hearing Officer. Key issues raised during the public hearing included the following:

1. N/A

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Administrative Hearing Officer included the following:

1. (Todd Meyers) – Some unique improvements are to have a decorative side entry along 300 South, and added depth to the site to allow for the gas trucks to pull in completely off the State Road.


 Administrative Hearing Officer

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report for further detailed information. The Staff Report is a part of the record of the decision of this item.

Administrative decisions may be appealed by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Hearing Officer's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS



**Planning Commission
Staff Report
Project Plan Approval
Administrative Hearing Date:
January 7, 2015**

ITEM 2 Todd Myers, agent for Maverik Incorporated, requests Project Plan approval to rebuild a new Maverik store and gas canopies to replace the older existing Maverik site, comprising 0.65 acres; located at 325 South State Street, Provo, UT, in the CG (General Commercial) Zone. ***Maesar Neighborhood*** 14-0021PPA; **Continued from the December 17, 2014 meeting.**

<p>Applicant: Maverik Inc. – Todd Myers</p> <p>Staff Coordinator: Sean Allen</p> <p>Property Owner: Maverik Inc Parcel ID#: 22:030:0076 Current Zone: CG (General Commercial) Acreage: 0.65 Number of Properties: 1 Total Building Square Feet: 4,250</p> <p>Council Action Required: No</p> <p>Alternative Actions: 2. Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is February 4, 2015, 5:00 p.m.</i></p> <p>3. Deny the requested Project Plan. <i>This action is <u>not consistent</u> with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>.</i></p>	<p>Current Legal Use: Commercial Retail/Gas station</p> <p>Relevant History:<ul style="list-style-type: none">Owned and operated as a Maverik site since 1987.</p> <p>Neighborhood Issues: None reported.</p> <p>Summary of Key Issues: 1. Maverik wants to reconstruct the entire site to match their new branding and improve the overall function of the site. 2. Rebuild proposal complies with all currently zoning and development standars.</p> <p>Staff Recommendation: 1. Approve the requested Project Plan, with conditions. <i>Staff has provided <u>recommended conditions of approval</u> in the event that the Planning Commission approves the PPA;</i></p> <p>Motion:<ul style="list-style-type: none">Move to approve the proposed project plan to rebuild a new convenience store and gas canopies to replace the current older structures, as presented by staff.</p>
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OVERVIEW:

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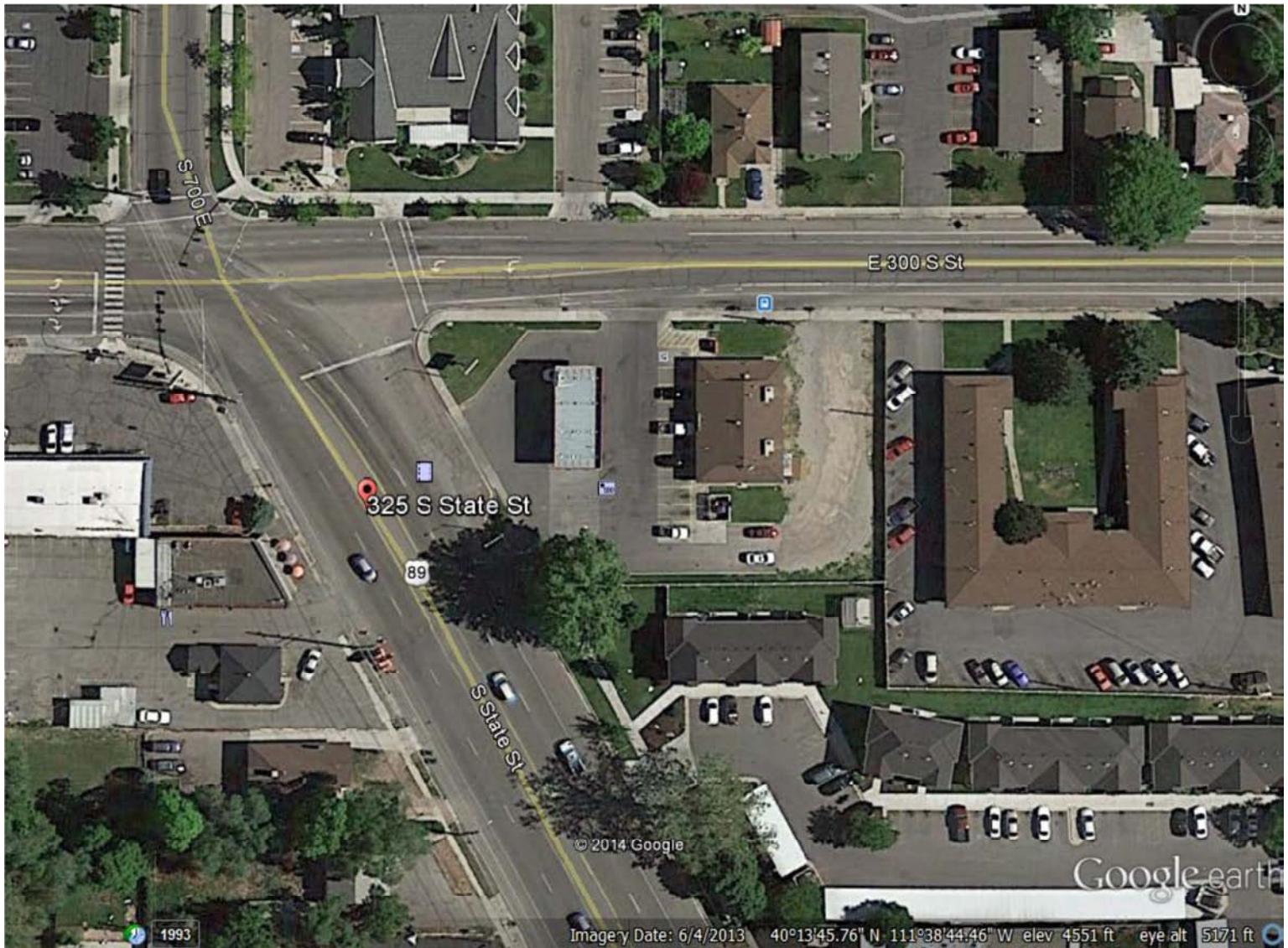
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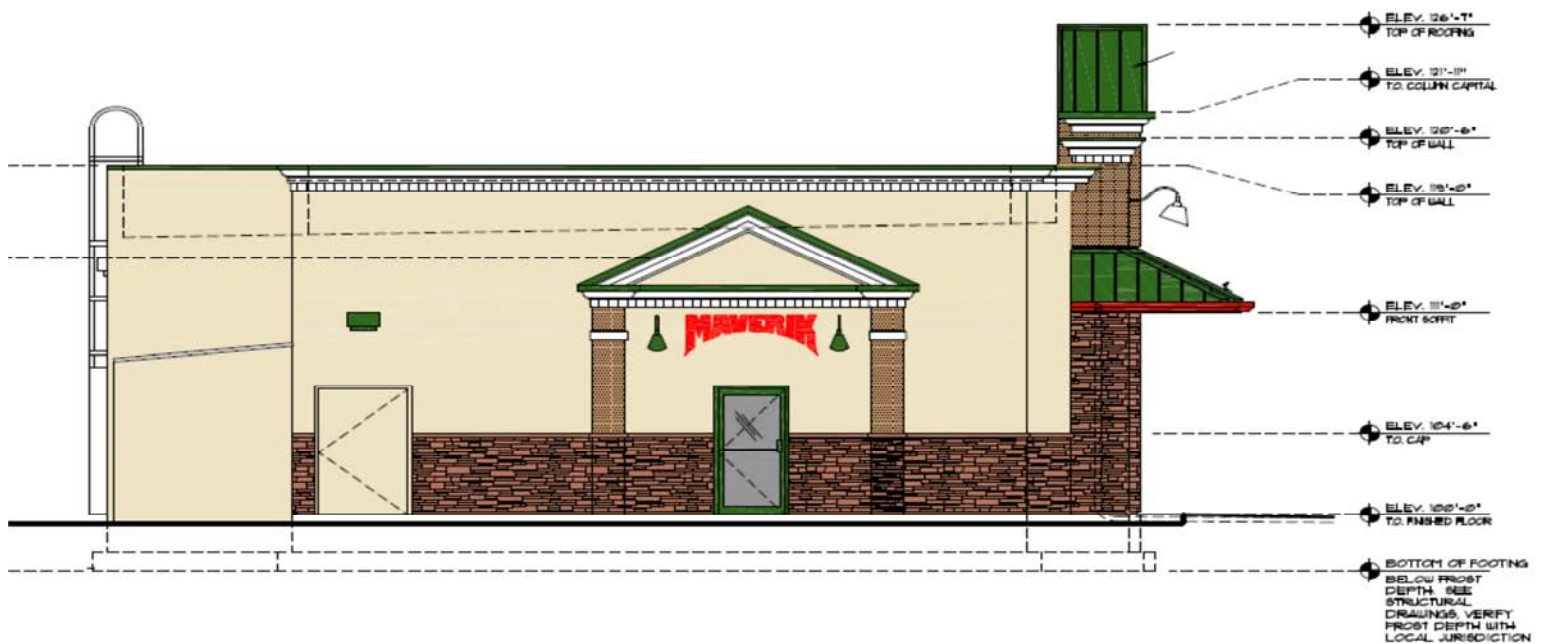




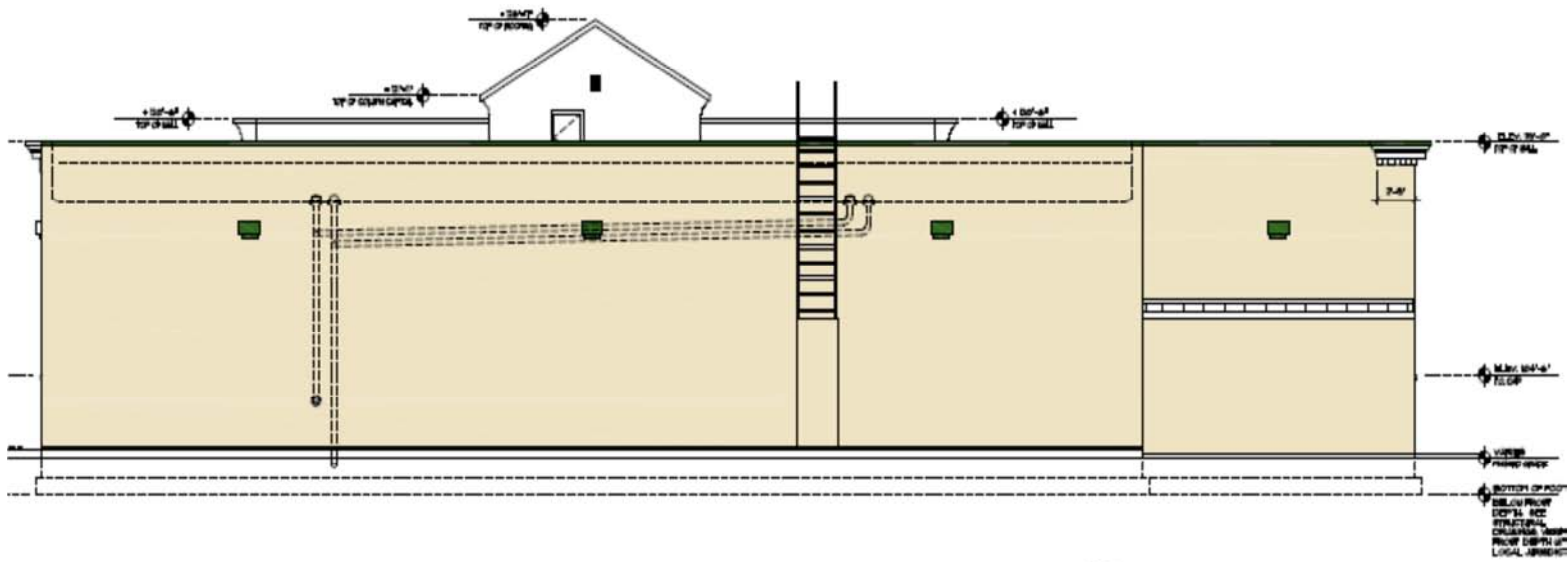




WEST ELEVATION



2 NORTH ELEVATION



EAST ELEVATION

