

Provo City Planning Commission

Report of Action

August 13, 2014

ITEM 2 Beam LLC requests Project Plan approval to construct a new 3,374 square foot office addition to the front of the existing Equalizer Hitch manufacturing building, located on 3.98 acres, at 335 South 1100 West, Provo, UT, in the M1 (Light Manufacturing) Zone. *Franklin Neighborhood*, 14-0015PPA

The following action was taken by the Planning Commission on the above described item at its regular meeting of August 13, 2014:

APPROVED

On a vote of 4:0, the Planning Commission approved the above noted application, with the following conditions:

Conditions of Approval:

- 1. The applicant must complete the development review (CRC) process and address all review comments, prior to the issuance of a building permit.**
- 2. The applicant must enter into a bond agreement with the City, and pay bond monies for the estimated improvements, prior to the issuance of a building permit.**

Motion By: Brian Smith

Second By: Randy Christiansen

Votes in Favor of Motion: Randy Christiansen, Brian Smith, Diane Christensen, Ross Flom

Votes Against: 0

Diane Christensen was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is consistent with the Staff analysis and determination.

RELATED ACTIONS

**On January 15, 2014 the applicant obtained Conditional Use Permit approval to locate their operation on the subject property.

APPROVED/RECOMMENDED OCCUPANCY

*Type of occupancy approved – Manufacturing/ Office

*For commercial note the Land Use Code - 3424

APPROVED/RECOMMENDED PARKING

*For commercial, the total number of parking stalls - 75

DEVELOPMENT AGREEMENT

*Applies – applicant is required by Public Works to enter into a waiver of protest agreement regarding the sidewalk.

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. Key points addressed in the Staff's presentation to the Planning Commission included the following:

1. The applicant needs to increase the office space without sacrificing space used for the operation in the existing building.
2. The proposed office space is in the form of an addition to the front of the existing building;
3. The business has already been granted a CUP to operate in the zone and at this site.
4. Public right of way improvements are to be installed along 1100 west.

CITY DEPARTMENTAL ISSUES:

- Important issues raised by other departments – Public Works (David Day) indicated that they have reached an agreement with the applicant to not install sidewalk along their frontage, because there is no connection. The applicant will still be required to do curb, gutter, and park-strip.

NEIGHBORHOOD MEETING DATE:

- A neighborhood meeting was held on July 8, 2014.

NEIGHBORHOOD AND PUBLIC COMMENT:

- The Neighborhood Vice Chair was present and addressed the Planning Commission during the public hearing that the Neighborhood was in favor of the project.
- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.

CONCERNS RAISED BY PUBLIC:

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- None.

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

1. The applicant (Jed Anderson of Bean LLC) is hoping to move all employees to this new location.
2. They are looking to obtain the City property directly south of their current location, and someday sell the older property.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

1. (Randy Christiansen) – Will the company be consolidating the operation to this new location? The applicant indicated yes. Feels the project is a win-win.
2. (Brian Smith) – Is heavily in favor of the proposed improvements. What will be the extent of the required street improvements? Staff indicated full improvement shall be required, with the exception of the sidewalk.
3. (Diane Christensen) – Also is heavily in favor of the improvements, and is excited to see the change.



Planning Commission Chair



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **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 Planning Commission'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
Hearing Date: August 13, 2014**

ITEM 2 Beam LLC requests Project Plan approval to construct a new 3,374 square foot office addition to the front of the existing Equalizer Hitch manufacturing building, located on 3.98 acres, at 335 South 1100 West, Provo, UT, in the M1 (Light Manufacturing) Zone. **Franklin Neighborhood** 14-0015PPA

Applicant: BEAM LLC; Jed Anderson
Staff Coordinator: Sean Allen

Property Owner: Beam LLC
Parcel ID#: 372610002
Current Zone: M1 (Light Manufacturing)
Acreage: 3.98
Number of Properties: 1
Number of Lots: 0

Council Action Required: No

ALTERNATIVE ACTIONS:

2. Continue to a future date to obtain additional information or to further consider information presented. *The next available meeting date is September 10, 2014, 5:00 p.m.*

3. Deny the requested Project Plan. *This action is not consistent with the recommendations of the Staff Report. The Planning Commission should state new findings.*

Current Legal Use: Manufacturing/Industrial

Relevant History:

- 12/20/2011 – City Council approved a rezone from FC-1 (Freeway commercial) to M1 (Light Manufacturing).
- 1/15/2014 – A Conditional Use Permit was approved at an Administrative Hearing, allowing the current business to occupy the building.

Neighborhood Issues: None

Summary of Key Issues:

1. The applicant needs to increase the office space without sacrificing space used for the operation in the existing building.
2. The proposed office space is in the form of an addition to the front of the existing building;
3. The business has already been granted a CUP to operate in the zone and at this site.
4. Public right of way improvements are to be installed along 1100 West.

Staff Recommendation:

Approve the proposed project plan for an office addition to the front of the existing building, with the following conditions:

1. The applicant completes the development review (CRC) process and addresses all review comments, prior to the issuance of a building permit.
2. The applicant enters into a bond agreement with the City, and pays bond monies for the estimated improvements, prior to the issuance of a building permit.

OVERVIEW:

The applicant approached Community Development with the request to construct over 3,000 square feet of new office space to the front of the existing industrial building. This addition requires project plan approval, and led to a full review of the site.

FINDINGS OF FACT:

1. The property is zoned for light manufacturing;
2. A Conditional Use Permit has already been approved for this current operation;
3. The proposal meets all the requirements of the M1 zone.
4. Public improvements are required, and shall be installed with this approval.

STAFF ANALYSIS:

Staff cannot foresee any impacts to the adjoining properties, either by the zone or this current operation. The addition is at the front of the existing building, attached to the existing building by an enclosed breezeway. The addition is two stories, comprising a total of 3,374 square feet, and meets the front yard setback. All other elements, such as parking, building height, and design are in compliance with the code. The recommendation from the Design Review Committee (DRC) will be given at the time of the Commission meeting.

CONCLUSIONS:

In terms of use, the addition of office space for the current business becomes incidental to the main use, and is acceptable. From there, the question is one of compliance with the zoning, development codes, and aesthetics. The applicant's proposal is in compliance, which includes welcome improvements to the 1100 West frontage along this site, and with those improvements, along with the new building front, the street view of this building and site should greatly improve.

STAFF RECOMMENDATION:

City staff recommends that the Planning Commission APPROVE the project plan proposal to construct a two-story, 3,374 square foot addition to the existing front of the Equalizer-Hitch building, with the following conditions:

1. **The applicant must complete the development review (CRC) process and address all review comments, prior to the issuance of a building permit.**
2. **The applicant must enter into a bond agreement with the City, and pay bond monies for the estimated improvements, prior to the issuance of a building permit.**

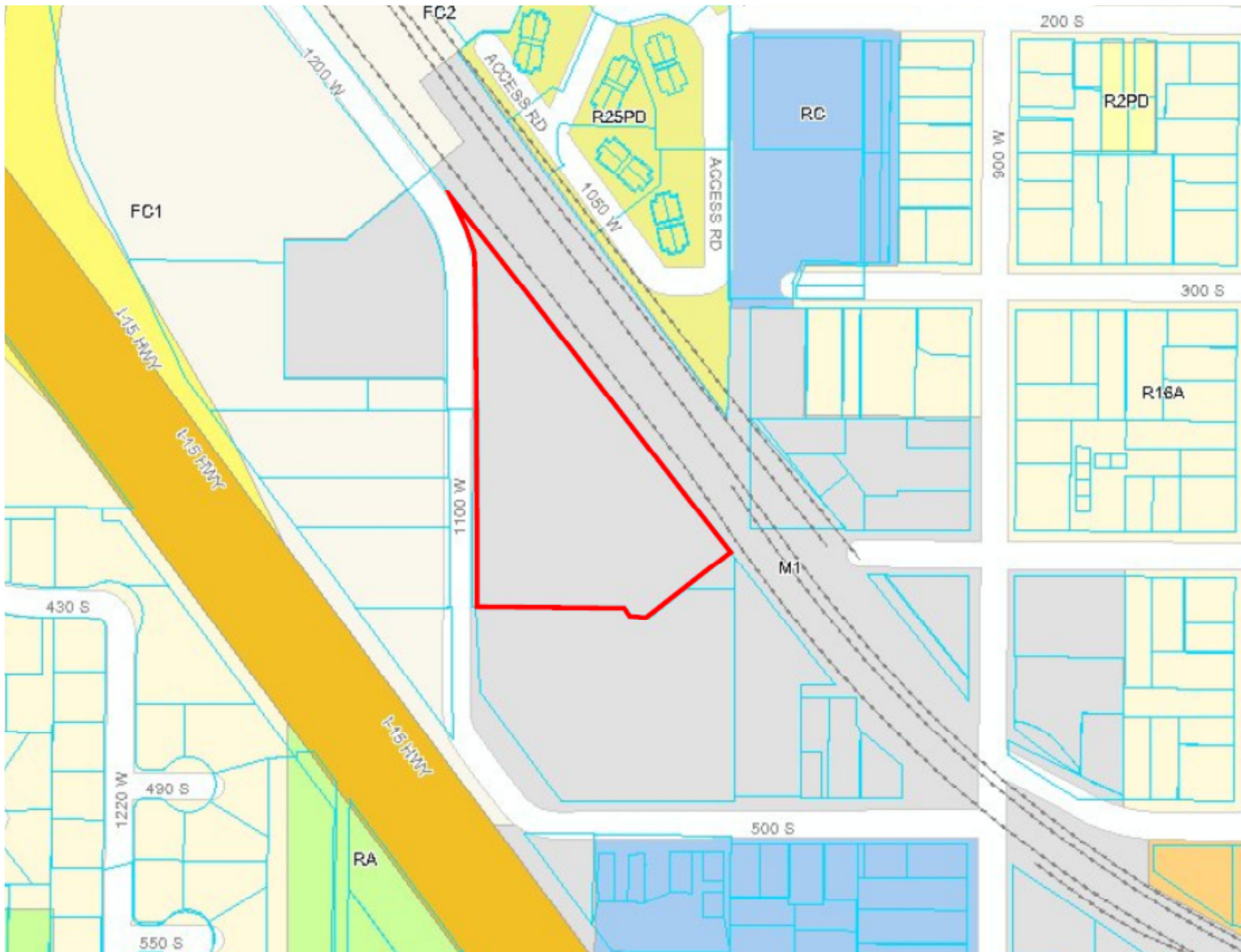
ATTACHMENTS:

- **Aerial Location Map**
- **Zoning Location Map**
- **Proposed Project Plan (Zoomed out)**
- **Proposed Project Plan area (Zoomed in)**
- **Proposed Elevations (2 sheets)**

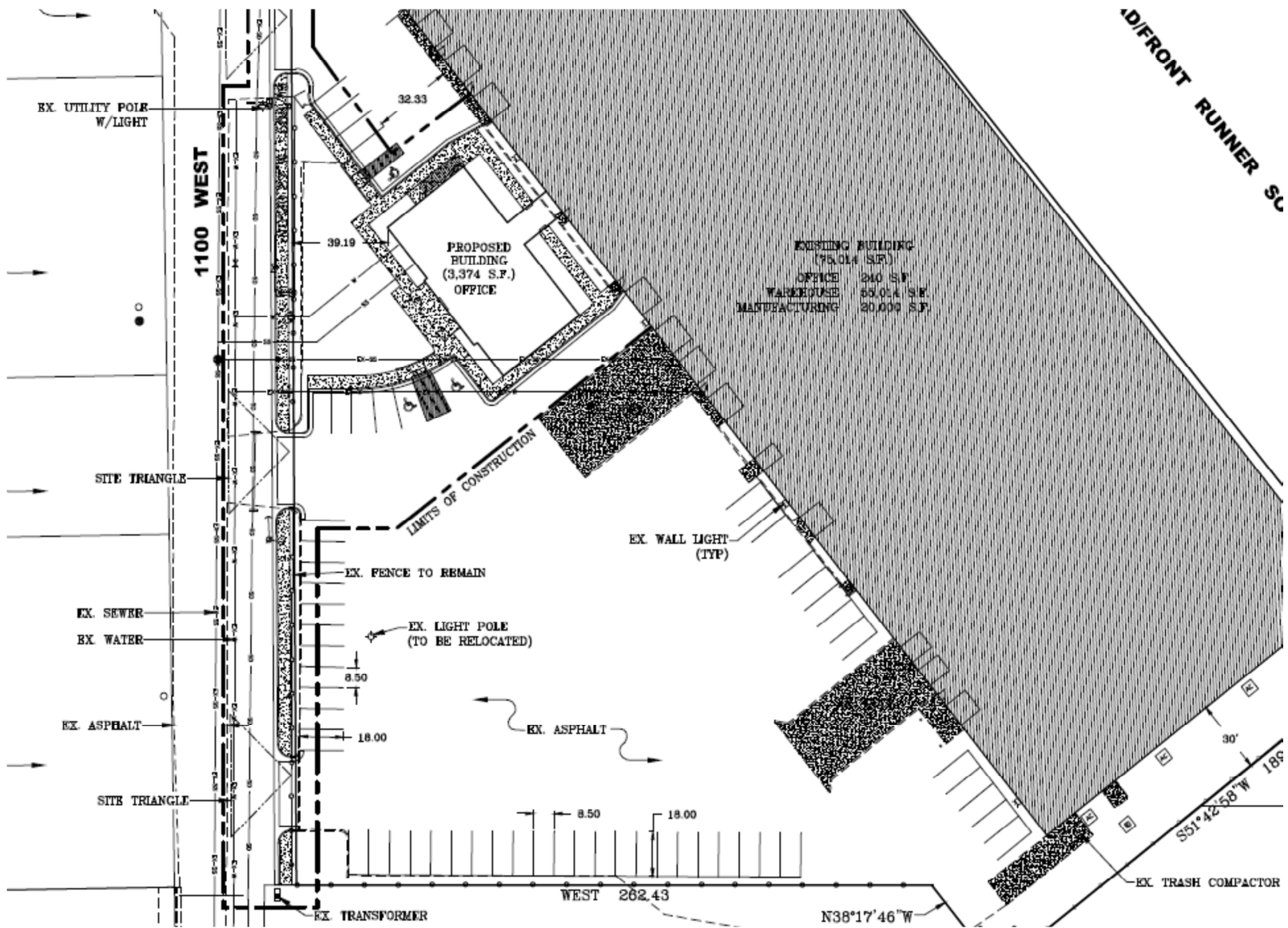
AERIAL LOCATION MAP:



ZONING LOCATION MAP:



PROPOSED PROJECT PLAN (zoomed in):



PROPOSED ELEVATIONS:



SOUTH ELEVATION

