

RESOLUTION NO. R-2023-0034

A RESOLUTION BY THE OREM CITY COUNCIL CONSIDERING A PROPOSED SETTLEMENT AGREEMENT BETWEEN WRIGHT DEVELOPMENT GROUP AND THE CITY OF OREM REGARDING DEVELOPMENT OF THE PROPERTY LOCATED GENERALLY AT 841 SOUTH STATE STREET (FORMER MEADOW GOLD PROPERTY).

WHEREAS on August 17, 2023, Logan Johnson, Wright Development Group, filed an application with the City of Orem to request the City Council consider a proposed settlement agreement between Wright Development Group and the City of Orem regarding development of the property located generally at 841 South State Street (former Meadow Gold property); and

WHEREAS public hearings considering the subject application were held by the Planning Commission on November 15, 2023 and the recommendation to the City Council was denial; and

WHEREAS a public hearing considering the subject application was held by the City Council on December 12, 2023; and

WHEREAS four hundred seventy-eight (478) notices were mailed to property owners within one thousand (1,000) feet of the property; and

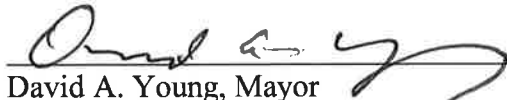
WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; the compliance of the request with all applicable City ordinances; and the special conditions applicable to the request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds this request will be in the best interest and general welfare of the City.
2. The City Council, by resolution, hereby approves the proposed settlement agreement between Wright Development Group and the City of Orem regarding development of the property located generally at 841 South State Street (former Meadow Gold property), as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.
3. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

5. All other resolutions and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED, APPROVED and ORDERED PUBLISHED this 12th day of **December 2023**.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder



COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor David A. Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeff Lambson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Debby Lauret	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Macdonald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LaNae Millett	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Terry Peterson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Spencer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EXHIBIT A Concept Plan



OREM ART LOFTS
CONCEPT PLANS
STATE STREET & 900 S. OREM UT
SEPTEMBER 26, 2008

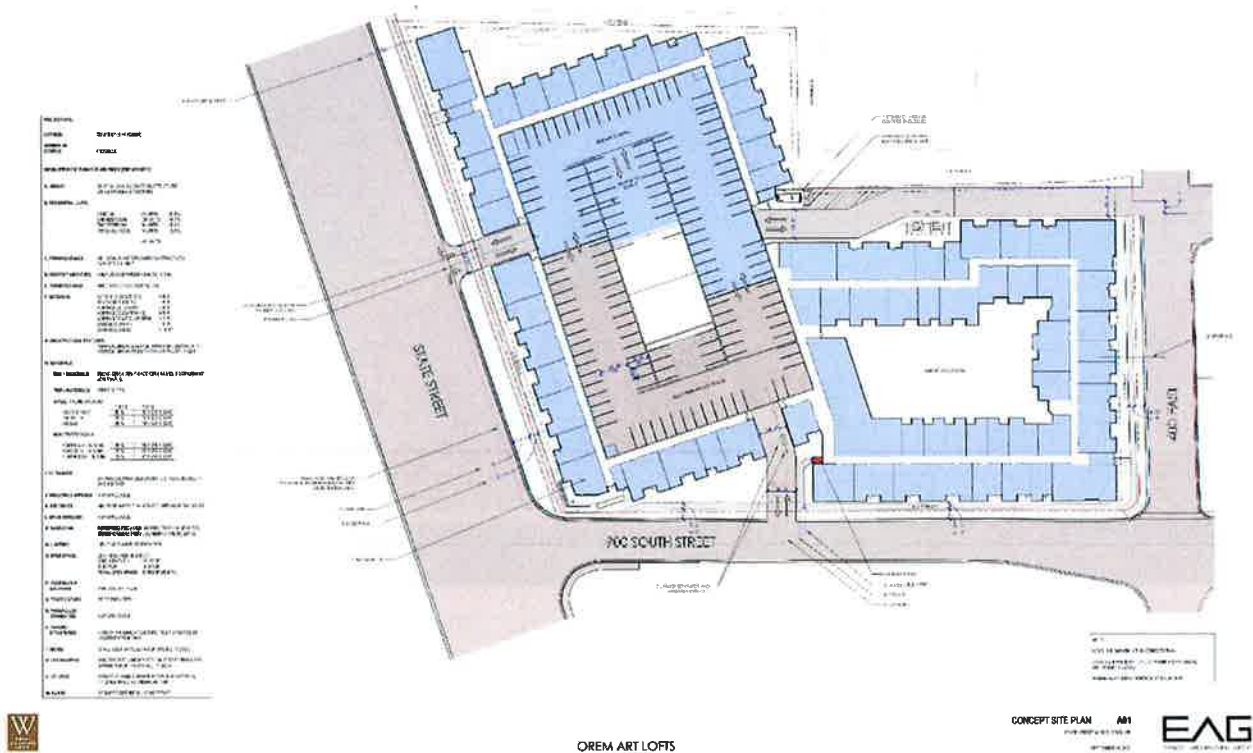


OREM ART LOFTS

3D CONCEPT A41
JANUARY 14, 2009
08/08/08



Concept Site Plan



Concept Elevations



WEST SIDE ELEVATION MATERIALS

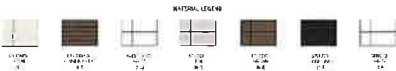
BRICK MATERIAL	
CLAY	85%
STONE	15%
PAINTING	0%
BRICK LAMINATE	0%
BRICK MATERIAL	
CLAY	75%
STONE	25%
PAINTING	0%
BRICK LAMINATE	0%



STATE STREET ELEVATIONS AM

EAG

OREM ART LOFTS



NORTH SIDE ELEVATION MATERIALS

BRICK MATERIAL	
CLAY	85%
STONE	15%
PAINTING	0%
BRICK LAMINATE	0%
BRICK MATERIAL	
CLAY	75%
STONE	25%
PAINTING	0%
BRICK LAMINATE	0%



800 SOUTH ELEVATIONS AM

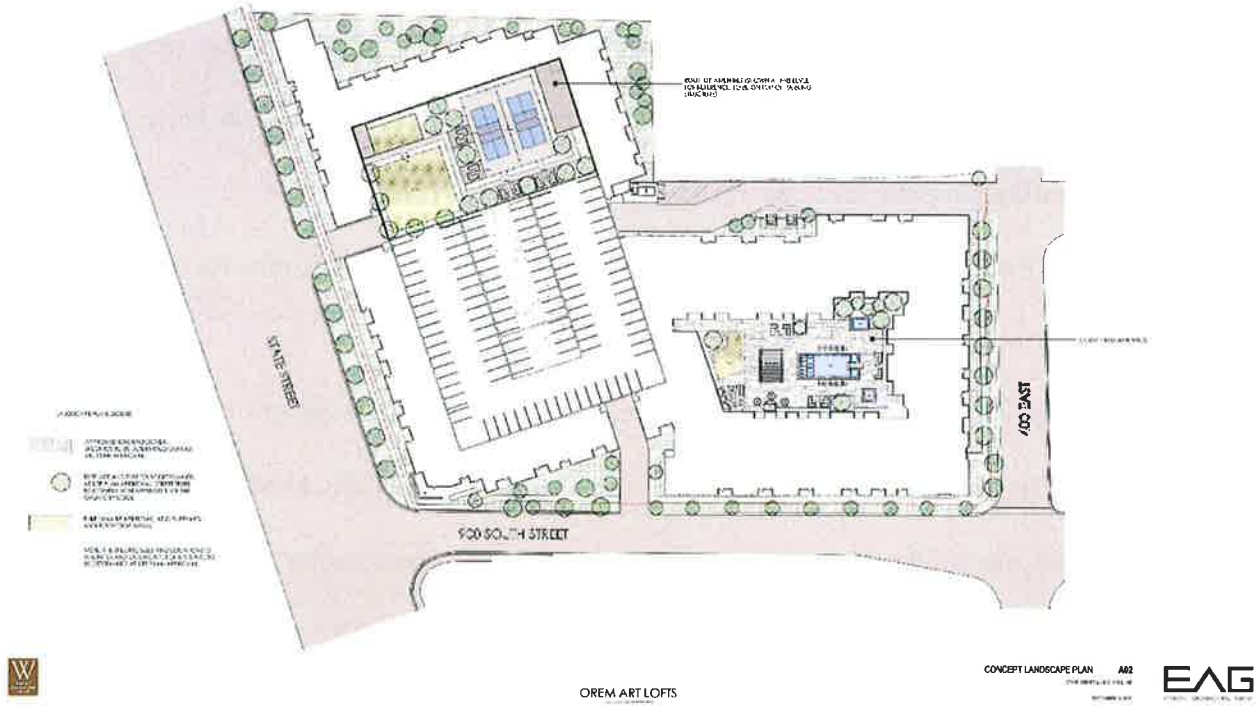
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OREM ART LOFTS

Concept Elevations (continued)



Concept Landscape Plan



(Development Standards and Requirements)

A. Maximum Height. The maximum building height shall be 52' (top of parapet). However, a limited exception to this maximum height requirement shall be made for a rooftop structure enclosing the stairway, elevator and lobby in the size and location shown in Exhibit "B" which may have a maximum height of 64'. The development on the Property shall not exceed four stories above grade (with the exception of the rooftop structure referred to above).

B. Residential Units. The total number of residential dwelling units in the Revised Project shall not exceed 311.

C. Parking Stalls. At least 650 parking stalls shall be provided on the Property to serve the parking demands of the development. In order to ensure that residents of the development do not have an incentive to park off-site, no fee, charge, deposit or other form of compensation (other than rent) may be required of a resident for the right to use required parking stalls (including, for purposes of this subsection, the right to exclusive use of a particular parking stall). Neither the rent, the deposit or other fees charged to residents may differ based on whether the resident is given the right to use required parking. No form of compensation (including but not limited to a reduction in rent or other fees or charges) may be given to a resident in exchange for a waiver or relinquishment of the right to use required parking. No penalty of any kind may be imposed upon a resident for parking in a required parking stall.

D. Rooftop Amenities. In order to avoid noise disturbances to nearby properties, the rooftop amenities (swimming pool, pickleball courts, etc.) shall not be used between the hours of 10:00 p.m. and 7:00 a.m.

E. Permitted Uses. All uses permitted in the C2 zone are permitted on the Property. In addition, multi-family residential use, including SLU Code 1112 (Condominiums) and 1120 (Apartments) are permitted on the Property in conformance with the Approved Concept Plan. The Revised Project provides for primarily residential uses on the ground floor level, and the location of residential uses on the ground

floor of the Revised Project as shown in the Approved Concept Plan are expressly permitted. Any use that is not permitted as described herein is prohibited.

F. Setbacks. All building setbacks shall be as shown in the Approved Concept Plan. The area of any setback from a required sidewalk may not be used for parking, parking lot driveways, drive-thrus, or drive-thru stacking except as shown on the Approved Concept Plan.

G. Architectural Features. All buildings on the Property shall have a vertical break at least every fifty feet with a minimum depth of one foot. The required vertical breaks shall extend over at least 75% of the height of the building.

H. Materials. Except as otherwise provided, all buildings shall be completed on all sides with brick, split-face block, glass, stone, fiber cement, aluminum composite material panel systems (but not including aluminum siding) and wood (hereinafter referred to as “**Tier 1 Materials**”). Stucco, and Exterior Insulation and Finishing Systems (EIFS) (hereinafter referred to as “**Tier 2 Materials**”) shall only be permitted as trim on ground-level façades and shall only be allowed on up to a maximum of 20% of a street-facing façade and up to a maximum of 90% of a non-street facing façade. Standing seam metal (but no other metals) may be used for awnings. Sheet metal and corrugated metal and other metal finishes are only permitted for soffits, fascia, and similar minor architectural features (less than or equal to 5% coverage on any given elevation).

I. Entrances. All primary buildings shall have at least one entrance intended for public, daily customer, and/or resident use oriented toward a public street, public open space, or a privately-owned “space open to the public,” with first priority assigned to State Street, and second priority assigned to all other public streets. The primary building on the Property shall have an entrance on the 900 South as shown in the Approved Concept Plan.

J. Windows and Awnings. At least 70% of each street-facing, ground story façade of commercial space shall consist of transparent window coverage that is readily visible to a depth of at least

five feet into the building. All awnings shall be durable canvas or standing seam metal. Plastic awnings are not permitted.

K. Balconies. Balconies consisting of a minimum area of fifty (50) square feet shall be provided for at least fifty (50) percent of all residential units. Balconies may be inset into the building or may project over City sidewalk a maximum of five feet so long as fourteen (14) feet of vertical clearance is provided between the sidewalk and the balcony. Balconies that don't face a public street shall be set back at least eight feet from any adjacent property line.

L. Drive-thru Structures. Drive-thru canopy structures (such as a Drive-Thru ATM canopy) shall be located only on the rear or a non-street facing façade(s) of a building. Drive-thru windows, aisles, and vehicle stacking for drive-thrus are not permitted on any street-facing façade and/or within any street-facing setback areas.

M. Screening. Trash storage containers (but not including trash cans associated with individual units in the Revised Project) and dumpsters shall be completely screened from public view with a masonry wall at least seven feet in height with sight-obscuring gates which must be located either behind, on a non-street facing side, or interior to a building. All electrical, utility, and mechanical equipment (including equipment on roofs) shall be fully screened from public view with sight-obscuring materials. Such equipment must be buried (vaulted) if located within any front or side street-facing setback areas, or if located within any required planter strip areas.

N. Lighting. The development on the Property shall include a lighting plan that is designed to discourage crime, enhance safety, and prevent direct glare onto adjacent properties.

O. Open Space. The development on the Property shall have a minimum twenty percent (20%) of the lot area dedicated to open space (excluding required public sidewalks and planter strips). This requirement may be fulfilled with standard "open space" or with a "space open to the public" or a combination of both.

P. Driveways and Accesses. Driveways and Accesses shall be as shown in the Approved Concept Plan. Vehicular accesses shall be no more than thirty feet wide unless the Planning Commission finds, based on a traffic study performed by a licensed traffic engineer and/or an analysis provided by the City Transportation Engineer that a wider access is necessary for the site. In no event shall an access exceed forty (40) feet in width. Where a driveway crosses a public sidewalk, the driveway shall be a different stained color, texture, or paving material than the sidewalk to warn drivers of the possibility of pedestrians in the area.

Q. Traffic Study. A Traffic Impact Study (TIS) shall be required in connection with any site plan for the Property. The provisions of Section 22-14-20(E)(8)(a-c) shall apply to any required TIS. The TIS shall evaluate the vehicle, bicycle, and pedestrian traffic both on site and in the general vicinity of the project. The TIS shall evaluate trip generations, turning movements to and from the property, street and roundabout geometrics, and traffic safety on and off the site. The TIS shall also address relevant items including but not limited to the following: surrounding street and intersection levels of service (LOS) before and after the project is completed, any mitigation efforts recommended to minimize project traffic impacts, proposed public and private street widths and alignments, site mobility, access management, potential traffic signal locations, street striping, signage, etc. Each site plan shall reflect and incorporate the recommendations of the traffic study and any other traffic mitigation requirements imposed by the final approving authority in accordance with Orem City Code Section 22-14-20(E)(8). Following completion of the Revised Project, any new development or redevelopment shall comply with all recommendations of the TIS.

R. Parking Lot Standards. Except as otherwise provided herein, the provisions of Article 22-15 (Off-Street Parking) shall apply to all development on the Property.

(1) Buildings shall be sited to face the street with parking lots on the side or rear. Any parking lots on the side of a building shall be set back at least 20 feet from a sidewalk adjacent to a street. The 20 foot parking setback area shall be maintained as “open space” or a “space open to the public” and

shall be maintained with shrubs or other sight-obscuring features at a minimum height of three feet to screen the parking area from the street.

(2) Parking lot light poles on properties adjacent to residential zones shall be no closer than 50 feet to the adjacent residential property line. Additionally, globes must be shielded and the lighting directed down to minimize light encroachment onto adjacent properties or into upper level residential units in multi-story buildings. Lightproof fencing is also required when adjacent to residentially zoned properties.

(3) Concrete curbs shall be provided between landscaped areas and off-street parking areas. Low-profile curbs are permitted to accommodate low-impact developments (LIDs) in all landscaped areas except for within required planter strips along State Street (see also landscaping requirements in Section 22-14-13 (C)).

S. Parking Structures.

(1) The street-facing façade of a parking structure must be “wrapped” with a habitable building designed and constructed for residential or commercial uses. All other facades of a parking structure shall be wrapped with buildings and/or have an external skin (or screen) designed to improve its visual appeal. Examples include heavy gauge metal screening, precast concrete panels, laminated or safety glass, decorative solar panels on roofs, or decorative façades. The intent is for parking structures to blend into surrounding buildings and not look like a parking structure. The Planning Commission may approve other decorative materials not listed herein if the proposed materials would have an equal or better aesthetic effect than the approved materials listed herein. All readily visible areas not wrapped with buildings shall be screened. To the greatest extent possible, uneven levels in parking structures shall be screened from public view.

(2) Elevators and stairs shall be highlighted architecturally so visitors, internally and externally, can easily access these entry points.

(3) Any signage attached to the parking structure shall be integrated with the architecture of the parking structure and be architecturally compatible with the design. Public parking structures entrances shall be clearly signed from public streets.

(4) At a minimum, all street-facing façades of all parking structures shall be wrapped with structures designed and constructed for a commercial or residential use.

(5) Parking structures shall be designed to minimize vehicle noise and odors that emanate on to sidewalks and “spaces open to the public.” Venting and fan locations shall not be located next to “spaces open to the public” and are encouraged to be located on top of the parking structure where feasible.

(6) Specific use parking exceptions, and parking modifications as established in Article 22-15 of the Orem City Code apply to development on the Property. A minimum of twenty-five (25) bicycle parking stalls shall be provided at the Property.

T. Signs. Except as otherwise provided herein, all signs on the Property shall meet the standards provided in Article 14-3 of the **City** Code.

U. Landscaping. Landscaping shall be provided and maintained as shown in the Approved Concept Plan. A landscaping plan shall be submitted to the **City** for approval as a part of any site plan. All land within the Property not covered by buildings, driveways, sidewalks, parking areas, playgrounds, plazas, hardscape or other amenities shall be landscaped. All landscaping shall be maintained in accordance with good landscaping practices. An underground sprinkling system shall be installed and maintained for all landscaped areas. Street Trees shall be maintained in the landscaped areas along public and private roadways and shall comply with Appendix U of the Orem City Code. The required trees shall be at least two inches (2”) in caliper measured four feet (4’) above the ground.

V. Utilities. All structures shall be served by the public sewer system and public water supply. All utilities shall be placed underground. All on-site sewer and water shall be private and shall be maintained by the owner.

W. Storm Water Pollution Prevention Plan. The Revised Project is a re-development of a previously developed commercial location and the Property is a developed parcel with no portion thereof in its “natural condition.” Notwithstanding the foregoing, a Storm Water Pollution Prevention Plan shall be required in connection with the issuance of a building permit for construction of the Revised Project in accordance with **City** ordinances.