

**CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
JANUARY 21, 2015**

The following items are discussed in these minutes:

**ZOA – SECTION 22-5-1 ESTABLISHMENT OF ZONES – RECOMMENDED APPROVAL
ZOA – SECTION 20-3-5 SEPARATE UTILITY CONNECTION – RECOMMENDED APPROVAL
ZOA – PD-34 ROAD MASTER PLAN – RECOMMENDED APPROVAL
UNIVERSITY MALL SUBDIVISION PLAT A THEATER EXPANSION – APPROVAL
REZONE NORTH OREM VASA FITNESS - CONTINUED**

STUDY SESSION

PLACE – Orem City Main Conference Room

At 3:30 p.m. Chair Moulton called the Study Session to order.

Those present: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten, Planning Commission members; Jason W. Bench, Planning Director; David R. Stroud, City Planner; Clinton Spencer, GIS Planner; Brandon Stocksdale, Planner; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; David Spencer, City Council Liaison and Loriann Merritt, Minutes Secretary

Those excused: Becky Buxton, Carlos Iglesias, Michael Walker; Planning Commission members; Bill D. Bell, Development Services Director; Sam Kelly, City Engineer

The Commission and staff briefly reviewed agenda items and minutes from January 7, 2015 meeting and adjourned at 4:25 p.m. to the City Council Chambers for the regular meeting.

REGULAR MEETING

PLACE - Orem City Council Chambers

At 4:30 p.m. Chair Moulton called the Planning Commission meeting to order and asked Karen Jeffreys, Planning Commission member, to offer the invocation.

Those present: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten, Planning Commission members; Jason W. Bench, Planning Director; David R. Stroud, City Planner; Clinton Spencer, GIS Planner; Brandon Stocksdale, Planner; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; David Spencer, City Council Liaison and Loriann Merritt, Minutes Secretary

Those excused: Becky Buxton, Carlos Iglesias, Michael Walker; Planning Commission members; Bill D. Bell, Development Services Director; Sam Kelly, City Engineer

Chair Moulton introduced **AGENDA ITEM 3.1** as follows:

AGENDA ITEM 3.1 is a request by Development Services to **AMEND SECTION 22-5-1, PERTAINING TO THE ESTABLISHMENT OF PD ZONES** of the Orem City Code.

Staff Presentation: Mr. Stroud said that Article 22-5 of the Orem City Code pertains to the establishment of zones in the City. When a rezone is approved, Section 22-5-3(A) and the zoning map of the City is amended. This is the procedure of any rezone. However, when a PD zone is approved, that particular PD zone is also to be listed in Section 22-5-1. This is the only specific zone which is required to be listed individually. The last several PD zones that have been approved have not been listed in Section 22-5-1. This does not negate any of the previous PD rezone approvals by the City Council, however. The proposed amendment brings Section 22-5-1 up to date with the last several PD zone approvals. The amendment is as follows:

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PD ZONES

- PD-1 ~~Foxmoor Subdivision, Between Center Street and 165 South and between Orem Boulevard and 200 West Street~~
- PD-2 800 North between 200 East and 400 East.
- PD-3 ~~800 North between 100 West and 200 East~~ - Repealed.
- PD-4 ~~Southeast Corner of~~ 800 North at 800 East.
- PD-5 ~~1300 South between 200 East and Main Street, 1200 South to 1400 South between 200 East and 400 West Street~~
- PD-6 Timpanogos Research & ~~Technology Development~~ Park.
- PD-7 ~~The Retreat, 100 South between 400 West and 200 West.~~
- PD-8 Palisades Drive between 600 North and 800 North.
- PD-9 Palisades Drive between 500 North and 600 North.
- PD-10 Northwest Corner of 800 North and 800 East.
- PD-11 ~~Cascade Technology Park 1430 South Sandhill Road.~~
- PD-12 Southwest Corner of 1300 South and Main Street.
- PD-13 Southwest Corner of 400 North and Orem Boulevard.
- PD-14 Residential Estate Zone.
- PD-15 2000 West Springwater Park Drive.
- PD-16 400 South 1800 West.
- PD-17 1200 South Between 50 East and 150 East.
- PD-18 Residential Estate Zone, The Berkshires, 1300 South Carterville Road.
- PD-19 South Rim PRD, 1755 South 750 East.
- PD-20 Jameson Point PRD, 1559 South 850 East.
- PD-21 Student Housing Village Zone, 1200 South Geneva Road.
- PD-22 Urban Village
- PD-23 Midtown Village, 320 South State
- PD-24 Carrara Estates, 1300 North 400 East and 1600 North 400 East
- PD-25 Verona, 600 South 800 East
- PD-26 Tanglewood, 1600 North 1200 West
- PD-27 Blackhorse Run II, 700 South Geneva Road
- PD-28 North Pointe Plaza, 1600 North 1030 West
- PD-29 Siena Villas @ Columbia Lane
- PD-30 Centennial Plaza
- PD-31 Intermodal Center - 1350 West 1000 South
- PD-32 MBARQ Senior Independent Living Facility
- PD-33 Transit Oriented Development - 800 South Geneva Road
- PD-34 University Place - 1300 South State Street
- PD-35 Windsor Court, 320 West 1360 North
- PD-36 Orem Falls Business Park, 1200 North Geneva Road
- PD-37 Legacy at Orem - 1450 South State Street
- PD-38 Summit Ridge Apartments - 1697 South 400 East
- PD-39 Cascade Village, 920 North and State Street
- PD-40 460 South State Street
- PD-41 1200 West Center Street

(Ord. No. 661, Revised, 04/10/1990; Ord. No. 672, Amended, 08/07/1990; Ord. No. 685, Amended, 03/26/1991; Ord. No. O-97-0051, Amended, 10/21/1997; Ord. No. O-99-0049, Amended, 10/26/1999; Ord. No. O-99-0055, Amended, 12/14/1999; Ord. No. O-00-0024, Amended, 05/09/2000; Ord. No. O-00-0046, Amended, 10/24/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-00-20047, Enacted, 11/26/2002; Ord. No. O-00-20048, Enacted, 12/10/2002; Ord. No. O-03-0037, Amended, 11/11/2003; Ord. No. O-04-0036, Enacted, 7/27/2004; Ord. No. O-04-0038, Enacted, 7/27/2004; Ord. No. O-05-0037, Amended, 10/25/2005; O-07-0007, Amended, 1/23/2007; O-08-0008, Amended, 3/11/2008; O-08-0029, Amended, 10/28/2008; O-11-0023, Amended, 12/13/2011; O-12-0015, Amended, 5/22/2012; O-13-0002, Amended, 1/22/2013; O-13-0003, Amended, 1/22/2013; O-13-0014, Amended, 5/28/2013; O-13-0018, Amended, 7/9/2013; O-13-0026,

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[Amended, 10/22/2013; O-13-0033, Amended, 12/10/2013; O-13-0036, Amended, 12/10/2013; O-14-0005, Amended, 1/14/2014; O-14-0004, Amended, 1/28/2014; O-14-0036, Amended, 10/28/2014\)](#)

Recommendation: The Development Review Committee requests the Planning Commission forward a positive recommendation to the City Council the request to amend Section 22-5-1 of the Orem City Code pertaining to the establishment of PD zones.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

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

Planning Commission Action: Ms. Jeffreys said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend Section 22-5-1 pertaining to the establishment of PD zone in the Orem City Code. Ms. Larsen seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.2** as follows:

AGENDA ITEM 3.2 is a request by Development Services to **AMEND SECTION 20-3-5 AS IT PERTAINS TO SEPARATE UTILITY CONNECTIONS** of the Orem City Code.

Staff Presentation: Mr. Stroud said Article 20-3-5 requires separate utility connections but the wording applies only to a dwelling and not a commercial condominium or multi-tenant building. Removal of the word “dwelling” as shown below then allows this Code section to apply to commercial buildings with more than one tenant. There is an exception already written in the Code to exempt, if the developer so chooses, to allow one sewer lateral to be used for a single building with multiple dwellings such as an apartment building with 12 units, for example.

20-3-5. Separate connections required.

A separate and independent building sewer shall be provided for every building and for every **dwelling** unit in buildings having more than one **dwelling** unit, except that multiple family buildings may perform a fixture count analysis to justify multiple dwelling connections on a single lateral. The analysis will be approved by the Director before the lateral is installed. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

Recommendation: Development Services requests the Planning Commission forward a positive recommendation to the City Council on the request to amend Section 20-3-5 of the Orem City Code pertaining to separate utility connections.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

Chair Moulton asked how this applies to accessory apartments. Mr. Stroud said for zoning purposes the accessory apartment is classified as a single family home with an accessory apartment and would not be affected.

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Ms. Larsen said that large apartments will have one sewer connection. Mr. Stroud said that when there are a lot of units there will be one sewer for the building. When the large apartments come before the City, it can be determined what is best for them.

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

Planning Commission Action: Mr. Whetten said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to recommend the City Council amend Section 20-3-5 pertaining to sewer utility connections for multi-family dwellings in the Orem City Code. Ms. Jeffreys seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.3** as follows:

AGENDA ITEM 3.3 is a request by Woodbury Corporation to **AMEND PAGES 9 THROUGH 11 OF APPENDIX “BB” PERTAINING TO THE ROAD MASTER PLAN OF THE PD-34 ZONE** at 575 East University Parkway of the Orem City Code.

Staff Presentation: Mr. Stroud said the PD-34 zone was established to provide redevelopment opportunities for the University Mall, now to be referred to as University Place. With such a large project, concepts change over time and the applicant sees a need to amend the road concept plan. Pages 9 through 11 of Appendix ‘BB’ of the Orem Code provide cross-sections of various types of streets and their locations in the project. The applicant requests the City amend this section by modifying the overall street plan of the development.

Page 9 provides the road layout with each road given a designation. The subsequent pages then give visual examples of a similar road design along with profiles of each proposal.

The proposed Appendix BB revisions for the PD-34 zone provide conceptual road locations and road types for future development in the PD-34 Zone. This proposed appendix should not supersede the requirements listed in the PD-34 Zone Section 22-11-47 (H)(8)(a):



“A traffic study shall be provided by the owner/developer to ensure that traffic circulation will function appropriately on internal streets as well as public streets and intersections located adjacent to the PD-34 zone... An updated traffic study shall also be provided with every new site plan [unless waived by the City Engineer]... The owner/developer of the land in the PD-34 zone shall follow all recommendations of the traffic study including the installation of any recommended off-site improvements.”

An updated and approved traffic study will be needed to determine what road types will function appropriately. For instance, the proposed Appendix BB revisions indicate that there are eight (8) different street configuration examples that may be selected for use as a Connector Street. These eight (8) examples range from two-lane roads to four-lane roads (with or without center left turn lanes) with various on-street parking scenarios. An approved traffic study will determine which of the eight (8) examples will function adequately in a given area.

Advantages

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- Road designs are incorporated into Appendix BB which will provide improved street design, flexibility, and help to improve functionality and access
- The revised plan contemplates road needs of future uses and site layout not considered at the time of the initial creation of the PD-34 zone

Disadvantages

- None identified

Recommendation: The Development Review Committee has determined this request complies with all applicable City Codes. The Project Coordinator recommends the Planning Commission recommend approval to the City Council the request to amend pages 9 through 11 of Appendix ‘BB’ of the Orem City code as it pertains to the road master plan of the PD-34 zone at 575 East University Parkway.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

Chair Moulton invited the applicants to come forward. Kris Longson and Kathy Olsen introduced themselves.

Mr. Longson read from the proposal: “Landscaping and sidewalks shall frame all new streets which may have either 10’-0” combined walk & street trees, or a landscape strip and sidewalk.” They would like to replace the word “new” with “permanent.”

Mr. Longson asked the Planning Commission to look at page 11A. This is the street that comes off of 800 South, approximately 700 East running along the east side of Costco’s parking lot. Costco parking isles go up to the road. As long as Costco is continuing to operate there would not be a sidewalk on their side. The language need to be specific to the Costco site.

Mr. Goodrich said that if something is built in the Costco parking lot then there will be sidewalk on the Costco side.

Mr. Whetten asked if there would be sidewalks along the pads on 800 South. Mr. Longson said that both of those pads are on 800 South and there is existing sidewalk. Mr. Whetten asked if sidewalk will go down 700 East. Mr. Longson said not on the west side, unless Costco changes. It shows they are doing it on the east side.

Mr. Longson discussed page 11D, noting there needs to be changes on the connector road from State Street to 800 East. Currently on the north side of the mall there is parking that runs north/south, which have lots of islands. There is a condition that says that until the parking deck is built there will not be a sidewalk in that area. The language needs to be modified to say that “...temporary conditions shall be phased out as building area constructed on adjacent lots and traffic and/or pedestrian demands increase.” Mr. Longson said that when the parking deck is built out, the sidewalk will be constructed. The park will be constructed during Phase 1, and the noted condition will exist. It will be difficult for the pedestrians to come from State Street and get to the park. He suggested the citizen could access it by the Mall; there is a sidewalk all along the mall. Mr. Goodrich said this entire project may take 20 years to complete. Currently, the City is in the process of doing the State Street Corridor Study. There may be some more walkable communities and buildings created along State Street. If some really nice things happen in the interior to the mall in the next 10 years and State Street improves, there will need to be sidewalk access for pedestrians. Maybe the Mall could put down temporary sidewalk or run an acceptable detour route to State Street. Mr. Longson said that currently there is a sidewalk that runs along the mall frontage. This can work until the street is constructed with sidewalk. They do not want to have to modify all the parking lots now. The next building will need a parking deck; it will be in the next phase after securing the tenant. He is okay with doing a temporary fix and then utilizing the mall sidewalk. Mr. Goodrich noted it would be hard to put every requirement in the document. The document should allow the developer the opportunity to pick and choose. Having traffic impact studies throughout the different phases will help to make sure that traffic is moving, but also taking care of pedestrians and cyclists. Mr. Longson suggested inserting after the word

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“lots” something like “As pedestrian and/or traffic demands increase; there will be a review to look at a temporary condition necessary to address those demands.”

Ms. Larsen asked when the light at 1150 South will be constructed. Mr. Longson said that is between UDOT and the City. The mall will be responsible for the light on 800 East. Mr. Goodrich said everyone is in agreement about the location of that light. The process now is to come up with a design. Ms. Larsen pointed out that there are no sidewalks at that location and will need to be addressed. Mr. Goodrich said the design process will include some federal funding to see what it would take to modify State Street and the surrounding streets. Mr. Longson said the Mall has a master plan that shows the sidewalk in place once the parking deck is built. The other steps need to happen and interim language is needed to create accepted temporary conditions.

Chair Moulton said it makes sense to have the temporary sidewalk leading up to the mall sidewalk. Mr. Goodrich said the common goal is having tree lined streets with sidewalks. Some of these things are temporary options until that time.

Ms. Jeffreys asked if the angled parking will be along the east side of 700 East in the Costco area. Mr. Longson said that would be one of the options. Ms. Jeffreys asked who would use those parking stalls. Mr. Longson said it would be open parking; it would probably be used for visitors for the residential units. It gives a buffer also. Mr. Goodrich noted there are three options on the east side of the road:

1. angled parking,
2. drop-offs/parallel parking, or
3. no parking at all.

Ms. Larsen asked if the “10’ Combined Walk & Street will go closer to the apartment building.” Ms. Olsen said the residential project is not constructing any parking along 700 East. The condition will remain 10’ landscaping and sidewalk. The change they are requesting is further north in future phases; they would like the opportunity to be able to put in drop-offs or a few parking spaces for visitors along 700 East. Ms. Larsen noted the buildings to the north will have these parking suggestions. Ms. Larsen said 700 East is very tight to her. She asked if 700 East has 11’ travel and center lanes. Ms. Olsen said yes. Ms. Larsen said the center lane is not wide enough to hold a vehicle without feeling tight. Her concern is having cars backing out into the road, it will be dangerous. While the walkability is nice, there needs to be consideration for those who will drive in and drive out. Mr. Goodrich said the angled parking along 700 East is a concern. It would not be good to go to the center lane when backing out. The degree of the angle will help with backing out. Mr. Longson said there is a parking design within the apartment buildings for visitors; this area is to provide some extra spaces and flexibility in the future.

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

Planning Commission Action: Ms. Jeffreys said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend pages 9 through 11 of Appendix BB of the Orem City Code pertaining to the design and classification of roads in the University Mall/University Place development at 575 East University Parkway in the PD-34 zone and to incorporate the changes that were discussed. Ms. Larsen seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 3.4** as follows:

AGENDA ITEM 3.4 is a request by Woodbury Corporation to vacate Lot 14 of University Mall Subdivision, Plat A and Lots 12 and 20 of University mall Village Subdivision and approving the final plat of

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UNIVERSITY MALL SUBDIVISION, PLAT A THEATER EXPANSION at 1010 South 800 East in the PD-34 zone.

Staff Presentation: Mr. Stroud said the purpose of this request is to relocate a public utility easement and relocate a lot line which then permits Cinemark to construct an addition to the west side of their existing building. The current property line is a few feet west of the current theater building. Cinemark as applied for administrative site plan approval to add an “XD” theater which will be attached to the existing building. A building, unless applicable building code are met, cannot cross a property line or be constructed on a public utility easement. This plat relocates the public utility easement and extends the property line to the west to allow for the new building.



Recommendation: The Development Review Committee has determined this request complies with all applicable City Codes. The Project Coordinator recommends the Planning Commission vacate

Lot 14 of University Mall Subdivision Plat A and Lots 12 and 20 of University Mall Village Subdivision and approve the final plat of University Mall Subdivision Plat A Theater Expansion at 1010 South 800 East in the PD-34 zone

Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

Chair Moulton invited the applicants to come forward. Kris Longson and Kathy Olson introduced themselves.

Chair Moulton asked if the intersection at 700 East could be straightened out. Ms. Olsen said it will be continued straight out. Ms. Larsen asked if it will connect into the main east/west road. Ms. Olsen said there is a parking structure to the east of 700 East and south of the cinema and so the road will come south and either enter the parking lot or continue south to the connector road. It depends on the development that goes in there. Mr. Goodrich said that area develops on the type of development that comes in.

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

Planning Commission Action: Ms. Larsen said she has found that neither the public nor any person will be materially injured by vacating Lot 14 of University Mall Subdivision Plat and Lots 12 and 20 of University Mall Village Subdivision, and that there is good cause for the vacation. She then moved to:

1. Vacate Lot 14 of University Mall Subdivision Plat A and Lots 12 and 10 of University Mall Subdivision; and
2. Approve the final plat of University Mall Subdivision Plat A Theater Expansion with three lots at 1010 South 800 East.

Ms. Jeffreys seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

Chair Moulton introduced **AGENDA ITEM 4.1** as follows:

AGENDA ITEM 4.1 is a request by Kevin Hawkins to **AMEND THE GENERAL PLAN MAP AND ARTICLE 22-5-3(A) OF THE OREM CITY CODE AND THE ZONING MAP OF OREM CITY BY CHANGING THE GENERAL PLAN AND LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL AND THE ZONE FROM R8-ASH TO C2 ON APPROXIMATELY 0.24 ACRES** at 556 West 1830 North.

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Staff Presentation: The applicant requests the Planning Commission recommend the City Council amend the General Plan map and Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the General Plan land use designation from Low Density Residential to Community Commercial and the zone from R8-ASH to C2 on approximately 0.24 acres at 556 West 1830 North.

Background: This item has been continued to the February 4, 2015 Planning Commission meeting.

Planning Commission Action: Chair Moulton moved to continue to the February 4, 2015 Planning Commission meeting. Ms. Larsen seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

MINUTES: The Planning Commission reviewed the minutes from the previous meeting. Chair Moulton then called for a motion to approve the minutes of January 7, 2015. Ms. Larsen moved to approve the meeting minutes for January 7, 2015. Mr. Whetten seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

ADJOURN: Chair Moulton called for a motion to adjourn. Chair Moulton moved to adjourn. Ms. Jeffreys seconded the motion. Those voting aye: Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

Adjourn: 5:09 p.m.

Jason Bench
Planning Commission Secretary

Approved: February 4, 2015