

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
MARCH 16, 2016

The following items are discussed in these minutes:

INDUSTRIAL COMMERCE CENTER, PLAT J – APPROVED
RISER MANOR – APPROVED
MOUNTAIN OAKS, PLAT U – APPROVED
HEAVEN’S GATE, PLAT A – APPROVED
PD-22 ZONE SIGNAGE – RECOMMENDED APPROVAL

STUDY SESSION

PLACE – Orem City Main Conference Room

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

Those present: Becky Buxton, Carl Cook, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Director; Clinton Spencer, GIS Planner; Brandon Stocksedale, Planner; Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Sam Lentz, City Council Liaison, and Loriann Merritt, Minutes Secretary

Those excused: Michael Walker, Planning Commission members; David R. Stroud, City, Planner; Steve Earl, Legal Counsel;

The Commission and staff briefly toured Monteval Apartments, reviewed agenda items and minutes from January 6, 2016 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 Larsen called the Planning Commission meeting to order and asked Carl Cook, Planning Commission member, to offer the invocation.

Those present: Becky Buxton, Carl Cook, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Director; Clinton Spencer, GIS Planner; Brandon Stocksedale, Planner; Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Sam Lentz, City Council Liaison, and Loriann Merritt, Minutes Secretary

Those excused: Michael Walker, Planning Commission members; David R. Stroud, City, Planner; Steve Earl, Legal Counsel;

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

AGENDA ITEM 3.1 is a request by Bill Jackman to vacate Lot 6 of Industrial Commerce Center Subdivision, Plat A and approve the final plat of **INDUSTRIAL COMMERCE CENTER SUBDIVISION, PLAT J** at 487 South 1325 West in the M2 zone.

Staff Presentation: Mr. Spencer said the applicant requests the city vacate Lot 6 of Industrial Commerce Center Subdivision Plat A for the purpose of reducing a portion of the public utility easement (PUE) adjacent to the north property line. A tenant in the applicant’s building would like to expand the square

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footage of their operation and reducing the PUE will allow for additional square footage in a portion of the current easement.

Letters have been received from all easement holders agreeing to vacate a portion of the north PUE.

Recommendation: The Development Review Committee has determined this request complies with the Orem City Code. The Project Coordinator recommends the Planning Commission vacate Lot 6 of Industrial Commerce Center Subdivision Plat A and approve the final plat of Industrial Commerce Center Subdivision Plat J at 487 South 1325 West in the M2 zone.



Chair Larsen asked if the Planning Commission had any questions for Mr. Spencer.

Chair Larsen asked how this affects parking. Mr. Spencer said when this comes in staff will make sure it meets all the requirements.

Mr. Cook asked if the five foot easement is adjacent to a larger easement. He thought this was too small. Mr. Spencer said the utility companies have been contacted and are comfortable with the size of the easement.

Chair Larsen 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 Larsen 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: Ms. Buxton said she has found that neither the public nor any person will be materially injured by vacating Lot 6 of Industrial Commerce Center Subdivision, Plat A and that there is good cause for the vacation. She then moved to:

1. Vacate Lot 6 of Industrial Commerce Center Subdivision, Plat A; and
2. Approve the final plat of Industrial Commerce Center Subdivision, Plat J with one lot at 487 South 1325 West.

Mr. Moulton seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

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

AGENDA ITEM 3.2 is a request by Tai Riser to approve the site plan of **RISER MANOR SENIOR HOUSING FOUR-PLEX** at 623 North 400 West in the R7.5-ASH zone.

Staff Presentation: Mr. Spencer said the applicant, who recently purchased the property, is proposing to construct a new affordable senior housing project with four (4) units. The existing older home will be removed as part of the project and replaced with a four (4) unit affordable senior housing four-plex.



The proposed building is twenty (20) feet tall and will be finished with a red brick exterior. As required by the ASH ordinance, there is one entrance per building elevation. The building is single story, with a small utility room located in the attic of the building. Each unit has one (1) bedroom and contains 680 square feet.

As per code requirements for the ASH overlay zone, 1.5 stalls per unit are required. A total of six (6) parking stalls have been provided including four (4) covered parking stalls. The covered parking will be constructed of steel and is approximately twelve (12) feet high.

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The existing three (3) foot tall chain link fence on the north and west sides of the property will remain. The south and east portions will be removed. No new fencing is proposed or required with the project.

The landscape plan includes a total of 5,309 square feet. Nine (9) trees will be located on the property along with several other bushes, groundcovers, and shrubs. All landscaping requirements of the ASH overlay zone have been met.

The dumpster is located on the north of the project and is within a site obscuring structure as required by code.

A neighborhood meeting was held on March 4, 2016 at the City Center. Ten (10) people were in attendance including the applicant and their staff. Questions regarding the condition of the existing property, and who will maintain the property after it is developed were asked and answered.

The applicant will reconstruct the corner of 600 North and 400 West increasing the corner radius (making the corner less sharp) as well as installing a new ADA ramp. There are no additional traffic issues.

A portion of property along the east side of the proposed site is currently owned by the City. The applicant is working with the City to acquire the property to use for the proposed site plan. The property acquisition is required to be completed before the final plat is recorded, and building permits issued.

Recommendation: Based on compliance with all applicable City codes, staff recommends the Planning Commission approve the site plan of Riser Manor four-plex, an affordable senior housing project, at 623 North 400 West in the R7.5-Affordable Senior Housing (ASH) zone with the condition that the applicant acquire the necessary property from the City as included in the proposed site plan.

Chair Larsen asked if the Planning Commission had any questions for Mr. Spencer.

Ms. Jeffreys asked what property does the City own. Mr. Spencer said it is on the east side. It is not part of the lot currently. The owner is negotiating with the City, which does not have a problem with the sale of the property.

Ms. Jeffreys noted the ASH is half mile off of State Street. She asked if it can be used in other parts of Orem. Mr. Spencer said that other parts of the City would need to have a zone change.

Chair Larsen asked if staff went through the City and designed where this zone should be applied. Mr. Spencer said the City went through the public hearing process when designing the ASH overlay. The reason we used this area is because of its easy access to various services along State Street. Chair Larsen asked of the ASH zone goes to the south. Mr. Spencer said that ASH is an overlay zone and only can be used on residential zones. Mr. Bench said the ASH overlay is the full length of State Street. He said that any residential zone within the overlay can develop these units as long as it meets the standards of the overlay. Mr. Spencer added the homes could only be single story, have one door per elevation on each side of the building. The finishing materials are also a higher grade.

Chair Larsen then asked the restriction on residents. Mr. Spencer said residents must be 60 years or older and have a certain median income. Staff works with HUD for the numbers for income. Developers are required to submit a yearly accounting of who is living there and if they still meet the requirements. There are a few that have been approved in the past, which and there have had problems. They are working with these owners to fix their issues.

Chair Larsen invited the applicant to come forward. Mr. Dudley introduced himself.

Mr. Iglesias asked why the applicant wanted red brick. Mr. Dudley said he was not sure. He did note that those who lived there were probably of the age of who would like the brick exterior.

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Ms. Buxton asked if the floor plans were ADA compliant. She wondered if why they did not offer roll-in shower or bathtubs. Mr. Dudley said that was a good point. There are products like these that are available on the market that they may use.

Ms. Buxton noted she has been looking for housing for her parents and has seen a lot of walk in showers for walkers and wheelchairs. She is excited for this development.

Mr. Dudley noted there is a senior housing project on 1200 South that has been around for approximately 10 years and is doing well.

Mr. Moulton asked about the fencing. He expressed concern about the removal of half the fence and the new fence. He wanted to make sure the new fence will be a good fence. Mr. Dudley said they may have to do slats in the chain link.

Chair Larsen called for a motion on this item.

Planning Commission Action: Mr. Moulton said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to approve the preliminary plat and site plan of Riser Manor (Senior Housing four-plex) with four units at 623 North 400 West. Mr. Cook seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

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

AGENDA ITEM 3.3 is a request by Robert Rowley to vacate Lots 10 and 11 of Mountain Oaks, Plat B, and Lots 3, 4, 5, and 6 of Mountain Oaks, Plat C and final plat approval of **MOUNTAIN OAKS SUBDIVISION, PLAT U** at 1688 North Mountain Oaks Drive in the R12 zone.

Staff Presentation: Mr. Spencer said the applicant is proposing to adjust property lines that surround their current property. The applicant is amending six (6) existing lots as well as their own lot of record, and creating a six (6) lot final plat. Each existing and proposed lot is occupied by a single family home.



The subject properties are located along the Orem Bench. The applicants’ property has a steep drop off to the south and has a retaining wall along said property line. The proposed subdivision locates the retaining wall into the applicants existing lot, while maintaining minimum lot sizes in the R12 zone, which is 12,000

square feet.

There is an existing home built over the existing property lines on Lots 4 and 5 of Mountain Oaks, Plat C. The proposed subdivision combines these two (2) lots into one (1) lot and removes the property line the home was built over. Over time property lines between the existing Lots 3, 4, 5 and 6 have shifted through property sales. The proposed final plat reflects those property line shifts and makes the property changes that have taken place legal.

All existing setbacks are maintained with the proposed subdivision. The proposed Lot 4 does not comply with the R12 lot size requirements, but is an existing lot and the nature of the legal non-conformancy is not expanded with the property lines shifting. The public utility easements (PUE’s) along the south and east property lines of the proposed Lot 3 have been vacated and will be replatted with the new subdivision.

Recommendation: Based on the compliance with all applicable City codes staff recommends the Planning Commission approve the vacation of Lots 10, and 11 of Mountain Oaks, Plat B, and Lots 3, 4, 5, and 6 of Mountain Oaks, Plat C and approve the final plat of Mountain Oaks Subdivision, Plat U at 1688 North Mountain Oaks Drive in the R12 zone.

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Chair Larsen asked if the Planning Commission had any questions for Mr. Spencer.

Chair Larsen said it looked like the house is right along the property line. She wondered if this will make this nonconforming. Mr. Spencer said the change will move the property line away from the home and then it will have the required setback.

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

Ron Wilkinson, Orem, asked where Lots 10 & 11 was located. Mr. Spencer said that Lots 10 & 11 is now Lots 1 & 2 in the new subdivision. He noted the changes are boundary changes, not ownership changes.

Chair Larsen 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: Ms. Jeffreys said she has found that neither the public nor any person will be materially injured by vacating Lots 10 and 11 of Mountain Oaks Subdivision, Plat B and Lots 3, 4, 5, and 6 of Mountain Oaks, Plat C and that there is good cause for the vacation. She then moved to:

1. Vacate Lots 10 and 11 of Mountain Oaks Subdivision, Plat B and Lots 3, 4, 5, and 6 of Mountain Oaks, Plat C; and
2. Approve the final plat of Mountain Oaks Subdivision, Plat U with six lots at 1688 North Mountain Oaks Drive.

Mr. Iglesias seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

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

AGENDA ITEM 3.4 is a request by Russ Foulk to approve the preliminary plat of **HEAVEN’S GATE ESTATES SUBDIVISION, PLAT A** at 600 North 300 East in the R8 zone.

Staff Presentation: Mr. Spencer said the applicant is proposing a new single family subdivision with six (6) lots. Currently, the property is vacant. The proposed subdivision includes three (3) existing lots of record, or lots that have not yet been subdivided. A road connection will be completed connecting 340 East to 300 East, although the connection is not required by the Orem Transportation Master Plan. The new subdivision includes buffered sidewalks and each lot meets the minimum requirements for the R8 zone.



Recommendation: Based on the compliance with all applicable City codes staff recommends the Planning Commission approve the preliminary plat of Heaven’s Gate Estate Subdivision, Plat A, at 600 North 300 East in the R8 zone.

Chair Larsen asked if the Planning Commission had any questions for Mr. Spencer.

Mr. Moulton asked about the triangular area at the bottom of the plat. Mr. Spencer said it is a slivered parcel belonging to the owner.

Ms. Jeffreys asked what the building to the north is. Mr. Bench said it is Orchard Park nursing homes.

Mr. Cook said it is nice to see homes instead of apartments.

Chair Larsen called for a motion on this item.

Planning Commission Action: Mr. Iglesias said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to approve the preliminary plat of

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Heaven’s Gate Subdivision, Plat A with six lots at 600 North 300 East. Ms. Buxton seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

Chair Larsen introduced **AGENDA ITEM 3.5** as follows:

AGENDA ITEM 3.5 is a request by Jared Smith to amend **SECTION 22-11-35(L)(16)(B)(7) OF THE OREM CITY CODE PERTAINING TO SIGNAGE REQUIREMENTS IN THE PD-22 ZONE** at 800 North 1200 West.

Staff Presentation: Mr. Spencer said in May 2011 the applicant received City Council approval amending the PD-22 ordinance allowing a total of three pole signs west of 1200 West with one of the three allowed pole signs being eighty (80) feet tall with a total of 300 square feet and oriented towards Interstate 15. The applicant installed the eighty foot sign with the allowed three hundred square feet advertising the TownePlace Suites.

The applicant recently completed the new Fairfield Inn and is requesting an additional sign on the existing eighty foot tall sign. In order to allow additional sign area on the existing pole sign, the PD-22 ordinance must be amended. Both hotels are currently under the same ownership, although the Fairfield Inn is located in the HS zone. The proposed amendment would allow an additional sign of equal size (300 square feet) to be located below the already existing sign, but not allow the two signs to be combined into one large 600 square foot sign. This can be accomplished by treating the two hotels and the existing Maverik convenience store as a commercial complex, thus allowing the two separate parcels to share one sign. The PD-22 zone allows for three (3) signs to be located west of 1200 West in the PD-22 zone. Currently the commercial complex, including the hotels and the Maverik convenience store, has two pole signs.

If the applicant were to construct a sign on their property and not share the eighty foot tall sign, they would be subject to the requirements of Sign Zone “E”. Sign Zone “E” allows a maximum size three hundred (300) square feet and a maximum height of thirty-five (35) feet, or twenty-five (25) feet above the deck of the freeway, whichever is greater. Allowing the larger sign to be shared eliminates the need for an additional pole sign along Interstate 15.

The proposed amendment would allow for an additional sign on the existing eighty foot tall pole sign, but not allow for a separate pole sign on the Fairfield Inn property.

Advantages of proposal:

- The amendment allows additional signage to be shared on an existing pole sign and eliminates the need for an additional pole sign.
- Restricts each sign to three hundred (300) square feet each with two separate cabinets.

Disadvantages of proposal:

- None identified

Recommendation: Based on the advantages of the proposed amendments staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-11-35(L)(16)(b)(7) of the Orem City code pertaining to signage in the PD-22 zone at 800 North 1200 West.

Section 22-11-35(L)(16)(b)(7)

7. A total of three freestanding pole signs shall be allowed on that portion of the property located west of the realigned 1200 West Street. An additional four freestanding pole signs shall be permitted on the east side of 1200 West Street provided that none of these pole signs are located within fifty (50) feet of 800 North. All of the pole signs allowed under this subsection shall be at least one hundred (100) feet apart. The provisions of Sign Zone “A” shall govern the height and area limitations applicable to the pole signs allowed under this subsection. Notwithstanding the above, one of the three freestanding pole signs allowed west of the realigned 1200 West street may be up to eighty (80) feet high provided that such sign is oriented toward Interstate 15. This sign may have a total of six hundred (600) square feet of sign area provided that the total sign area

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is divided into two separate cabinets with each cabinet having no more than three hundred (300) square feet of sign area.

Chair Larsen asked if the Planning Commission had any questions for Mr. Spencer.

Ms. Jeffreys asked if this will allow to be used in other places. Mr. Spencer said it is limited to this area and the text is very specific to this sign. Ms. Jeffreys noted she could see the sign from Center Street, it gives them great visibility.

Chair Larsen asked what if the property is sold, could the new owner take this sign down and put it in another location.

Mr. Cook asked if they still have three more signs. Mr. Spencer said that Maverik has one sign, this sign counts as a second and they could have another sign. Mr. Bench said it would not be part of the Fairfield Inn site. Fairfield Inn is part of different zone, but staff is treating this as a commercial complex. The Maverik and the other hotel could have another sign, but not Fairfield Inn. By treating it as a commercial complex allows the combination of signs on a pole, even with different ownerships. They would not be able to get another sign on the Fairfield Inn, but the PD-22 ordinance will allow another sign on the other two properties. Mr. Cook asked if the Fairfield Inn changed ownership, could the new owner take their sign off and put on another pole. Mr. Bench said yes. If it is sold to another hotel chain that would probably be worked out in an agreement. If they chose to have their own sign, they could, but it would be a maximum of 35-feet tall. That would shorten the visibility.

Ms. Buxton said putting both signs on one pole is a great option to building another sign.

Chair Larsen 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 Larsen 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. Moulton said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then recommend the City Council amend Section 22-11-35(L)(16)(b)(7) of Orem City code pertaining to signage requirements in the PD-22 zone at 800 North 1200 West. Chair Larsen seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

MINUTES: The Planning Commission reviewed the minutes from the previous meeting. Chair Larsen moved to approve the meeting minutes for March 2, 2016. Mr. Cook seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

ADJOURN: Chair Larsen moved to adjourn. Mr. Iglesias seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

Adjourn: 5:10 p.m.

Jason Bench
Planning Commission Secretary

Approved: April 6, 2016