

**CITY OF OREM  
PLANNING COMMISSION MEETING MINUTES  
MAY 18, 2016**

The following items are discussed in these minutes:

- KIRKS FRUIT RANCH, PLAT C – APPROVED**
- K-DUB & NORTHGATE VILLAGE J – APPROVED**
- ZOA SECTION 12-5-12 MOBILE VENDORS SUMMERFEST – RECOMMENDED APPROVAL**
- ZOA ARTICLE 2-36 NATURAL RESOURCES STEWARDSHIP COMMITTEE – RECOMMENDED STUDY**
- ZOA ARTICLE 22-7 PRD STREETS – RECOMMENDED APPROVAL**
- ZOA ARTICLE 22-7 PRD HEIGHTS & LANDSCAPING – RECOMMENDED APPROVAL**
- UTA SITE – APPROVED**
- HUNTER REZONE – 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, David Moulton, and Michael Walker, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Director; Brandon Stocksdale, Planner; Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Ryan Clark, Economic Director and Loriann Merritt, Minutes Secretary

**Those excused:** David R. Stroud, City, Planner; Sam Lentz, City Council Liaison

The Commission and staff briefly reviewed agenda items and minutes from May 4, 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 Mr. Cook, Planning Commission member, to offer the invocation.

**Those present:** Becky Buxton, Carl Cook, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker, Planning Commission members; Bill D. Bell, Development Services Director; Jason W. Bench, Planning Director; Brandon Stocksdale, Planner; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Ryan Clark, Economic Director and Loriann Merritt, Minutes Secretary

**Those excused:** David R. Stroud, City, Planner; Sam Kelly, City Engineer; Sam Lentz, City Council Liaison

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

**AGENDA ITEM 3.1** is a request by Cameron Adams to vacate Lot 216 of Kirks Fruit Ranch Subdivision, Plat B and approve the final plat of **KIRKS FRUIT RANCH SUBDIVISION, PLAT C** at 821 West 1700 North in the R8 zone.

**Staff Presentation:** Mr. Bench said the applicant desires to construct an accessory building on his property. A public utility easement (PUE) is located along the east and south property lines. No accessory

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structure requiring a building permit can be constructed over a PUE. The applicant requests the City approve a final plat with the vacation of the east and south PUEs. Letters of easement vacation approval have been received from the five PUE holders.

**Recommendation:** The Development Review Committee has determined this request complies with the Orem City Code. The Project Coordinator recommends the Planning Commission vacate Lot 216 of Kirks Fruit Ranch Subdivision Plat B and approve the final plat of Kirks Fruit Ranch Subdivision Plat C at 821 West 1700 North in the R8 zone.

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

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. Jeffreys said she has found that neither the public nor any person will be materially injured by vacating Lot 2 of Kirks Fruit Subdivision, Plat B and that there is good cause for the vacation. She then moved to:

1. Vacate Lot 2 of Kirks Fruit Subdivision, Plat B; and
2. Approve Kirks Fruit Subdivision, Plat C with one lot at 821 West 1700 North.

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

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

**AGENDA ITEM 3.2** is a request by Boyd Brown to vacate Lots 40 and 59 of Hampton Hills Subdivision, Plat I at 1069 North 1160 West and approve the final plat of **NORTHGATE VILLAGE SUBDIVISION, PLAT J** and approve the site plan of **K-DUB** at 998 North 1200 West in the HS zone.



**Staff Presentation:** Mr. Bench said the applicant owns property and proposes to construct a 23,208 square foot office building in the Highway Services (HS) zone. To provide adequate parking at one stall per 250 square feet, the applicant purchased an adjacent lot with a home, removed the home and rezoned the lot to the HS zone. The lot that previously contained the home must be vacated and replatted with the office property. A second lot is included in the proposed subdivision. The lot that contained the now removed home was a deep lot and the driveway that was used to access that lot will be deeded to the lot owner of 1069 North 1160 West. This is the second lot in the subdivision.

The building elevations will be constructed primarily of brick and stone and have a maximum height of 36 feet above grade. A total of 93 parking stalls are required and 108 are provided.

The property has a slope area that will be graded in order to use that particular location for parking. Grading will have to be done to the adjacent property to the east which is owned by the LDS Church. Staff has received an email from Garth Margin, Area Project Manager, approving the grading plan.

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Landscaping will be installed with a total of 10,953 square feet. Included in the landscaping are fifteen deciduous trees, 39 evergreen trees, and 154 shrubs.

**Recommendation:** The Development Review Committee has determined this request complies with the Orem City Code. The Project Coordinator recommends the Planning Commission vacate Lot 40 and Lot 59 of Hampton Hills Subdivision Plat I at 1069 North 1160 West, approve the final plat of Northgate Village Subdivision Plat J and approve the site plan of K-Dub at 998 North 1200 West in the HS zone.

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

Chair Larsen asked if the only access is off of 1200 West. Mr. Bench said yes. There will be a retaining wall that will block any access into the residential.

Mr. Moulton asked about the height of retaining wall. Mr. Bench said it will vary because of the slope.

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

Mr. Dudley indicated it will match with what is done to the east in the Villa D’Este development. It will be a large concrete block wall, which will vary in height and separate the commercial use from the residential. They are required to build the fence similar to Villa D’Este. Mr. Bench said that is noted on the site plan.

Mr. Iglesias asked if the retaining wall is six feet from the residential street. Mr. Dudley said the retaining wall is tallest at the east end and will diminish down to the west. This will help the church site’s future parking, if they decide to develop in the future. Mr. Bench said the residential side will see a seven foot masonry wall.

Mr. Cook asked if the purpose of Lot 2 is to combine the easement. Mr. Bench said the property owner agreed to re-subdivide into one lot.

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 has found that neither the public nor any person will be materially injured by vacating Lots 40 and 59 of Hampton Hills Subdivision, Plat I and that there is good cause for the vacation. He then moved to:

1. Vacate Lots 40 and 59 of Hampton Hills Subdivision, Plat I;
2. Approve Northgate Village, Plat J at 1069 North 1160 West; and
3. Approve the site plan of K-Dub at 998 North 1200 West.

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

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

**AGENDA ITEM 3.3** is a request by Development Services to **AMEND SECTION 22-5-12 OF THE OREM CITY CODE PERTAINING TO MOBILE VENDORS.**

**Staff Presentation:** Orem Summerfest is an annual celebration held every June and sponsored by Orem City. Vendors are permitted to sell wares and food at Summerfest which is held at the City Center Park and also at Scera Park. Vendors desiring to participate in Summerfest must obtain a special permit to sell at Summerfest. To prevent a vendor (typically food) from taking advantage of the Summerfest crowds while not having a valid permit, the City Code prevents any mobile vendor from locating on a public street within 1000 feet of the City Center Park. Since Scera Park will now be used for Summerfest events the City Code

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must be amended to include public streets within 1000 feet of Scera Park from being used by unlicensed Summerfest vendors. The proposed text is as follows:

### **12-5-12. Mobile Vendors**

A mobile vendor may only be a food vendor, and must have all required licensing from the Utah County Health Department. All equipment related to food preparation must be in a self-contained unit such as the vehicle itself or an attached trailer. An operating mobile vendor may not interfere with vehicular or pedestrian circulation. A mobile vendor may not be parked longer than five hours at any one location (or within 500 feet of said location) per day. Property owner approval is required. A mobile vendor may not park on any public street located within one thousand feet (1000') of the City Center Park or Scera Park during the annual Summerfest celebration typically held in June of each year.

**Recommendation:** The Development Review Committee has determined this request complies with Article 12-5. The project coordinator recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 12-5-12 of the Orem City Code pertaining to mobile vendors.

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

Vice Chair Walker noted that a city block is 800 feet. Mr. Bench said the truck can still park within a block from the City Center Park and Scera Park. Vice Chair Walker then stated that this makes a lot of sense during Summerfest. Mr. Bench noted that this is only three days out of a entire year.

Chair Larsen asked if the City enforces the five hour limit during Summerfest. She also wondered if a mobile truck could do five hours in the morning and come back later for five more hours. Mr. Bench said the five hour limit will be enforced. A mobile truck could not do two five-hour shifts in a day; the rule is five hours in one day. Mr. Bench added that violations are on a complaint basis, staff does not go around looking for violators.

Mr. Cook asked if there are any regulations for other times of the year on food trucks. He brought up the food trucks lining up in front of the Scera Park, which causes a safety concern. Mr. Bench said staff is in the process of doing a food truck ordinance. Currently, the trucks are allowed to park for five hours. Mr. Cook said that it is scary when they are all there. Mr. Bench said the ordinance will cover licensing, location, allow them in certain City Parks, etc. which will help with the safety issues and complaints the City receives.

Chair Larsen called for a motion on this item.

**Planning Commission Action:** Vice Chair Walker 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 12-5-12 of the Orem City Code pertaining to mobile vendors. Ms. Buxton seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

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

**AGENDA ITEM 3.4** is a request by Ryan Clark to enact **ARTICLE 2-36 OREM NATURAL RESOURCES STEWARDSHIP COMMITTEE** of the Orem City Code.

**Staff Presentation:** Mr. Bench said that Orem resident Sarah Bateman participates in low-waste living and is active in public education regarding such matters. She has met with Mayor Brunst on multiple occasions in an effort to establish a Natural Resources Stewardship Committee in the City of Orem. Mayor Brunst has since instructed city staff to move forward with the process to establish a committee.

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The creation of a Natural Resources Stewardship Committee is rather common in the world of local government. More and more municipalities are learning of the importance to educate the public regarding natural resources stewardship matters and to also participate in programs that reduce a municipality’s impact on the environment. An internet search of these types of committees will turn up numerous examples.

The focus of the Orem Natural Resources Committee would be centered primarily in education and enrichment. The following list contains ideas of what the committee could focus upon.

- Quick tip in the city newsletter.
- Monthly Facebook feature of a resident’s or a business’ “green” practices (similar to how the Beautification Commission highlights residents’ gardens).
- Information booth at Summerfest.
- Waste audit at fitness center—create short informational video about how the City plans to reduce waste and, consequently, save money.
- Maintain a page on the City’s website.
- Collaborate with Provo Mayor’s Sustainability Committee—to lead the county in clean-air efforts, etc.
- Collaborate with schools on no-idling zones to improve the air quality for children.
- Promote the Live Well Community Garden (at Orem Community Hospital), its educational outreach programs, and its vision for a future farmers market.
- Monthly classes at the library. Energy efficiency/stewardship series: DIY specialist, Questar rep, Rocky Mountain Power rep, low-waste living speaker, emergency preparedness, recycling, Public works, transfer station, solar energy presentation.
- Monthly classes at the library. Great Outdoors/Environmental issues series: Central Utah Water Conservancy, National Park ranger to talk about the NP system and its 100<sup>th</sup> birthday this year, gardening, hiking, trails, nature photography, library/city-sponsored hike up the canyon, outdoor authors/speakers, benefits of unplugging.
- Nature Day Camp (summers) at Storytelling Park—become a junior naturalist!
- Earth Hour & Earth Day celebrations/day of service—offer a viewing of “Planet Earth” at the library.
- Green Fair: local bicycle shops offering free diagnostics and basic maintenance workshops, Central Utah Water Conservancy, recycling/green waste sign-up station, learning stations offering free workshops on various green living practices, kids observation station—learn about nature, play games and do activities, food bank collection, recycle craft center, free tree give-away or other incentive gifts, gardening workshops, vendor booths from local businesses promoting “green” products or services.

Advantages:

- An opportunity to educate the public.
- The city can become a leader and example to the general public and other communities.
- Natural resource stewardship is becoming more and more important to the business community and could be seen as a positive city attribute as we recruit businesses to the city.

Disadvantages:

- None identified.

**Recommendation:** The Office of the City Manager recommends the Planning Commission make a positive recommendation to the City Council regarding this request.

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

When no one did, Chair Larsen invited the applicant to come forward. Ryan Clark introduced himself.

Mr. Clark introduced Sarah Bateman, Orem, who is spearheading this committee.

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Ms. Buxton noted that the presentation had discussed education and enrichment. She wondered what enrichment meant. Ms. Bateman said they are similar concepts. Education is more formal like a classroom setting. Enrichment will be more multisensory, like a service project in the community.

Ms. Jeffreys asked why she chose Geneva Elementary school. Ms. Bateman said she is PTA president of Geneva Elementary.

Mr. Iglesias commended Ms. Bateman for her efforts. He indicated his big worry when this type of committee is formed, it will start out with good intentions but then it is hijacked by special interest groups. He understands this committee will not create any legislation, but he is worried that there will be regulations that come through for environmental impact. This could increase costs for residents, companies, etc. It was stated that Orem should be environmental friendly and attract more businesses. He works with Honda/Volkswagen/Nissan and each of them have huge environmental initiatives. These make it expensive and hard for the dealerships. Mr. Iglesias noted that this can be a starting place for imposing more regulations, which will bring in higher costs. Educating the public is a great idea. The Boy Scouts, schools, Department of Natural Resources have educational programs and maybe we should work with them. He is concerned about creating a committee at the City level.

Vice Chair Walker asked what were the Mayor’s thoughts. He wondered why it was not an informal committee. Mr. Clark said he is not sure.

Chair Larsen asked why this is coming before the Planning Commission instead of just appointing people. She then asked if the City does recycling in the City Center, Fitness Center and other City owned properties. Mr. Clark said the City does paper recycling.

Chair Larsen asked if this effort is to have the City do more recycling. Ms. Bateman indicated there are many different way to approach this. She understands the concerns about overreach in policy. She looks at it as a way to bring the community together and focus more on education, instead of enforcement. She indicated that by offering choices, like a recycling bin next to a garbage can. It is not a requirement, but if there is an option, people will choose to participate. The City newsletter encouraged people to sign up for City recycling. It stated that “over 75% of household waste is recyclable and signing up for recycling in Orem can save you some major coin.” Ms. Bateman stated that applying that principle on a larger scale like having recycling bins in all the City parks could impact the overall garbage output that the city pays for. This could translate to savings for the City budget. She also suggested the City could participate in solar energy that could also save the city money.

Chair Larsen said she sees the savings that Ms. Batemen is referring to as being way down the road. The City has the green waste and the yearly city cleanup with dumpsters around the City. She does worry about further regulation. She wondered if the committee is necessary or can the information be sent out via the newsletter, facebook page, or in the utility bill. Chair Larsen then asked what the school district’s response to this. Ms. Bateman said that at Geneva Elementary in March they did a lunch room garbage audit. First they separated the garbage and then the children helped them to gather the data on how many pounds of compostable/recyclable waste there was. It was very educational for the children on the steps of making compost. After the data was gathered they conducted a food waste audit at the school. She passed the information to a member of the Farm Bureau. The information she gathered will be shared with the legislatures in Washington, D.C. She has been contacted by the director of nutritional services of Alpine School District and will meet in June. Ms. Buxton asked what was learned from the food audit. Ms. Bateman said it was frustrating to see how much food is wasted. There are families that have food insecurity. Legally the students have to take certain foods, even if they are not going to eat them, but the untouched food cannot be shared by a ruling from the Utah County Health Department. There were a lot of unopened cartons of milk, fruit packets, yogurt, untouched apples that have to be thrown away. This is a failure on many levels.

Vice Chair Walker said that lunch food is controlled through federal government. Ms. Batemen said there are other organizations that have different policies. There is research that shows that if recess is before

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lunch the children are more likely to eat their food or if they have 25 minutes to eat their lunch they are more likely to eat their vegetables. She would like to meet with school district to find solutions.

Chair Larsen said she sees this committee is just for looking at ways the City departments and City residents can help the environment. As far as the school district and the food will be a separate thing. Ms. Bateman said that is true, however the City by empowering the community members with information that can have ripple effects in other areas. This may result in more participation in the school district programs.

Chair Larsen asked if there is a City department or liaison that looks at federal, state or city recycling or environmental program. Mr. Clark said if something comes up, someone is assigned to it. Peter Wolfley attends the recycling meetings and he attends the clean air task force meetings.

Chair Larsen asked what other cities doing in this area. Mr. Clark said that only Orem/Provo have been proactive in these matters. Mr. Clark said there are other groups that advocate for certain things, but as far as local governments there is only Orem and Provo. Provo City’s committee has 15 members, which is appointed by the Mayor. He pointed out a few things that Provo’s committee has promoted:

- Clean air publicity and anti-idling at Provo Schools,
- Instrumental in the development of a Provo Clean Air Tool Kit,
- Advocated for recycling with apartment complex owners,
- Participated in gas-can replacement, and
- Education displays and booths at city events.

Chair Larsen asked if there are any funds that can be used for these issues. Mr. Clark said at this time there are no funds, but it could be considered in a future budget. Ms. Bateman said this committee would be staffed with volunteers. The return is high with these volunteers. Mr. Clark said one of Orem’s resident’s works at the Utah County Health Department and sits on the clean air task force and will be interested in participating on this committee. Ms. Bateman said there is a Utah Valley University college professor who conducted a garbage audit with his students. This connection could be a bridge for the community and the school could provide many volunteers to draw on.

Chair Larsen said she likes the education aspect of the proposal. She is concerned about using City funds and taxpayer money to create City gardens. Ms. Jeffreys asked how the city gardens at IHC hospital are funded. Chair Larsen said that is privately funded. Ms. Bateman said she imagines these projects will be cooperative between the City and the private businesses.

Ms. Jeffreys said the education process is very important. She has been substituting at Geneva Elementary for the past six weeks. She has been substituting throughout the schools and has seen the waste problems. The waste in the schools would not part of what this committee would look at. Ms. Jeffreys said she is all for recycling, however, she does not support the committee having any power to legislate upon citizens or businesses.

Mr. Cook said it is a short step from education to regulation. He used storm water as an example. Part of the storm water regulation is to educate, but there is teeth behind it. In Salt Lake there is a regulation about anti-idling in certain areas, it started as an item of education and then it turned into a regulation. Mr. Clark said that Utah County has looked at anti-idling.

Ms. Buxton said everyone agrees that goals are great; however, it keeps coming back to encouraging versus imposing. She does not want it ever make that leap. The Planning Commission has no power, this is a just a hearing and she hopes the City Council will read the minutes and are interested in their perspective. Ms. Buxton said the Planning Commission is afraid of the City validating some form of extremism that goes further than the community in general is comfortable with. The more there is some squeezing, coercing, regulating, or imposing it gets a little uncomfortable. It seems it is a slippery slope from education to regulations.

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Mr. Iglesias asked if there was a way to do a committee that disperse the information and educates the public without being sponsored by the City. If it is sponsored by the City, he is very concerned it will be hijacked.

Mr. Moulton asked if it is more informal committee would be more beneficial. Chair Larsen said that Provo has a different form of government. Mr. Iglesias hoped the City Council would review this discussion.

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 moved to recommend the City Council enact Article 2-36 Orem Natural Resources Stewardship Committee of the Orem City Code. Ms. Jeffreys seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Karen Jeffreys. Those voting nay: Carlos Iglesias, Lynnette Larsen, David Moulton, and Michael Walker. The motion failed.

**Planning Commission Action:** Chair Larsen moved to recommend the City Council further study the issue and try and envision the long term financial costs and potential regulation that could come from this commission. Mr. Iglesias seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

Chair Larsen acknowledged that Ms. Bateman is very driven in her cause and wished her well.

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

**AGENDA ITEM 3.5** is a request by Development Services to amend **ARTICLE 22-7 OF THE OREM CITY CODE PERTAINING TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) STANDARDS.**

**Staff Presentation:** Mr. Bench said the PRD ordinance was changed in January 2016 with, among other changes, a requirement that streets in a PRD be public with the option of a private driveway that may access no more than four units. An unintended consequence of this requirement came to staff’s attention soon after the text was approved. A developer approached the City with a PRD concept but because of the recent ordinance change, three driveways would be required to access ten units. The property was not conducive to construct a public cul-de-sac to access the ten units. Three driveway access points for only ten units is excessive. The proposed text amendment requires that a driveway accessing more than four units have a separate return driveway to the same street. The PRD proposal that brought this issue to the attention of staff will be required to utilize two driveways to access a public street. The proposed change allows greater flexibility in designing a PRD and may reduce the amount of impervious surface contained on site.

The proposed changes are as follows:

### **22-7-12(L) Streets.**

5. A private drive shall be allowed only if the following conditions are met:
  - a. Development of a part of the PRD with a public street is not practicable.
  - b. The private drive will not extend to or provide service to another property or parcel not included in the PRD unless there is no reasonable way to access existing parcels contiguous to a public street.
  - c. The private drive will not provide access or travel between, or otherwise connect with two (2) or more public streets unless the street or drive is designed to discourage through traffic.
  - d. The private drive is designed by a qualified civil engineer and constructed to City standards and specifications.
  - e. The private drive is designated on the final plat as a perpetual right-of-way and public utility easement.
  - f. All access points from public streets have "Private Drive" signs installed.

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g. The private drive has a minimum width of twenty-four feet (24’) and a maximum width of thirty-six feet (36’) and is paved with either concrete or asphalt.

h. No private drive or portion of a private drive that has only one exit (a dead-end) accesses or services more than four units.

### Advantages

- Allows a private driveway to access more than four units when a public street is not practicable
- Reduces the number of driveway curb cuts on a public street
- Provides flexibility in design layout

### Disadvantages

- None identified

**Recommendation:** The Development Review Committee has determined this request complies with Article 22-7. The project coordinator recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-7 of the Orem City Code pertaining to Planned Residential Development (PRD) standards.

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

Chair Larsen noted the applicant could have eight units with two accesses, but to get the ten units he would need three driveways. She noted it looks better with the two accesses. Mr. Bench said staff agreed. He added the site did not function as the ordinance had intended, so they supported the change. Chair Larsen noted that the landscaping is diminished with three driveways.

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.

David Hunter, Orem, indicated that Roger Dudley, Civil Engineer and Ken Harris, Architect are in attendance to answer any questions.

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. Cook 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 Article 22-7 of the Orem City Code pertaining to PRD street standards. Chair Larsen seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

Chair Larsen introduced **AGENDA ITEM 3.6** as follows:

**AGENDA ITEM 3.16** is a request by Dave Hunter to amend Article 22-7 of the Orem City Code pertaining to PRD standards.

**Staff Presentation:** The applicant has development plans on a parcel on which he would like to construct a PRD with ten units. To construct the plan he desires, a change to the development standards must be approved by the City. The applicant would like to amend the maximum building height, landscaping percentage, maximum second floor square footage and eliminate the minimum roof pitch requirement.

The current PRD zone permits a structure to have a maximum height of 27 feet above grade. This measurement is taken as an average of the front, sides and rear elevations. The proposed change increases the maximum permitted height to 30 feet. Maximum building height in a single-family residential zone is 35 feet.

The second amendment reduces the required landscaping from 50 percent of the net area (less public and private streets) to 40 percent. Reduction of the landscaping percentage may allow greater design flexibility

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of the PRD concept plan. The reduction to 40 percent matches the landscape requirement of a PRD located between I-15 and Sandhill Road or I-15 and 1200 West.

The next change proposed increases the maximum floor area of the second story. The Code currently requires a second story, if constructed, to have no more than 60 percent of the area of the main floor square footage. If a main floor has 1000 square feet exclusive of the garage, the second story can have no more than 600 square feet. The change proposed increases the maximum second floor square footage to 75 percent of the first floor area. This applies to any area on the second floor with headroom greater than five feet. Of the nine PRD developments that could have taken advantage of the limited second floor square footage, no PRD development has been constructed with a second floor. While the Code provides the opportunity to construct a second floor, the development requirements appear to make use of a second story impractical.

The final change eliminates the need for a roof pitch with a minimum five feet of rise to twelve of run (5/12). Instead of a minimum pitch, the building elevations are to be approved along with the concept plan which will become part of the Code and Appendix “RR”. One of the recent changes to the Code requires a PRD concept plan and building elevation to become part of Appendix “RR”. Elevations can be approved specific to a site which may not be appropriate in other locations. Where a roof pitch of 2/12 may be appropriate at one location may not be acceptable at another. The City has the flexibility to deny a rezone request to a PRD if the elevations and/or concept plan are deemed incompatible with surrounding uses.

The proposed changes are as follows:

22-7-12

### **B. Height.**

1. General height requirement. Except as provided in subsection (2) below, structures shall be limited to one story above grade. However, a primary structure may have a second story only if (1) the structure does not have a basement and (2) the area of the second story that has headroom of five feet or more is limited to seventy-five percent (75%) of the first story floor area. No part of a structure shall exceed a maximum height of thirty feet (30') above grade.

### **G. Landscaping.**

2. At least forty percent (40%) of the net acreage (area of the development less public and private streets) of the entire development shall remain permanently landscaped. However, for a PRD located north of Center Street and between Interstate 15 and 1200 West, and for PRDs located between 1660 South and 1746 South between Sandhill Road and Interstate 15, the minimum landscaped area shall be forty percent (40%) of the net acreage of the entire development.

**R. Architectural Plan.** The architecture and design of all buildings in a PRD, including roof elevations, shall substantially conform to the architectural renderings included as part of the approved concept plan.

### Advantages

- Increases development potential by providing greater flexibility in design
- Second story development becomes feasible with more usable area
- Reduced landscaping lessens the potential need of water and helps the overall water conservation effort
- City can deny a PRD request if the proposed development is deemed to be incompatible

### Disadvantages

- The second floor square footage change equals a 25 percent increase from the existing Code which could lead to larger families occupying a PRD development which is not the population segment the PRD was originally designed to accommodate

**Recommendation:** The Development Review Committee has determined this request complies with Article 22-7. The project coordinator recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-7 of the Orem City Code pertaining to Planned Residential Development (PRD) standards.

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

Vice Chair Walker said this allows an increase on the second floor, however they lose the basement.

Chair Larsen said this will apply to all PRD’s.

Chair Larsen invited the applicant to come forward. Dave Hunter introduced himself.

Mr. Hunter indicated this is a unique site. The design gives up the basement because of the view. They will do great big store front windows across the two stories. The interior roof fits within the regulations, but they want to have unique architectural elements and go up higher.

Chair Larsen noted that a single family home can go up to 35 feet and this is five feet under that.

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. 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 Article 22-7 of the Orem City Code pertaining to PRD standards. Mr. Iglesias seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

Chair Larsen introduced **AGENDA ITEM 3.7** as follows:

**AGENDA ITEM 3.1** is a request by Travis Perry to amend the site plan of **UTA TIMPANOGOS BUS MAINTENANCE FACILITY** at 1102 South Geneva Road in the CM zone.

**Staff Presentation:** Mr. Bench said UTA has plans in the near future to bring bus rapid transit (BRT) to Orem and Provo. UTA currently has a facility on Geneva Road to maintain their existing fleet of buses. With the BRT route soon to be implemented, the current facility must be expanded to meet the maintenance demands of the increased bus fleet.



The proposed site plan expansion will take place to the west of the existing buildings which are adjacent to Geneva Road. UTA recently received subdivision approval to plat the vacant property where the expansion is proposed. The plat has not been recorded at this time and must be recorded prior to obtaining building permits.

Several buildings are proposed to be constructed to handle the bus fleet expansion. Protective canopies for bus storage are the largest of the structures. Buildings will also be constructed for tire service, a fueling station, wash bay, and a fare collection structure.

The existing landscaping will remain with enhancement along Geneva Road with the addition 13 serviceberry trees and 124 shrubs located elsewhere

**Recommendation:** The Development Review Committee has determined this request complies with the Orem City Code. The Project Coordinator recommends the Planning Commission approve the amended site plan of UTA Timpanogos Bus Maintenance Facility at 1102 South Geneva Road in the CM zone.

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

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Chair Larsen asked if the entrances are full accesses. Mr. Bench said yes. He noted that when this site plan came before the Planning Commission a couple of years ago they took out some landscaping. They will now replace the landscaping.

Chair Larsen asked if there will be an increase in the number of buses.

Chair Larsen invited the applicant to come forward. Matthew Carter introduced himself.

Mr. Carter said there are around 60 buses that use the facility, with 25 more coming online. The new buses will be 60 feet articulated buses. The current bus is about 40-45 feet. Chair Larsen asked if there will be other buses that come to this facility. Mr. Carter said this facility services Utah County.

Mr. Moulton asked if intersections will need to be modified for the longer buses. Mr. Carter said the articulated bus has a better turning radius, because of the hinge in the middle. The existing facility is inadequate to handle the larger buses, thus the site plan change.

Chair Larsen 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 is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to approve the site plan of UTA Timpanogos Bus Maintenance Facility at 1102 South Geneva Road. Mr. Moulton seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

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

**AGENDA ITEM 4.1** is a request by Dave Hunter to **AMEND ARTICLE 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY CHANGING THE ZONE AT 925 EAST 1400 SOUTH FROM R7.5 TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) AND AMENDING APPENDIX “RR” BY ADDING THE CONCEPT PLAN AND BUILDING ELEVATIONS OF THE HUNTER PRD.**

**Staff Presentation:** Mr. Bench said the applicant has the opportunity acquire a parcel and develop a PRD should the City change the zone of the property. The parcel was previously the site of a church which has since been demolished. The property is now vacant.



The subject property is adjacent to single-family homes in the R7.5 zone and an office development in the C1 zone. The applicant attempted to contact the owner of the office development to explore the idea of additional office units as access would have to be provided through the existing office site. The applicant was not able to communicate this concept with the owner of the office development and the idea was then abandoned. The next option of the applicant was to pursue a PRD development.

The applicant proposes ten units configured with two fourplexes and one duplex at a density of 6.6 units per acre. The PRD permits a maximum density of seven units per acre. Since the office concept did not go beyond internal discussion with the applicant, the next idea was to utilize the PRD zone and take advantage of the topography and construct ten townhome-style units. Development of the property with the existing R7.5 zone standards may yield four single-family lots.

To utilize the unique characteristics of the property the applicant has designed a product that slopes up from the garage side to the rear of each unit. The rear of the unit which faces northeast and near the crown of the

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hillside will have two stories to take advantage of the view. To permit the height of the units and the square footage of the second floor requires a text change to the PRD development standards.

The proposed elevations consist of stucco and stone. The garage elevation is thirteen feet high while the rear elevation is 28.5 feet. The upper floor contains 852 square feet and a 201 square foot deck. The main level is 1,266 square feet with a 522 square foot garage. Total habitable space is 2,118 square feet. Basements are not proposed as the current PRD standards do not permit units with two stories above grade to contain a basement.

This request also involves amending Appendix “RR” which was recently enacted by the City Council. Similar to how many PD zones have supplemental information such as a concept plan and building elevations contained in a specific appendix section, the concept plan and building elevations of each new PRD will be contained in Appendix “RR”.

A neighborhood meeting was held on March 8, 2016, with several neighbors expressing support of the request.

### Advantages

- Complies with the General Plan
- Subject property is ideal for a PRD development
- Vacant property is developed

### Disadvantages

- Residential density of the neighborhood increases
- Traffic on 1400 south may increase compared to the property developing as the existing R7.5 zone permits

**Recommendation:** The Development Review Committee recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of Orem City by changing the zone at 925 East 1400 South from R7.5 to Planned Residential Development (PRD) and amend Appendix “RR” by adding the concept plan and building elevations of the Hunter PRD.

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

Mr. Iglesias noted that the disadvantage concerning traffic increasing is hypothetical. Mr. Bench said that if they were to develop single family homes they could get 6-8 homes and each could have an accessory apartment, which would mean similar traffic.

Chair Larsen asked about the area to the south that says “Orem City Dedication.” Mr. Bench said that the applicant will dedicate the cul-de-sac bulb and finish it out. Vice Chair Walker asked if there is sidewalk showing around the cul-de-sac. Mr. Bench said the sidewalk will from property line to property line; however it will not go around the cul-de-sac. Vice Chair Walker said the sidewalk going to the eastern edge of the property seems useless, he wondered why they could not pull the bulb back and connect the sidewalk to the south side of 1400 South. Mr. Bench said there is a handicap access at the end of the sidewalk. Vice Chair Walker said the applicant could install a bench there for the view. Mr. Bench said the applicant could terminate the sidewalk closer to the buildings. Mr. Cook indicated it is not good to have a handicap ramp that goes nowhere.

Chair Larsen asked if the property line is also the outer edge of the city. Mr. Bench said yes.

Mr. Bench indicated this is a concept plan and so when they come back with a site plan they can address the sidewalk issue.

Chair Larsen invited the applicant to come forward. Dave Hunter introduced himself.

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Mr. Hunter said they dead ended the sidewalk there to keep people in Orem and not fall into Provo. Vice Chair Walker asked if the bulb could be pulled back and the sidewalk completed. Mr. Hunter said the bulb is designed to the City ordinance concerning the width. They could terminate the sidewalk back near the last driveway and leave that area green.

Chair Larsen asked how Unit 1 is accessed. Mr. Hunter said there will be a path from the sidewalk going into Unit 1.

Ms. Jeffreys asked what direction the front door is facing. Mr. Hunter said there is a breezeway from the front of the apartment and the garage.

Chair Larsen said since this is the concept plan; the sidewalk issue, the green space are will be discussed when it comes back for site plan approval. Mr. Bench noted that these issues will be resolved prior to Planning Commission.

Chair Larsen asked if these were going to sold or rented. Mr. Hunter said they are for sale. There will be an Homeowners Owners Association (HOA).

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.

Brandon Harmon, Orem, said he lived across this street from this development. His concern is primarily traffic. He purchased his home because it was on a dead end and a low traffic area. The average car ownership for a family is two and so there will be about 20 cars plus delivery vehicles, and visitors coming and going constantly in front of his home. This is not a real cul-de-sac, but really a stub or a dead end street. People park on the street already and it is crowded. He wanted assurances that there will not be more than 20 cars and too much traffic.

Chair Larsen closed the public hearing.

Mr. Hunter noted that if they did single family homes, there could be accessory apartments and there could be two families in each home and have around 15 dwelling unit with four cars per home. Mr. Bench said that PRD’s do not allow accessory apartments and so there will be a maximum of 10 units.

Chair Larsen asked if the Planning Commission had any more questions for the applicant or staff.

Vice Chair Walker asked if 1400 South Street has the capacity to handle the traffic. Mr. Goodrich said they could have up to eight homes. Typically these type units have a slightly lower traffic generation than a typical residential neighborhood, which has probably around 10-12 trips per day, which is around 100 trips per day. When accessory apartments are added to the single family homes the traffic is doubled, which brings the number very close to this type of development.

Chair Larsen asked if these units will have double garages. Mr. Hunter said yes, all surface parking is for visitors. Mr. Iglesias asked if more parking is possible. Mr. Bench said there is enough room for more parking. Vice Chair Walker said that overtime it is better to have the parking. Mr. Bench said that if it is an issue they could add parking. Mr. Hunter said they would prefer to maintain the landscaping.

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 recommend the City Council to amend Article 22-5-3(A) and the zoning map of Orem City by changing the zone at 925 East 1400 South from R7.5 to PRD and amend the Appendix “RR” by adding the concept plan and building elevations of the Hunter PRD. Ms. Buxton seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

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**MINUTES:** The Planning Commission reviewed the minutes from the previous meeting. Chair Larsen then moved to approve the meeting minutes for May 4, 2016. Ms. Jeffreys seconded the motion. Those voting aye: Carl Cook, Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.

**ADJOURN**

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

**Adjourn: 5:59 p.m.**

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Jason Bench  
Planning Commission Secretary

Approved: June 1, 2016