

**CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
SEPTEMBER 7, 2016**

The following items are discussed in these minutes:

GARDEN PARK SQUARE, PLAT B – APPROVED
FRESENIUS HEMODIALYSIS CLINIC – APPROVED
ZOA – SECTION 17-7-7(D) STREETS – RECOMMENDED APPROVAL
REZONE PRD TO PD-47 FLYING HORSE – RECOMMENDED APPROVAL
LAKEVIEW ANNEXATION 2 – CONTINUED
SOA – SECTION 14-1-4 SIGN ZONE D – RECOMMENDED APPROVAL

STUDY SESSION

PLACE – Orem City Main Conference Room

At 3:00 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; David R. Stroud, City Planner; Christian Kirkham, Long Range Planner; Steve Earl, Legal Counsel; Sam Lentz, City Council Liaison and Loriann Merritt, Minutes Secretary

Those excused: Brandon Stocksdale, Planner; Sam Kelly, City Engineer; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer

The Commission and staff visited University Place Office Building. They briefly reviewed agenda items and minutes from January 6, 2016 meeting. Afterwards they toured the businesses or construction sites on each floor. They returned 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 Becky Buxton, 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; David R. Stroud, City Planner; Christian Kirkham, Long Rang Planner; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Sam Lentz, City Council Liaison and Loriann Merritt, Minutes Secretary

Those excused: Brandon Stocksdale, Long Range Planner; Sam Kelly, City Engineer

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

AGENDA ITEM 3.1 is a request by Bryant Christensen to vacate Lot 1 of Garden Park Subdivision, Plat A and approve the final plat of **GARDEN PARK SQUARE SUBDIVISION, PLAT B** at 265 West Center Street in the C2 zone.

Staff Presentation: Mr. Stroud said the applicant requests a plat vacation to replat property to account for road widening of Center Street and 220 West. This has been the result of the Wiggy Wash site plan which was recently approved. Additional utility easements will also be included on the lot. The original

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subdivision contains one lot as does the proposed amended subdivision plat. Wiggy Wash will not use the entire lot and up to two commercial pad sites will be available for future development.

Recommendation: The Development Review Committee recommends the Planning Commission vacate Lot 1 of Garden Park Subdivision Plat A and approving the final plat of Garden Park Square Subdivision Plat B at 265 West Center Street in the C2 zone.



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

Chair Larsen asked if the road connecting with Target will be widened. Mr. Stroud said yes.

Chair Larsen invited the applicant to come forward. Bryant Christensen introduced himself.

Mr. Christensen said he is hopeful the plat will move forward.

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: Vice Chair Walker said he has found that neither the public nor any person will be materially injured by vacating Lot 1 of Garden Park Subdivision, Plat A, and that there is good cause for the vacation. He then moved to:

1. Vacate Lot 1 of Garden Park Subdivision, Plat A; and
2. Approve the final plat of Garden Park Square, Plat B with three lots at 265 West Center Street.

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 3.2** as follows:

AGENDA ITEM 3.2 is a request by John Higgins to approve the site plan for **FRESENIUS HEMODIALYSIS CLINIC** at 150 South Orem Boulevard in the C2 zone.

Staff Presentation: Mr. Stroud said Fresenius is an outpatient medical clinic helping people with chronic kidney disease and end-stage renal disease. Fresenius has existing facilities in St. George and Cedar City with the need to locate a new facility along the Wasatch Front.



The applicant proposes a 9,700 square foot single story building to be constructed on an existing lot of record. Fresenius will not utilize the entire lot of record so a final plat subdivision to create the needed lot will be approved by staff after site plan approval is granted. The remainder of the parcel has the potential to be developed in the future as shown on the preliminary plat.

The building is proposed to be 20’ 6” above grade and contain one story. Elevations are constructed from EIFS and cultured stone. Landscaping will comprise 25% of the lot square footage. Parking is required at one stall for every 250 square feet (39 stalls) and 40 stalls are provided. A future access to be constructed when needed is accounted for on the south side of the development. This future access will eventually tie into State Street when the property adjacent to the east is redeveloped.

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The State Street Master Plan calls for an increase of access points between Orem Boulevard and State Street. Fresenius is the first project to implement an element of the State Street plan by providing a location of a future access from Orem Boulevard to State Street. This future access is located along the south side of the development. The road will not be installed at this time. The site plan has been designed to allow the road when needed. The owner of the lot is not required to construct the road.

Recommendation: The Development Review Committee recommends the Planning Commission approve the site plan of Fresenius Dialysis Clinic at 150 South Orem Boulevard in the C2 zone.

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

Mr. Iglesias asked if the road across the property is conceptual. Mr. Stroud said the standards are being developed and will be included in the State Street Master Plan. When the property behind redevelops; there will be a connection to State Street.

Mr. Cook asked who will develop the road. Mr. Stroud said the City will develop it. This only shows the dedication line, showing the position of the road in the future. The road will match up with the intersection to the west.

Chair Larsen asked if there is a dedicated right turn lane. Mr. Stroud said there is a deceleration lane to the north entrance. There will be a connection into the Albertson’s property. Vice Chair Walker noted there is a lot of traffic that runs through the backside of the property to the north.

Chair Larsen invited the applicant to come forward. Edward Vigil introduced himself.

Chair Larsen asked if this is a daytime only business with no stay over patients. Mr. Vigil said this is an outpatient only with normal business hours. It is the treatment for kidney failure.

Chair Larsen asked if they owned the north part of the lot that is not being developed. Mr. Vigil said they are not purchasing the north part. Mr. Stroud said there is an application for final plat for the area they need. Whoever develops the north section will need to file another subdivision plat.

Chair Larsen then asked if the City will require the future lot to have a cross easement. Mr. Stroud said it will be on the final plat.

Ms. Buxton said she is excited about having something on the State Street Master Plan being implemented.

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 approve the site plan for Fresenius Hemodialysis Clinic at 150 South Orem Boulevard. 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 3.1** as follows:

AGENDA ITEM 3.1 is a request by John Higgins to amend **SECTION 17-7-7 OF THE OREM CITY CODE PERTAINING TO DEVELOPMENT STANDARDS OF STREETS.**

Staff Presentation: The maximum depth of a street terminating in a cul-de-sac is 650 feet in a residential zone and 1,000 feet in any other zone. With pending approval of the proposed Lakeview Annexation #2, special circumstances must be considered on the annexation property at 2000 South and west of I-15.

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The property located in the proposed annexation is adjacent to 2000 South, west of I-15 and is situated between two railroad tracks. This creates a unique access situation. Receiving approval from the railroad to have an at-grade crossing of the tracks is very difficult, if not impossible. The narrow nature of the property only permits one road from 2000 South to access the property. Property in Orem and in the current annexation area extends up to 4,000 feet from 2000 South with little chance to have a second access because of the two railroad rights-of-way. The text amendment is needed to access and develop property beyond the current maximum permitted road length of 1,000 feet.

Section 17-7-7. Streets.

D. A cul-de-sac may be permitted on local and sub-local streets only and shall be terminated by a circular turnaround of not less than ninety-six feet (96') in diameter from curb face to curb face.

1. The City Engineer may approve other types of turnarounds on private streets only, provided the design and minimum dimensions comply with the requirements of Appendix D of the International Fire Code®. The right-of-way width for ~~the~~ cul-de-sac ~~turnarounds-streets may will~~ vary depending on the street type.

2. A cul-de-sac shall not exceed six hundred fifty (650) feet (~~650~~) in length in a residential zone. A cul-de-sac in any other zone may not exceed one thousand (1,000) feet (~~1000~~) in length, except as otherwise provided herein.

3. A street ending in a cul-de-sac may exceed one thousand (1,000) feet in length where the property is bounded on both sides by railroad tracks or Interstate 15 along the length of the street which makes connection with another street impossible. Where such a street exceeds one thousand (1,000) feet in length, the street shall be designed with a minimum street width of forty (40) feet from back of curb to back of curb and with circular turnarounds of not less than ninety-six (96) feet in diameter located at least every five hundred (500) feet.

4. The length of a street ending in a cul-de-sac ~~length~~ is measured from its intersection with another street to the radius point of the cul-de-sac turn-around.

Recommendation: The Development Review Committee recommends the Planning Commission recommend approval to the City Council the request to amend Section 17-7-7(D) of the Orem City Code pertaining to development standards of streets. Staff supports this recommendation.

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

Vice Chair Walker said this makes a lot of sense for this property.

Chair Larsen asked if Orem City owns 2000 South on both sides of the street. Mr. Earl said Orem owns up to the railroad tracks. Mr. Bench added that Orem owns east of the railroad tracks to I-15. The City has access on 2000 South to the west through an agreement with Provo City.

Ms. Jeffreys asked about the road running through the project. Mr. Stroud said it is a dedicated county road.

Mr. Cook asked if the property to the north would it continue with the same development standards. Mr. Stroud said yes. He indicated it did not go much further than the drawing. Mr. Bench said there is only one other location this may apply to and that is by UVU between the tracks and the student housing which used to be used as a “zoo.”

Chair Larsen asked if the stuff will stay there. Mr. Stroud said the owners would like to develop the property, but it needs to come into the City first.

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.

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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 recommend amending Section 17-7-7(D) of the Orem City Code pertaining to development standards of streets. 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.

MINUTES: The Planning Commission reviewed the minutes from the previous meeting. Chair Larsen then called for a motion to approve the minutes of August 17, 2016. Ms. Jeffreys moved to approve the meeting minutes for August 17, 2016. Mr. Cook 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.

The Planning Commission took a five minute break

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

AGENDA ITEM 4.1 is a request by Bruce Dickerson to **ENACT PD-47/REZONE (FLYING HORSE CONDOMINIUMS) BY AMENDING ARTICLE 22-11 OF THE OREM CITY CODE BY ENACTING SECTION 22-11-60, PD-47 ZONE, AMENDING THE APPENDIX OF THE CITY CODE BY ENACTING APPENDIX ‘QQ’, AND AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE OREM CITY BY CHANGING THE ZONE AT APPROXIMATELY 1700 SOUTH SANDHILL ROAD FROM PRD TO PD-47.**

Staff Presentation: This item was continued from the August 17, 2016, Planning Commission meeting to allow the developer to address parking concerns expressed by the members of the Planning Commission. The applicant requests the current PRD zone be changed to the PD-47 zone to allow a higher density and increased building height. The subject property is currently zoned to permit a maximum density of 87 units at 16 units per acre. These units may also be constructed to a maximum height of 40 feet above grade and three stories. The major changes are discussed below.



The proposed increase in density to a maximum of 25 units per acre is a 56 percent increase over the current allowable density of sixteen units per acre. The height will increase to 45 feet high and four stories. Accessory structures shall not exceed one story above grade or fifteen feet high. The proposed concept plan contains a total of 136 units.

The Sandhill Road curbline varies in location along the west side since turn pockets were installed as part of the road widening project a few years ago. Setbacks are typically taken from property line but since the property line does not always follow the curbline, the proposed twenty-foot setback adjacent to Sandhill Road will be taken from the back of the curb. The setback next to the I-15 right-of-way is ten feet and all other setbacks are proposed to be eighteen feet.

Parking is proposed at 2.25 stalls per unit which is an increase from 2.15 stalls per unit as initially proposed and presented to the Planning Commission. The current PRD requirement is 2.5 stalls per unit. The PRD does not restrict the number of bedrooms whereas the applicant is proposing all units with two bedrooms. Signage will be installed for those parking stalls dedicated to guest parking which are 35 stalls. Paul Goodrich, Orem City Transportation Engineer, is satisfied with the proposed parking ratio of 2.25 stalls per unit. The concept plan contains a total of 306 parking stalls.

Staff supports the proposed development as the subject property is ideally suited for high-density development as the current zone permits such an option. The increase in density of the proposal over the current zone fits well on the property and several amenities are provided for the residents.

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Recommendation: The Development Review Committee recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-11 of the City Code by enacting Section 22-11-60, PD-47 zone, amend the appendix of the City Code by enacting Appendix ‘QQ’, and amend Section 22-5-3(A) and the zoning map of Orem City by changing the zone at approximately 1700 South Sandhill Road from PRD to PD-47.

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

Chair Larsen asked if there was another PD zone that the applicant could use instead of creating another zone. She felt like there are too many PD zones already. Mr. Stroud said the applicant used the PRD zone as the base and changed some of the requirements. Chair Larsen asked if the City is okay having all these zones with very little differences. It must be difficult to enforce. Mr. Stroud said each PD zone has its own regulations and it is very easy to monitor. Mr. Earl said that most PD zones have a concept plan they must conform to, which is site specific. It is not easily transferred to another project. Chair Larsen said this only deals with parking, density and landscaping requirements it could fit into another PD zone. Mr. Stroud said they usually follow the underlying zone standards and modify one or two of the standards. The PD zone then becomes very lot specific.

Chair Larsen then asked about the single access. Mr. Stroud said the access was okay.

Ms. Jeffreys asked if there had been a traffic study. Mr. Goodrich said the applicant conducted a parking study. When this item came before the Commission two weeks ago it was thought they needed 2.5 stalls and after seeing the study he and staff are convinced that 2.25 stalls is okay.

Chair Larsen asked if these units will be for sale, not rentals. Mr. Goodrich said the reason it is okay at this density is all the units are two bedroom/one bath. If it had more bedrooms/bath they would want 2.5/3.0 stalls. The parking study did some comparisons of similar units throughout the City and this concept plan will work fine. Remember that for sale units can be rented, but the important thing is the HOA’s ability to control that.

Chair Larsen invited the applicant to come forward. Bruce Dickerson introduced himself.

Mr. Moulton asked when the Yesco lease expires. Mr. Dickerson said they will have 90 days after the closing of the property to take down the sign. Vice Chair Walker said that is a real benefit.

Mr. Iglesias asked about the parking study. Mr. Dickerson invited the engineer who did the study to come forward.

Kordel Braley, RSG Inc., said they looked at national data for apartments. When comparing with national numbers, the size of Utah’s family’s needs to be taken into consideration. They used the national numbers as a reference point. They looked at several condominium projects around Orem, including the Villa D’Este apartments. They also looked at Country Woods, LakeRidge and South Pointe Condominiums. They all were in similar proximity to UVU and similar access to transit. They found the average peak parking demand was 1.8 vehicles per unit. They looked at a hypothetical scenario of roughly half the units occupied by only two people and the other half had three students. The developer will insist that is not feasible, but for the study the data showed the parking rate would be around 1.9. The original parking of 2.1 would have enough parking and so the 2.25 will be able to handle this site. He also noted that the Villa D’Este condominium parked at 1.3 per unit.

Mr. Iglesias asked how the 1.8 parking stalls was calculated. Mr. Braley said they researched to find out how many units are in each development. It is possible some could have been vacated, however his understanding is that the real estate market in Utah County is pretty hot and so they assumed the majority of units are occupied. They surveyed parking between 1:00 and 4:00 a.m. Mr. Iglesias asked if it was done more than once. Mr. Braley indicated it was only done once because of the timing of this meeting. After looking at multiple sites it was found they were in line with the national data. They also waited for UVU to start.

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Chair Larsen asked about the fencing around the project and is there any cross-access with the north or south of this property. Mr. Dickerson said there are no cross access with the north or south, this is a self-contained development. There will be a retaining wall along I-15 with a fence. The PD zone holds the developers feet to the fire and they cannot vary from it. They have met with the neighbor to the south and have agreed to use the same fencing on that end.

Mr. Iglesias asked about the HOA restrictions between owner occupied and rental. Mr. Dickerson said to keep the FHA financing there must be a minimum of 50% of the project must be owner occupied. The amenities curb and gutter, asphalt, fencing and retaining wall have to be built with the first building. After that they will just have to build the remaining buildings. The return on this development for the developer is not based on the number of bedrooms that can be rented, but on selling the units to the end user. The HOA needs to maintain the integrity of the units or financing is lost. He has set up HOA's in all his developments over the last 39 years. HOA covenants need to be strong with penalties built-in that are enforced. This may be next to UVU, but it will attract young families and older people. This is true affordable housing. He noted that at the last meeting there were a lot of people from Villa D'Este who came and spoke in favor of this development. It was suggested at the last meeting that they reduce the number of units and increase the parking.

Vice Chair Walker asked about the location of the driveway. Mr. Goodrich said there was a proposal initially to have another access further to the north, but it did not meet the access spacing standards. They had Mr. Braley do a traffic impact assessment for this concept plan and one access would work without any problems.

Chair Larsen asked about the pop outs along Sandhill Road. Mr. Goodrich said they are for deceleration lanes into different access points and streets and a few are for parking. He noted there is no on-street parking along the frontage of this project.

Chair Larsen then asked if there are any concerns with the traffic because of the newly annexed area. Mr. Goodrich said many of the streets in Orem are very busy. People may feel like it is at a maximum, but it is not.

Mr. Iglesias thanked the developer for doing the parking study. He liked the project, but the big concern was the parking. The parking study alleviated his concerns. Chair Larsen asked about enforcing the number of vehicles. What if someone has two cars and a motorcycle, how would that be enforced. Mr. Dickerson said there is an onsite manager that monitors the parking. They are given a warning and if they do not comply they have a company that will tow them.

Chair Larsen asked if the grassy areas are the detention basins and are they the only areas to play ball. Mr. Dickerson said yes. He said this development attracts young marrieds, single, divorced, retired and widow/widowers. He does not think it will be different, even with it being next to UVU. He knows some people who live in that area and a lot of those kids do not own cars, but walk to school and take public transportation. He knows a few kids who live in Jay Henrie's apartment and two of the three do not even have vehicles.

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.

Mike Whippey, Orem, said he is concerned about the lack of any type of buffer or decrease in density next to residential homes across the street. Previous projects have had discussion of gradual density from 25 units to 16 units to eight units per acre. The density should not be any higher than what is approved for Jay Henrie's project. Sandhill Road is very highly congested, despite what the studies may indicate. It serves as a collector for all of northeast Provo and that will not be alleviated until there is an intersection at 800 North in Provo. With the southwest annexation people will come up Sandhill Road. The density is too high for this neighborhood; he would support some kind of buffer. The properties on the west side of I-15 will probably be just as high and will use Sandhill Road.

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Leann Swanson, Orem, said she lives south of the project. She went to the neighborhood meeting and since that time they have increased the density. She did not know about it until yesterday when Jay Henrie told her. She has lived here 20 years and she has watched the neighborhood grow. The road is a nightmare and there is a development to the south, which has about 40 cars and they are parking on the street. She has not had any problems with Jay Henrie’s development at all. She is not against this development. Orem City needs to fix Sandhill Road, there needs to be an interchange to take the traffic off of Grandview Hill and fix University Parkway. Pinnacle does not have enough parking and cars park along the road to the south and there are all sorts of homeless people living in trailers in the empty field. Something needs to be done with all these apartments and no parking for the people who are going to live there. It is unbelievable what they are doing here in the City.

Mr. Dickerson said the density has not been increased, it has been decreased. The original design had a building next to Ms. Swanson’s property and she asked them to move it and they did it at her request.

Jay Henrie, Orem, said he is not opposed to this type of development. His concern is where it is located next to UVU. He wishes Mr. Dickerson well in selling these units. He initially tried to sell his units and found that only one out of six people actually wanted to live there. Most people are investors and because of the location there will be a lot of investor owned condominiums. He questions the validity of the parking study. Two of his 90 tenants do not have cars, but all of his parking stalls are used. The biggest concern is controlling the parking. Most of the condominium projects have cars parked on the street. He thinks 2.5 is low. He supposed that the two bedroom/one bath may be appropriate. He understands how to control the people who live there, but how do you control the cars they own. In his opinion, this will be a nightmare. He does not believe the 50% ownership will be manageable.

Randy Pond, Orem, said that traffic is the number one concern. He has asked for red curbing in front of his home. People are parking in his driveway. People park in red zones and in front of fire hydrants. The speeds on Sandhill Road are ridiculous. Having someone onsite to enforce the parking sounds great. He recommended 2.75 or 3.0 parking stalls instead of 2.25 stalls.

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

Mr. Goodrich suggested putting a copy of the parking study in the staff report and available online for the residents.

Ms. Jeffreys said she is not sure how a buffer could be created between this property and the residential homes across the street. She has seen a lot of situations where the streets are lined with cars. Chair Larsen said that enforcement will help. Mr. Iglesias asked if the City is against red curbing. He thought that tow companies are called if there are cars parked in the red curb area. Mr. Goodrich said the City is not against red curbing. The traffic engineer will red curb when there is documentation to do that. There is very limited on street parking on Sandhill Road. Yes there are parking problems in other projects. He noted that the project to the south of the Swanson property probably has accessory apartments and that would cause parking problems. Mr. Stroud said that development could not have accessory apartments, but has second kitchens. It is possible that they are being rented out illegally and that could cause some of the parking problem.

Ms. Buxton said while the parking problems are lamentable, the Planning Commission is just dealing with this PD zone. That is why the Commission asked for increased parking to make sure this self-contained development is well parked. The Planning Commission cannot fix Sandhill Road with this PD, but she is satisfied that this is adequately parked.

Vice Chair Walker said the Planning Commission asked for the study and the Commissioners were asked to look at Villa D’Este. He went there three different times and there are no cars on the street. Ms. Jeffreys asked if the parking lot was full. Vice Chair Walker said it was 10% open.

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Chair Larsen said that everyone can only have two cars and only one in four units can have a visitor at any time.

Chair Larsen also said she had density concerns on Sandhill Road over time. She felt that the Planning Commission’s job is to look at growth also. Mr. Cook asked if there is any other development that has that high of density in the area. Mr. Stroud said that Pinnacle is the closest. Chair Larsen said that Pinnacle does not have adequate parking. Mr. Iglesias said he went down to Villa D’Este during the week. He indicated the modifications that have been done are sufficient. Having an HOA that works efficiently will make the difference. His son has an HOA that is similar to this. He had to wait a year before he could ask to rent out his condominium. He called into the HOA and they said he could because they have not reached the 50% limit. It can be monitored. Chair Larsen said that is a huge key. Mr. Iglesias said that will help out on the parking.

Chair Larsen 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 recommend the City Council amend Article 22-11 of the City Code by enacting Section 22-11-60, PD-47 zone, amend the appendix of the City Code by enacting Appendix ‘QQ’ and amend Section 22-5-3(A) and the zoning map of Orem City by changing the zone at approximately 1700 South Sandhill Road from PRD to PD-47. Mr. Iglesias seconded the motion. Those voting aye: Becky Buxton, Carlos Iglesias, Karen Jeffreys, David Moulton, and Michael Walker. Those voting nay: Carl Cook and Lynnette Larsen. The motion passed.

Chair Larsen introduced **AGENDA ITEM 4.2** as follows:

AGENDA ITEM 4.2 is a request by Paul Washburn to designate 25.53 acres generally at 650 West 2000 South as **LIGHT INDUSTRIAL ON THE GENERAL PLAN LAND USE MAP AND M1 ON THE ZONING MAP OF THE OREM CITY CODE.**

Staff Presentation: Mr. Stroud said on June 29, 2016, Paul Washburn filed an application with the city for the annexation of 25.53 acres from Utah County into Orem. All property owners in the proposed annexation area support annexing at this time. This annexation is in line with the city’s current Annexation Policy Plan in the General Plan which outlines the eventual annexation of the County land north of 2000 South and west of I-15 to Utah Lake. The City Council accepted the petition for consideration on July 12, 2016 and the petition was certified by the City Recorder, City Attorney, County Clerk, and County Surveyor on August 9, 2016. A thirty day protest period was held between August 9, 2016 and September 8, 2016; no public protests were received.

A resolution concerning control of 2000 South was reached by Provo and Orem in July 2015; Orem will have control of the road east of the railroad tracks and Provo will control west of the tracks to the future intersection with the future Lakeview Parkway. The properties in this area will be accessed by a single road located between the railroad tracks on 2000 South. The Southwest Area Annexation Land Use Plan specifies the land uses for the annexation area and that this area would be designated with industrial land uses. This area will be subject to the Southwest Area Impact Fees to assist in making necessary infrastructure improvements in the Southwest Annexation Area, as approved in August 2015.

Advantages

- This area has been identified in the General Plan’s Annexation Declaration for future annexation into Orem City.
- Provides improved access to land that may not be otherwise accessible for development between the two railroad tracks.
- Impact fee-based development puts infrastructure improvement costs on the developer, limiting the City’s financial liability.

Disadvantages

- None identified.

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Recommendation: The Development Review Committee has determined this request complies with all applicable requirements for consideration. Staff believes the Planning Commission should recommend amending the Orem General Plan by designating approximately 25.53 acres with the Industrial land use, amending Section 22-5-3(A) and the zoning map of the City of Orem by applying the M1 zone on approximately 25.53 acres located generally at 650 West 2000 South.

Planning Commission Action: Chair Larsen moved to continue this item until the October 5 Planning Commission meeting. 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 4.3** as follows:

AGENDA ITEM 4.3 is a request by Development Services to **AMEND SECTION 14-1-4 AND THE SIGN ZONE MAP OF THE OREM CITY CODE BY DESIGNATING PROPERTY GENERALLY AT 56 NORTH STATE STREET AND 85 NORTH 400 EAST AS SIGN ZONE D.**

Staff Presentation: Mr. Stroud said the City contains five different sign zones which are used to regulate signage. Sign Zones A, B, C, and E permit pole signs while Zone D does not. Some parcels that contain a non-residential use do not have a specified sign zone to regulate signage. The City Center complex along State Street is Zone A while the court building is Zone D. The remaining block with the ball fields, arboretum and senior center is absent any sign zone. The Orem Senior Friendship Center would like to install a monument sign along 400 East but the lot does not have a designated sign zone. The proposal is to designate the remainder of the block as Zone D. This will then permit the Senior Center to install a six-foot high and 36 square foot monument sign.

A neighborhood meeting was held on August 30, 2016, with four residents in attendance. Those present at the meeting expressed support of the request.

Recommendation: The Development Review Committee recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 14-1-4 and the sign zone map of the Orem City Code by designating property generally at 56 North State and 85 North 400 East as Sign Zone D.

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

Chair Larsen asked how many signs are allowed in the new zone. Mr. Stroud said one per building.

Mr. Cook asked how high a monument sign can go. Mr. Stroud replied that it can go no higher than six feet and no more than 36 square feet of sign area. He is not aware how the current sign was approved. When they requested a new sign, they were told they needed to amend the sign ordinance in order to be legal.

Mr. Cook asked if it will be a lighted sign. Mr. Stroud said it can have a backlight. Mr. Cook asked if it could announce activities. Mr. Stroud said yes. Mr. Bell said it would also be for use for other City functions. Mr. Stroud said it is possible that the sign could be an LED sign.

Chair Larsen asked if this will come back through Planning Commission. Mr. Stroud said it will not, they will just apply for a sign permit.

Ms. Jeffreys asked where the sign will be placed. Mr. Bell said it is on the corner of 400 East and Center Street. Chair Larsen said it will become a City sign. Mr. Stroud said the long term goal is to get one for the City on State Street.

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.

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Marilyn Toon, Orem, said she lives in Evergreen Court. She was concerned about the sign taking away from the residential feel of the neighborhood. She does not want a large LED sign, which may be more commercial or bright.

Mr. Earl said he thought the sign could not put an LED or electronic sign on the Senior Citizen’s property which is zone R8 and those signs are not allowed in a residential zone. However, it could be back lit. The sign could have interchangeable letters.

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

Ms. Jeffreys asked if there been a public meeting. Mr. Stroud said there was a meeting and two couples came and were not opposed.

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 recommend amending Section 14-1-4 and the sign zone map of the Orem City Code by designating property generally at 56 North State and 85 North 400 East as Sign Zone D. 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 moved to adjourn. 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.

Adjourn: 6:07 p.m.

Jason Bench
Planning Commission Secretary

Approved: September 21, 2016