

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
February 6, 2019

The following items are discussed in these minutes:

Public Hearing – 1187 N 1200 West Rezone – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning from PD-45 (Jive) zone to the HS (Highway Services) zone – Positive Recommendation to City Council

Public Hearing – University Place Rezone – Amending Section 22-5-3(A) of the Orem City Code, from R8 and C2 zones to PD-34 (University Place) zone, amending portions of Appendix BB of the Orem City Code and amending appendix A and B of the Orem City General Plan - Positive Recommendation to City Council

Site Plan – Palos Verdes Student Housing development at 960 S 500 West in the PD-48 zone – Approved

Site Plan – Cirque Lodge Addition at 777 N Palisade Drive in the PD-8 zone - Approved

STUDY SESSION

Place: City Council Conference Room

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

Those present: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; J. Kirby Snideman, Long Range Planner; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

Those excused: Sam Kelly, City Engineer

The Commission and staff briefly reviewed agenda items and minutes from January 16, 2019 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 Spencer called the Planning Commission meeting to order and asked Mr. Cook, Planning Commission member, to offer the invocation.

Those present: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; J. Kirby Snideman, Long Range Planner; Cliff Peterson, Private Development Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and Cheryl Vargas, Minutes Secretary

Those excused: Sam Kelly, City Engineer

Chair Spencer asked Mr. Snideman to introduce **Agenda Item 3.1:**

Agenda Item 3.1 is a request by Matthew Blackburn, 1200 Miller LLC, to request the City rezone approximately 6.2 acres of property located generally at 1187 North 1200 West from the PD-45 (Jive) zone to the Highway Services (HS) zone.



Staff Presentation: The applicant has acquired properties that are currently zoned as PD-45, which was a zone created for the Jive office

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development. Having no plans to develop an office building, the applicant is requesting the site revert to the HS zone (which it was zoned as prior to being zoned to PD45).

While not required to do so as part of this zone change request, the applicant has shared their concept plan. The southern portion of the property will be used as an RV sales lot. The RV lot would be paved and have a mobile sales office trailer. In addition, the applicant has recently rehabilitated the existing building on the northern portion of the property and have leased the building as a retail market and event center.

Recommendation: Development Services recommends the Planning Commission forward a positive recommendation to City Council to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 6.2 acres of property located generally at 1187 N. 1200 West from the PD-45 (Jive) zone to the HS (Highway Services) zone.

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

Chair Spencer invited the applicant to come forward. Matthew Blackburn introduced himself. He said he did not have any long-term plans for the property at this time. In the short term, he has leased out the existing building as an event center. Mr. Moulton asked if whatever the not firm plans are in the future, will they fit into the HS zone. Mr. Blackburn said yes, most likely there will be three to four story office buildings.

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

Planning Commission Action: Mr. Cook moved to forward a positive recommendation to City Council to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 6.2 acres of property located generally at 1187 N. 1200 West from the PD-45 (Jive) zone to the HS (Highway Services) zone. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Snideman to introduce **Agenda Item 3.2:**

Agenda Item 3.2 is a request by University Mall Shopping Center LC to request the City rezone approximately 2.6 acres of property located generally at 575 E University Parkway (the University Place Mall) from R8 and C2 zones to the PD-34 (University Place) zone, amending Sections 22-5-3(A) and Appendix BB of the Orem City Code, and amending appendix A and B of the Orem City General Plan.



Staff Presentation: The owners of the University Mall have acquired property they desire to include in the PD-34 zone. These properties are as follows:

Address	Acres	Current Zone	Proposed Zone	Current Land Use	Proposed Land Use
1145 South 800 East	1.06 acres	C2 Zone	PD34	Regional Commercial	Regional Commercial
1012 South 590 East	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial
1026 South 590	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial

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East					
1040 South 590 East	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial
1054 South 590 East	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial
1068 South 590 East	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial
1082 South 590 East	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial
1094 South 590 East	0.20 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial
575 East 1100 South	0.18 acres	R8 Zone	PD34	Low Density Residential	Regional Commercial

The proposed uses on these properties include a theater and a hotel. These uses are already approved uses in the PD-34 zone, but the applicant desires additional land on which to build these structures and their required parking and landscaping.

As part of this rezone, portions of Appendix BB of the Orem City Code will need to be updated as well as appendix A and B of the Orem City General Plan.

- Portions of Appendix BB to be amended include the concept plan for the PD-34 zone, which is updated to provide details on where and how the theater and hotel will be constructed. The concept plan will also be updated to include the most recent transportation improvements for the Mall.
- Appendix A of the Orem General Plan is amended to show the revised land use map. The property located at 1145 South 800 east is already designated as regional commercial on the land use map. The residential properties along 590 East and 1100 South need to be changed from low density residential to regional commercial.
- Appendix B of the General Plan needs to be amended because this contains a copy of the zoning map.

A neighborhood meeting was held by the applicant on January 3, 2018. Notes from the meeting are part of the staff report for your review.

Recommendation: Development Services staff recommend the Planning Commission forward a positive recommendation to the City Council amending Section 22-5-3(A) of the Orem City Code, rezone approximately 2.6 acres of property located generally at 575 E University Parkway from R8 and C2 zones to PD-34 (University Place) zone, amend portions of Appendix BB of the Orem City Code, and amend Appendix A and B of the Orem City General Plan.

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

Chair Spencer invited the applicant to come forward. Kathy Olson introduced herself. She had nothing to add to Mr. Snideman's presentation.

Chair Spencer 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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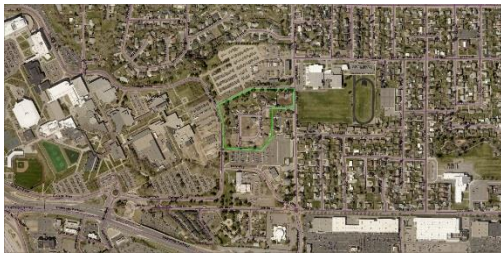
Bryce Barrett – His concern is the wall that runs along the back of the residential properties. He is against any breaching of the wall that currently exists. Ms. Olson said the current wall will be relocated and the new wall will be eight feet tall. They held a neighborhood meeting to see if residents wanted a wall opening by Costco and they said no. But the pedestrian opening at the south end will remain. The new wall will be eight feet tall along the entire length and there will be no vehicle opening.

When no one else came forward, Chair Spencer closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff. When none did, he called for a motion on this item.

Planning Commission Action: Mr. Moulton moved to forward a positive recommendation to the City Council amending Section 22-5-3(A) of the Orem City Code, to rezone approximately 2.6 acres of property located generally at 575 E University Parkway (the University Place Mall) from R8 and C2 zones to the PD-34 (University Place) zone, amending Sections 22-5-3(A) and Appendix BB of the Orem City Code, and amending appendix A and B of the Orem City General Plan. Mr. Staker seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Snideman to introduce **Agenda Item 3.3:**

Agenda Item 3.3 is a request by PEG Development to request the Planning Commission approve the site plan of Palos Verdes Student Housing development located generally at 960 South 500 West in the PD-48 Zone.



Staff Presentation: The applicant was successful in getting a zone change on this site to the PD-48 Zone. This allows for high-density student housing to be constructed. The PD-48 Zone has specific requirements for the building layout, materials, elevations, transportation, parking, and other requirements. Through this site plan process, the City can ensure the applicant's plan for development complies with all the requirements of the PD-48 Zone and other sections of the City Code.

The overall site will include 450 units consisting of 1,604 beds. The PD-48 zone requires a parking ratio of 0.8 parking stalls per bed. To comply, 1,283 parking stalls will be provided on site with overflow parking, if needed, directed to UVU parking lots.

There will be five buildings on site. The buildings will range from three to five stories and will be constructed of brick veneer, EIFS wall siding, metal siding, and other materials. The parking structure will be five levels and will be screened with natural and decorative screening.

In addition to the PD-45 ordinance, development agreements were approved with this development. The applicant worked with the City, UVU and Alpine School District to secure agreements necessary for construction of the Project. These agreements include the following:

1. Agreement between Palos Verdes, Alpine School District and the City. This agreement provides that Palos Verdes will reconfigure the access to Lakeridge Junior High to better align with 960 South and will also reconfigure some of the parking for Lakeridge Junior High. Alpine School District will grant the City easements necessary for the installation of future traffic signal poles on the school property.
2. Agreement between Palos Verdes and UVU. This agreement provides that Palos Verdes will construct a pedestrian underpass under Campus Drive. It also provides that UVU will grant an easement to Palos Verdes for access over UVU property to access 960 South and Wolverine Way.
3. Declaration of Restrictive Covenants by UVU. In this document, UVU essentially established a "no-build zone" over a twenty-foot-wide strip of property along the north, west and southern boundaries of the Palos Verdes property. These no-build zones prohibit UVU from constructing any structures in these areas without the City's consent. The no-build zones will essentially function as the setbacks for the Project on the north, west and south of the Project.

A complete video of the meeting can be found at www.orem.org/meetings

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4. Development Agreement between Palos Verdes and City of Orem. This agreement provides that Palos Verdes will widen and improve 960 South and 400 West; install a traffic signal at the intersection of 960 South and 400 West; construct a pedestrian tunnel under Campus Drive; work with the City to resolve any neighborhood parking problems that may arise; provide parking at a minimum of 0.8 stalls per bed; not charge an extra fee for parking; and cap total occupancy of the project at 1,605 residents.

Recommendation: The Development Review Committee determined this request complies with Orem City Code and recommends the Planning Commission approve the site plan for the Palos Verdes Student Housing development at 960 South 500 West in the PD48 zone subject to the following conditions:

1. That the UVU Housing Subdivision Plat amendment to be approved by the Planning Commission prior to obtaining any building permit.
2. That a declaration of restrictive covenants pertaining to setbacks and related to fire and building codes be recorded with the Utah County Recorder prior to obtaining any building permit.

Chair Spencer asked if the Planning Commission had any questions for Mr. Snideman. Mr. Spencer asked for clarification on Condition #1. Mr. Snideman said it requires the developer to consolidate all the individual lots on the current plat into one large lot.

Chair Spencer invited the applicant to come forward. Kyle Jardine introduced himself.

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

Planning Commission Action: Mr. Cochran moved to approve the site plan for the Palos Verdes Student Housing development at 960 South 500 West in the PD-48 zone subject to the following conditions:

1. That the UVU Housing Subdivision Plat amendment to be approved by the Planning Commission prior to obtaining any building permit.
2. That a declaration of restrictive covenants pertaining to setbacks and related to fire and building codes be recorded with the Utah County Recorder prior to obtaining any building permit.

Mr. Moulton seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Chair Spencer asked Mr. Snideman to introduce **Agenda Item 3.4:**

Agenda Item 3.4 is a request by Mike Anderson to request the City approve the revised site plan of Cirque Lodge Addition at 777 N Palisade Drive in the PD-8 zone.

Staff Presentation: The applicant desires to expand the Cirque Lodge development in accordance with what is permitted in the PD-8 zone. Cirque Lodge is a residential treatment facility. The facility will be adding 122 new beds in a second building constructed on site. Currently, the facility contains a total of twenty (20) beds. Once the proposed structure is completed with this revised site plan, the site will contain a total of 142 beds. Currently, the PD-8 zone allows up to 200 beds.

This building will be a three-story structure finished with CMU veneer, aluminum composite, and other finishes matching the existing building. In addition to the building, 93 new parking stalls will be provided along with additional landscaping.

The proposed site plan complies with all applicable city code requirements.

A neighborhood meeting was held on September 4, 2018. A copy of the neighborhood meeting report is part of the staff report for your review.

A complete video of the meeting can be found at www.orem.org/meetings

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Recommendation: The Development Review Committee determined this request complies with the Orem City Code and requests the Planning Commission approval the revised site plan of Cirque Lodge Addition at 777 N Palisade Drive in the PD-8 zone.

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

Chair Spencer invited the applicant to come forward. Mike Anderson introduced himself. He is most appreciative of the Planning and Engineering staffs. He would like to clarify the concerns brought up at the neighborhood meeting. They did go through a number of iterations to address issues. They did step the building on the back side to allow for some geometrical change rather than having a long stretch of wall. The windows that face the residential homes to the west are clerestory windows, so they are high, off of corridors and placed to mitigate glare. One concern was the building obstructing the view of the mountains and they tried to address that and to design the building to maintain a campus feel. Mr. Spencer said you are proposing a three-story building. Mr. Anderson said yes, and they are proposing a new façade so that wall is not flat on the west side, the building will be stepped.

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

Planning Commission Action: Mr. Cook moved to approve the revised site plan of Cirque Lodge Addition at 777 N Palisade Drive in the PD-8 zone. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Spencer then called for a motion to approve the minutes of January 16, 2019. Mr. Staker moved to approve the meeting minutes for January 16, 2019. Mr. Cook seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Planning Commission Action: Mr. Spencer moved to add a Planning Commission meeting to the 2019 calendar on March 20, 2019. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

The Planning Commission members extended a welcome to new Development Services Director, Ryan Clark and new Commission member, Camille Jensen.

Adjourn: Chair Spencer called for a motion to adjourn. Mr. Moulton moved to adjourn. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, David Moulton, Mike Staker and Ross Spencer. The motion passed unanimously.

Adjourn: 4:58 p.m.

Jason Bench
Planning Commission Secretary

Approved: February 20, 2019