CITY OF OREM
PLANNING COMMISSION MEETING
56 North State Street, Orem, Utah
October 16, 2019

This meeting may be held electronically
to allow a Commission member to participate.

4:00 PM PRE-MEETING – AGENDA REVIEW, CITY COUNCIL CONFERENCE ROOM, 56 NORTH STATE STREET, OREM, UT

4:30 PM REGULAR SESSION – CITY COUNCIL CHAMBERS

1. CALL TO ORDER

2. INVOCATION BY INVITATION

3. 4:30 PM SCHEDULED ITEMS

3.1. PUBLIC HEARING - The applicant requests the Planning Commission amend Section 22-11-24(E)(5), (6) and (7) by changing the setback requirements on University Parkway and Main Street of the PD12 zone.

Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-11-24(E)(5), (6) and (7) by changing the setback requirements on University Parkway and Main Street of the PD12 zone.

Presenter:Cheryl Vargas

3.1_SR.C_Stewart Retail Addition_2019.10.16.docx
Map_Stewart Retail.pdf
Vicinity Map Stewart Retail Addition.pdf
Concept Plan - Stewart Retail Addition.pdf

3.2. SITE PLAN – Site Plan approval of Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone and vacating Lot 3 of Northgate Plaza Plat A and approving Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.

The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the site plan of Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone, vacate Lot 3 of Northgate Plaza Plat A and approve Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.

Presenter:Grant Allen

3.2_SR.G_Orem_Child_Care_Holdings_2019.10.16.docx
Map_Orem Child Care Holdings_2019.10.pdf
Vicinity Map_Orem Child Care Holdings_2019.10.16.pdf
Orem Child Care Holdings Site Plan.pdf

Northgate Plaza Plat B.pdf
Orem Child Care Holdings Landscape Plan.pdf
Orem Child Care Holdings Elevations.pdf
22-15-5 Parking Modification.pdf

3.3. PUBLIC HEARING – Vacating Lot 2 of River Breeze Haven Plat K and approving River Breeze Haven Plat L located generally at 749 South 1080 East R12 zone.
The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve vacating Lot 2 of River Breeze Haven Plat K and approving River Breeze Haven Plat L located generally at 749 South 1080 East R12 zone.
Presenter:Grant Allen
3.3_SR.G_River_Breeze_2019.10.16.docx
Map_River Breeze_2019.10.16.pdf
Vicinity Map_River Breeze Haven_2019.10.16.pdf
River Breeze Haven Existing Plat.pdf
River Breeze Haven Plat L.pdf

4. MINUTES REVIEW AND APPROVAL

4.1. September 18, 2019 Planning Commission Minutes
Review and Approve
2019-09-18.pcmin - DRAFT.docx
2019-09-18.pcmin Attachment.pdf

5. ADJOURN

Next meeting scheduled for Wednesday, November 6, 2019

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION MEETINGS.
If you need a special accommodation to participate in the Planning Commission Meetings and Study Sessions, please call the Development Services Office at least 3 working days prior to the meeting.
(Voice 801-229-7183)

This agenda is also available on the City's webpage at orem.org

2

Item #: 3.1	**Planning Commission** October 16, 2019	
Prepared By: Cheryl Vargas		
Applicant: Kevin Scholz	**PUBLIC HEARING** – Amending Section 22-11-24(E)(5)(6)(7) by changing the setback requirements on University Parkway and Main Street of the PD12 zone.	

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pan

SITE INFORMATION:

- General Plan Designation: **Regional Commercial**
- Current Zone: **PD12**
- Acreage: **1.97**
- Neighborhood: **Lakeview**

ACTION:
The Planning Commission shall forward a recommendation to the City Council.

REQUEST: The applicant requests the Planning Commission amend Section 22-11-24(E)(5)(6)(7) by changing the setback requirements on University Parkway and Main Street of the PD12 zone.

BACKGROUND: The applicant is proposing to change the setback requirements on University Parkway and Main Street of the PD12 zone. Currently, the setback states that all buildings shall have a front yard setback of at least forty (40) feet or equal to the height of the building, whichever is greater. This request is to amend that so buildings fronting University Parkway or Main Street may have a front yard setback of ten (10) feet.

Stewart Retail is requesting this amendment as they are adding a new building at 21 W University Parkway. With the University Parkway widening project, this proposed setback matches the setback of the building directly to the east of the new building.

RECOMMENDATION: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-11-24(E)(5)(6)(7) by changing the setback requirements on University Parkway and Main Street of the PD12 zone.

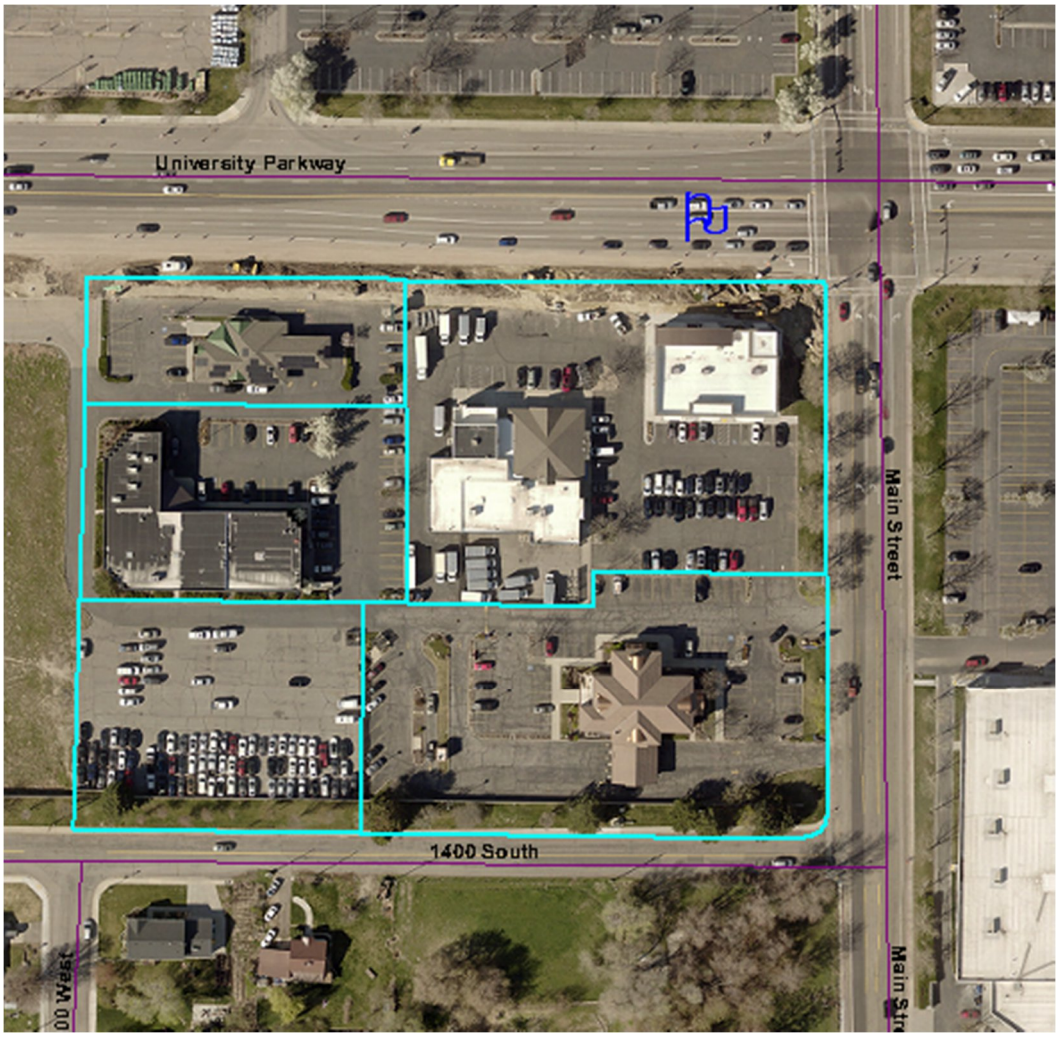
Section 22-11-24

E. Site Development Standards

5. ~~Front Yard Setback.~~ Setbacks from Public Streets. All buildings shall ~~have a front yard setback of at least (40) feet or equal to the height of the building, whichever is greater.~~ be set back at least ten (10) feet from University Parkway and Main Street and at least forty (40) feet from 1400 South.

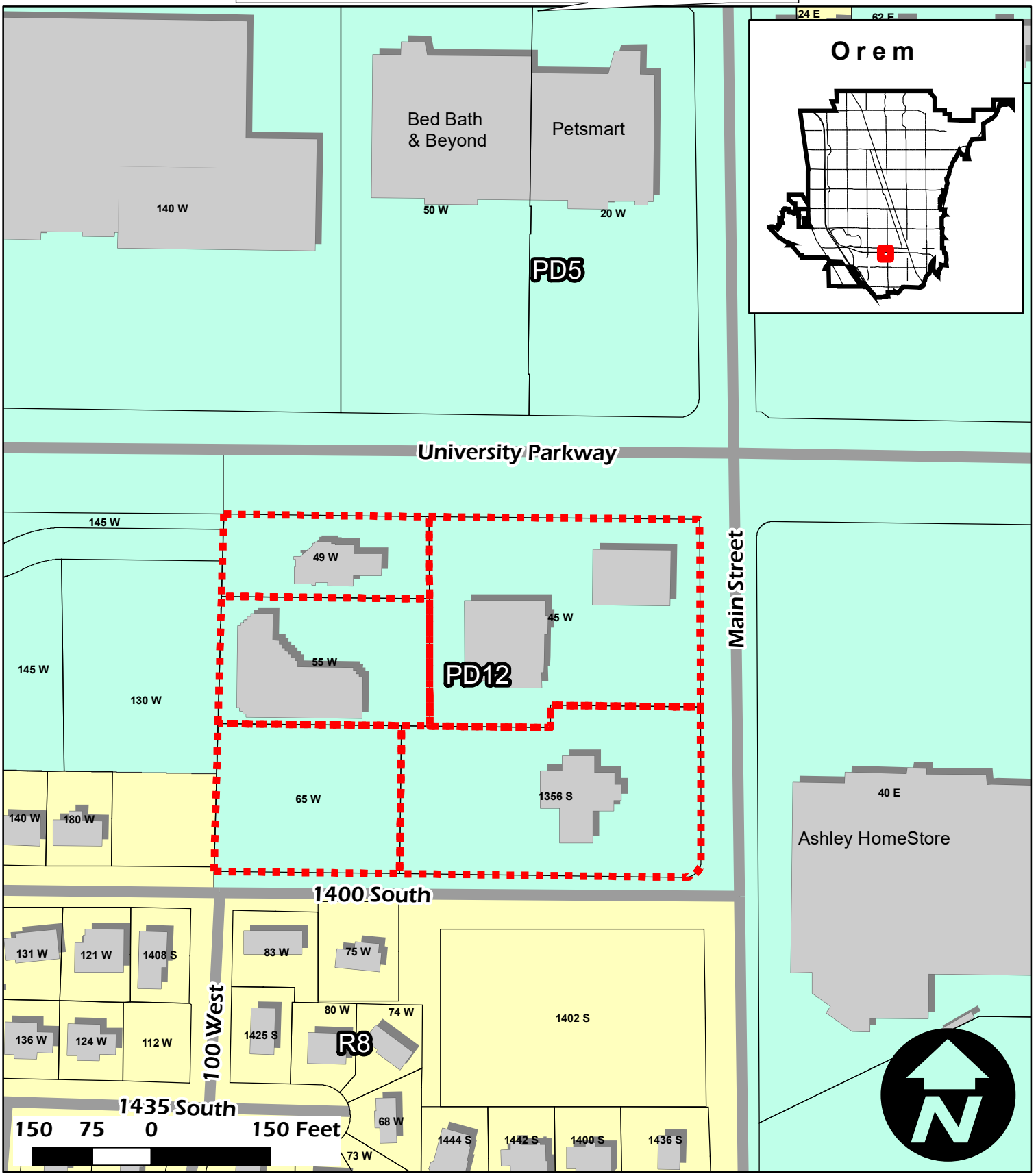
6. Setbacks from Residentially Zoned Property. All buildings shall be set back at least forty (40) feet or a distance equal to the height of the building, whichever is greater, from residentially zoned property. ~~Side Yard Setback. The minimum side yard setback shall be zero (0) except when adjoining a residential development or a public street, in which case it shall be forty (40) feet or equal to the height of the building, whichever is greater.~~

7. Setbacks from Other Lot Lines. No set back is required from an adjoining lot in the PD-12 zone or another commercial zone. ~~Rear yard Setback. The minimum rear yard setback shall be zero (0) except when adjoining a residential development or public street, in which case it shall be forty (40) feet or equal to the height of the building, whichever is greater.~~



PD12 Zone

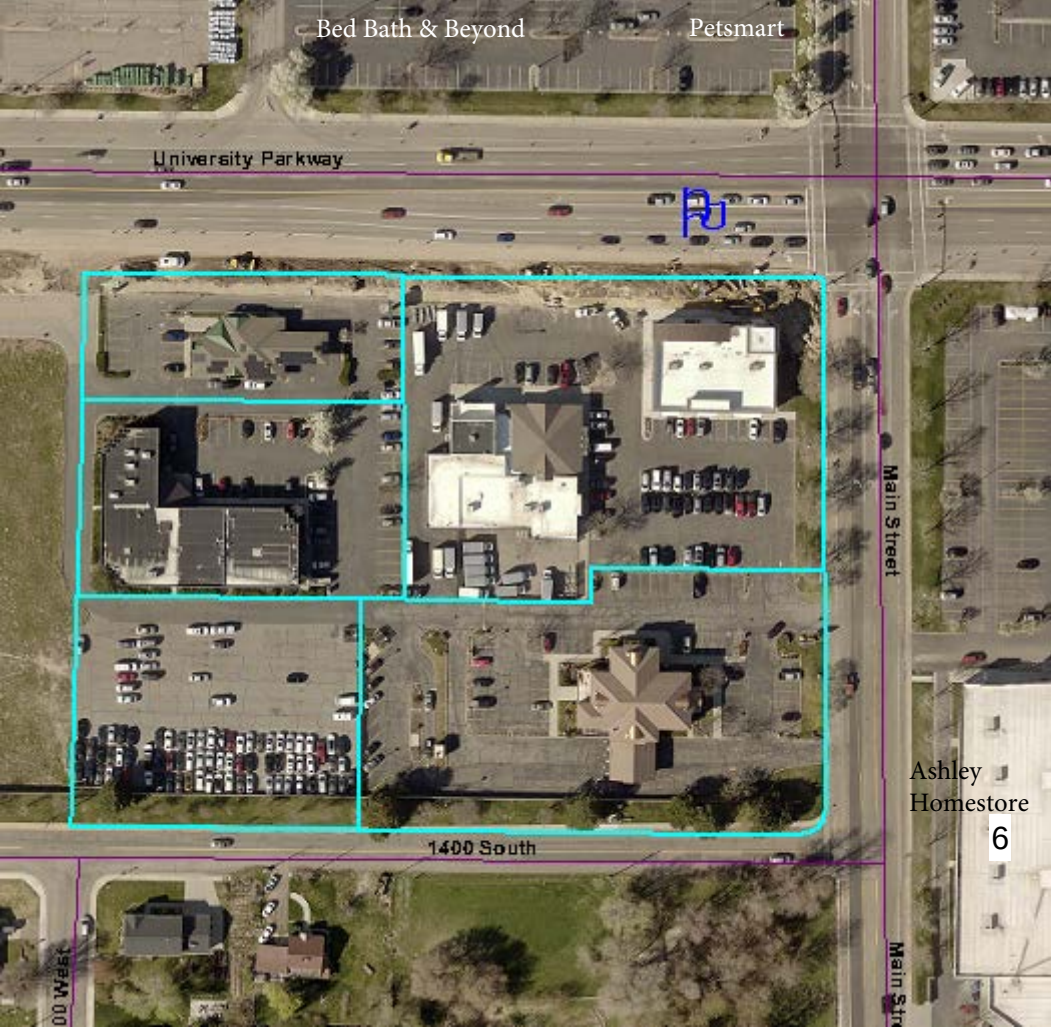
Stewart Retatil Addition



Stewart Retail Addition
PD12
1.97 Acres

NEIGHBORHOOD
Lakeview

Legend
Parcels
Buildings


Bed Bath & Beyond
Petsmart
University Parkway
Main Street
Ashley
Homestore
6
1400 South

Stewart Retail

Orem Utah

CONCEPT PLAN

NORTH
1" = 30'



Vicinity Map

University Parkway

3" Planter
Existing 30" Curb & Gutter
Existing Light Pole
S 89°13'17" E 287.95'
12" Retaining Wall
Existing Curb
PATIO
S 50°18'29" E
71.89'
Barber Bros Amended Plat "A" Lot 5
Proposed Building
10,150 SF
FF 4737.50
Unit 1
Unit 2
Unit 3
Unit 4
Unit 5
Unit 6
Existing Building
6786 SF
8.00'
40.45'
Install ADA Ramp
Install 8' Sidewalk
Existing ADA Ramp
30.00' Ingress & Egress Easement for Lots 1,2,3,4,5
239.24'
N 0°14'00" W
18.00'
24.86'
9.00'
S89°17'08"E 134.51'
20.00' P.U.E. & Irrigation
26.00' Joint Right-of-way & PUE In Favor of Lots 1 & 2 Plat C
26.00'
N89°17'08"W 114.05'
S 0°14'00" E 165.34'
Install 6' Sidewalk
Barber Bros Plat "B" Lot 4
Fire Apparatus Access (No Parking)
Existing Building
5622 SF
FF 4738.00
Total Area
75364 SF
1.73 AC
21.69'
Existing Curb & Gutter
Existing Curb
Proposed Dumpster
Existing Sidewalk
N0°14'00"W 80.01'
S0°14'00"E 69.34'
Existing Curb
N 89°17'08" W 190.00'
N 89°17'08" W 152.61'
S 0°42'52" W 28.35'
Saw Cut 19' Driveway & remove Dumpster
52.00' Driveway Easement for Ingress/Egress & P.U.E. For Lots 1,2,3,4,5 (Barber Bros. Amended Plat "A"
Barber Bros Plat "B" Lot 3
Barber Bros Amended Plat "A" Lot 2
Main Street

Dudley and Associates, Inc.
Engineers Planners Land Surveyors
353 East 1200 South
Orem, Utah 84058
801-224-1252

Stewart Retail
Orem City Utah

Site Plan

REVISIONS
3-25-2013
6-5-2013 (sewer re-design)

DATE	10-19-2011
SCALE	1"=30'
BY	BHT
TRACING NO.	L-13691

SHEET No.
C - 2

Item #: 3.2	**Planning Commission** October 16, 2019	
Prepared By: Grant Allen		
Applicant: Johnny Anderson	**SITE PLAN** – Site Plan approval of Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone and vacating Lot 3 of Northgate Plaza Plat A and approving Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.	

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn

SITE INFORMATION:

- General Plan Designation: **Regional Commercial**
- Current Zone: **PD22**
- Acreage: 0.80
- Neighborhood: **Timpview**

ACTION:
The Planning Commission is the final approving authority regarding this request.

REQUEST: The applicant requests the Planning Commission approve the site plan of Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone and vacating Lot 3 of Northgate Plaza Plat A and approving Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.

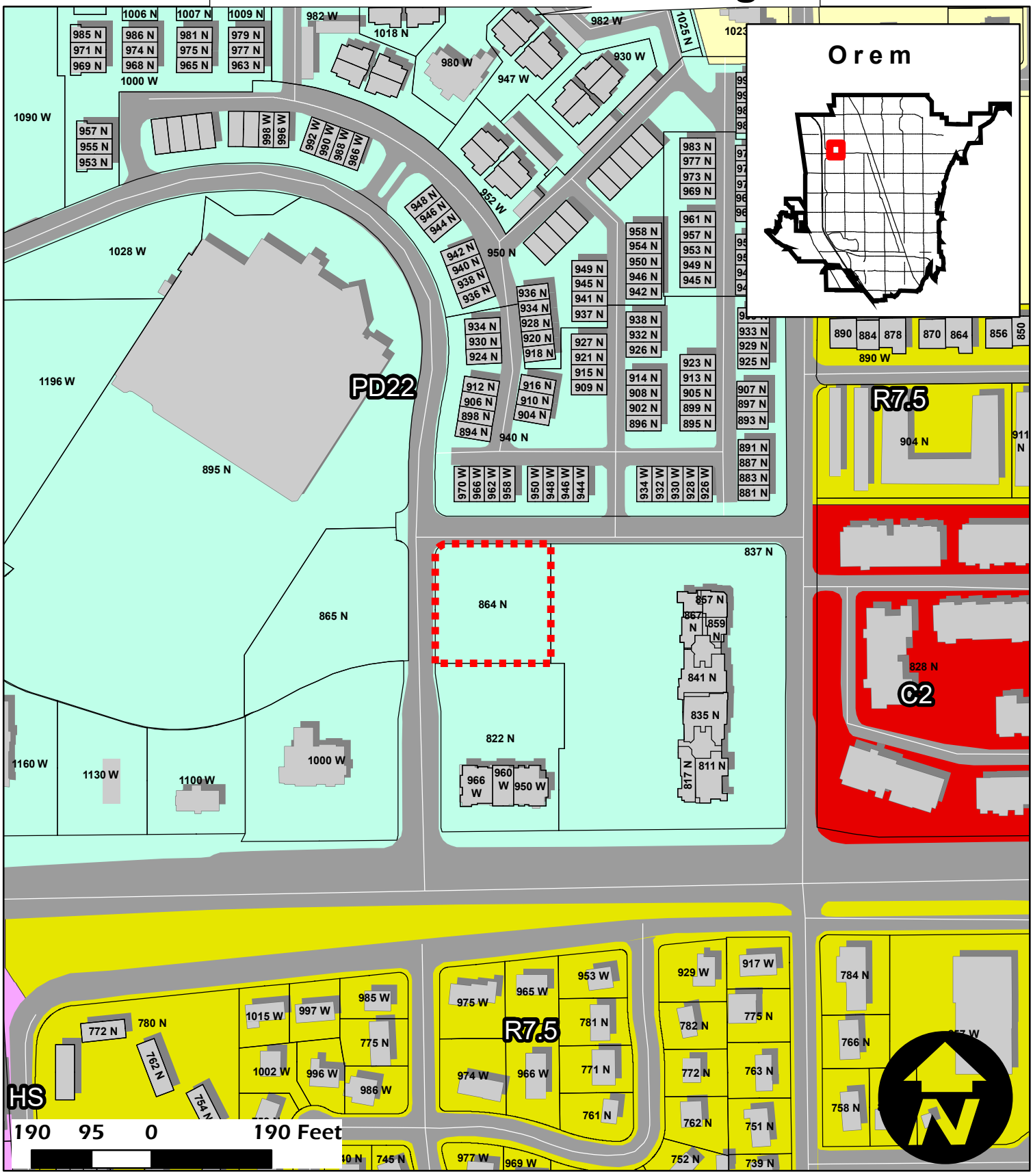
BACKGROUND: The applicant is proposing to develop the site with a pre-school. They are required to amend the existing plat to include cross-access parking and storm drainage easements. Additionally, they are seeking a parking deferral of 7 spaces. This will be used as an outdoor play area for the pre-school. With cross-access parking easements, they meet the parking requirement for the site, including the deferred parking. The parking deferral may be revoked by the City if it is found that the 7 deferred spaces are required for a future site plan change.

The school will be 26 feet tall and have exterior styling that meets the standards of the styles required in the PD22 zone. The roof also matches the style as outlined in Appendix Q for stone type roof tiles. The proposed landscaping and other sections of the site plan meet the requirements of the PD22 zone.

RECOMMENDATION: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the site plan of Orem Child Care Holdings located generally at 864 North 980 West in the PD22 zone, vacate Lot 3 of Northgate Plaza Plat A and approve Northgate Plaza Plat B including a parking deferral of 7 parking spaces for Northgate Plaza Plat B.



Orem Child Care Holdings

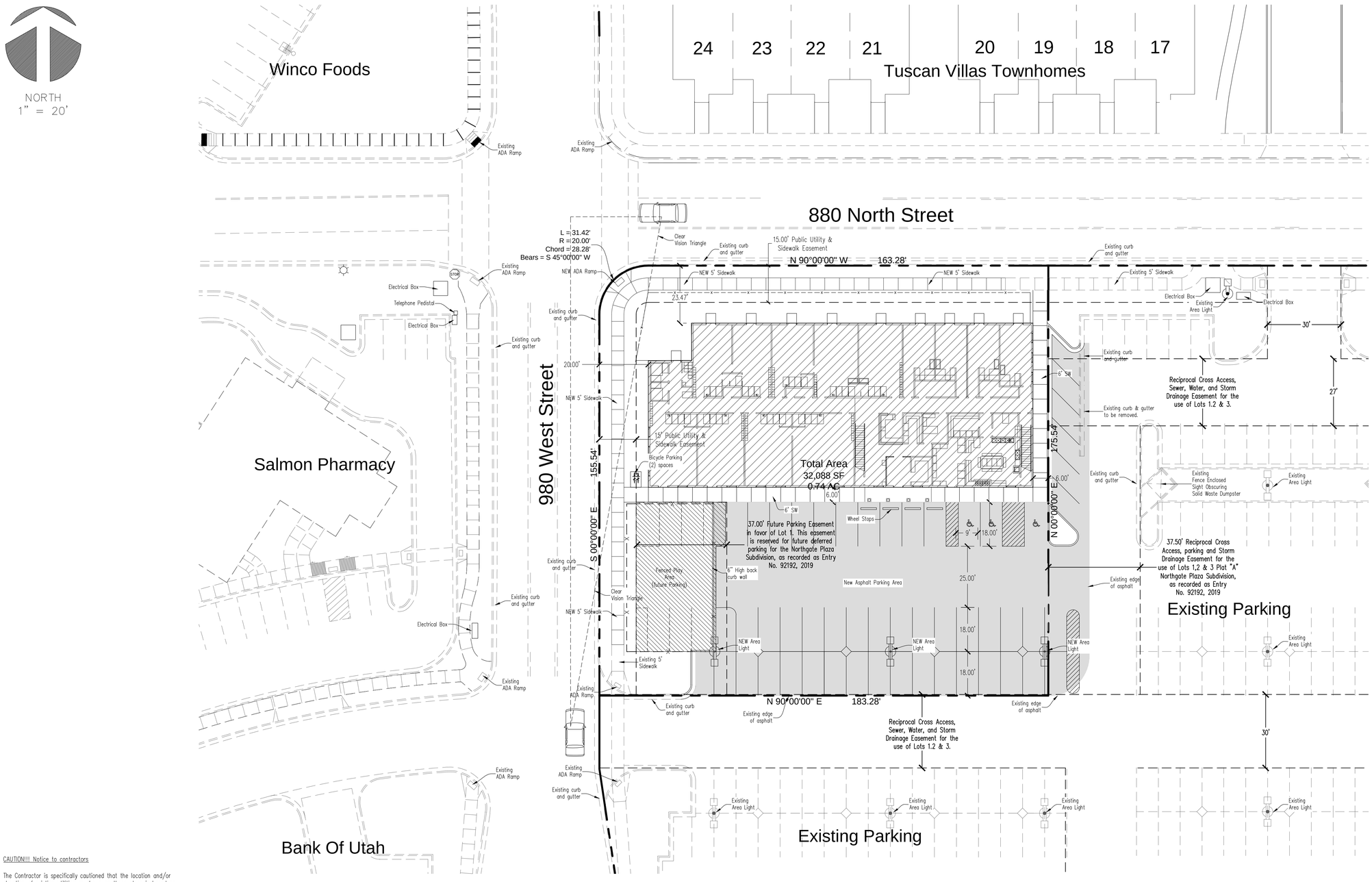


Orem Child Care Holdings
PD12
0.80 Acres

NEIGHBORHOOD
Timpview

Legend
Parcels selection
Parcels
Buildings

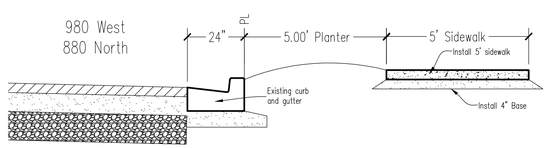

850 North
950 North
1050 West
980 West
960 West
940 West
920 West
900 West
880 North
890 North
920 North
830 West
800 West
Cortland Ridge
820 West
830 North
Canyon Parkway
1200 West
800 North
960 West



CAUTION!!! Notice to contractors

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. the information is not to be considered exact or complete. The Contractor must notify the utility location center at least 48 hours prior to any excavation to request the exact location of the utilities in the field. It shall be the responsibility of the Contractor to relocate all existing utilities which conflict with the proposed improvements shown on the plan.





980 West and 880 North Section

Area to be Deferred Parking

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

OREM CHILD CARE HOLDINGS

Site Plan

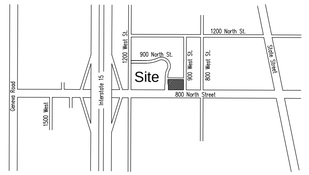
Utah

Orem.

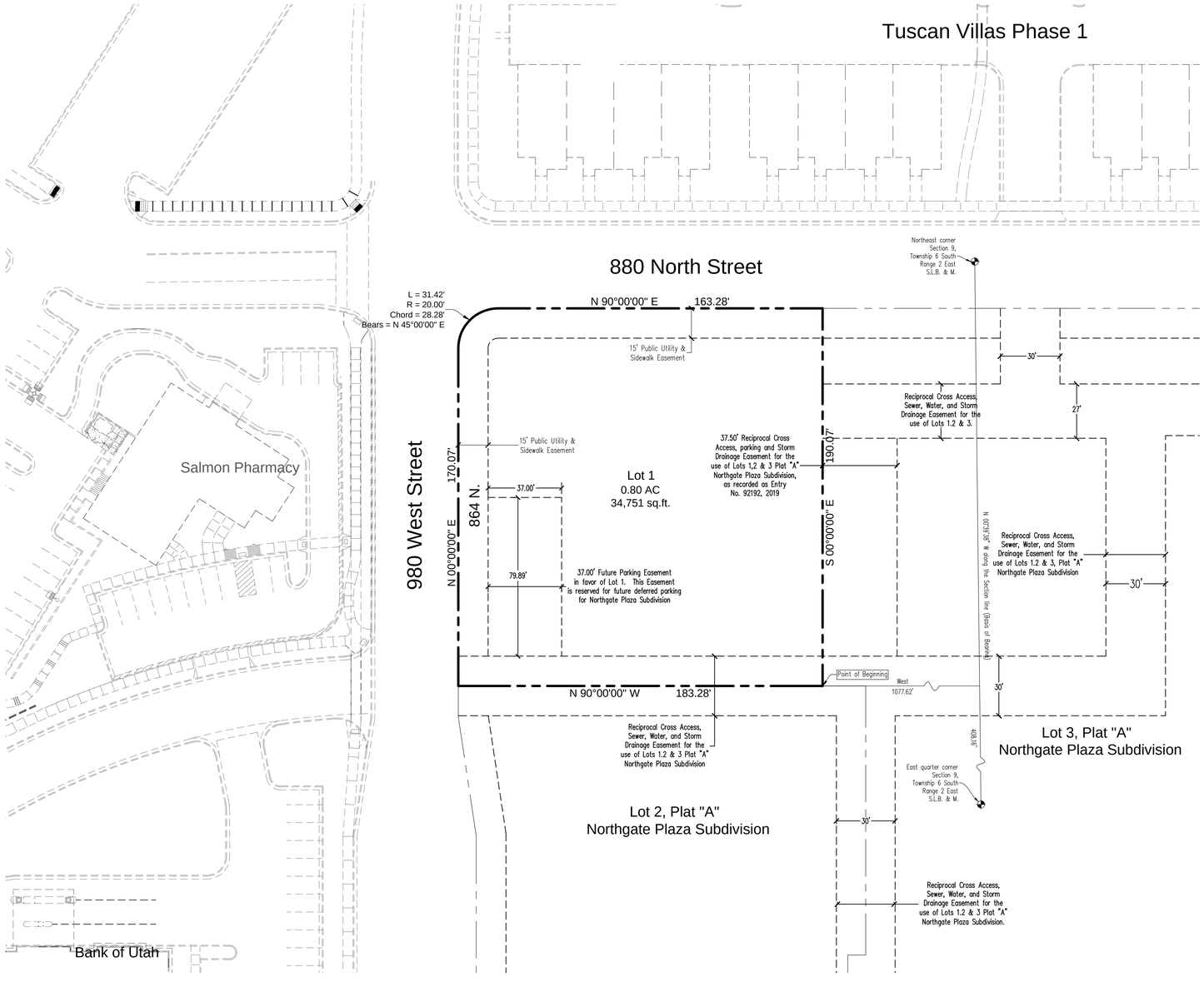
Revisions

Date	9-18-2019
Scale	1" = 20'
By	TD
Tracing No.	L - 14494

Sheet No.
C - 2.0



Vicinity Map



GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

Surveyor's Certificate

I, Roger D. Dudley , do hereby Certify that I am a Registered Land Surveyor, and that I hold Certificate No. 147809 as prescribed under the laws of the State of Utah. I further certify by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots, Blocks, Streets, and Easements and the same has been correctly surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

Boundary Description

ALL of Lot 3, Plat "A", Northgate Plaza Subdivision as shown on record in the office of the Utah County Recorder, Utah County, Utah

Also being described as: Commencing at a point located North 00°39'38" West along the Section line 408.16 feet and West 1077.62 feet from the East quarter corner of Section 9, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 90°00'00" West 183.28 feet; thence North 00°00'00" East 170.07 feet; thence along the arc of a 20.00 foot radius curve to the right 31.42 feet (chord bears North 45°00'00" East 28.28 feet); thence North 90°00'00" East 163.28 feet; thence South 00°00'00" East 190.07 feet to the point of beginning.

Area = 34,751 sq.ft. or 0.80 Acres

Basis of Bearing North 00°39'38" West along the Section line

Date

Surveyor
(See Seal Below)

Owner's Dedication

Know all men by these presents that we, all of the undersigned owners of all the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets, and Easements and do hereby dedicate the streets and other public areas as indicated hereon for perpetual use of the public.

In witness hereof we have hereunto set our hands this _____ day of _____, A.D. 20___.

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }

The foregoing instrument was acknowledged before me this_____day of_____, 2016, by _____, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

My Commission Number _____

Signed (a Notary Public Commissioned in Utah)

My Commission Expires _____

Print name of Notary

Acceptance by the City of Orem

The City of Orem, County of Utah, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other parcels of land intended for public purposes for the perpetual use of the public. Signed this _____ day of _____, A.D. 20___.

Approved: _____ City Engineer

Approved: _____ City Recorder

Occupancy Restriction Notice

The City of Orem has an Ordinance which restricts the occupancy of buildings within this subdivision. Accordingly, it is unlawful to occupy any building located within this subdivision without first having obtained a Certificate of Occupancy issued by the City.

Planning Commission Approval

Approved this ____ day of _____ , 20___, by the Orem City Planning Commission.

Director-Secretary Chairman, Planning Commission Resolution No.

Plat " B "

Northgate Plaza

Including a Vacation of Lot 3, Plat "A", Northgate Plaza Subdivision

Subdivision

Orem City, _____ Utah County, Utah

Scale: 1" = 30 Feet

Plat Vacation Notice

The City of Orem is satisfied that neither the public nor any person will be materially injured by the Vacation of Lot 3, Plat "A", Northgate Plaza Subdivision. Lot 3, Plat "A", Northgate Plaza Subdivision is hereby vacated.

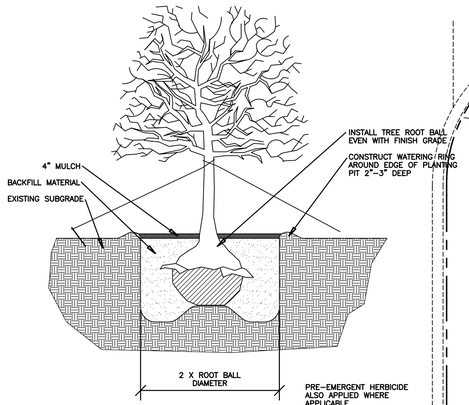
Approved as to Form

City Attorney Date

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL

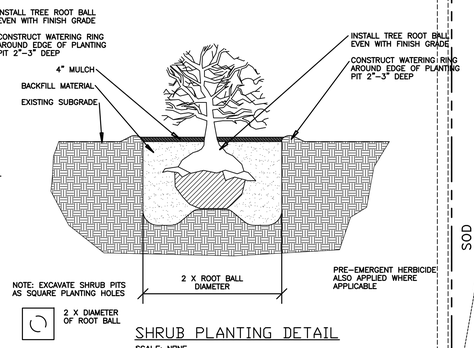
Prepared by:

Dudley and Associates, Inc.
353 East 1200 South
Orem, Utah 84058
office 801-224-1252
fax 801-224-1264



TREE PLANTING DETAIL

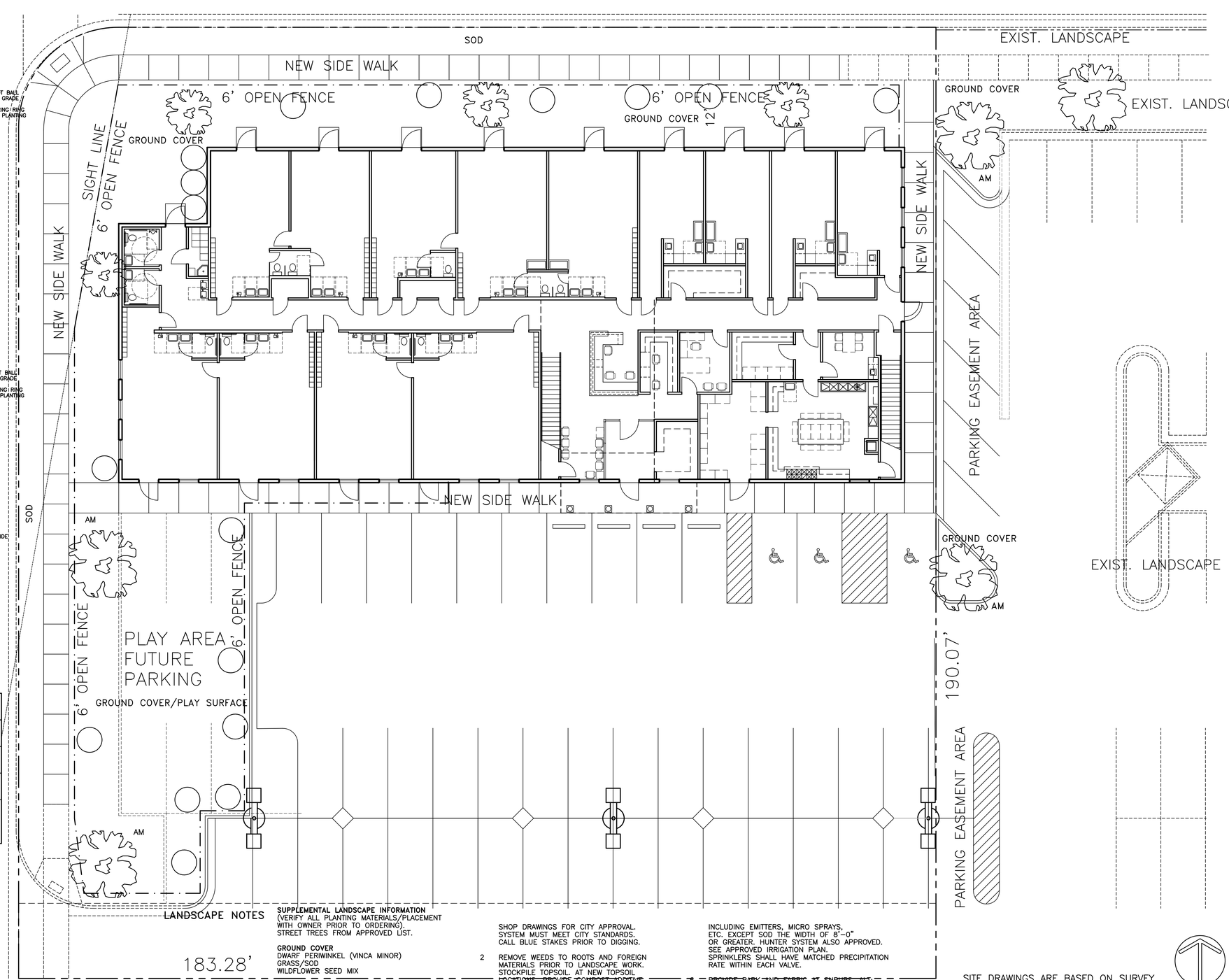
SCALE: NONE



SHRUB PLANTING DETAIL

SCALE: NONE

PLANTING SCHEDULE		
AM	AMUR MAPLE Acer ginnala	2" C.
TP	THUNDERCLOUD PLUM PRUNUS CERASIFERA 'THUNDERCLOUD'	2" C.
LM	Loebner Magnolia (ALT FOR AMUR MAPLE) Magnolia x loebneri	2" C.
SHRUBS SEE ALT.	ALTERNATE BETWEEN GOLDFINGER SHRUBBY CINQUEFOIL (Potentilla Fruiticosa 'Goldfinger') AND ANTONY WATERER SPIREA (Spiraea x bumalda 'Anthony Waterer')	5 GAL.



SITE PLAN

SCALE: 1"=10'-0"

LANDSCAPE NOTES

SUPPLEMENTAL LANDSCAPE INFORMATION
(VERIFY ALL PLANTING MATERIALS/PLACEMENT WITH OWNER PRIOR TO ORDERING).
STREET TREES FROM APPROVED LIST.

GROUND COVER
DWARF PERIWINKEL (VINCA MINOR)
GRASS/SOD
WILDFLOWER SEED MIX

PERENNIALS
FOXGLOVE, 1 GAL. (DIGITALIS)
PURPLE CONEFLOWER, 1 GAL. (Echinacea Spp.)

ALTERNATE BID SHRUBS:
DARK GREEN SPREADER YEW, 5 GAL (SHADE)
Taxus cuspidata 'Dark Green Spreader'
TAM JUNIPER, 5 GAL (SUN)
Juniper sabina 'Tamariscifolia'
JUNIPER, BUFFALO (Juniperus Sabina 'Buffalo')

2 SHOP DRAWINGS FOR CITY APPROVAL. SYSTEM MUST MEET CITY STANDARDS. CALL BLUE STAKES PRIOR TO DIGGING.

2 REMOVE WEEDS TO ROOTS AND FOREIGN MATERIALS PRIOR TO LANDSCAPE WORK. STOCKPILE TOPSOIL. AT NEW TOPSOIL LOCATIONS, PROVIDE COMPOST ADDITIVE SUCH AS "NUTRIMULCH". SEE SOIL REPORT.

3 IRRIGATION, PLANTS, SOD, TREES, ETC. SHALL HAVE A ONE YEAR REPLACEMENT GUARANTEE BY LANDSCAPE CONTRACTOR.

4 MAIN LINES 1" MIN. SCH. 40 PIPE. BRANCH LINES 3/4" MIN. PVC PIPE. RAIN BIRD 1800 SERIES NOZZLES WITH 1.6" PER HOUR. SEE NOTE 5.

INCLUDING EMITTERS, MICRO SPRAYS, ETC. EXCEPT SOD THE WIDTH OF 8'-0" OR GREATER. HUNTER SYSTEM ALSO APPROVED. SEE APPROVED IRRIGATION PLAN. SPRINKLERS SHALL HAVE MATCHED PRECIPITATION RATE WITHIN EACH VALVE.

6 ~~PROVIDE BARK AND FABRIC AT SHRUBS. ALT:~~ PROVIDE DECORATIVE ROCK AND FABRIC AT ALL SHRUB AND TREE AREAS WHERE GROUND COVER OR SOD DOES NOT OCCUR AND NEAR BUILDING.

7 PROVIDE 4" MULCH, TYPICAL. PROVIDE MIN. 2 TREE STAKES PER TREE. PROTECT 12 GA. WITH RUBBER HOSE. PRE-EMERGENT HERBICIDE ALSO APPLIED WHERE APPLICABLE.

SITE DRAWINGS ARE BASED ON SURVEY BY DUDLEY ENGINEERING. SEE SURVEY.

CALL BLUESTAKES BEFORE ANY DIGGING

NORTH

ENTELEN
Design - Build, LLC
8707 SANDY PARKWAY
SANDY, UT 84070
PHONE: 801-542-8090
FAX: 801-542-8093

THE IDEAS AND DESIGN INCORPORATED HEREIN, ARE AN INSTRUMENT OF PROFESSIONAL SERVICE, AND IS THE PROPERTY OF ENTELEN, AND SHALL NOT BE USED IN WHOLE OR PART ON ANY OTHER PROJECT WITHOUT WRITTEN AUTHORIZATION FROM ENTELEN. - 2009

Consultant

No.	Revisions	Date

Project Title
OREM CHILD CARE HOLDINGS
864 N 980 WEST
OREM, UTAH

Sheet Title
SITE AND LANDSCAPE PLAN

File No.
TheKids-A001-J903

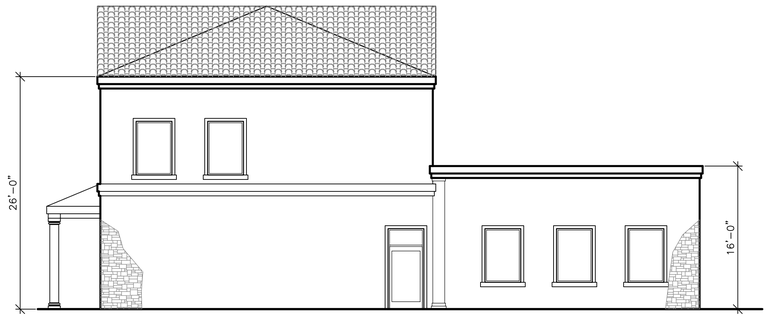
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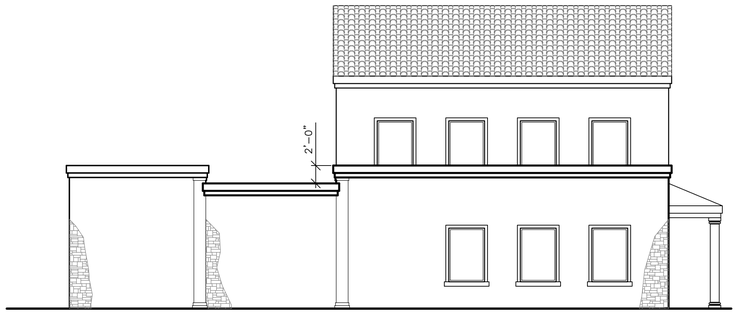
Reviewed by:

Date Issued:
SEPTEMBER 3, 2019

Seal

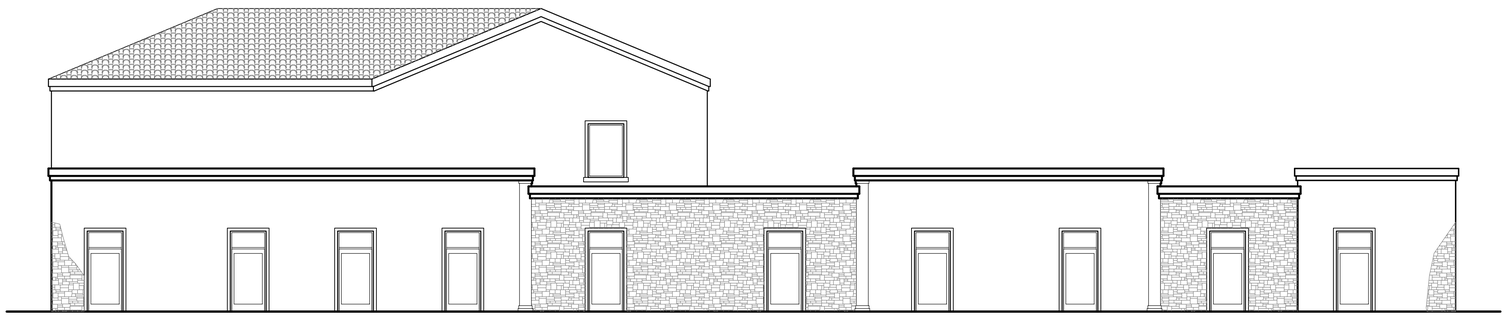
Sheet No.
A001





5:12 TILE STYLE ROOFING WHERE SLOPED
E.I.F.S. FASCIA, PILASTERS, COLUMNS, TRIM
HARRISTONE ACCENTS AT CORNERS AND
AS SHOWN.





A1
A301
ELEVATIONS
SCALE: 1/8" = 1'-0"

ENTELEN
Design - Build, LLC
8707 SANDY PARKWAY
SANDY, UT 84070
PHONE: 801-542-8090
FAX: 801-542-8093

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Consultant

No.	Revisions	Date

Project Title
OREM CHILD CARE HOLDINGS
864 N 980 WEST
OREM, UTAH

Sheet Title
ELEVATIONS

File No.
TheKids-A301-K902

Drawn by:

Reviewed by:

Date Issued:
OCTOBER 2, 2019

Seal

Sheet No.
A301

CODE OF ORDINANCES

CHAPTER 22. ZONING

Article 22-15. Off-Street Parking

22-15-5. Parking Modification.

A. **Criteria for Parking Deferral**. The approving authority of a site plan may defer the construction of up to seventy-five percent (75%) of the off-street parking stalls required by this Article if an applicant demonstrates that the full amount of required parking is not needed for the site because:

1. The character of the use lowers the anticipated need for off-street parking as determined from data from similar uses and/or standards of the Institute of Traffic Engineers applicable to the proposed use; or
2. The use is immediately accessible to public transportation that serves a significant proportion of residents, employees, or customers who would otherwise use parking spaces at the site; or
3. A significant number of residents, employees, customers and/or other individuals who would normally use parking spaces at the site regularly walk or use bicycle or other nonmotorized vehicular forms of transportation.

(Ord. No. O-01-0005, Enacted, 2/13/2001; O-01-0021, Amended, 06/12/2001)

B. **Site Plan**. Applicants for a parking deferral shall submit a site plan demonstrating that the total required parking can be accommodated on-site, and shall record a plat with the Utah County Recorder's Office designating the land to be reserved for future parking. The entire area included in the parking deferral shall be developed and maintained in landscaping; this landscaping may not be counted toward the landscaping requirement elsewhere in this Chapter.

(Ord. No. O-01-0005, Enacted, 2/13/2001; O-01-0021, Amended, 06/12/2001)

C. **Notice of Change of Condition**. Any person having an interest in property subject to a parking deferral shall notify the Director of Development Services of any change in the circumstances that the approving authority considered in granting the deferral.

(Ord. No. O-01-0005, Enacted, 2/13/2001; O-01-0021, Amended, 06/12/2001)

D. **Revocation of Parking Deferral**. The entity which granted a parking deferral may revoke the deferral in whole or in part upon a finding that all or a part of the required parking for the site which was deferred is needed for the site. The approving authority shall not revoke a deferral until the approving authority has provided the recipient with ten days written notice, by mail or personal service, of the approving authority's intent to consider a revocation of the deferral and has provided the recipient an opportunity to be heard regarding the grounds for revocation. Upon revocation of the deferral, the recipient of the deferral or the recipient's

successor or assign shall construct that portion of the deferred parking to which the revocation applies within 120 days of the revocation.

(Ord. No. O-01-0005, Enacted, 2/13/2001; O-01-0021, Amended, 06/12/2001)

E. **Reduction of Required Parking**. The approving authority of a site plan may grant a reduction of up to fifty percent (50%) in the required number of parking stalls for commercial, industrial, and mixed use developments, if the applicant presents a parking-traffic study prepared by a traffic engineer, and demonstrates by clear and convincing evidence that the expected vehicle use and parking space demand for the development will be less than that predicted by the Institute of Transportation Engineers vehicle trip generation rates or less than minimum City parking requirements because:

1. The site incorporates a mix of office or retail uses with assembly and occupancy type uses identified in Section 22-15-4(F) which reduces the need for parking spaces because of shared parking; or
2. The site is adjacent to a mass transit route and the applicant provides a transit stop and related Amenities, including a public plaza, pedestrian sitting areas, and additional landscaping (not to exceed 25% of the total area dedicated as a transit stop); and
3. It is demonstrated that the use of alternative modes of transportation, including mass transit, bicycles, and walking by customers, clients, or employees of the development will reduce the need for parking space.

(Ord. No. O-01-0005, Enacted, 2/13/2001; O-01-0021, Amended, 06/12/2001)

Item #: 3.3	**Planning Commission** October 16, 2019	OREM
Prepared By: Grant Allen		
Applicant: Julie Smith	**PUBLIC HEARING** – Vacating Lot 2 of River Breeze Haven Subdivision, Plat K and approving River Breeze Haven Subdivision, Plat L located generally at 749 South 1080 East R12 zone.	

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn

SITE INFORMATION:

- General Plan Designation: **Low Density Residential**
- Current Zone: **R12**
- Acreage: **1.47**
- Neighborhood: **Sharon**

ACTION:
The Planning Commission is the final approving authority regarding this request.

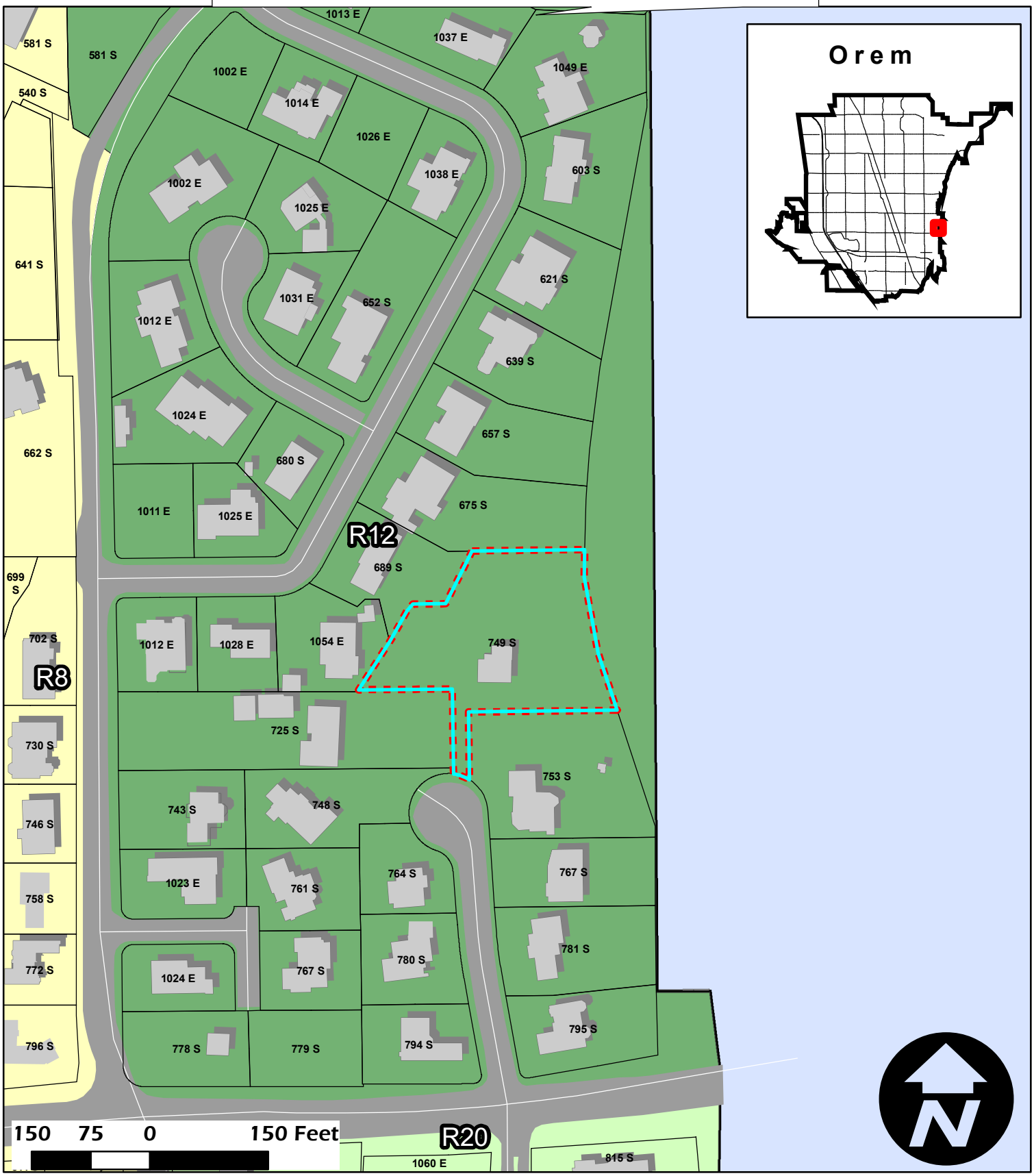
REQUEST: The applicant requests the Planning Commission approve the vacation of Lot 2, River Breeze Haven, Plat K and approve River Breeze Haven, Plat L located generally at 749 South 1080 East R12 zone.

BACKGROUND: The applicant is modifying an existing easement which requires a plat amendment. A portion of the easement will be changed from a 30' easement to a 20' to accommodate an addition to the existing dwelling.

RECOMMENDATION: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the vacation of Lot 2, River Breeze Haven, Plat K and approve River Breeze Haven, Plat L located generally at 749 South 1080 East R12 zone.



River Breeze Haven Plat L



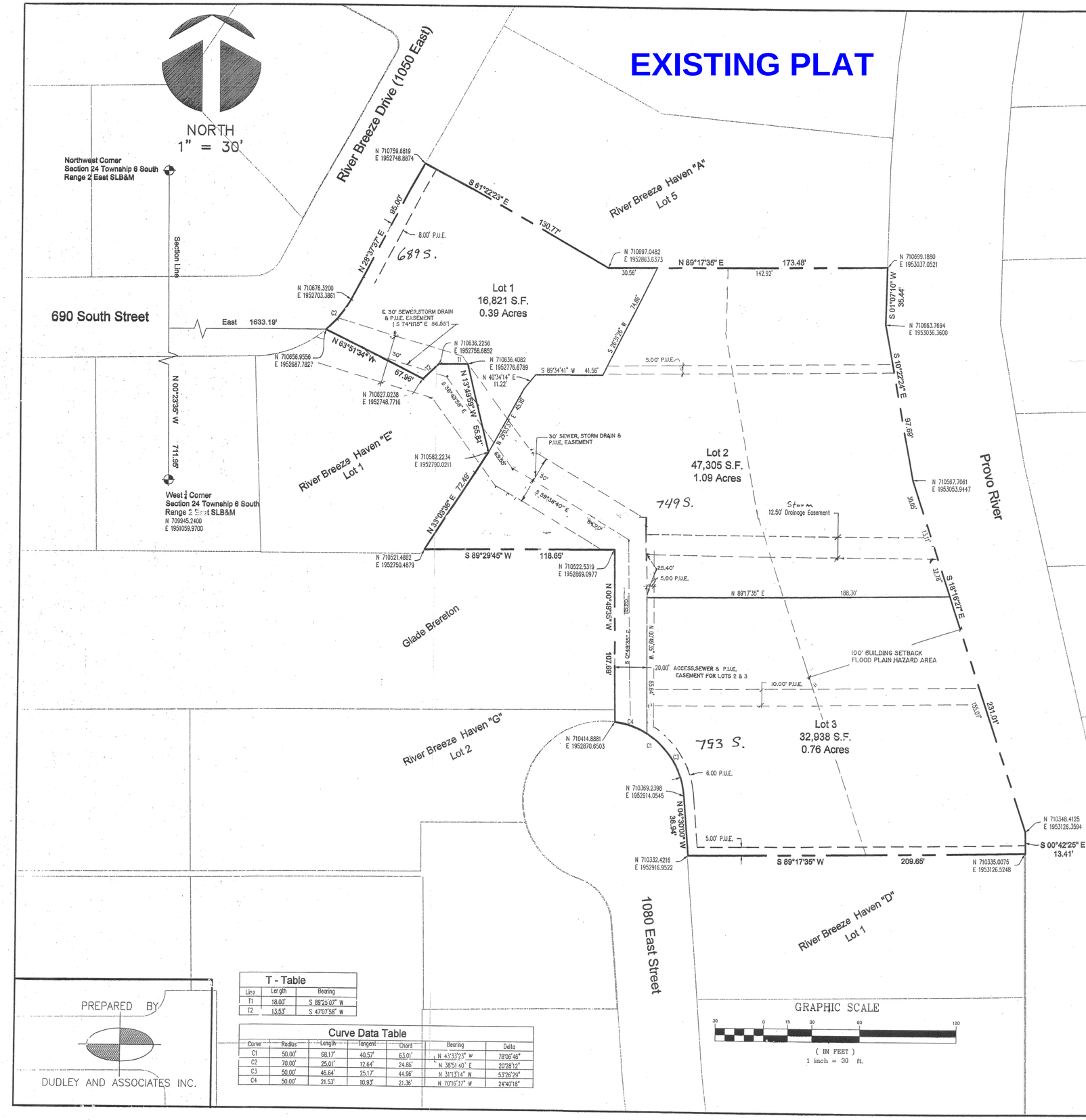
River Breeze Haven Plat L
R12 Zone
1.47 acres

NEIGHBORHOOD
Sharon

Legend
Parcels selection
Parcels
Buildings

River Haven Circle
1050 East
1050 East
Carterville Road
690 South
Carterville Road
760 South
1030 East

EXISTING PLAT



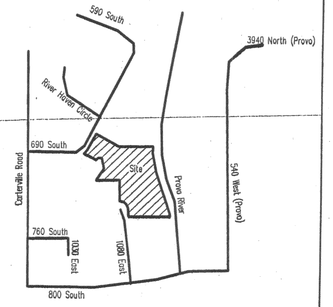
T - Table

Line	Length	Bearing
T1	18.00'	S 89°25'07" W
T2	13.53'	S 47°07'58" W

Curve Data Table

Curve	Radius	Length	Tangent	Chord	Bearing	Delta
C1	50.00'	68.17'	40.57'	63.01'	LN 43°33'23" W	78°06'46"
C2	70.00'	25.01'	12.64'	24.88'	N 38°51'40" E	20°28'12"
C3	50.00'	46.64'	25.17'	44.96'	N 31°13'14" W	53°26'29"
C4	50.00'	21.53'	10.93'	21.36'	N 70°16'37" W	24°40'18"

PREPARED BY:
DUDLEY AND ASSOCIATES INC.



Vicinity Map

Surveyor's Certificate

I, Roger D. Dudley, do hereby Certify that I am a Registered Land Surveyor, and that I hold Certificate No. 147809 as prescribed under the laws of the State of Utah. I further certify by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots, Blocks, Streets, and Easements and the same has been correctly surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

Boundary Description

Commencing N 00-23-35 W Along the Section Line 711.95' and East 1633.19 from the West ¼ Corner Section 24

Township 6 South, Range 2 East, Salt Lake Base & Meridian: thence as follows

Bearing	Distance	Remarks
Arc	25.01	Chord: N 38-51-40 E 24.88 Radius: 70.00
N 28-37-37 E	95.00	
S 61-22-23 E	130.77	
N 89-17-35 E	173.48	
S 01-07-10 W	35.44	
S 10-22-24 E	97.69	
S 18-16-27 E	231.01	
S 00-42-25 E	13.41	
S 89-17-35 W	209.65	
N 04-30-00 W	36.94	
Arc	88.17	Chord: N 43-33-23 W 63.01 Radius: 50.00
N 00-49-35 W	107.69	
S 89-29-45 W	118.65	
N 33-13-38 E	72.49	
N 13-49-59 W	55.82	
S 89-25-07 W	18.00	
S 47-07-58 W	13.53	
N 63-51-34 W	67.96	
		Area: 97,064 S.F. 2.23 Acres

Basis of Bearing N 00-23-35 W Along the Section Line

Dec. 10, 2007
Date

Surveyor
(See Seal Below)

Owner's Dedication

Know all men by these presents that we, all of the undersigned owners of all the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets, and Easements and do hereby dedicate the streets and other public areas as indicated hereon for perpetual use of the public.

In witness hereof we have hereunto set our hands this 12th day of Dec., A.D. 2007

Robert Henrie
Trustee of ROBERT G. BEZZANT BEZZANT Family Trust — ROBERT HENRIE a.k.a. Robert A Henrie — ROBERT A HENRIE

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }

On the 12th day of Dec, A.D. 2007 personally appeared before me the signers of the foregoing Owner's Dedication who duly acknowledged to me that they did execute the same.

My Commission Expires 3-1-08

NOTARY PUBLIC
(See Seal Below)

Acceptance by the City of Orem

The City of Orem, County of Utah, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other parcels of land intended for public purposes for the perpetual use of the public. Signed this 31 day of January, A.D. 2008

Approved: City Engineer

Approved: Donna R. Weaver, City Recorder

Approved: Development Services Director

Occupancy Restriction Notice

The City of Orem has an Ordinance which restricts the occupancy of buildings within this subdivision. Accordingly, it is unlawful to occupy any building located within this subdivision without first having obtained a Certificate of Occupancy issued by the City.

Approved as to Form
Steven C Earl 1/28/08
City Attorney Date

Plat "K"

ENT 11905:2008 Map # 12627
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2008 Jan 31 4:15 pm FEE 33.00 BY CB
RECORDED FOR OREM CITY CORPORATION

River Breeze Haven
Subdivision

Lot Line Adjustment

Orem City, _____ Utah County, Utah

Scale: 1" = 30 Feet

SURVEYOR'S SEAL: REGISTERED LAND SURVEYOR No. 147809 Roger D. Dudley STATE OF UTAH
NOTARY PUBLIC SEAL
CITY-COUNTY ENGINEER SEAL: CITY OF OREM ENGINEERING DIVISION STATE OF UTAH
CLERK-RECORDER SEAL: CITY OF OREM CORPORATE SEAL STATE OF UTAH

12627

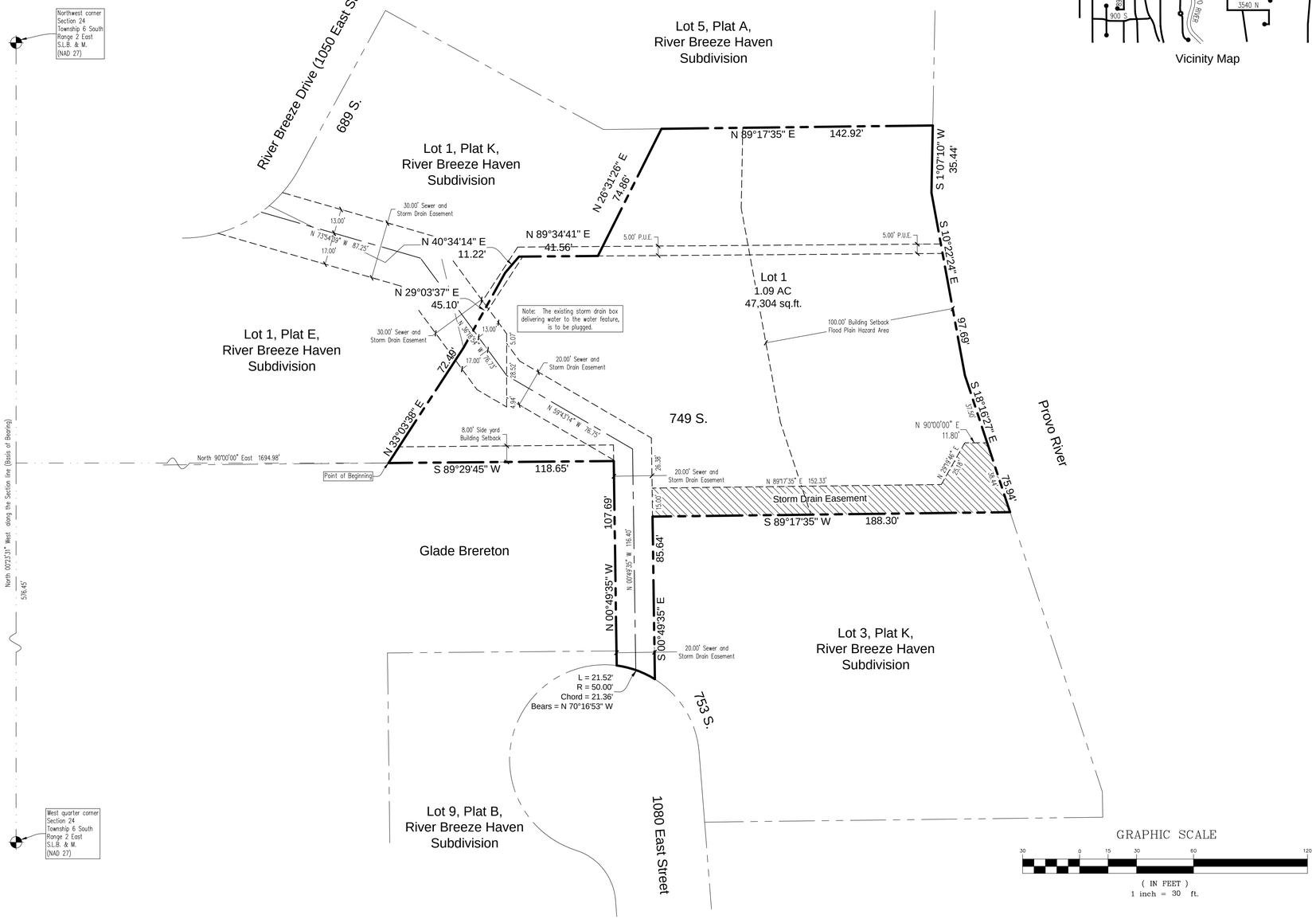
24-6-22 TM-030-AM

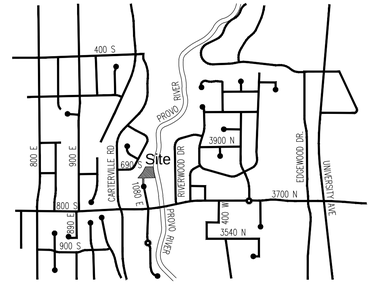
TAXID: 51 506 0001 - 0003

Lot 1 & 3 - Participating 2 - Non Participating

PROPOSED PLAT

NORTH
1" = 30'





Vicinity Map

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

Surveyor's Certificate

I, Roger D. Dudley , do hereby Certify that I am a Professional Land Surveyor, and that I hold Certificate No. 147809 as prescribed under the laws of the State of Utah. I further certify by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots, Blocks, Streets, and Easements and the same has been correctly surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

Boundary Description

ALL OF LOT 2, PLAT "K", RIVER BREEZE HAVEN SUBDIVISION AS SHOWN ON RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER, UTAH COUNTY, UTAH. Said Lot also being described as: Commencing at a point located North 00°23'31"West along the Section line 576.45 feet and North 90°00'00"East 1694.98 feet from the West quarter corner of Section 24, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence North 33°03'38"East 72.49 feet; thence North 29°03'37"East 45.10 feet; thence North 40°34'14"East 11.22 feet; thence North 89°34'41"East 41.56 feet; thence North 26°31'26"74.86 feet; thence North 89°17'35"East 142.92 feet; thence South 01°07'10"West 35.44 feet; thence South 10°22'24"East 97.69 feet; thence South 18°16'27"East 75.94 feet; thence South 89°17'35"West 188.30 feet; thence South 00°49'35"East 85.64 feet; thence along the arc of a 50.00 foot radius curve to the left 21.52 feet (chord bears North 70°16'53"West 21.36 feet); thence North 00°49'35"West 107.69 feet; thence South 89°29'45"West 118.65 feet to the point of beginning.

Area = 47,304 sq.ft. or 1.09 Acres

Basis of Bearing is North 00°23'31"West along the Section line from the West quarter corner to the Northwest corner of Section 24.

_____ Date

_____ Professional Land Surveyor (see seal below)

Owner's Dedication

Know all men by these presents that we, all of the undersigned owners of all the property described in the Surveyor's Certificate hereon and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets, and Easements and do hereby dedicate the streets and other public areas as indicated hereon for perpetual use of the public.

In witness hereof we have hereunto set our hands this _____ day of _____, A.D. 20___.

ROBERT A. HENRIE

Acknowledgement

STATE OF UTAH } S.S.
COUNTY OF UTAH }

The foregoing instrument was acknowledged before me this_____day of_____, 20____, by _____ROBERT A. HENRIE_____, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

My Commission Number _____ _____ Signed (a Notary Public Commissioned in Utah)

My Commission Expires _____ _____ Print name of Notary

Acceptance by the City of Orem

The City of Orem, County of Utah, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other parcels of land intended for public purposes for the perpetual use of the public. Signed this _____ day of _____, A.D. 20____.

Approved: _____ City Engineer Approved: _____ City Recorder

Occupancy Restriction Notice

The City of Orem has an Ordinance which restricts the occupancy of buildings within this subdivision. Accordingly, it is unlawful to occupy any building located within this subdivision without first having obtained a Certificate of Occupancy issued by the City.

Planning Commission Approval

Approved this ____ day of _____ , 20____, by the Orem City Planning Commission.

_____ Director-Secretary _____ Chairman, Planning Commission _____ Resolution No.

Plat Vacation Notice

The City of Orem is satisfied that neither the public nor any person will be materially injured by the Vacation of Lot 2, Plat K, River Breeze Haven Subdivision. Lot 2, Plat K, River Breeze Haven Subdivision is hereby vacated.

Approved as to Form

_____ City Attorney Date

Plat " L "

River Breeze Haven

Including a Vacation of Lot 2, Plat K, River Breeze Haven Subdivision

Subdivision

Orem City, _____ Utah County, Utah

Scale: 1" = 30 Feet

SURVEYOR'S SEAL	NOTARY PUBLIC SEAL	CITY-COUNTY ENGINEER SEAL	CLERK-RECORDER SEAL

PREPARED BY

DUDLEY AND ASSOCIATES INC.

CITY OF OREM
DRAFT PLANNING COMMISSION MEETING MINUTES
September 18, 2019

The following items are discussed in these minutes:

- Legacy Ridge – vacating Lots 45 and 46 on Plat D and Lot 13 on Plat A, submitting Plat E for approval – Approved
- Starks Lot Subdivision Preliminary Plat – Approved
- Cascade Court PRD – change zone from R8 to the PRD zone, amend Appendix KK – Positive Recommendation to City Council

STUDY SESSION

Place: City Council Conference Room

At 4**:30 p.m.** Chair Spencer called the Study Session to order.

Those present: Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Grant Allen, Planner; Jenna Albers and Emily Guffin, Long Range Planners; Sam Kelly, City Engineer; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and JoD'Ann Bates, City Recorder

Those excused: Mickey Cochran, Planning Commission member

The Commission and staff briefly reviewed agenda items and minutes from March 22, 2019 meeting and adjourned at 4:55 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. Moulton, Planning Commission member, to offer the invocation.

Those present: Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Grant Allen, Planner; Jenna Albers and Emily Guffin, Long Range Planners; Paul Goodrich, Transportation Engineer; Steve Earl, Legal Counsel; Debby Lauret, City Council Liaison and JoD'Ann Bates, City Recorder

Those excused: Mickey Cochran, Planning Commission member; Sam Kelly, City Engineer

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

Agenda Item 3.1 is a request by Steven Peterson for the Planning Commission to approve vacating Lots 45 and 46 Plat "D" Legacy Ridge and Lot 13 Plat "A" Legacy Ridge and approving Legacy Ridge Plat E located generally at 98 West 2070 South in the R8 zone.



Staff Presentation: The applicant is seeking to vacate Public Utility Easements on the southern boundary of Lots 1 and 2 and the northern boundary of lot 3 as shown on the proposed plat. Homeowners have provided letters from the five Utility Companies supporting the vacation.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission vacate Lots 45 and 46 Plat "D" Legacy Ridge & Lot 13 Plat "A" Legacy Ridge and approve Legacy Ridge Plat E located generally at 98 West 2070 South in the R8 zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Staker asked if they were vacating the easement just so they could put in their retaining wall. Mr. Allen said yes, retaining walls cannot be placed on a Public Utility Easement. They needed to contact the five utility companies for permission to vacate the easement.

Chair Spencer opened the public hearing and invited those from the audience who had come to speak about 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 approve vacating Lots 45 and 46 Plat "D" Legacy Ridge and Lot 13 Plat "A" Legacy Ridge and approve Legacy Ridge Plat E located generally at 98 West 2070 South in the R8 zone. Mr. Moulton seconded the motion. Those voting aye: Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

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

Agenda Item 3.2 is a request by F. Brent Starks for the Planning Commission to approve the preliminary plat of Starks Lot subdivision located at 520 South 400 West in the R8 zone.



Staff Presentation: The applicant is requesting the city approve the preliminary plat for a 2 lot subdivision. The owner is subdividing his lot into two with both lots meeting the minimum size for the R8 zone. Ordinance allows two lots in a subdivision from a meets and bounds lot to be 85% of the minimum required width of 80' in the R8 zone (22-6-8(C)(1)). These lots comply with that exception.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the preliminary plat of Starks Lot subdivision located at 520 South 400 West in the R8 zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. None did.

Chair Spencer opened the public meeting and invited those from the audience who had come to speak about 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. Staker moved to approve the Preliminary Plat of Starks Lot subdivision located at 520 South 400 West in the R8 zone. Mr. Spencer seconded the motion. Those voting aye: Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer and Mike Staker. The motion passed unanimously.

Chair Spencer asked Mr. Allen to introduce **Agenda Item 3.3** and Mr. Staker recused himself from this item:

Agenda Item 3.3 is a request by Eagle Summit Construction LLC for the City to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 2.42 acres of property located generally at 1000 East Center Street from the R8 zone to the PRD zone; and amending Appendix KK of Orem City Code by adding Cascade Court PRD concept plan and elevations.



Staff Presentation: The applicant is proposing to rezone the property to develop the parcel as a planned residential development with 11 total residential units consisting of five twin home structures and one single unit structure which has a density of 4.95 units per acre. The proposed density meets the requirements of the PRD zone. The PRD zone allows up to 7 units per acre.

The finishing materials for the structures will include stucco, stone, and board and batten. The proposed structures will be one story, with 4 different floor plan variations with approximately 2,136, 1,700 square feet with 3 car garages and 1,850 and 1,700 square feet with 2 car garages. The height of the structures will not exceed 28 feet above grade. The PRD zone allows an overall height of 30 feet.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 2.42 acres of property located generally at 1000 East Center Street from the R8 zone to the PRD zone; and amend Appendix KK of Orem City Code by adding Cascade Court PRD concept plan and elevations.

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

Chair Spencer invited the applicant to come forward. Paul Washburn introduced himself. The proposed project is twin home condominiums designed for older adults. Everything will be landscaped and maintained by a common association. The materials will be stucco, stone and architectural wood features. These units will start in the $490,000 range and go up from there. Mr. Cook asked if there were basements. Mr. Washburn said yes. Mr. Spencer asked if there was parking on the cul-de-sac. Mr. Washburn said it is a public street so yes. Part of the CC&R's attached to this property requires residents to park in the garage with guest parking in the driveways and a central visitor parking area.

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

LuAnn March. She is currently involved in three condominium projects that she owns or lives in. She has concerns with the density of this project. She asked if it would be considered an over fifty-five year old community so younger people will not live there. Mr. Washburn said it will not be an age-restricted community. The design is going to deter their use as a family home. Ms. March said the demographic moving into her condominium area is changing to a younger age and coming with that demographic are boats, razors, and all kinds of equipment. On the street in front of these homes the driveways take a lot of room, not leaving a lot of street parking. Parking is always a problem and there needs to be more that the six designated visitor parking stalls. She is concerned there are too many units with not adequate parking. She wondered what the density bonus of this project is. Mr. Spencer said it is four and one-half instead of four.

Stella Welsh. She has no problem with this development. She would like to see a light on 1000 East Center Street. She would also like to see the speed bumps removed from 1100 East. To avoid these speed bumps, traffic moves to 1000 East.

Tiffany Williams. She has concerns with the number of units in this complex and the increased traffic. There is a new elementary school going in on 200 N 800 East. She thinks the areas around the school should be family oriented. With family homes there is less of a possibility of a high turnover rate. She is concerned that these properties will not be taken care of. This is a perfect central location for families to live. She highly recommends the zoning not be changed. It will be a slippery slope and zones will keep changing. She is concerned about the traffic and parking as well.

Sue Ellen Call. She does not know why someone would buy land zoned for single family homes if they are not going to build single family homes. There is no light, only a stop sign at 1000 E Center Street and there is a lot of traffic. She does not think there is enough land for these many units and does not know why this is even being discussed.

David Viveiros. He has lived in this neighborhood for ten years. He has been hit by a car driven by senior citizens in this area. He is opposed to having more senior citizens here. He has seen lots of projects like this in Provo where twin homes are going in across the street from elementary schools and it is appalling. The Harmon's adjacent neighborhood, he was opposed to that neighborhood until he saw the homes going up. Three Parade of Homes are in that neighborhood and they are going for one-million dollars. He looks at this lot and sees six beautiful homes that would have back yards, that would be great for the neighborhood. He does not know why this is even here when it is zoned for single family residences. He does not understand the process for the City Council to make an adjustment to the zone. Mr. Spencer said he can explain that. Someone buys the property and makes an application. They think they can develop it a certain way. The City staff looks at it first, then it comes to the Planning Commission and the City Council makes the final decision. Mr. Bench said there is an ordinance that was approved by the City Council years ago for Planned Residential Development (PRD) zones. This is allowed on any residential property. The only requirements are it has to be an acre and one-half minimum and it can have a maximum of eight units per acre, if all requirements are met. There are design standards that are built in. It is a canned zone available to property owners that want to amass properties and come and request that rezone. An applicant does have the ability, through the process, because the zone is already in place. This project is a perfect example. It is over one and one-half acres, it is zoned residential and the PRD is an option for an owner if they want to pay the fee and go through the process. They are meeting the standards of the pre-set ordinance. Mr. Viveiros asked the Planning Commission to look at the opposition to this project and listen to their voice.

Elizabeth Fielding. She has lived in this neighborhood for a long time and has seen children come and go. She is currently in a situation where there are a lot of older people in these big houses. Eventually, they will leave and there will be young families in there again. She is representing the older set in this Orem community and she is for this development. She thinks it needs some adjustment. Her question is what is being done in Orem to address the needs of the older people that have lived in the community for many years, have taught in the school, have been parents and raised their kids. She asked if they were being forced out of the City because there is no place to go. That greatly concerns her. There is not a place to put the fifty-five plus people and to maintain it. Orem needs places like this.

Andrea Hilton. This is a prime location next to an elementary school that is being built and close to two other schools. As a teenager in this neighborhood, she would like to have more teenagers around her in that community. She is in favor of having housing for old people, she does not want old people to be forgotten in the City, but this specific property is best served with young children.

Linda Orullian. The original zoning sounds good to her. When she hears that some of the units will have just one bedroom, she does not get it. A one-bedroom house does not make sense to her. If it is a family or a couple, they will be adding to the basement, doubling the cars and that does not make sense to have that many cars. The unfinished basements and the extra cars are her concerns.

John Hilton. A fifty-five and older community sounds like it could be a low impact as Mr. Washburn said. It seems likely that older adults would live upstairs with their college kids living in the basement. It would be simple for these eleven homes to blossom to forty-four cars going in and out. If the zoning is changed there will be more traffic than if the zoning is kept the same. The families will be attracted to this area. There will be no problem selling single family residences. It is the perfect location for younger families. Some may claim that younger families may not be able to afford these homes. Home sales in Orem clearly indicate that with the successful businesses around us it is very possible for single families to purchase the type of home that would fit well in this area. Single family homes in this development would be more in character with homes in this community. The impact of this project will affect the

immediate neighborhood. He would like the Planning Commission to consider the one hundred two people who live within a three block radius of this development that signed a petition to ask the zone not be rezoned.

Hoa Labras. These units are very lovely. Just to the north is a condominium subdivision and these look much better than these. There was no objection to that project, so she does not see why there is an objection to this project. Her neighborhood is single family, but there are six or seven cars that park everywhere. In a single-family neighborhood, there are children and grandchildren that come to visit and they park everywhere. She thinks this project is ok. She would like to see a four-way stop at 1000 E Center Street.

Evan Larson. He read the General Neighborhood Plan put out by Orem City. He thinks this development goes against the objectives of this Plan regarding density, increasing green space and preserving the existing nature of the neighborhoods. There is a similar development two blocks north of this project. There have been a lot of drugs there and drug busts and arrests, cars are speeding down the street. People with young families that live there now are trying to get out. That is what he has seen happen.

Justin Schauers. He asked where everyone was when ninety units were built below him. There is a traffic problem and it has to be dealt with. This property is going to be developed whether it is eight single family homes or eleven twin homes. Not sure of the debate here. He would guess that many of the buyers of these units would come from existing neighborhoods. They would need to sell a home and those homes would be attractive to young families. They would also be more affordable than building a new home on this piece of ground. This will actually create inventory for people to buy homes. The likelihood of traffic doubling is more likely if single family homes are built. There are so many properties in Orem that could be rezoned to provide affordable housing. He is tired of Orem stopping the rezoning of properties that have been long forgotten and could be used in such a way that lower income people could benefit. Sunrise Condominiums are a much higher density than this proposed project. He would also like to note that Mr. Hilton bid on this property and he was not the winning bidder, so he is doing all he can to tear down this development. That does not seem very neighborly. Mr. Hilton got up and said he did not bid on this property, he is a BYU professor and he wanted to clarify that.

Steve Call. He is concerned with the developer and found there are four dozen judgements for bad business practices. Mr. Zufelt wants to rezone it to something different and these judgements make it so Mr. Call cannot trust him. There has been work half done that was never fulfilled and bills not paid. This developer is his major concern as he does not have a great track record.

Steven Peterson. He has lived in a lot of these types of developments. He knows there are calculations for parking, from his experience those calculations are insufficient. There is never enough parking. As families grow, there are more cars. It has been his experience that the parking calculations are insufficient. If those calculations are being used for parking in this development, it is insufficient.

Jayna Bauer. She is an outsider of this neighborhood but a resident of this City. Every developer has an eye on every single property in this town. She wants people to have single family dwellings, and to have a yard. Half a million dollars is not affordable even for retirees. There is a need to realize the citizens are more important than how much money the developers want to make.

Melissa Wilson. She recently moved to this area. She used to live in a home where one of these fifty-five and older neighborhoods had turned into the parent living with their children and struggling grandchildren. Everything was a mess, there was no place for the kids to play. She moved out of that neighborhood into a single-family home that would fit her family in her price range. She would love to see this property stay as an area where nicer homes can be zoned for families that are growing and can raise their families within grade school districts.

Chair Spencer closed the public hearing and asked Mr. Washburn what is being done about parking. Mr. Washburn said RVs, boats, 4-wheelers are restricted from the project by the CC&R's. They have talked about, and could include in the CC&R's, restricting the number of vehicles and what can be parked in the garage. He does not want to see a lot of cars here either. If the kids come to visit for Sunday dinner, they will park in the driveway and life goes on. That happens in all of the neighborhoods. With the driveways and dedicated guest parking, there is a lot of parking available with this project.

Mr. Earl said the PRD ordinance prohibits owners from parking recreational vehicles in a PRD zone unless there is designated RV parking area in the concept plan which there is not one here. Owners would not be allowed by PRD ordinance to park recreational vehicles in the driveways or on the street of this project.

Mr. Washburn began to answer the questions that came up during the public hearing.

- There was a question regarding the Master Plan which calls for a variety of housing that should be spread throughout the entire community and not in just one area. This location is adjacent to a major collector street and there will not be any houses fronting on Center Street.
- There was a question about properties already zoned PRD. There are not any. The City has set it up individually so they can look at each one. Developers have to come in with a site plan and specifically state what they want to do before it can even be considered. PRD twin homes have a remarkable history of being well maintained and there is a strong market for them. On the Wasatch Front there are an additional 60,000 people every year. Traffic will be limited with this project in part because of the parking restrictions that will be there. Seniors do not typically drive during peak traffic hours.
- The traffic light issue is between Orem City and UDOT. Mr. Spencer asked if there has been a discussion about a traffic light on 1000 E Center Street. Mr. Goodrich said yes. Orem City owns that street. The City does not put stop signs on arterial streets. Thirty-five percent of the traffic on Center Street is from other communities. In the 2015 Transportation Master Plan, it was acknowledged that another traffic signal was needed in the area and it was intended to be placed at Palisade Drive because it is a collector street, it is wider, and 1000 East is classified as a residential street. The City has not had the funding to install that traffic signal yet. Whether there are eight units or eleven units, there will be more traffic.
- Mr. Bench said the PRD zone does not allow accessory or mother-in-law apartments. If there were eight single family residences, they could each have an accessory apartment.
- Mr. Earl said in looking at how many single-family homes could go in there, look at the eastern edge, there is not a lot of width between the edge of the cul-de-sac and the back of the property. It may be more difficult to get a single-family home in there because of the front and rear setback requirements. This property may be more difficult to develop for single family homes. Roger Dudley, Engineer, said they did lay it out as a single-family subdivision with a similar cul-de-sac and eight lots is doable.
- Ms. Jensen said she had to go to Pleasant Grove to find a nice twin home for her parents to move in to so they could be closer to her. It was well maintained and kept up. There is a need for these types of homes.

Chair Spencer reopened the public hearing.

Sue Ellen Call. Center Street is very congested especially with all the new buildings at the bottom of the hill. Eight houses, eleven houses, it is all too many. Center Street is tricky especially on 1000 East.

Wayne Carlile. He lives on Palisade Drive. The teenagers tell their friends if you do 40 mph you will not feel the speed bumps. He tried it, and sure enough, at 40 mph you do not feel the speed bumps. Palisade has people doing 40 mph and there is already too much traffic. He does not want people diverting to Palisade to be able to come to a traffic light. He would like less people to be in this subdivision, he is against the town homes.

Steve Biegler. He has a home with an approved accessory apartment. He bid on the property. He called the City and was told he could only do an R8. He left a message for someone and they never returned his call. Obviously, someone outbid him on the property. He was going to build seven beautiful homes to sell for $750,000 to $1 million dollars. 'He recently found out that Mike Staker is on the Planning Commission and that should have been disclosed as he is the one that bought the property. He does not want a contractor that does not pay his bills in his neighborhood. He requested the City attorney go through the judgements against Mr. Zufelt that he brought.

Mr. Zufelt. He filed a bankruptcy in 2008, along with many other builders and developers. He is willing to air this out.

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. Mr. Clark reminded the Planning Commission that they were there to decide on the project. They do not vet builders. The City does bond for improvements when the development is constructed to ensure that those improvements are built. As far as who that developer is and their financial liquidity is not up for debate in this meeting.

Mr. Moulton said he lives on a lot that is .23 acres as are most of the lots on his street. That is the same density as this PRD. He does not see this as high density or even medium density, it is normal to him. Mr. Cook said there was a similar development in his neighborhood that they fought against, and it has actually turned out beautifully. There are a lot of good people that live there that have added to the neighborhood. He did have a concern about the parking. There is very little street parking available. Six stalls in the visitor parking, but you know that people will come and not have a place to park except to go to 1000 East or the driveway.

Chair Spencer called for a motion on this item.

Planning Commission Action: Mr. Spencer moved to forward a positive recommendation to the City Council to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 2.42 acres of property located generally at 1000 East Center Street from the R8 zone to the PRD zone; and amend Appendix KK of Orem City Code by adding Cascade Court PRD concept plan and elevations. Ms. Jensen seconded the motion. Those voting aye: Camille Jensen, David Moulton, Barry Roberts and Ross Spencer. Those voting nay: Carl Cook. The motion passed.

Development Services Director: Mr. Clark said the City would like to thank Mr. Moulton for his seven years of service on the Planning Commission. He has given up a lot of his evenings and his dedication is appreciated. The judgement and time he has taken and put into these decisions he has made, he has represented the City well. Staff has enjoyed working with him over the years.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Spencer then called for a motion to approve the minutes of September 20, 2019. Mr. Moulton moved to approve the meeting minutes for September 20, 2019. Mr. Spencer seconded the motion. Those voting aye: Carl Cook, Camille Jensen, David Moulton, Barry Roberts and Ross Spencer. The motion passed unanimously.

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

Adjourn: 6:24 p.m.

Jason Bench
Planning Commission Secretary

Approved:

By listing my name below, I respectfully request that the Orem City Council maintain the single family zoning on the plot of land at 1000 E and Center St.
1. Giff Nielsen
2. Jenna Nielsen
3. S. Gifford Nielsen
4. Wendy Nielsen
5. John Hilton III
6. Luke Ferrel
7. Evan Larson
8. Tracy Larson
9. Larry A. Tucker
10. Diane Tucker
11. Chad Anderson
12. Jill Anderson
13. Elisabeth Adriana Hornabrook
14. Bardonna Zollinger
15. Samantha Surganovich
16. Jared Surganovich
17. Steve Biegler
18. Karen Strong
19. Kirk Strong
20. Joe Folkman
21. Laura Folkman
22. Matt Coleman
23. William L. Baker
24. Sherry Baker
25. Perry Renner
26. Heather Clark
27. Keith Brown
28. Levi Hilton
29. Jayson Seegmiller
30. Kevin Clayson
31. Dawna Owen

32. Tara Owen
33. Frank Davis
34. Steve Call
35. Wayne Carlile
36. Mary Corser
37. Bernard Corser
38. Nicole Tolman
39. Landon Tolman
40. Kathy Crawford
41. Sharon Biegler
42. Taryn Bodine
43. Angela Seegmiller
44. Gary Crawford
45. Kathryn S Hill
46. Aaron Orullian
47. Linda Orullian
48. Lani Hilton
49. Corbin Folkman
50. Matthew Folkman
51. Mike Young
52. Shayne Young
53. Cade Young
54. Paige Young
55. Andie Wells
56. Brady Wells
57. Ellery Sprague
58. Kyler Sprague
59. Steven Snell
60. Kevin Cope
61. Michelle Golightly

62. Kyle Golightly
63. Justin Golightly
64. Jelaire Golightly
65. Tiffani Williams
66. Richard Williams
67. Richard Williams, Jr.
68. Genevieve Hafen
69. Kathryn Carey
70. David C. Carey
71. David Viveiros
72. Abby Viveiros
73. Jared Ferguson
74. Whitney Ferguson
75. Matthew Viveiros
76. Ryan Blankenship
77. Tammy Blankenship
78. Adam Finlinson
79. Stephanie Finlinson
80. Sue Ellen Call
81. Ashley Johnson
82. Ken Wheeler
83. Adele Wheeler
84. Mike Young

85. Shayne Young
86. Joe Magness
87. Courtney Magness
88. Jeff Robert
89. Pam Robert
90. Traci Robert
91. Chris Robert
92. Lisel Robert
93. Kathleen Cope
94. Lennnon Fotu
95. Skylar Fotu
96. Jordan Robert
97. Traci Wimmer
98. Brigham Wimmer
99. Maddie Wimmer
100. Sadie Wimmer
101. Sage Wimmer
102. Hayden Magness