



CITY OF OREM  
PLANNING COMMISSION MEETING  
56 North State Street, Orem, Utah  
May 06, 2020

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

NOTICE OF ALL-ELECTRONIC MEETING

To minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's March 18, 2020 Executive Order, the Orem City Planning Commission meeting on May 6, 2020 will be an all-electronic meeting. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at [orem.org/meetings](http://orem.org/meetings). If you want to make a comment, please use: [orem.org/comments](mailto:orem.org/comments) or [PlanningCommissionPublicComments@orem.org](mailto:PlanningCommissionPublicComments@orem.org)

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

3:30 PM PRE-MEETING –CANCELED

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 – Zoning Text Amendment for Sections 22-1-5(G) and 22-14-20(I), Orem City Code pertaining to neighborhood meetings requirements.**

Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Sections 22-1-5(G) and 22-14-20(I), Orem City Code pertaining to neighborhood meetings requirements.

*Presenter: Kendall Willardson*

[3.1\\_SR.C\\_Sections\\_22-1-5\\_G\\_and\\_22-14-20\\_I\\_Neighborhood\\_Meeting\\_Noticing\\_2020.05.06.docx](#)

[Ordinance-NeighborhoodMeetingNoticeRequirements.pdf](#)

**3.2. PUBLIC HEARING – Vacating Lot 2 of the Orem Center Business Park, Plat V and approving the RW Commercial Center Condominiums, Plat A located at 1280 South 1380 West in the CM zone.**

Staff recommends the Planning Commission vacate Lot 2 of the Orem Center Business Park, Plat

V and approve the RW Commercial Center Condominiums, Plat A located at 1280 South 1380 West in the CM zone with the condition that the Administrative Approval Site Plan is approved prior to RW Commercial Center Condominiums, Plat A being recorded.

*Presenter: Kendall Willardson*

[3.2\\_SR.C\\_RW\\_Commercial\\_Condos\\_05.06.20.docx](#)

[Map.pdf](#)

[Vicinity Map - RW.pdf](#)

[Plat Amendment.pdf](#)

4. MINUTES REVIEW AND APPROVAL

4.1. **MINUTES REVIEW AND APPROVAL**

Review and Approve

[2020-04-15.pcmn - DRAFT.docx](#)

5. ADJOURN

Next meeting scheduled for Wednesday, May 20, 2020

**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](http://orem.org)**

Item #: 3.1

Prepared By:  
Cheryl Vargas

Applicant: Development  
Services

Planning Commission  
May 6, 2020



**PUBLIC HEARING** – Zoning Text Amendment for Sections 22-1-5(G) and 22-14-20(I), Orem City Code pertaining to neighborhood meetings requirements.

**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](http://utah.gov/pmn)

**SITE INFORMATION:**

- General Plan Designation: N/A
- Current Zone: **Citywide**

**ACTION:**

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

**REQUEST:** Development Services requests the City amend Sections 22-1-5(G) and 22-14-20(I), Orem City Code pertaining to neighborhood meetings noticing.

**BACKGROUND:** Currently, a neighborhood meeting must be held prior to the submission of an application to rezone any property for new commercial development adjacent to residentially zoned property, or as required by specific PD zone text. This amendment would eliminate that restriction to require a neighborhood meeting be held prior to the rezoning of any property.

It also changes the area that must be notified from within three hundred feet to one thousand feet of the site if attached residential units will be allowed under the proposed rezone and within five hundred feet if attached residential units will not be allowed under the proposed rezone. This will allow for more neighbors that will be affected by the rezone a chance to voice their opinion and be aware of the rezone request.

This amendment will also include those same parameters when an applicant applies for site plan approval. It will require that all notices be provided at least one week prior to the date of the meeting.

**RECOMMENDATION:** Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Sections 22-1-5(G) and 22-14-20(I), Orem City Code pertaining to neighborhood meetings requirements.

## CHAPTER 22. ZONING

### Article 22-1. Administration

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#### 22-1-5. Amendments.

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G. A neighborhood meeting must be held prior to the submission of an application to rezone any property, ~~for new commercial development adjacent to residentially zoned property, or as required by specific PD zone text.~~ The applicant shall send a written notice of the neighborhood meeting to the ~~neighborhood community chair and vice chair of the neighborhood community in which the property is located; the Neighborhood Organization Specialist of the City of Orem; and the~~ owners of all property, as listed in the records of the Utah County Recorder, located within ~~three hundred one thousand~~ feet (~~31000'~~) of the site ~~if attached residential units will be allowed under the proposed rezone and within five hundred feet if attached residential units will not be allowed under the proposed rezone. , and the closest fifteen residential parcels.~~ The notice shall be written on letterhead which includes the contact information of the applicant, including but not limited to a name, address, phone number, and an e-mail address. The notice must include the place, date and time of the neighborhood meeting, the existing zoning classification of the subject property and the zoning classification that the applicant is requesting for the property. The notice must also include the following language:

“Pursuant to Orem City Code Section 22-1-5(FG), this meeting is being held to discuss the project with you. This is an opportunity for you to review the plans and provide input and recommendations regarding the project. This application has not yet been reviewed by the City and is subject to change during the review process.”

All required notices shall be provided at least one week prior to the date of the meeting. The neighborhood meeting must be conducted at a location within the City boundaries. The neighborhood meeting shall be held on any weeknight after 6:00 p.m. or Saturday after 9:00 a.m. to provide the best opportunity for the neighbors to attend. The meeting shall not be held on a holiday or the day before or after a holiday. Phone calls or informal door-to-door contacts are not considered neighborhood meetings. The applicant shall keep detailed minutes of the content of the neighborhood meeting. The application for rezone shall include a list of all individuals who were notified of the meeting, a roster of attendees at the meeting, and a copy of the minutes from the meeting.

### Article 22-14. Supplementary Regulations

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#### 22-14-20. Site Plans.

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**I. Neighborhood Meeting.** The applicant for a site plan within or adjacent to a residential zone shall hold a neighborhood meeting ~~prior to submitting an application for site plan approval.~~ The neighborhood meeting shall be held on any weeknight after 6:00 p.m. or Saturday after 9:00 a.m. to provide the best

opportunity for the neighbors to attend. The meeting shall not be held on a holiday or the day before or after a holiday. The applicant shall send written notice of the place, date, and time of the neighborhood meeting to all ~~residential~~ property owners, as listed in the records of the Utah County Recorder records, whose property is located within one thousand three hundred feet (31000') of the site if attached residential units are included in the site plan or within five hundred feet if attached residential units are not included in the site plan. of the site, or the closest fifteen residential parcels, whichever is greater. An applicant shall send written notice of the neighborhood meeting to the neighborhood community chair and vice chair of the neighborhood community in which the project is proposed and to the Neighborhood Organization Specialist of the City of Orem. The notice shall be written on letterhead which includes the contact information of the applicant, including but not limited to a name, address, phone number, and an e-mail address. The notice must include the existing zoning classification of the subject property and the zoning classification that the applicant is requesting for the property. The notice must also include the following language:

“Pursuant to Orem City Code Section ~~22-1-5(F)~~22-14-20(I), this meeting is being held to discuss the project with you. This is an opportunity for you to review the plans and provide input and recommendations regarding the project. This application has not yet been reviewed by the City and is subject to change during the review process.”

All required notices shall be provided at least one week prior to the date of the meeting. The neighborhood meeting must be conducted at a location within the City boundaries. The neighborhood meeting shall be held on any weeknight after 6:00 p.m. or Saturday after 9:00 a.m. to provide the best opportunity for the neighbors to attend. The meeting shall not be held on a holiday or the day before or after a holiday. The applicant shall notify these owners, the Neighborhood Organization Specialist of the City of Orem, and the neighborhood community chair and vice chair of the neighborhood community in which the project is proposed at least one (1) week prior to that meeting. Phone calls or informal door-to-door contacts are not considered neighborhood meetings. Such meeting(s) shall be accomplished prior to the site plan being submitted to the City. The applicant shall keep detailed minutes of the content of the neighborhood meeting. The application for site plan approval shall include a list of all individuals who were notified of the meeting, a roster of attendees at the meeting, and a copy of the minutes from the neighborhood meeting. This requirement shall not apply to minor amendments to existing sites as provided under Section 22-14-20 (C)(3) of this chapter.

Item #: 3.2

Prepared By:  
Cheryl Vargas

## Planning Commission

May 6, 2020



**Applicant:** Brubaker  
Construction Company

**PUBLIC HEARING** – Vacating Lot 2 of the Orem Center Business Park, Plat V and approving the RW Commercial Center Condominiums, Plat A located at 1280 South 1380 West in the CM 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](http://utah.gov/pmn)

**SITE INFORMATION:**

- General Plan Designation:  
**Light Industrial**
- Current Zone: **CM**
- Acreage: **2.57**
- Neighborhood: **Sunset Heights West**

**ACTION:**

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

**REQUEST:** The applicant requests the Planning Commission vacate Lot 2 the Orem Center Business Park, Plat V and approve the RW Commercial Center Condominiums, Plat A located at 1280 South 1380 West in the CM zone.

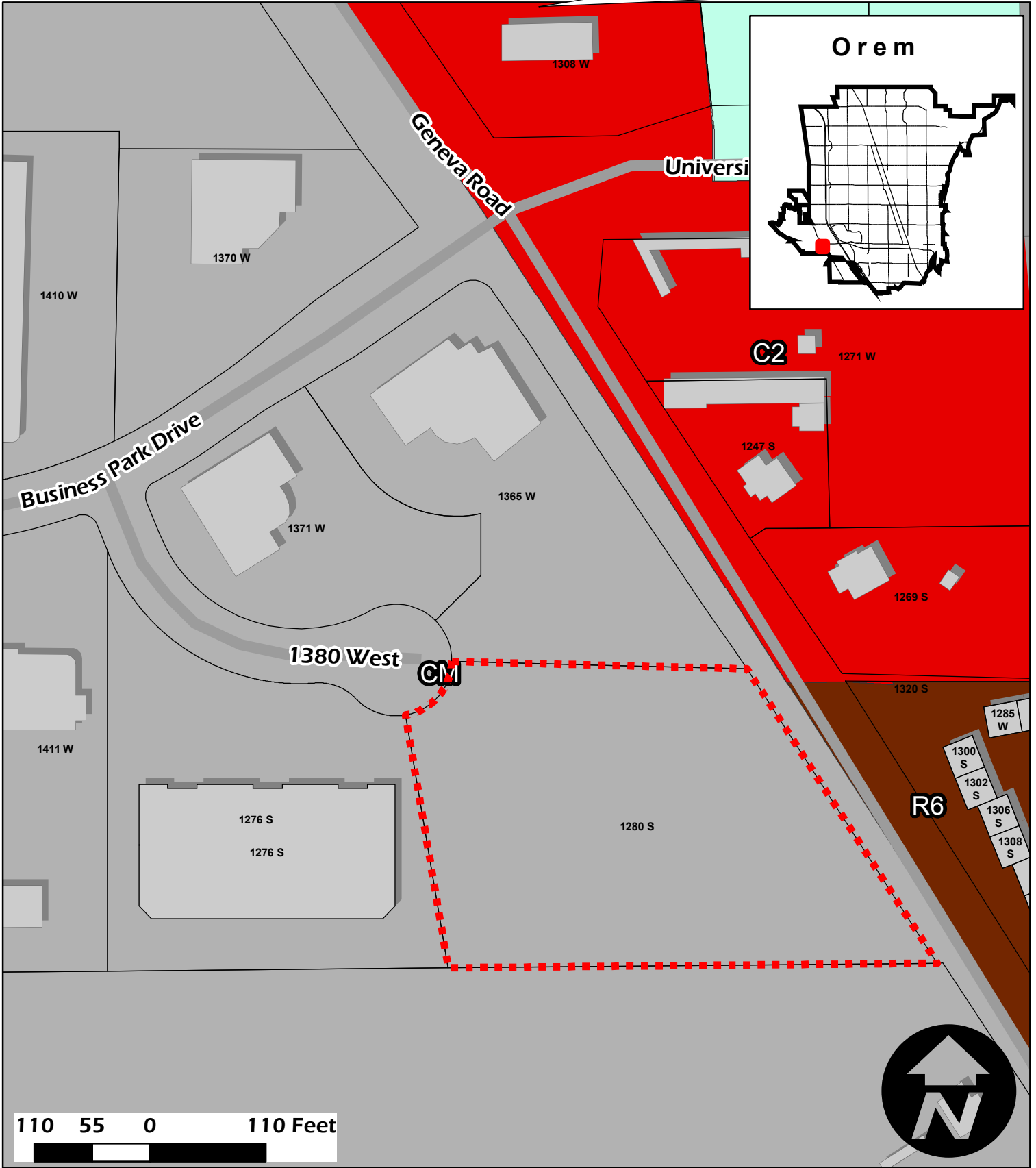
**BACKGROUND:** The applicant is seeking to change the units previously approved by the Planning Commission on February 5, 2020 to condominiums. The applicant would like the option to sell each unit individually.

The applicant also has an application for an Administrative Approval Site Plan, but they are in the process of addressing several storm water issues with the property. This is a separate issue from the Plat Amendment, but these issues will need to be addressed prior to recording the RW Commercial Center Condominiums, Plat A.

**RECOMMENDATION:** The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission vacate Lot 2 of the Orem Center Business Park, Plat V and approve the RW Commercial Center Condominiums, Plat A located at 1280 South 1380 West in the CM zone with the condition that the Administrative Approval Site Plan is approved prior to RW Commercial Center Condominiums, Plat A being recorded.



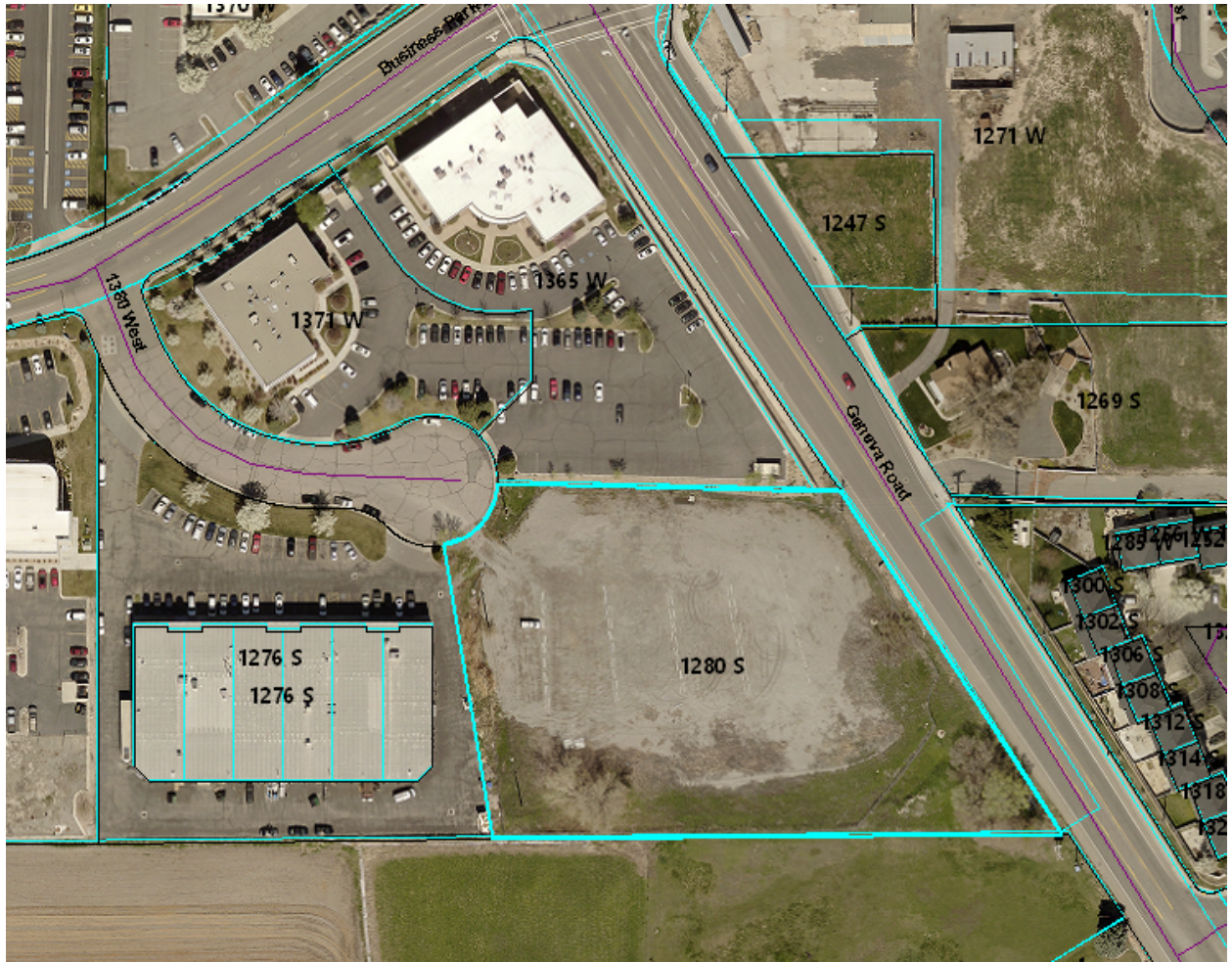
# RW Commercial Center

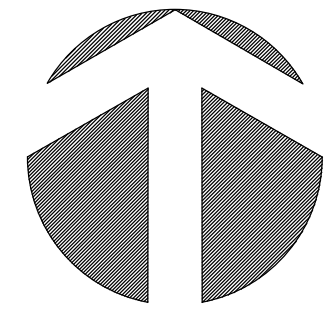


◆ RW Commercial Center  
 CM  
 2.57 Acres

**NEIGHBORHOOD**  
 Sunset Heights West

Legend  
 □ Parcels  
 ■ Buildings

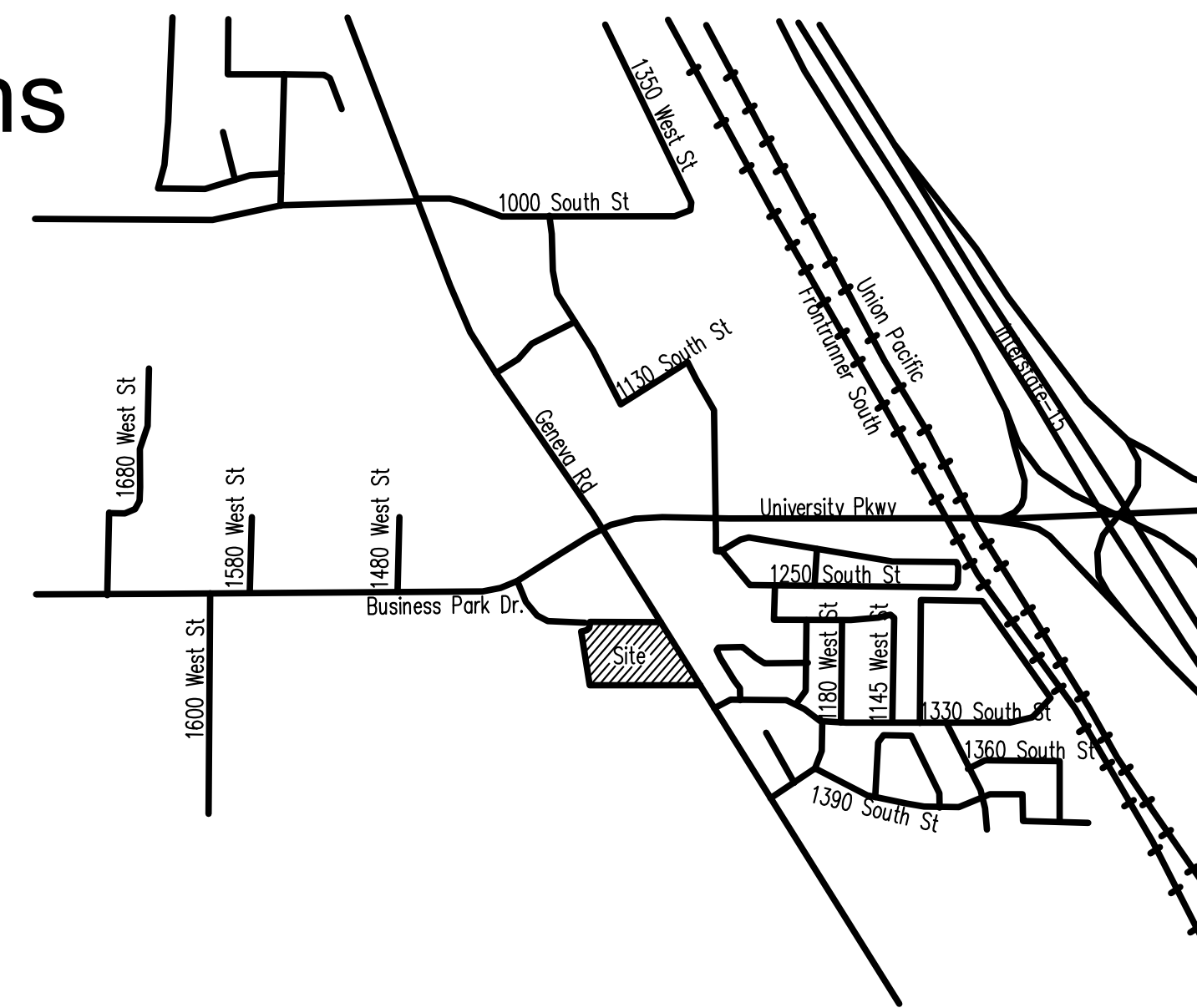




NORTH  
1" = 30'

# RW Commercial Center Condominiums

Located in the Northwest quarter of Section 28,  
Township 6 South, Range 2 East, Salt Lake Base and Meridian  
Orem City, Utah County, Utah



## Surveyor's Certificate

I, Roger D. Dudley, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 147089 as prescribed under the laws of the State of Utah. I further certify that at the request of the owner of the below-described land, I performed a Survey of said land; that the boundary description below correctly describes the land surface upon which will be constructed RW COMMERCIAL CENTER CONDOMINIUMS, A Utah Condominium Project, that the record of survey map for said Condominium Project, consisting of three(3) pages(s), is accurate and complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act; and that the reference markers shown on said map are located as shown and are sufficient to readily retrace or reestablish this survey.

Date \_\_\_\_\_  
Professional Land Surveyor (see seal below)

## Boundary Description

Commencing at a point located South 89°28'50" West along the Section Line 692.04 feet and the North quarter corner of Section 28, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence along Geneva Road the following 2 courses: along the arc of a 11,424.20 foot radius curve to the right 1.37 feet (chord bears South 32°53'53" East 1.37 feet), South 32°53'41" East 331.76 feet; thence South 89°27'19" West 465.08 feet; thence North 09°37'06" West 243.71 feet; thence along the arc of a 53.00 foot radius curve to the left 73.02 feet (chord bears North 40°54'45" East 67.38 feet); thence South 89°33'25" East 280.83 feet to the point of beginning.

AREA=2.57 acres

Basis of Bearing: South 89°28'50" West along the Section Line

## Owner's Certificate and Dedication

The Undersigned owner ("Owner", without regard to number of gender) of the above-described Land hereby certifies that: owner has caused a survey to be made of said land and this record of Survey Map ("Map") and Declaration of Condominium ("Declaration") to be prepared for RW COMMERCIAL CENTER CONDOMINIUMS, A Utah Condominium Project (the "Project"); owner hereby consents to the concurrent recordation of the Map and Declaration and hereby admits the described land to the provisions of the Utah Condominium Ownership Act; owner hereby dedicates any public streets reflected on the map for the use by the General Public and Declares all other driveways or private streets reflected on the Map to be private and intended for use only by owners of Condominium Units within the project, their guests and invitees, as reflected in the provisions of the Declaration.

## Utility Dedication

The undersigned owner hereby offers and conveys to all Public Utility Agencies, their successors and assigns, a permanent easement and right of way in and to those areas reflected on the map as "Common Areas" (including private streets and private driveways) for the construction and maintenance of approved public utilities and appurtenances, together with the right of access thereto.

## Reservation of Common Areas

The undersigned owner, in recording this Record of Survey Map, has designated certain areas of land as Private Driveways, Streets and other common areas intended for use by owners of the Condominium Units within the project, their guests and invitees, and are hereby reserved for their common use and enjoyment as more fully set forth and provided in the provisions of the Declaration of Condominium applicable to the project.

Dated: \_\_\_\_\_ 20\_\_\_\_

Owner: \_\_\_\_\_ By: \_\_\_\_\_  
BRD, LLC Manager

## Acknowledgment

STATE OF UTAH )  
                          ) S.S.  
COUNTY OF UTAH)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who represented that he is the owner of the above-described property and has the authority to execute this instrument.

My Commission Expires \_\_\_\_\_  
Notary Public

## Planning Commission Approval

Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_, by the Orem City Planning Commission.

Director - Secretary                      Chairman, Planning Commission                      Resolution No.

## Acceptance by the City of Orem

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Orem City, 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. The City recognizes that this plat clarifies ownership of property with the dedication shown herein this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Approved: \_\_\_\_\_ City Engineer                      Approved: \_\_\_\_\_ City Recorder

Approved: \_\_\_\_\_ Clerk / Recorder

## Occupancy Restriction Notice

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

SHEET 1 OF 3 SHEET(S)

## Plat " A "

# RW Commercial Center Condominiums

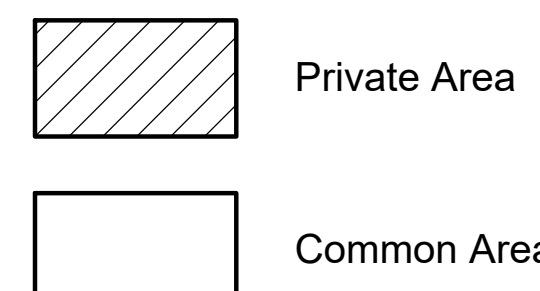
Including a Vacation of Lot 2, Plat V,  
Orem Center Business Park Subdivision

Orem City, \_\_\_\_\_ Utah County, Utah

Scale: 1" = 30 Feet

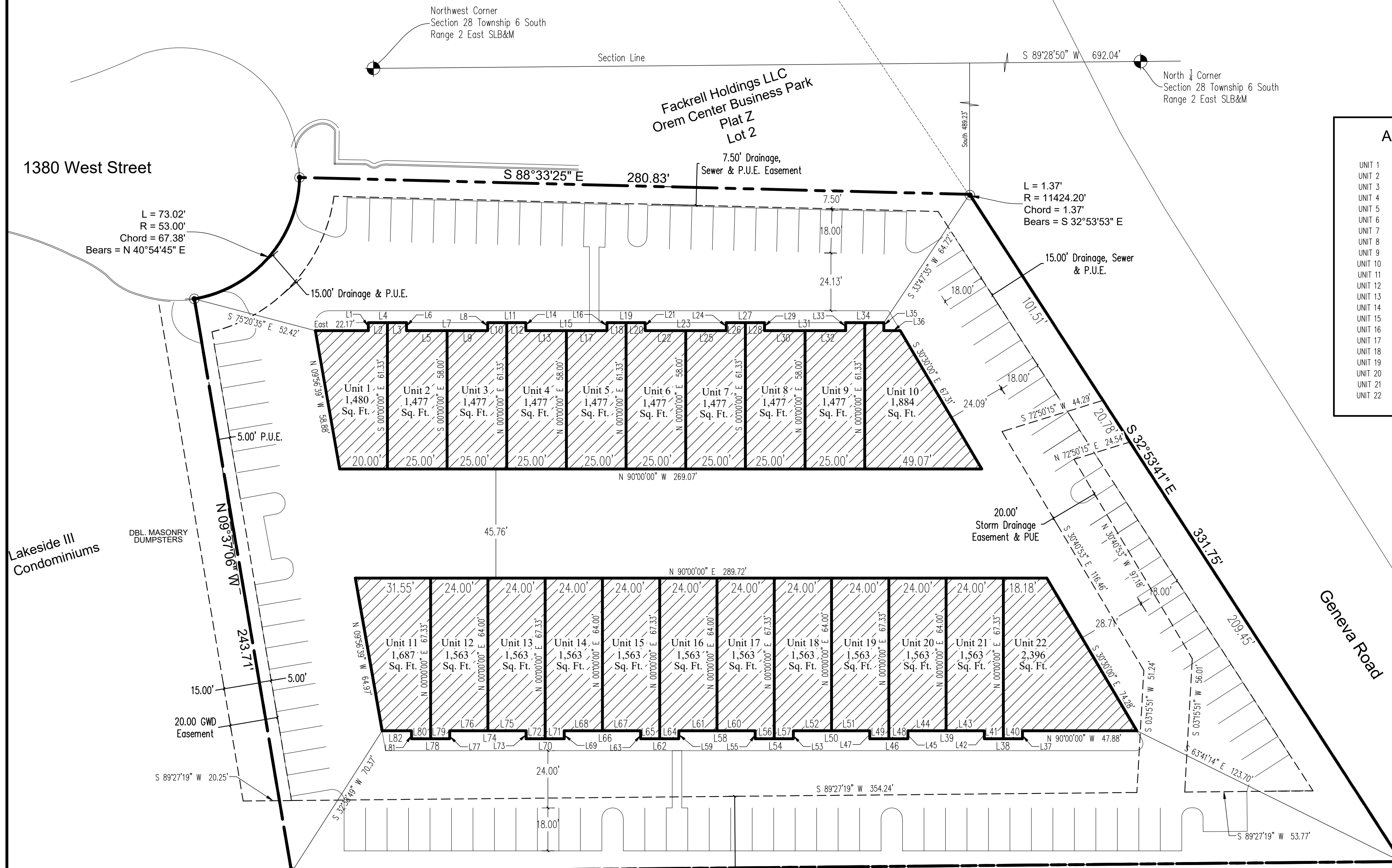
## Plat Vacation Notice

The City of Orem is satisfied that neither the public nor any person will be materially injured by the Vacation of Lot 2, Plat "V", Orem Center Business Park Subdivision, Lot 2, Plat "V", Orem Center Business Park Subdivision is hereby Vacated.



Approved as to Form

City Attorney                      Date



### Address Block

UNIT 1	1280 South 1380 West, Unit 1
UNIT 2	1280 South 1380 West, Unit 2
UNIT 3	1280 South 1380 West, Unit 3
UNIT 4	1280 South 1380 West, Unit 4
UNIT 5	1280 South 1380 West, Unit 5
UNIT 6	1280 South 1380 West, Unit 6
UNIT 7	1280 South 1380 West, Unit 7
UNIT 8	1280 South 1380 West, Unit 8
UNIT 9	1280 South 1380 West, Unit 9
UNIT 10	1280 South 1380 West, Unit 10
UNIT 11	1280 South 1380 West, Unit 11
UNIT 12	1280 South 1380 West, Unit 12
UNIT 13	1280 South 1380 West, Unit 13
UNIT 14	1280 South 1380 West, Unit 14
UNIT 15	1280 South 1380 West, Unit 15
UNIT 16	1280 South 1380 West, Unit 16
UNIT 17	1280 South 1380 West, Unit 17
UNIT 18	1280 South 1380 West, Unit 18
UNIT 19	1280 South 1380 West, Unit 19
UNIT 20	1280 South 1380 West, Unit 20
UNIT 21	1280 South 1380 West, Unit 21
UNIT 22	1280 South 1380 West, Unit 22

### Line Table

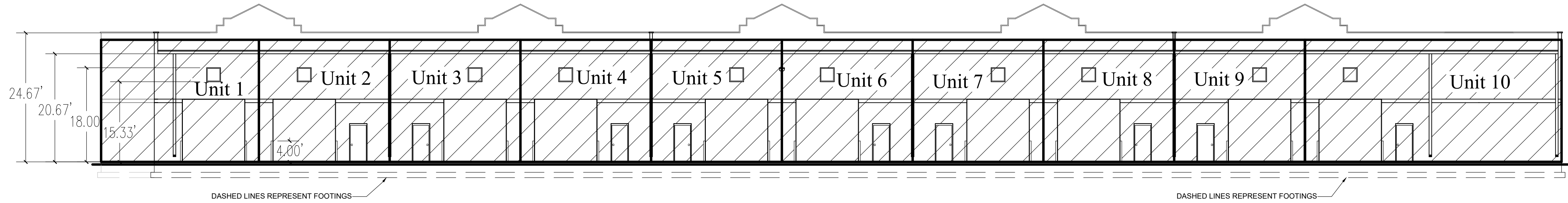
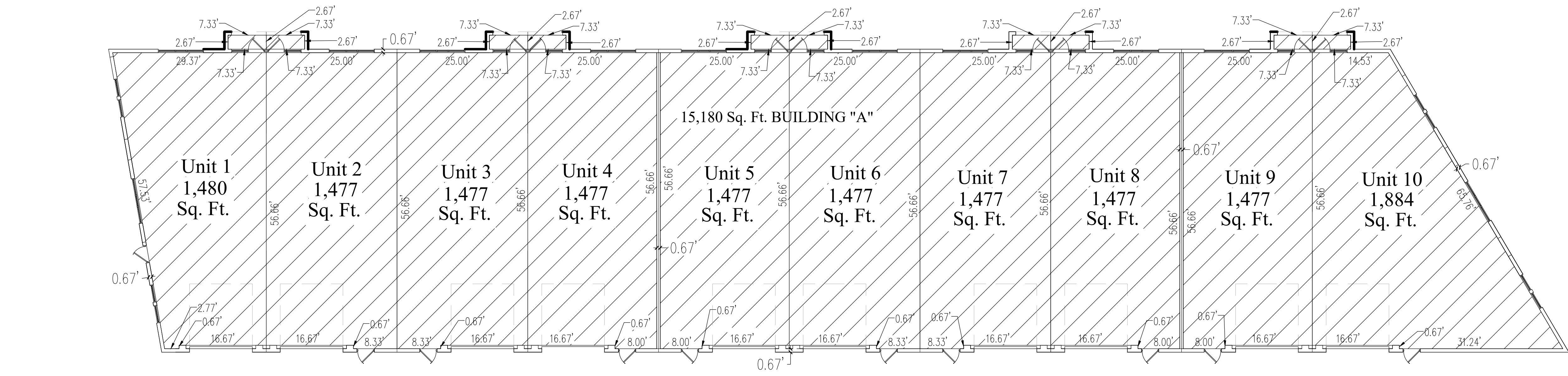
Line	Length	Direction	Line	Length	Direction	Line	Length	Direction
L1	3.33'	N 00°00'00" E	L31	34.00'	N 90°00'00" E	L61	16.00'	N 90°00'00" E
L2	8.00'	N 90°00'00" E	L32	17.00'	N 90°00'00" E	L62	16.00'	N 90°00'00" W
L3	8.00'	N 90°00'00" E	L33	3.33'	S 00°00'00" E	L63	3.33'	N 00°00'00" E
L4	16.00'	N 90°00'00" E	L34	16.00'	N 90°00'00" E	L64	8.00'	N 90°00'00" W
L5	17.00'	N 90°00'00" E	L35	3.33'	S 00°00'00" E	L65	8.00'	N 90°00'00" W
L6	3.33'	S 00°00'00" E	L36	6.91'	N 90°00'00" E	L66	32.00'	N 90°00'00" W
L7	34.00'	N 90°00'00" E	L37	3.33'	S 00°00'00" E	L67	16.00'	N 90°00'00" W
L8	3.33'	N 00°00'00" E	L38	16.00'	N 90°00'00" W	L68	16.00'	N 90°00'00" W
L9	17.00'	N 90°00'00" E	L39	32.00'	N 90°00'00" W	L69	3.33'	S 00°00'00" E
L10	8.00'	N 90°00'00" E	L40	8.00'	N 90°00'00" W	L70	16.00'	N 90°00'00" W
L11	16.00'	N 90°00'00" E	L41	8.00'	N 90°00'00" W	L71	8.00'	N 90°00'00" W
L12	8.00'	N 90°00'00" E	L42	3.33'	N 00°00'00" E	L72	8.00'	N 90°00'00" W
L13	17.00'	N 90°00'00" E	L43	16.00'	N 90°00'00" W	L73	3.33'	N 00°00'00" E
L14	3.33'	S 00°00'00" E	L44	16.00'	N 90°00'00" W	L74	32.00'	N 90°00'00" W
L15	34.00'	N 90°00'00" E	L45	3.33'	S 00°00'00" E	L75	16.00'	N 90°00'00" W
L16	3.33'	N 00°00'00" E	L46	16.00'	N 90°00'00" W	L76	16.00'	N 90°00'00" W
L17	17.00'	N 90°00'00" E	L47	3.33'	N 00°00'00" E	L77	3.33'	S 00°00'00" E
L18	8.00'	N 90°00'00" E	L48	8.00'	N 90°00'00" W	L78	16.00'	N 90°00'00" W
L19	16.00'	N 90°00'00" E	L49	8.00'	N 90°00'00" W	L79	8.00'	N 90°00'00" W
L20	8.00'	N 90°00'00" E	L50	32.00'	N 90°00'00" W	L80	8.00'	N 90°00'00" W
L21	3.33'	S 00°00'00" E	L51	16.00'	N 90°00'00" W	L81	3.33'	N 00°00'00" E
L22	17.00'	N 90°00'00" E	L52	16.00'	N 90°00'00" W	L82	12.33'	N 90°00'00" W
L23	34.00'	N 90°00'00" E	L53	3.33'	S 00°00'00" E			
L24	3.33'	S 00°00'00" E	L54	16.00'	N 90°00'00" W			
L25	17.00'	N 90°00'00" E	L55	3.33'	N 00°00'00" E			
L26	8.00'	N 90°00'00" E	L56	8.00'	N 90°00'00" E			
L27	16.00'	N 90°00'00" E	L57	8.00'	N 90°00'00" E			
L28	8.00'	N 90°00'00" E	L58	32.00'	N 90°00'00" W			
L29	3.33'	S 00°00'00" E	L59	3.33'	S 00°00'00" E			
L30	17.00'	N 90°00'00" E	L60	16.00'	N 90°00'00" W			

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

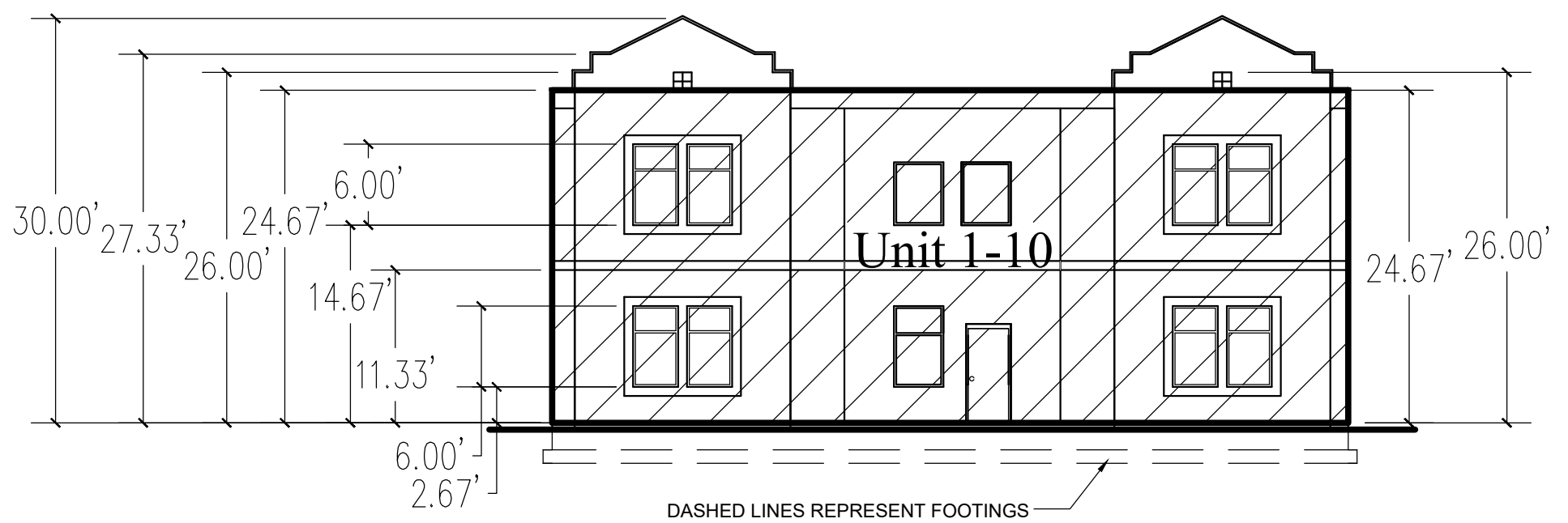
Questar Gas Company  
Rocky Mountain Power

Questar approves this plat solely for the purpose of confirming that the plat contains Public Utility Easements. Questar may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provide by law or equity. This approval does not constitute acceptance, approval, or acknowledgement of any terms contained in the plat. Includes those set forth in the owners dedication and the notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Questar's Right-of-Way departments at 800-366-6532.

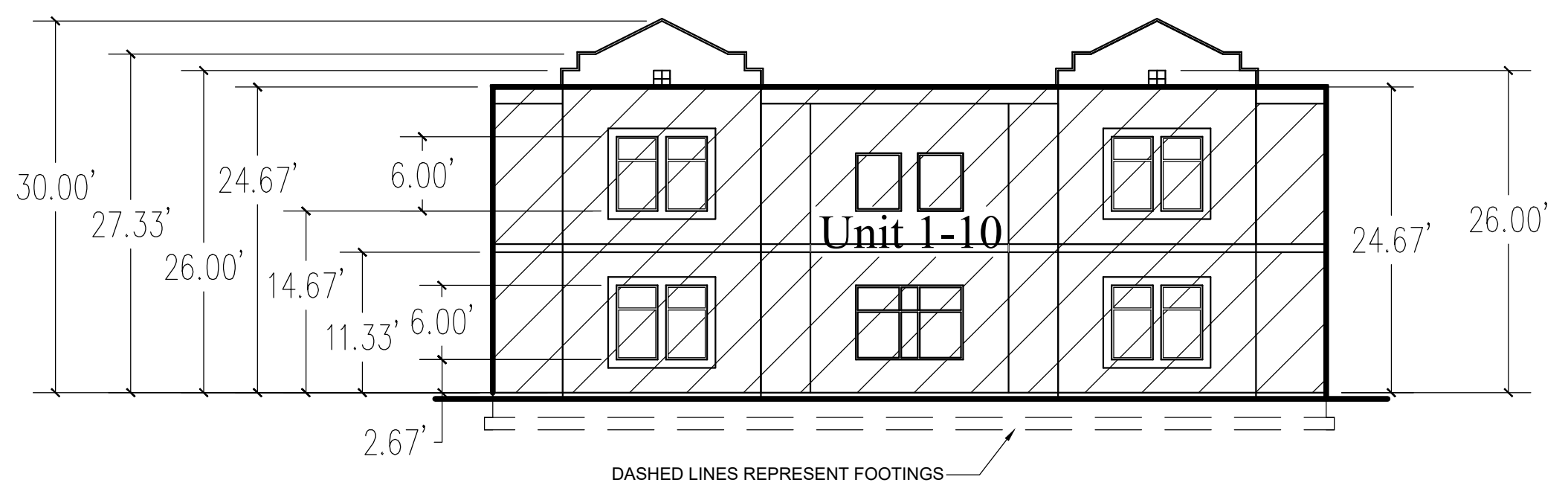
- Pursuant to Utah Code, Ann. 54-3-27 this Plat conveys to the owner(s) or operators of utility facilities a Public Utility Easement along with all the rights and duties described therein.
- Pursuant to Utah Code Ann. 17-27A603(4)(B) Rocky Mountain Power accepts delivery of the PUE as described in this plat solely for the purpose of confirming that the plat contains Public Utility Easements and approximates the location of the Public Utility Easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve the development. This approval does not affect any right that Rocky Mountain Power has under.
  - A Recorded Easement or Right-of-Way.
  - The law applicable to the prescriptive rights.
  - Title 54, Chapter 8A, Damage to underground facilities or
  - Any other provision of law.



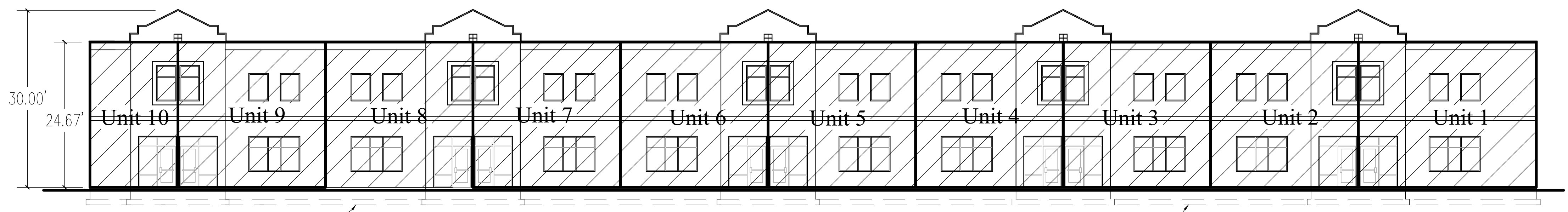
BUILDING 'A'  
SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"



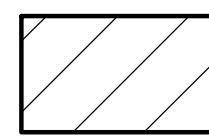

BUILDING 'A'  
WEST ELEVATION  
SCALE: 3/32" = 1'-0"



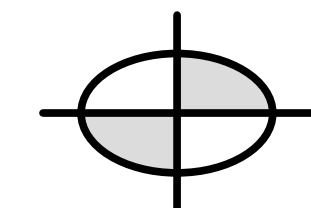
BUILDING 'A'  
EAST ELEVATION  
SCALE: 3/32" = 1'-0"



BUILDING 'A'  
NORTH ELEVATION

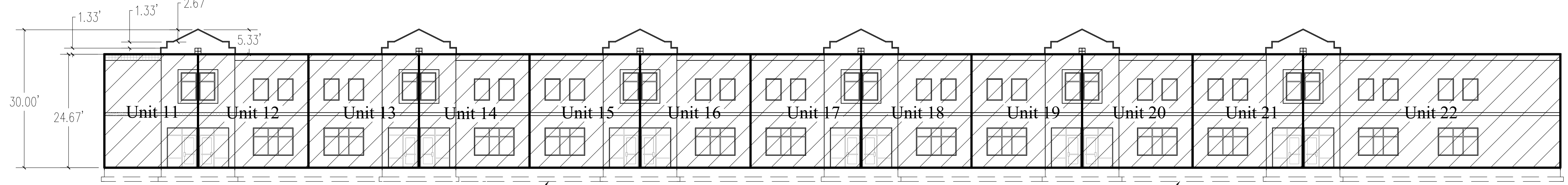
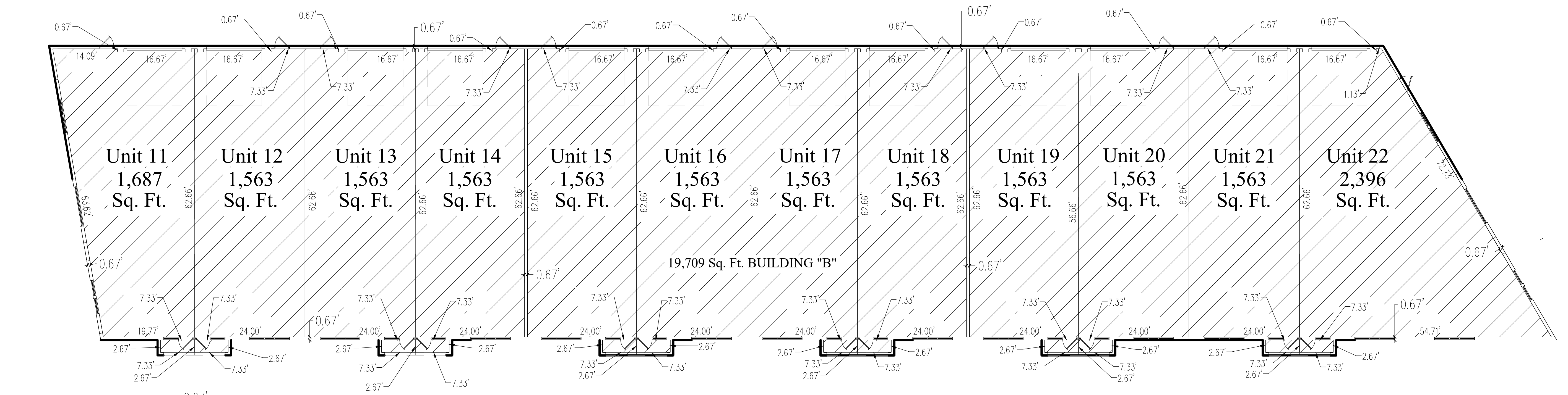
-  Private Area
-  Common Area

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

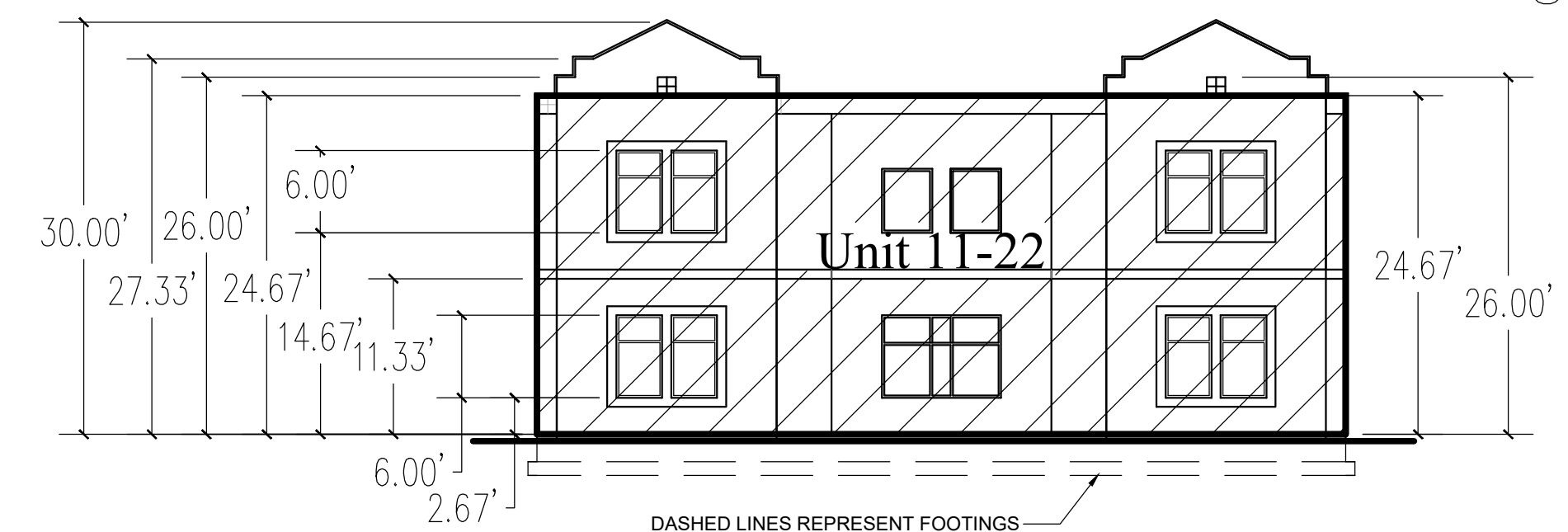


RW Commercial SHEET 2 OF 3 SHEET(S)  
Center Condominiums - Building A

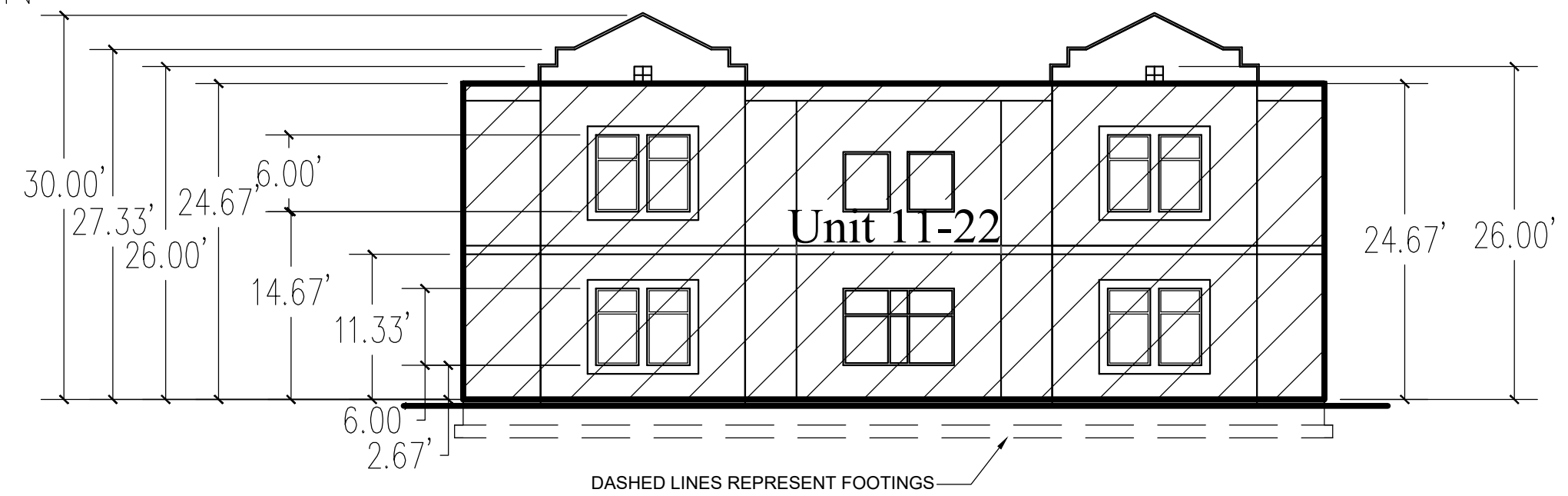
ENTRY No. \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
STATE OF UTAH  
RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ MAP \_\_\_\_\_  
Fee \_\_\_\_\_ COUNTY RECORDER \_\_\_\_\_



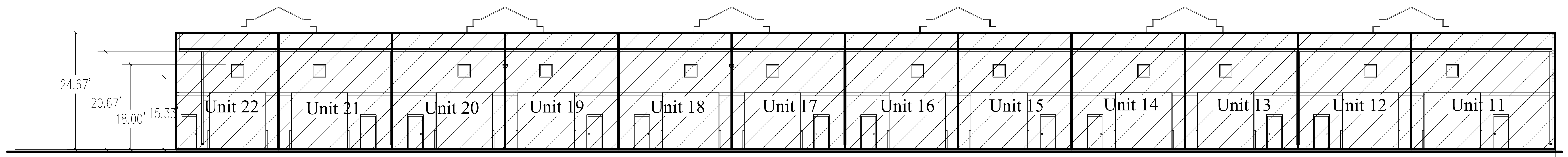
BUILDING 'B' SOUTH ELEVATION



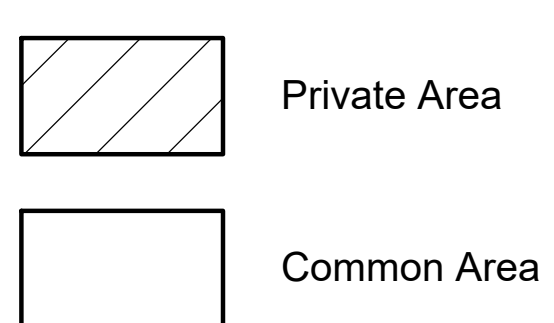
BUILDING 'B' WEST ELEVATION



BUILDING 'B' EAST ELEVATION



BUILDING 'B' NORTH ELEVATION



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

RW Commercial SHEET 3 OF 3 SHEET(S)  
 Center Condominiums - Building B

ENTRY No. \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 STATE OF UTAH  
 RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_  
 DATE \_\_\_\_\_ TIME \_\_\_\_\_ MAP \_\_\_\_\_  
 Fee \_\_\_\_\_ COUNTY RECORDER \_\_\_\_\_

**CITY OF OREM**  
**DRAFT PLANNING COMMISSION MEETING MINUTES**  
**April 15, 2020**

The following items are discussed in these minutes:

- Public Hearing - Preliminary Plat approval for Cascade Fields Subdivision with eight (8) lots located generally at 1200 East 500 North - Approved
- Public Hearing - Vacating Lot 1, Prince Acres Subdivision, Plat A and approving the final plat of Prince Acres Subdivision, Plat B located at 95 East 900 South - Approved
- Public Hearing - Vacating Units 201 and 202, Building 1, Cascade Office Park Subdivision, Plat A and final plat approval of Cascade Office Park Subdivision, Plat A Amended located at 920 East 800 North - Approved

**STUDY SESSION**

At **3:30 p.m.** Canceled

**REGULAR MEETING**

NOTICE OF ALL-ELECTRONIC MEETING

To minimize the potential spread of COVID-19, and as authorized by Utah Governor Gary Herbert's March 18, 2020 Executive Order, the Orem City Planning Commission meeting on April 1, 2020 will be an all-electronic meeting. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at [orem.org/meetings](http://orem.org/meetings). If you want to make a comment, please use: [orem.org/comments](mailto:orem.org/comments) or [PlanningCommissionPublicComments@orem.org](mailto:PlanningCommissionPublicComments@orem.org)

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

**Place:** Orem City Council Chambers/Electronic

At **4:30 p.m.** Chair Cochran called the Planning Commission meeting to order and asked Ms. Jensen, Planning Commission member, to offer the invocation.

**Those present:** Mickey Cochran, Planning Commission Chair; Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker, Planning Commission members (via telephone); Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Cheryl Vargas and Jake Harding, Associate Planners; Sam Kelly, City Engineer (via telephone); Steve Earl, Legal Counsel; Terry Peterson, City Council Liaison (via telephone)

**Those excused:** Jenna Albers and Grant Allen, Long Range Planners; Kendall Willardson, Planning Intern

Chair Cochran asked Mr. Harding to introduce **Agenda Item 3.1:**

**Agenda Item 3.1** is a request by Ivory Homes for the Planning Commission to approve the preliminary plat of Cascade Fields with eight (8) lots located generally at 1200 East 500 North in the R12 zone.

**Staff Presentation:** Cascade Fields is a 2.97 acre development at 1200 East 500 North. The area is already zoned R12, so the preliminary plat is simply to divide the land up into the lots. The preliminary plat will contain eight lots. The plat will connect to 500 North on the north and 1200 East on the west side of the subdivision. The lots all meet the minimum requirement of 12,000 square feet.

There will be a twenty-three foot public Utility and Sidewalk Easement along the frontage of each lot providing a buffered sidewalk. A masonry wall or privacy fence (to be determined by owner) will be installed at the back of Lots

## DRAFT Planning Commission minutes for April 15, 2020

1 6,7 and 8 to prevent driveway access from 500 North. The driveway access must be from 480 North. Lot 1 also has  
2 no driveway access from 500 North but must access from 480 North.

3  
4 **Recommendation:** The Development Review Committee determined this request complies with the Orem City  
5 Code. Staff recommends the Planning Commission approve the preliminary plat of Cascade Fields with eight (8)  
6 lots located generally at 1200 East 500 North in the R12 zone.

7  
8 Chair Cochran asked if the Planning Commission had any questions for Mr. Harding. Mr. Cook said he did not care  
9 for the layout of this development and he wondered if lots with frontage on both streets was allowed. He thought there  
10 was an ordinance that would not allow lots with frontage on two streets. Mr. Bench said the ordinance requires one of  
11 the frontages to be fenced. This layout does meet that requirement as they are fencing the three lots on 500 North. Mr.  
12 Spencer asked how much latitude the Planning Commission had, if it meets the requirements are they required to  
13 approve. Mr. Bench said the layout meets the requirements as far as lot size, frontage, distance from the intersection,  
14 so it does meet with Orem City code. Mr. Sakar said the layout does look different than the rest of the neighborhood  
15 where everything is on a cul-de-sac and this is a pass-through street. He said if it meets the City's ordinance  
16 requirements are they required to approve it. Mr. Cook asked, following up on what Mr. Sakar said, is there a reason  
17 they laid the development out this way. A cul-de-sac would fit better into the neighborhood.

18  
19 Roger Dudley, Dudley & Associates, Inc. (participating via telephone), said they had looked at different options such  
20 as the cul-del-sac, but they would still have double frontage lots. The other reason a cul-de-sac would not work is the  
21 drainage and the sewer depth under the street coming from the west. Even if they placed a cul-de-sac, they still have  
22 double frontage lots. These will be prime, custom homes.

23  
24 Mr. Earl said regarding the question of double frontage lots and whether the City is required to approve those. City  
25 code 17-7-10(E) says "Lots in a subdivision may not be designed to have double frontage unless, in the opinion of  
26 the City, it is necessary to reduce traffic hazards, allow for unusual site conditions, or if a proposed subdivision and  
27 any area adjacent thereto will be aesthetically enhanced thereby". Mr. Earl said Mr. Spencer had asked if the Planning  
28 Commission has to approve a subdivision with double frontage lots. As a general rule, double frontage lots are not  
29 approved. Mr. Spencer asked which of those three conditions does this layout meet. Mr. Kelly said with driveway  
30 access on 480 North, it makes 500 North and 1200 East as collector type roads safer. It would be the option to reduce  
31 traffic friction or hazards making it safer. The discussion continued regarding traffic friction and safety.

32  
33 Mr. Cook said he appreciated Mr. Kelly's comment. He looked at Google Earth and in the development immediately  
34 to the north, there are thirteen homes with double frontage. They are all cul-de-sacs, but they are double frontage. He  
35 said he withdraws the comment about double frontage.

36  
37 Skylar Tolbert, Ivory Development, said they intend to fence the entire area along 500 North. The access in and out  
38 may receive a little bit of cut-through traffic, but with the bend in the road and cars parked on the road it will make it  
39 more difficult to cut through there than to stay on the main roads. They are really excited about this project. They have  
40 received comments from neighbors and they are very excited about this development. Mr. Earl said going back to Mr.  
41 Spencer's question as to which of those criteria apply. Mr. Kelly has said it reduces traffic hazards and it also meets  
42 the unusual site conditions which allows for the Planning Commission to approve the double frontage lots. He cannot  
43 see a way to develop this property without double frontage lots. There are no stub streets, the only way to develop this  
44 is with double frontage lots.

45  
46 Chair Cochran opened the public hearing and invited those who wanted to make a comment on this item to send in  
47 their comments via email or chat.

48  
49 Dan Decker. Mr. Decker submitted an emailed comment with five points. Mr. Cochran said those five points had been  
50 addressed by staff in the above discussion (That email will be attached to the minutes as part of the record)  
51 Mr. Decker resent his email thorough the online process at 4:39 p.m.

52  
53 Chair Cochran closed the public hearing and asked if the Planning Commission had any more questions for the  
54 applicant or staff. When none did, he called for a motion on this item.

## DRAFT Planning Commission minutes for April 15, 2020

1 **Planning Commission Action:** Mr. Cochran moved to approve the preliminary plat of Cascade Fields with eight  
2 (8) lots located generally at 1200 East 500 North in the R12 zone. Mr. Staker seconded the motion. Those voting  
3 aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker.  
4 The motion passed unanimously.

5  
6 Chair Cochran asked Mr. Harding to introduce **Agenda Item 3.2:**

7  
8 **Agenda Item 3.2** is a request by Gabe Torres for the Planning Commission to vacate Lot 1, Prince Acres  
9 Subdivision, Plat A and approve the final plat of Prince Acres Subdivision, Plat B located at 95 East 900 South in  
10 the R8 zone.

11  
12 **Staff Presentation:** The applicant recently applied for a building permit for an accessory structure. In processing his  
13 application, it was discovered that his western-most property is designated as an easement for a future road. As  
14 accessory structures are not permitted to be built in easements, his application was denied.

15  
16 The applicant is now seeking to merge his two properties into one and have the future road easement vacated. Staff is  
17 of the opinion that there is no longer a need for a future road in this neighborhood. There are already roads in place  
18 that service the homes that this future road was originally intended to, rendering this easement irrelevant.

19  
20 **Recommendation:** The Development Review Committee determined this request complies with the Orem City  
21 Code. Staff recommends the Planning Commission vacate Lot 1, Prince Acres Subdivision, Plat A and approve the  
22 final plat of Prince Acres Subdivision, Plat B located at 95 East 900 South in the R8 zone.

23  
24 Chair Cochran asked if the Planning Commission had any questions for Mr. Harding.

25  
26 Chair Cochran invited the applicant to speak up via telephone. Roger Dudley, Dudley & Associates, Inc., introduced  
27 himself. This street was vacated years ago when it was determined the street would not go through. This is more of a  
28 bookkeeping item. Mr. Cochran asked if the property lines and easements of other neighbors becomes open property.  
29 Mr. Bench said no, they are owned by the property owners. Mr. Spencer asked what does "clean it up" mean. Mr.  
30 Bench said these easements still exist on the old plat and will have to be dealt with that when the other property owners  
31 come in.

32  
33 Chair Cochran opened the public hearing and invited those who wanted to make a comment on this item to send in  
34 their comments via email or chat.

35  
36 Chair Cochran closed the public hearing and asked if the Planning Commission had any more questions for the  
37 applicant or staff. When none did, he called for a motion on this item.

38  
39 **Planning Commission Action:** Ms. Jensen moved to approve to vacate Lot 1, Prince Acres Subdivision, Plat A and  
40 approve the final plat of Prince Acres Subdivision, Plat B located at 95 East 900 South in the R8 zone. Mr. Spencer  
41 seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam  
42 Sakar, Ross Spencer and Mike Staker. The motion passed unanimously.

43  
44 Chair Cochran asked Mr. Harding to introduce **Agenda Item 3.3:**

45  
46 **Agenda Item 3.3** is a request by Davies and Allen to request the Planning Commission vacate Units 201 and 202,  
47 Building 1, Cascade Office Park Subdivision, Plat A and approve the final plat of Cascade Office Park Subdivision,  
48 Plat A Amended located at 920 East 800 North in the PD4 zone.

49  
50 **Staff Presentation:** The applicants have purchased two neighboring units in the Cascade Office Park Subdivision  
51 and are hoping to combine the units into one. No other changes are being made to the original plat.

52  
53 **Recommendation:** The Development Review Committee determined this request complies with the Orem City  
54 Code. Staff recommends the Planning Commission vacate Units 201 and 202, Building 1, Cascade Office Park  
55 Subdivision, Plat A and approve the final plat of Cascade Office Park Subdivision, Plat A Amended located at 920  
56 East 800 North in the PD4 zone.

**DRAFT Planning Commission minutes for April 15, 2020**

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Chair Cochran asked if the Planning Commission had any questions for Mr. Harding.

Chair Cochran invited the applicant to speak up via telephone. Roger Dudley, Dudley & Associates, Inc., introduced himself. He had nothing to add to Mr. Harding’s presentation.

Chair Cochran opened the public hearing and invited those who wanted to make a comment on this item to send in their comments via email or chat.

Chair Cochran 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 vacate Units 201 and 202, Building 1, Cascade Office Park Subdivision, Plat A and approve the final plat of Cascade Office Park Subdivision, Plat A Amended located at 920 East 800 North in the PD4 zone. Mr. Sakar seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker. The motion passed unanimously.

**Minutes:** The Planning Commission reviewed the minutes from the previous meeting. Chair Cochran then called for a motion to approve the minutes of April 1, 2020. Mr. Spencer moved to approve the meeting minutes for April 1, 2020. Mr. Cochran seconded the motion. Those voting aye: Mickey Cochran, Carl Cook, Camille Jensen, Barry Roberts, Haysam Sakar, Ross Spencer and Mike Staker. The motion passed unanimously.

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

**Adjourn:** 5:15 p.m.

---

Jason Bench  
Planning Commission Secretary

Approved:

## DRAFT Planning Commission minutes for April 15, 2020

1 To the Persons of the Planning Committee:  
2

3 Thank you for taking time to consider my communication. I have some concerns about the proposed development,  
4 they are as follows:  
5

6 **1) From an outside perspective, it appears the development was planned to give maximum views of Mt. Timp,  
7 rather than coming up with a cohesive design for the community that makes sense.**  
8

9 This is obvious to anybody who looks at it. It might make more money for the developer but it won't make for a  
10 good community.  
11

12 **2) The proposed development does not follow the natural development already in place of the neighborhood.**  
13

14 The street on the east side of 1200 East is halfway developed. The proposed development will not follow the  
15 expected line of development.  
16

17 It will be an eyesore and jarring to have homes facing the wrong way (North and South, instead of West) and to have  
18 an illogical entrance to the property.  
19

20 It would be better if the development followed what was already established years ago and put houses sitting on  
21 1200 East facing west, finishing what appears to have been originally planned out when construction first started in  
22 this area.  
23

24 This is a more logical way to develop the property.  
25

26 **3) The proposed development creates a sense of elitism and isolation by putting the proposed houses in their  
27 own neighborhood, instead of letting them be a part of the natural neighborhood that already exists, where  
28 possible.**  
29

30 **4) The entrance to the development off 1200 East is an unnatural and illogical way to arrange the  
31 development.**  
32

33 The logical way to arrange this development would be to have a culdesac facing the north side where there is  
34 already another entrance that can be positioned in such a way so as to not create illogical traffic patterns and to have  
35 houses on 1200 East facing west without another ill planned street.  
36

37 The neighborhood north of the proposed development has only one entrance for twenty plus homes.  
38

39 Surely a neighborhood of less than seven homes doesn't need two entrances?  
40

41 Based on the previous planning of the city in this area, this would be a more natural way to design the development.  
42

43 As an extra bonus to the developer, they will have more land they can develop/sell since another street entrance will  
44 not be needed off 1200 East.  
45

46 This is a win/win for everyone.  
47

48 **5) There will be many people who cut through the proposed development because it is a more direct path, this  
49 will increase traffic in the development and make it less desirable, something that I would expect should be  
50 avoided in a development of \$750K+ homes.**  
51

52 Come examine the property and see the path where people already cut through it on a regular basis despite posted no  
53 trespassing signs. This will be an ongoing issue if the development moves forward as proposed.  
54

55 I hope you take these concerns seriously, because the plans in place will affect the neighborhood for many years to  
56 come.

*A complete video of the meeting can be found at [www.orem.org/meetings](http://www.orem.org/meetings)*

**DRAFT Planning Commission minutes for April 15, 2020**

1  
2 I am happy to speak to anyone on the committee personally to further explain my concerns, please feel free to call or  
3 text me at 801-361-4608.

4  
5 It would be far better if the plans are cohesive to the neighborhood that is already here, rather than creating a  
6 separate neighborhood that is exclusive of the other homes surrounding it, particularly those on 1200 East.

7  
8 Please sent this back to the drawing board for something that will be beneficial to the long-term good of the  
9 community.

10  
11 Thank you for your time and respectfully submitted.

12  
13 Sincerely,

14  
15 Dan Decker  
16 Attorney at Law

17  
18 DECKER LAW OFFICE P.L.L.C.  
19 (801) 709-0808  
20 <http://www.deckerfirm.com>  
21