

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
August 18, 2021

The following items are discussed in these minutes:

- **PUBLIC HEARING** – Amending portions of Sections 22-24-1(F)(1), 22-24-2(F)(1), 22-24-3(F)(1), and 22-24-4(F)(1) pertaining to overall height standards in the State Street District zones, portions of Sections 22-24-1(F)(2)(c), 22-24-2(F)(2)(c), and 22-24-3(F)(2)(c) pertaining to setbacks from residential zones within the State Street Districts zones, and Sections 22-24-1(H)(1)(b), 22-24-2(H)(1)(b), 22-24-3(H)(1)(b), 22-24-4(H)(1)(b), and 22-24-5(H)(1)(b) pertaining to parking standards in the State Street District zones – Parking: Negative recommendation to the City Council. Setbacks: Positive recommendation to the City Council. Height: Negative recommendation to the City Council.

STUDY SESSION

Place: City Council Conference Room

At 4:00 p.m. Chair Cochran called the Study Session to order.

Those present: Marisa Bentley, Mickey Cochran, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Cheryl Vargas and Rachel Stevens, Associate Planners; Grant Allen, Long Range Planner; Steve Earl, Legal Counsel; Terry Peterson, City Council Liaison and Ellie Agnew, Intern

Those excused: Matt Taylor, Long Range Planner; Sam Kelly, City Engineer

The Commission and staff briefly reviewed agenda items and minutes from July 21, 2021 meeting and adjourned at 4:25 p.m. to the City Council Chambers for the regular meeting.

REGULAR MEETING

Place: Orem City Council Chambers

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

Those present: Marisa Bentley, Mickey Cochran, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer, Planning Commission members; Ryan L. Clark, Development Services Director; Jason W. Bench, Planning Division Manager; Cheryl Vargas and Rachel Stevens, Associate Planners; Grant Allen, Long Range Planner; Steve Earl, Legal Counsel; Terry Peterson, City Council Liaison and Ellie Agnew, Intern

Those excused: Matt Taylor, Long Range Planner; Sam Kelly, City Engineer

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

Agenda Item 3.1 is a request by Development Services for the Planning Commission to amend portions of Sections 22-24-1(F)(1), 22-24-2(F)(1), 22-24-3(F)(1), and 22-24-4(F)(1) pertaining to overall height standards in the State Street District zones, portions of Sections 22-24-1(F)(2)(c), 22-24-2(F)(2)(c), and 22-24-3(F)(2)(c) pertaining to setbacks from residential zones within the State Street Districts zones, and Sections 22-24-1(H)(1)(b), 22-24-2(H)(1)(b), 22-24-3(H)(1)(b), 22-24-4(H)(1)(b), and 22-24-5(H)(1)(b) pertaining to parking standards in the State Street District zones. The Districts are located generally at 1600 North, 800 North, Center Street, 800 South and University Parkway on State Street.

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

Planning Commission minutes for August 18, 2021

Staff Presentation: At the request of the City Council, staff proposes several amendments to portions of the State Street District zones to establish a maximum height limit, add additional setback requirements and increase the parking requirement pertaining to commercial and residential development standards. Changes are proposed in all the State Street Districts including the North Village District (NVD), The Canyon Crossing District (CXD), the City Center District (CCD), the Arts District (AD), and the HUB District (HD) as follows:

1. **Maximum height.** A height limit of sixty feet (60') is proposed in the Canyon Crossing District, City Center District, Art District, and the HUB District. The proposed amendments include the allowance for elements not used for human occupancy to extend up to 70 feet as outlined in the proposed text.

The North Village District height requirements were recently modified and are not included in this height modification.

2. **Setbacks.** An additional setback requirement is proposed for the Canyon Crossing District, City Center District, and the HUB district. The proposed amendment requires any building located within 75 feet from a residential zone (including Res(B) zone) shall not exceed a height of 35 feet.

The North Village District and the Arts District we already amended to this standard.

3. **Parking requirement.** The parking standard for commercial developments is proposed to be modified from three stalls per 1,000 square feet (3/1000) to four stalls per 1,000 square feet (4/1000). In addition, the minimum parking stalls for a residential unit over and above the base residential density will be amended from 1.75 stall per unit to 2 parking stalls per unit.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission amend portions of Sections 22-24-1(F)(1), 22-24-2(F)(1), 22-24-3(F)(1), and 22-24-4(F)(1) pertaining to overall height standards in the State Street District zones, portions of Sections 22-24-1(F)(2)(c), 22-24-2(F)(2)(c), and 22-24-3(F)(2)(c) pertaining to setbacks from residential zones within the State Street Districts zones, and Sections 22-24-1(H)(1)(b), 22-24-2(H)(1)(b), 22-24-3(H)(1)(b), 22-24-4(H)(1)(b), and 22-24-5(H)(1)(b) pertaining to parking standards in the State Street District zones. The Districts are located generally at 1600 North, 800 North, Center Street, 800 South and University Parkway on State Street.

Chair Cochran asked if the Planning Commission had any questions for Mr. Bench. Mr. Spencer said sometimes houses are up next to District and sometimes there is a street between. He asked where is the edge of the zone. Mr. Bench said that most likely the street is zoned to the District.

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

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

Planning Commission Action: Mr. Spencer moved to forward a positive recommendation to the City Council to amend portions of Sections 22-24-1(F)(1), 22-24-2(F)(1), 22-24-3(F)(1), and 22-24-4(F)(1) pertaining to overall height standards in the State Street District zones, portions of Sections 22-24-1(F)(2)(c), 22-24-2(F)(2)(c), and 22-24-3(F)(2)(c) pertaining to setbacks from residential zones within the State Street Districts zones, and Sections 22-24-1(H)(1)(b), 22-24-2(H)(1)(b), 22-24-3(H)(1)(b), 22-24-4(H)(1)(b), and 22-24-5(H)(1)(b) pertaining to parking standards in the State Street District zones. The Districts are located generally at 1600 North, 800 North, Center Street, 800 South and University Parkway on State Street. Mr. Sakar seconded the motion. Those voting aye: Haysam Sakar and Ross Spencer. Those voting nay: Marisa Bentley, Mickey Cochran, Shauna Mecham, Barry Roberts, The motion failed.

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

Planning Commission minutes for August 18, 2021

There was a discussion regarding the motion by the Commission members, Mr. Bench and Mr. Earl. Clarification was given to the three separate items before the Commission: Parking, Setbacks and Height (see video for details).

Planning Commission Action - Parking: Mr. Roberts moved to forward a negative recommendation to the City Council on the parking requirement changes as proposed. Ms. Bentley seconded. Those voting aye: Marisa Bentley, Mickey Cochran, Shauna Mecham and Barry Roberts. Those voting nay: Haysam Sakar and Ross Spencer. The motion passed.

Chair Cochran opened the public hearing again and invited those from the audience who had come to speak to this item to come forward to the microphone. The following came forward and made a comment (see video for details)

John Healy
Joan Healy
James Condie
Stephanie Visnaw (also submitted an email prior to the meeting – see attached)

Chair Cochran closed the public hearing and asked if the Planning Commission had any more questions for staff. When none did, he called for a motion on the Setbacks and Height items.

Planning Commission Action - Setbacks: Chair Cochran moved to forward a positive recommendation to the City Council concerning the setback that had been discussed on these particular areas of the State Street Master Plan, setbacks only. Ms. Bentley seconded. Those voting aye: Marisa Bentley, Mickey Cochran, Barry Roberts, Haysam Sakar and Ross Spencer. Those voting nay: Shauna Mecham. The motion passed.

There was a discussion on height of commercial buildings directly abutting residential areas and the changes proposed (see video for details)

Planning Commission Action - Height: Ms. Bentley moved to forward a negative recommendation to the City Council on the height requirements as listed and discussed today. Chair Cochran seconded. Those voting aye: Marisa Bentley, Mickey Cochran, Shauna Mecham and Barry Roberts. Those voting nay: Haysam Sakar and Ross Spencer. The motion passed.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Chair Cochran then called for a motion and moved to approve the meeting minutes for July 21, 2021. Mr. Spencer seconded the motion. Those voting aye: Marisa Bentley, Mickey Cochran, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer. The motion passed unanimously.

Adjourn: Chair Cochran called for a motion to adjourn. Mr. Spencer moved to adjourn. Mr. Sakar seconded the motion. Those voting aye: Marisa Bentley, Mickey Cochran, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer. The motion passed unanimously.

Adjourn: 5:32 p.m.

Jason Bench
Planning Commission Secretary

Approved: September 1, 2021

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

Planning Commission minutes for August 18, 2021

August 17, 2021

Planning Commission,

Recent zoning changes to the North Village District better protect neighborhoods and provide clarity to the State Street Master Plan. These changes should be considered for other State Street Districts, as well.

- **Maximum Height** – The proposed height maximum of 60 feet is a good start in providing clarity and definition within the Master Plan. Many Orem residents have expressed their concern with Orem becoming over-developed and bigger than what is intended. The North Village District, being bordered nearly completely by homes, was recently given 48 feet in the Core and 35 feet in the Edge height maximums to protect these immediately adjacent homes and align with its stated purpose of “smaller- scale development.” The other districts also need similar height maximums to better direct and ensure appropriate and responsible development.
- **Setbacks** – This proposed change within the three districts (Canyon Crossing, City Center, and The Hub) is needed where commercial or mixed-use zones abut residential property. A 75-foot setback is a better buffer for homes, but does NOT mean that no building may exist within that 75 feet. **It is important that this setback be fully understood. For example, a single-story, 14-foot commercial building can still be built 14 feet away from a residential property line. A two-story, 30-foot building could be built 30 feet from a residential property line.** To visualize what this looks like, see fig. 1 and 2 below. These already-conforming building are plenty tall behind homes. This zoning modification has already been made in the North Village and Arts districts. Providing this same setback in the remaining three districts will create a better buffer for affected homes.



Figure 1



Figure 2

- **Parking** – As has been observed among mid and high-density housing in Orem, parking

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

Planning Commission minutes for August 18, 2021

has become an issue with residential and surrounding streets and businesses being used as overflow or convenience parking. While convenience parking may never be resolved, the reduced parking requirements of 3/1,000 sq. ft of commercial and 1.75/unit of residential makes it harder for business patrons and residents of these developments to find adequate parking. The shared parking theory is that during the day parking will be used mostly by commercial, and residential used at night. However, we have seen mixed-use, shared parking that does not follow this model. Midtown 360 is a good example. The businesses in that development are primarily restaurants, which create parking at night, reversing the shared parking theory. Residents returning home at night cannot find parking near the building and park on surface streets. Similarly, working from home has become a popular option for many, which will mean residents' vehicles will be parked at home during the day. Increasing the commercial parking requirement to 4 stalls/1,000 sq. ft. brings the districts up to the already existing requirement in C2 zones. Increasing the residential parking to 2 stalls/unit ensures that residents will have adequate parking near their home. It is important to note, that the mixed-use element is NOT a requirement in the districts. Developers can still choose 100% commercial, which currently results in reduced parking (3 stalls per 1,000 sq. ft.) compared to standard C2 zones with 4 stalls per 1,000 sq. ft. When parking becomes difficult, business patrons go elsewhere. Parking must be adequate to benefit residents and patrons of the development as well as surrounding homes and businesses.

Please provide a positive recommendation to the City Council to amend these portions of the State Street Master Plan. These items are before you because residents and the majority of the City Council have been working for several months to improve the State Street Master Plan.

Thank you for serving on the Planning Commission and striving to make Orem City a better place to live, shop and work.

Sincerely,
Stephanie Visnaw