

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
September 1, 2021

The following items are discussed in these minutes:

- **SITE PLAN** – Vacating Washburn Park, Plat A Amended, Amended and approving the site plan and amended plat of Washburn Park, Plat B located at 860 West 1250 South in the HS (Highway Services) zone. Approved
- **3.2 Preliminary Plat** – Approving the preliminary plat of Madsen Estates, Plat A located generally at 275 West 400 South in the R8 zone. Approved.
- **3.3 PUBLIC HEARING** – Amending Appendix A of the Orem City Code to enact Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone. Positive recommendation to the City Council.
- **3.4 PUBLIC HEARING** – Amending portions of Section 22-11-56 *PD-43 (Auburn Meadows) 2000 South Geneva* pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B. Positive recommendation to the City Council.

STUDY SESSION

Place: City Council Conference Room

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

Those present: Marisa Bentley, 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 and Matt Taylor, Long Range Planners; Sam Kelly, City Engineer; Steve Earl, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Mickey Cochran, Planning Commission member

The Commission and staff briefly reviewed agenda items and minutes from August 18, 2021 meeting and adjourned at 4:13 p.m. to the City Council Chambers for the regular meeting.

REGULAR MEETING

Place: Orem City Council Chambers

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

Those present: Marisa Bentley, 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 and Matt Taylor, Long Range Planners; Sam Kelly, City Engineer; Steve Earl, Legal Counsel and Terry Peterson, City Council Liaison

Those excused: Mickey Cochran, Planning Commission member

Mr. Spencer asked Ms. Vargas to introduce **Agenda Item 3.1:**

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Staff Presentation: Madsen Estates is currently one lot of record in the R8 zone. The applicant would like divide that one lot into two lots. Lot 1 will be the lot with the existing home on it and Lot 2 will be the new lot where a new home will be built.

Both lots meet the lot size requirements for the R8 zone of 8,000 square feet. Lot 1 will be 10,339 square feet and Lot 2 will be 15,356 square feet. This square footage on Lot 2 is enough to allow the existing garage to remain. This garage on the southeast corner will remain on Lot 2, with the condition that the new house construction will start within a year and there will be a bond established on this garage to ensure that will happen.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission approve the preliminary plat of Madsen Estates, Plat A located generally at 275 West 400 South in the R8 zone.

Mr. Spencer asked if the Planning Commission had any questions for Ms. Vargas.

Mr. Spencer invited the applicant to come forward. Taylor Madsen introduced himself.

Planning Commission Action: Ross Spencer moved to approve the preliminary plat of Madsen Estates, Plat A located generally at 275 West 400 South in the R8 zone. Shauna Mecham seconded the motion. Those voting aye: Marisa Bentley, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer. The motion passed unanimously.

Mr. Spencer asked Ms. Vargas to introduce **Agenda Item 3.3:**

Agenda Item 3.3 is a request by Tracy Christensen / Now I Can Foundation for the Planning Commission to enact Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy* and making such use permitted in the R7.5 zone and enacting Section 22-6-9(L) *Small Pediatric Neuro Physical Therapy* to establish requirements for a small pediatric neuro physical therapy facility in the R7.5 zone.

Staff Presentation: The applicant, Now I Can Foundation, is a nonprofit organization that provides intensive physical therapy to children suffering from neurological and neuromuscular disorders such as cerebral palsy, traumatic brain injury, spina bifida and stroke. Now I Can Foundation provides a three-week program of physical therapy to such children for three to four hours per day. Therapy is typically provided to no more than four to five children at a time with typically four children in the morning and four in the afternoon. Most of the children who would come to the facility are local and would visit the facility on an outpatient basis. However, approximately 25% of the children would come from out of town. The applicant would like to allow the children coming from out of town to reside in the facility along with a parent or guardian for the three week period of their therapy.

Now I Can Foundation has been operating a facility in Provo, but now seeks to relocate to a more suitable location. The applicant has identified the property at 1940 S. 375 E. and 1950 S. 375 E. as a property that would meet its needs. This property is located in the R7.5 zone. The two buildings on these properties were constructed by the = original owner for use as a group home with no more than eight residents. The original owner actually used the buildings as hospice homes for a time until that use apparently failed. The buildings have apparently been vacant for the last couple years.

The applicant's proposed use of the property is not permitted under current ordinances. Providing physical therapy is considered a medical use and would currently fit most closely under Standard Land Use Code 6513 (Medical Clinics- Outpatient). That use is currently only permitted in the City's commercial zones. The applicant is therefore requesting that the City create a new standard land use code for the applicant's specific use which the applicant proposes to designate as Standard Land Use Code 6264 *Small Pediatric Neuro Physical Therapy*. The applicant also proposes to enact a new Section 22-6-9(L) which would outline the requirements pertaining to this new use.

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Spencer seconded the motion. Those voting aye: Marisa Bentley, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer. The motion passed unanimously.

Mr. Spencer asked Ms. Vargas to introduce **Agenda Item 3.4**:

Agenda Item 3.4 is a request by Jeff Mansell, Boardwalk Industries, LLC for the Planning Commission to amend portions of Section 22-11-56 *PD-43 (Auburn Meadows) 2000 South Geneva* pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.



Staff Presentation: The applicant originally had a concept plan for Fields at Lakeview that designated Area B as Future Office/Active Adult. This is the area in the southeast corner at Geneva Road and 2000 South of the Fields at Lakeview project. This proposed concept plan will expand Area B to allow for a larger space and move the housing units that were next to Area A to the west side of Area A along 2000 South. The applicant is also changing the use of Future Office/Active Adult to Commercial and to allow all the uses included in the C2 zone.

The applicant has supplied two concept plans. Plan A has a small grocery store and commercial space backing up to Geneva Road. Plan B has a larger grocery store and one commercial pad, possibly for a fast food establishment, in the southeast corner of Area B. Access from Geneva Road will be closed to the residential areas and a new ingress/egress will be opened from 2000 South.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend portions of Section 22-11-56 *PD-43 (Auburn Meadows) 2000 South Geneva* pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B.

Mr. Spencer asked if the Planning Commission had any questions for Ms. Vargas.

Mr. Spencer invited the applicant to come forward. Jeff Mansell introduced himself.

There was a discussion of allowing commercial use in this area. Reference the video for more details.

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

Rhen Whiteman, 373 E 1800 S
Kristin Palmar 1738 S Geneva Rd

There was a discussion concerning the current parking issue on Geneva road. Reference the video for more details. Mr. 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 portions of Section 22-11-56 *PD-43 (Auburn Meadows) 2000 South Geneva* pertaining to the approved uses in the PD43 zone for Area B. Also amending Appendix LL of the Orem City Code with updated concept plans and elevations pertaining to Area B. Ms. Bentley seconded the motion. Those voting aye: Marisa Bentley, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer. The motion passed unanimously.

Minutes: The Planning Commission reviewed the minutes from the previous meeting. Mr. Spencer then called for a motion to approve the minutes of August 18, 2021. Ms. Bentley moved to approve the meeting minutes for April 18, 2021. Mr. Roberts seconded the motion. Those voting aye: Marisa Bentley, Shauna Mecham, Barry Roberts, Haysam Sakar and Ross Spencer. The motion passed unanimously.