



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
May 27, 2014

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

3:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM

1. **DISCUSSION – UTOPIA/Milestone One – Discussion and Questions – 60 min**
2. **PRESENTATION – FY 2015 Budget – Part 3**
 - Public Works60 min
 - Solid Waste.....5 min
 - Recreation Facility and Outdoor Pool10 min
 - Comprehensive Financial Sustainability Plan10 min
 - Future Cost Saving Measures10 min

5:35 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

PREVIEW UPCOMING AGENDA ITEMS

3. **Staff will present to the City Council a preview of upcoming agenda items.**

AGENDA REVIEW

4. **The City Council will review the items on the agenda.**

CITY COUNCIL - NEW BUSINESS

5. **This is an opportunity for members of the City Council to raise issues of information or concern.**

6:00 P.M. REGULAR SESSION - COUNCIL CHAMBERS

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: By Invitation

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Study Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 229-7074)**

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

APPROVAL OF MINUTES

- 6. **MINUTES of City Council Meeting – May 13, 2014**
- 7. **MINUTES of Special City Council Meeting – May 14, 2014 – Orem Forum**

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

- 8. **UPCOMING EVENTS**
- 9. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - CDBG Advisory Commission1 vacancy
 - Library Advisory Commission1 vacancy
 - Orem Arts Council.....2 vacancies
 - Summerfest Advisory Commission.....1 vacancy
 - Recreation Allocation Advisory Commission7 vacancies
- 10. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
- 11. **REPORT – Summerfest Advisory Commission**
- 12. **PRESENTATION – Pleasant Grove Royalty**

CITY MANAGER’S APPOINTMENTS

- 13. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - The City Manager does not have any appointments.

PERSONAL APPEARANCES – 15 MINUTES

- 14. **Time has been set aside for the public to express their ideas, concerns, and comments on items not on the Agenda. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)**

CONSENT ITEMS

- 15. **There are no consent items.**

SCHEDULED ITEMS

6:20 P.M. PUBLIC HEARING

- 16. **ORDINANCE – Amending 22-11-35(D), and 22-11-35(L)(9) of the Orem City Code pertaining to development requirements in the PD-22 (Urban Village) zone**

REQUEST: Paul Washburn requests the City Council amend Sections 22-11-35(D) and 22-11-35(L)(9) of the Orem City Code pertaining to development requirements in the PD-22 (Urban Village) zone.

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Timpview

BACKGROUND: The PD-22 zone currently does not allow the outdoor storage of equipment, materials, or products related to a commercial use. The applicant desires to amend the PD-22 zone to allow such outdoor storage in order to accommodate the needs of BJ's Plumbing Supply who desires to locate at 950 North 1200 West in the PD-22 zone.

The proposed amendment would limit outdoor storage in the PD-22 zone to only those parcels that are adjacent to 1200 West. In addition to the BJ's Plumbing Supply property, other properties in the PD-22 zone with frontage on 1200 West are McDonald's, Maverick, Marriot TownPlace Suites, and Broadview University. Heringer Marine also has frontage on 1200 West and has outside storage, but is in the HS zone and not the PD-22 zone. Any future businesses that locate north of the approved BJ's Plumbing site would also be able to have outside storage.

Outside storage of materials is currently allowed in all commercial and professional office zones provided that such storage is screened by a sight obscuring fence at least six feet in height. The proposed amendment would also require a minimum six foot masonry type fence to enclose the entire storage area and also requires that no outside storage items can exceed the height of the fence.

The applicant is also requesting that Standard Land Use (SLU) code 6413 Automobile Repair (inside only and only along and facing 1200 West) be permitted in the PD-22 zone. Like the outdoor storage provision, automobile repair uses would only be allowed on parcels adjacent to 1200 West. Adding this use to the PD-22 zone would give the applicant more options to develop his property. This use is currently allowed in the C2, M1, M2 and HS zones. There is an existing auto repair shop currently operating in the HS zone which is directly adjacent to the PD-22 zone. In addition, similar uses such as Automobile Wash (SLU 6411) and Auto Lube & Tune (SLU 6412) are currently permitted in the PD-22 zone only along and facing 1200 West.

The proposed amendments are outlined below:

22-11-35(D):

<u>Standard Land Use Code</u>	<u>Category</u>
<u>6413</u>	<u>Automobile Repair (inside only and only along and facing 1200 West)</u>

22-11-35(L)(9):

9. Outside Storage:

- a. The development shall provide areas for the secure and covered storage of bicycles and other small recreational items. Such items shall not be permitted to be stored on residential balconies, or within common interior or exterior hallways of the development.
- b. No outside storage of equipment, materials, or products related to any nonresidential use shall be allowed except that the outside storage of products that are or will be offered for sale to the general public shall be allowed on parcels located adjacent to 1200 West. All allowed outdoor storage shall be screened by a sight obscuring fence at least six feet (6') in height. All fencing shall be constructed of masonry, or a steel reinforced, polyethylene, pre-panelized fence, which has the

look of a pre-cast concrete fence with granite-textured panels. The height of any outdoor storage materials may not exceed the height of the fence screening such materials.

Advantages

- The proposed amendment allows a business in the PD-22 zone to have outside storage, but only when adjacent to 1200 West.
- Requires outdoor storage to be screened by a sight-obscuring fence so that storage materials will not be readily visible.
- Allowing SLU 6413 Automobile Repair (inside only) allows more options to develop property adjacent to 1200 West. Similar uses are currently allowed when facing 1200 West.

Disadvantages

- None determined.

RECOMMENDATION: The Planning Commission recommends that the City Council approve this request. Based on the advantages outlined above, staff also recommends the approval of the proposed amendments.

6:20 P.M. PUBLIC HEARING

- 17. ORDINANCE – Amending the General Plan land use map by changing the land use from medium density residential to regional commercial, and amending Section 22-5-3(A) and the zoning map of the Orem City Code by rezoning 0.35 acres from R6 to HS at 2008 South Sandhill Road**

REQUEST: Young Electric Sign Company (YESCO) requests the City Council, by ordinance, amend the General Plan land use map by changing the land use from medium density residential to regional commercial, and amend Article 22-5-3(A) and the zoning map of the City by changing the zone on 0.35 acres at 2008 South Sandhill Road from R6 to HS.

PRESENTERS: Jason Bench

POTENTIALLY AFFECTED AREA: Lakeview

BACKGROUND: YESCO requests that the City Council rezone a small parcel of land it owns at 2008 South Sandhill Road and an adjoining parcel owned by the City from the R6 zone to the Highway Services (HS) zone. The two parcels included in the request comprise 0.35 acres (15,246 square feet). The property bordering the subject property on the north is also zoned HS.

This application consists of two parts. The first is to amend the General Plan land use map of the City from medium density residential to regional commercial. The second part is to amend the zone map of the City by changing the zone from R6 to Highway Services (HS).

YESCO is making this request because it desires to maintain an LED sign on its existing billboard at this location. YESCO first erected a billboard on this property in

approximately 1998. At that time the YESCO parcel consisted of 0.56 acres (24,393 square feet). Up until 2005, the property was in unincorporated Utah County and was zoned Industrial-1.

In 2005, YESCO filed an application to have the property annexed into the City. At approximately the same time, the City was negotiating with YESCO to acquire a part of the property so that the City could construct a storm water detention basin and a roundabout at the intersection of 2000 South and Sandhill Road.

The City needed to acquire as much of the YESCO parcel as possible in order to construct the desired improvements and YESCO was willing to work with the City to accomplish this goal. YESCO's only interest at the time was to retain enough property to allow it to continue operating a billboard on the property. YESCO agreed that it would sell as much of its original parcel to the City as it could while still retaining enough property to meet a minimum lot size requirement. The City suggested applying the R6 zone to the property as that zone required only a 6,000 square foot lot size and was the only zone that allowed a lot of less than 7,000 square feet. The intent was to apply a zone that would allow the City to purchase the greatest amount possible of YESCO property. YESCO agreed to this proposal with the belief that the R6 zone would not in any way impede its ability to continue operating a billboard on the property.

In accordance with this understanding, the City Council annexed the YESCO property into the City on September 27, 2005 and applied the R6 zone to the property. The minutes of the City Council meeting of September 27, 2005 reflect the parties' intentions and state in part: "In order to maximize the area that the City can purchase and use for storm water detention, the City and YESCO desire that the parcel that YESCO will retain ownership of be as small as possible."

The City subsequently completed its purchase of all but 6,430 square feet of the YESCO property and proceeded to construct the detention basin and the roundabout. YESCO continued to maintain the billboard on the remaining parcel.

As part of UDOT's I-CORE I-15 project, UDOT constructed sound walls along the eastern edge of I-15 that obstructed the view of YESCO's billboard to traffic on I-15. In January, 2013, YESCO applied for and received a permit from UDOT to increase the height of the billboard in order to make it clearly visible over these sound walls. YESCO also requested and received a permit to install a new LED sign on the south face of the billboard. Subsequent to receiving the permit, YESCO proceeded to increase the height of the billboard and installed the new LED sign.

In approximately March 2013, following installation of the LED sign on the south face of the billboard, the City received complaints from residential neighbors about the LED sign. While looking into the legality of the LED sign, the City discovered that on YESCO's permit application to UDOT, YESCO had inadvertently indicated that its property was in a commercial zone. When the City notified UDOT that the YESCO property was actually in the R6 zone, UDOT indicated that it would not have issued a permit for the installation of an LED sign on the billboard if it had known the property was in a residential zone. UDOT indicated that it would not allow this type of upgrade on a billboard unless the property was located in a commercial or industrial zone. However, UDOT indicated that the

increase in the billboard height was still appropriate as a billboard company has the right to make its billboard clearly visible in the event that it becomes obstructed due to highway improvements.

Following the receipt of this information, City staff notified YESCO that it would either need to remove the LED sign or have its property rezoned to a commercial or industrial zone. City staff have also held ongoing discussions with YESCO representatives and neighbors in the area to see if some kind of compromise could be reached that would allow YESCO to keep the LED sign while mitigating the sign's impact on neighbors. Some of the options that have been discussed include (1) keeping the sign message static (no sign changes) during certain hours such as between midnight and 6:00 a.m.; (2) slowing the rate of ad changes so that the message changes appear less abrupt; and (3) prohibiting an LED sign on the north face of the billboard. Those discussions have continued up until shortly before the Planning Commission meeting although no final agreement has been reached. In the event that a compromise agreement is reached, City staff recommends that such agreement be memorialized in a development agreement prior to any City Council action.

If the City Council rezones the property to HS, UDOT will most likely allow YESCO to maintain the LED sign. If the City Council denies the application and the property stays R6, UDOT will likely require YESCO to remove the LED sign. However, even if the property remains R6, YESCO will maintain the right to have a traditional billboard on the property at its current height.

YESCO held a neighborhood meeting on April 9, 2014, with five neighbors or property owners in attendance. The concerns of the neighbors included the height and the LED panel. Some neighbors felt the billboard was too high. Others felt the LED sign may be acceptable and less obtrusive if kept at the existing height.

The Planning Commission first heard this request on April 23, 2014, but continued the item to May 7, 2014. Planning Commission members wanted to make a night visit to the site to see what impact the LED sign had on neighbors. Mike Helm of YESCO met several members of the Planning Commission (staggered times) on May 2, 2014, to view the sign at night and to examine readings of a light meter while directed at the LED sign. They also went into the home of a nearby resident to see the how the LED sign affected the enjoyment of her house.

Advantages:

- A rezone of the property to HS would allow YESCO to maintain the LED sign on the south face of the billboard and avoid the expense and investment loss that would arise from removing the LED sign. This would also allow YESCO to realize the expectations it had at the time of annexation that application of the R6 zone would not negatively affect its ability to operate a billboard on the property.
- LED is generally less bright than standard lighting on billboards which may result in less overall light pollution.
- Application of the HS zone to the property would not open the door to other commercial uses since existing easements on the property would prevent any use other than the billboard.
- YESCO has indicated that it is willing to commit not to install an LED sign on the north face of the billboard.

Disadvantages:

- Some neighbors may find the existence of an LED sign on the south face of the billboard to be less desirable than a traditional billboard face.
- If the property is rezoned HS, an LED sign could also be installed on the north face of the billboard unless a development agreement prohibiting this is executed prior to City Council action.

RECOMMENDATION: The Planning Commission recommends the City Council approve this request. Based on the advantages outlined above, staff also recommends the City Council approve this request.

COMMUNICATION ITEMS

18. April 2014 Financial Summary

CITY MANAGER INFORMATION ITEMS

19. This is an opportunity for the City Manager to provide information to the City Council. These items are for information and do not require action by the City Council.

ADJOURNMENT

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CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
May 13, 2014

2:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM

CONDUCTING Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director; Greg Stephens, City Attorney; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Scott Gurney, Interim Public Safety Director; Keith Larsen, Traffic Operations Section Manager; Charlene Crozier, Library Director; Steven Downs, Assistant to the City Manager; Brandon Nelson, Accounting Division Manager; and Taraleigh Gray, Deputy City Recorder

DISCUSSION – UTOPIA/Milestone One Report Review

The City Council discussed the UTOPIA/Macquarie PPP Milestone One report.

Mayor Brunst indicated he had sent a request for extension to Macquarie so the cities could have more time to consider Macquarie's Milestone One report. He expressed interest in holding one or two open-house meetings to get information to the public, as well as planning to provide information at Summerfest and carrying out a citizen survey.

Mr. Davidson said conversations had been held with Y2Analytics regarding a citizen survey. Orem could execute that survey at any time, but a ten-day time frame would be needed for receiving survey responses.

Mr. Bybee added that Y2Analytics wanted two weeks to get perspective and would need time to create a focus group as well.

Mr. Davidson explained there were concerns with surveys and instruments gauging interest. Prior to the survey the City wanted to ensure there would be adequate time for the distribution of information regarding Macquarie's proposal. He said it did not make sense to seek response from residents if the residents were not informed on Macquarie's proposal.

Mr. Davidson advised that there were challenges in holding open houses as the individuals who attended were not always a good representation of those interested in the issues at hand. There

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1 were many resources being made available online to guide citizens who sought information
2 regarding the Milestone One report and Macquarie's proposal. City staff was working on
3 distributing a fact sheet through the Orem utility bill. Mr. Davidson noted it was Macquarie's
4 responsibility to distribute the information regarding its proposal.

5
6 Mayor Brunst said it would be beneficial if Macquarie was available for the open houses. Mayor
7 Brunst believed people should see both sides of the issue and be given a chance to see and hear
8 exactly what was going on with the potential UTOPIA / Macquarie PPP.

9
10 The Council discussed possible dates for holding an informational open house, including
11 May 29, 2014; June 5, 2014; or June 12, 2014.

12
13 Mayor Brunst said the Council would need to decide on whether or not to move forward with
14 Milestone Two by June 27, 2014.

15
16 Mr. Macdonald said it would be great to be able to hear what Comcast and others might do.

17
18 Mr. Davidson stated that the City was considering Macquarie's proposal because it had
19 submitted a formal proposal. The City was open to listening to other possibilities as long as
20 proposals were made in an appropriate manner.

21
22 Mrs. Black said the most important thing was the real facts. She said she wanted to make sure the
23 facts were presented in an impartial manner so people could draw informed, intelligent opinions
24 on the issue.

25
26 Mr. Sumner said Summerfest would be a great opportunity to relay information.

27
28 Mr. Davidson said the purpose of the Milestone One report was for Macquarie to share its
29 perspective of the proposal. The UTOPIA cities were anxious to hear from anyone else who had
30 an option, but they were fast approaching the point where there were no other options. Mr.
31 Davidson acknowledged the value in hearing proposals, but cautioned that completely dismissing
32 a proposal and waiting for something better to come along would be unwise.

33
34 Mayor Brunst said he believed there were other options out there.

35
36 Mr. Davidson suggested the Council members determine objective criteria for them to employ in
37 making Council decisions.

38
39 Mr. Seastrand said he had lingering questions of what the open house would consist of.

40
41 Both Mr. Spencer and Mrs. Black asked about the citizen survey. Mrs. Black said the
42 Y2Analytics survey was vague and suggested it be updated from the previous sample provided to
43 the Council to include the facts of the Macquarie proposal.

44
45 Mr. Davidson said the original survey had four questions regarding the Macquarie proposal.

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1 Mayor Brunst asked if there was a question limit for the cost. Mr. Davidson said the cost was
2 determined by the number of questions on the survey.

3
4 Mr. Bybee said one thing to keep in mind was the need to keep the respondent interested. If the
5 survey was too long, people were less likely to complete the survey.

6
7 Mayor Brunst suggested the Council take a look at the questions to ensure the Council was
8 comfortable with the survey.

9
10 Mr. Andersen asked if it was too late to allow the citizens to vote on the Macquarie proposal in
11 June.

12
13 Mr. Stephens said there were no provisions in State law regarding opinion questions; these
14 would be no different than a Dan Jones survey. One concern was that there was not a lot of time
15 available to carry out a citizen vote.

16
17 Mr. Davidson noted the City Council had a sixty-day window to decide whether or not to move
18 one with Milestone Two, and that the City Council could possibly convene a special meeting to
19 make the decision.

20
21 Mr. Davidson said there was a lot of information being disseminated. He again suggested the
22 Council members employ some kind of decision-making mechanism whereby they could
23 objectively consider the Macquarie proposal and gauge how important each point was to each of
24 them. Mr. Davidson provided the Council with a possible decision-making matrix. The matrix
25 was not an exhaustive list, but rather put into list-format important things to consider in making
26 the Macquarie decision.

27
28 Mr. Davidson suggested that as the Council moved forward it should determine a basis of
29 decision making for the future, regardless of what decision was being made. By employing an
30 overlaying matrix, it would provide the Council with a consistent tool to be used in the overall
31 decision-making process.

32
33 Mayor Brunst asked each Council member to make comments about the decision matrix
34 distributed by Mr. Davidson over the next few days.

35
36 Mr. Davidson said staff could assimilate feedback in a matter of hours. He acknowledged that
37 each Council member had specific opinions and concerns, but that staff would do its best to
38 accommodate the Council.

39
40 Mr. Macdonald said Orem had a losing project. The City liked to think there was someone else
41 out there that was willing to buy it. He said the proposal should be analyzed with the tough face.
42 The City should not dig a pit worse than it was already in.

43
44 Mayor Brunst said West Valley City Mayor Bigelow suggested an outside attorney and CPA
45 evaluate the proposal from an impartial point of view.

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1 Mr. Davidson said UTOPIA had a finance committee. Brandon Nelson, Orem Finance Division
2 Manager, was part of that committee. Mr. Davidson said the deliverables agreed to in Milestone
3 evaluations provided market and financing information in the model. The option was not
4 between a fee and nothing at all. There were costs involved whether a utility fee was approved or
5 not. Infrastructure was a concern, which had a cost attached. Mr. Davidson acknowledged there
6 would be costs involved, though they may not be directly associated to utility fees. Regardless,
7 the City would have to bear the costs.

8
9 Mr. Davidson reiterated that the City was willing to entertain any proposal in writing. There had
10 been many good ideas proposed over the years, but those good ideas had not come with money
11 to build them.

12
13 Mayor Brunst said he did not think anyone would come forward with a check, but he thought
14 there were other options out there.

15
16 Mr. Andersen stated that, ultimately, the citizens were the ones who should decide.

17
18 Mayor Brunst said he felt it was important the citizens had a vote.

19
20 Mr. Davidson said he had made contact with Nick Hann with Macquarie Capital, who had
21 planned to be present at the next City Council meeting.

22
23 Mayor Brunst said the Council members should look at any questions they have and be prepared
24 to ask Mr. Hann the questions at the next meeting.

25 26 **3:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM**

27
28 CONDUCTING Mayor Richard F. Brunst, Jr.

29
30 ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Tom
31 Macdonald, Mark E. Seastrand, David Spencer, and Brent
32 Sumner

33
34 APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant
35 City Manager; Richard Manning, Administrative Services
36 Director; Greg Stephens, City Attorney; Steven Earl,
37 Deputy City Attorney; Bill Bell, Development Services
38 Director; Jason Bench, Planning Division Manager; Karl
39 Hirst, Recreation Director; Scott Gurney, Interim Public
40 Safety Director; Jo Anna Larsen, Emergency Manager;
41 Craig Martinez; Police Lieutenant; Ryan Petersen, Fire
42 Captain; Chris Tschirki, Public Works Director; Keith
43 Larsen, Traffic Operations Section Manager; Charlene
44 Crozier, Library Director; Steven Downs, Assistant to the
45 City Manager; Brandon Nelson, Accounting Division
46 Manager; Ernesto Lazalde, IT Manager; and Taraleigh
47 Gray, Deputy City Recorder

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UPDATE – Slack Lining in Orem

Mr. Hirst provided brief information on the slack lining sport. He said a slack line was a strap between two mature trees that people would walk along, similar to a tight rope.

Mr. Stephens said the City Council had three options for taking action with slack lining in Orem:

- Prohibit slack linking in Orem altogether
- Allow slack lining in Orem with restrictions – location, times of use, set-up, requiring a signed waiver
- Allow slack lining in Orem with no restrictions

Mr. Stephens said that, due to slack lining being a new sport, lawsuits relating to slack lining were beginning to pop up. The results of the law suits were unknown, but the cases involved injuries to nonparticipating bystanders.

Mr. Stephens said the City could sit back and not allow it in the city, but in so doing the City would have to be willing to accept the associated risks.

Mr. Macdonald and Mr. Andersen suggested that the City determine specific places for people to go and enjoy the sport.

Mr. Stephens said if slack lining was allowed in Orem, the City could have to designate areas, establish signage, and ensure regulations were enforced. If the City did not enforce the regulations and specific areas, then the City was setting itself up for a lawsuit. The safest thing was to prohibit the activity and take a “wait and see” approach.

Mayor Brunst said that, when he had suggested discussing the slack lining issue, he had been unaware others could get hurt.

Mr. Seastrand asked if the City had any liability issues associated with the skate park. Mr. Stephens said there were none to that point because there was a designated place for people to go and skate.

Mr. Stephens said the Orem City Code could be amended to specifically prohibit slack lining, should the Council decide to do so.

Mr. Spencer asked about policing. Mr. Stephens said if slack lining was allowed, the Orem police would have to monitor the activity going on in Orem.

Mayor Brunst suggested the slack lining areas be marked with cones and that the slack liners be required to sign a liability waiver.

UPDATE – Panhandling Ordinance

Greg Stephens provided updates to the panhandling ordinance for the City Council’s consideration. He suggested the Council consider changing the conduct, types of roads, aggressive solicitation, and penalty parameters in the existing panhandling ordinance. He said he

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1 planned to discuss it further in a work session before bringing any ordinance amendments the
2 Council for a vote.

3 4 DISCUSSION – Economic Development Tools and Resources

5
6 Mr. Davidson introduced Laura Lewis and Kelly Phost, with Lewis, Young, Robertson, &
7 Burningham. Ms. Phost shared a presentation regarding Redevelopment Areas (RDAs) with
8 regard to how they could be used as a tool for encouraging economic growth within
9 municipalities.

10 11 DISCUSSION – CARE Allocations

12
13 Mayor Brunst went over the CARE allocation recommendations as presented in the agenda
14 packet. The City Council discussed its opinions and views on the CARE grant allocations for the
15 2013/14 grant year.

16 17 PRESENTATION – FY 2015 Budget – Part II

18
19 City staff, by department, presented the Council with specific department accomplishments and
20 anticipated budget needs going in to the FY 2014-15 budget. The requests were attributed to
21 specific City Council Areas of Focus.

22 23 *Library*

24 Charlene Crozier, Library Director, listed the notable Library accomplishments over the previous
25 year:

- 26 • Circulated 1,111,217 items.
- 27 • Served 452,995 patrons.
- 28 • Conducted 208,728 reference transactions.
- 29 • Presented 959 family-friendly programs to an audience of 57,965.
- 30 • Provided nearly 36,000 Internet sessions in addition to 13,000 Wi-Fi sessions.
- 31 • Mended 9,193 items for continued patron use.
- 32 • Maintained an excellent collection with over 340,000 items.
- 33 • Utilized over 11,000 volunteer hours.

34
35 Mrs. Crozier explained the Library's budget requests for FY 2014-15:

- 36 • Fund the replacement of our Integrated Library System or ILS – *City Facilities*
 - 37 ○ The ILS is the connection piece between the individual items in the collection and
 - 38 the patrons and staff.
 - 39 ○ The ILS is used for acquisition, cataloging, circulation, and patron access.
 - 40 ○ The Library is using an outdated ILS that will reach a point where it can't be
 - 41 maintained. No library could operate without an ILS.
- 42 • To reduce staff time in assisting Internet patrons, we request to eliminate the \$1 fee
43 associated with non-patron Internet use.
 - 44 ○ Not having a fee will require less transaction time.
 - 45 ○ Not having a fee will reduce one till.
 - 46 ○ Not having a fee will improve patron satisfaction and reduce stress and
 - 47 complaints.

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- 1 • Fund \$14,000 ongoing for reclassification of an Associate Librarian to a Librarian for
2 Outreach – *Employee Development*
- 3 ○ The Outreach team has not had a librarian to serve as the supervisor/leader since
4 the previous librarian was promoted to be the Division Manager in January 2013.
- 5 ○ A supervisor would allow for greater support to fellow employees, additional
6 responsibility for programming activities, and continuity.

7
8 Mrs. Crozier detailed some of the Library's efforts in community outreach:

- 9 • Orem Reads
- 10 • Cultural Programs
- 11 • Summer Reading

12
13 Mrs. Crozier explained some of the Library's upcoming events, including the Teddy Bear Picnic
14 for summer reading and the art-themed summer reading program for teens.

15 *Recreation*

16 Karl Hirst, Recreation Director, gave background on some of the Recreation department's
17 accomplishments:

- 18 • Senior Friendship Center Grammy's Event
- 19 • Outdoor Programs

20
21
22 Mr. Hirst explained the Recreation department requests for the City Council to consider:

- 23 • RAAC Committee – *Communication*
- 24 • Youth Sports Fees (refer to Handout) – *Financial Sustainability*
- 25 ○ Comparable, competitive, and fair
- 26 ○ Four Options:
 - 27 ▪ Accept the fees as proposed
 - 28 ▪ Phase in the fees over a period of time
 - 29 ▪ Use CARE to assist in expenditures
 - 30 ▪ Reject any fee changes

31 *Development Services*

32 Bill Bell, Development Services director, explained some notable accomplishments within the
33 Planning Division over the previous year and attributed the accomplishments to the City
34 Council's Areas of Focus:

- 35 • University Place – PD-34 Zone - 1,300,000 SF Retail, 600,000 SF Office, and 1500
36 Residential Units – *State Street & Financial Sustainability*
- 37 • Comprehensive Update of the Sign Code – *State Street*
- 38 ○ The update included content-neutral language bringing the sign ordinance up to
39 date with legal standards. In addition, portable signs were allowed in all
40 commercial zones subject to certain standards.
- 41 • HVAC and Roof Repairs – *City Facilities*
- 42 • Williams Farm and Palisade Park – *City Facilities*

43
44
45 Mr. Bell outlined the Development Services budget requests for FY 2014-15:

- 46 • Rovers \$58,000 (surveying)– *City Facilities*
- 47 • State Street Study \$275,000 – *State Street*

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- 1 • Transportation Master Plan \$150,000 – *State Street & Financial Sustainability*
- 2 • New Carpet in Children’s Library \$97,000 – *City Facilities*
- 3 • Roof Leak Repairs \$75,000 – *City Facilities*
- 4 • Center Street Widening I-15 to Geneva \$67,000 – *City Facilities*
- 5 • Right Turn Lane Center Street 400 W SW Corner \$90,000 – *City Facilities*
- 6 • Fees & Charges – *Financial Sustainability*
 - 7 ○ Mr. Bell said, like last year, Development Services continued to bring
 - 8 development fees closer to actual costs.
- 9 • Emerging Issues – Employee Development
 - 10 ○ New State Law SB184 goes into effect May 13 2014
 - 11 ○ Janitorial service for our buildings
 - 12 ○ Flex employee for Zoning Enforcement & Construction Inspection

13 *Public Safety*

14 Scott Gurney, Interim Public Safety Director, presented budget requests on behalf of Public
15 Safety, and attributed the requests to the City Council’s Areas of Focus:

- 16 • DISPATCH - Everbridge Mass Communication Software \$27,000/yr – *Communication*
 - 17 ○ Reverse 911 management software for outbound emergency calls
 - 18 ○ Communication
 - 19 ■ Interactive and mass notification
 - 20 ■ Large events, festivals, severe weather, resident alerts, critical information
 - 21 ■ Critical messages sent on multiple contact paths and devices (text, email,
 - 22 landline, cell)
 - 23 ■ Citizen opt-in/out ability
 - 24 ○ Citizen Protection
 - 25 ■ Citizens expect to be notified during an emergency
 - 26 ■ Reverse 911 for active gunman, hazardous material spill, evacuations,
 - 27 shelter-in-place
 - 28 ■ Fewer injuries/fatalities
 - 29 ■ Lower risk of lawsuits
 - 30 ■ Ability to identify and assist people with special needs
 - 31 ○ Emergency and Non-Emergency Notifications
 - 32 ■ Non-Routine
 - 33 ● EOC activation
 - 34 ● Traffic Issues, street repairs, alternate routes
 - 35 ● Water issues-potable water announcements
 - 36 ● Continuity of government
 - 37 ● SWAT call out, neighborhood warning
 - 38 ● CERT activation
 - 39 ● Summerfest alerts
 - 40 ● Amber alerts
 - 41 ● Shelter locations
 - 42 ■ Routine
 - 43 ● City Council announcements, i.e., public meetings, major issues
 - 44 pending
 - 45 ● Work assignments, i.e., overtime, call-outs, shift replacements
 - 46

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- 1 • Utility bill, library reminders
- 2 • Human resource notification
- 3 • Public service announcements
- 4 • Special events
- 5 • POLICE - Body Armor (The survival armor vest is a level IIIA vest) \$4,000 – *Financial*
- 6 *Sustainability*
 - 7 ○ Additional expenditure will keep replacement schedule in line with the
 - 8 manufacturer’s warranty period of 5 years
- 9 • FIRE - Emergency Medical Supplies \$17,000 – *Financial Sustainability*
- 10 • FIRE - Full PPE Replacement Schedule \$6,000 – *Financial Sustainability*
- 11 • FIRE - Self-Contained Breathing Apparatus (SCBA) \$600,000 – *City Facilities*
- 12

13 Mr. Gurney detailed some of the Public Safety department’s notable accomplishments over the
14 course of the previous year:

- 15 • Fleet Maintenance – *Financial Sustainability*
- 16 • Training – *Employee Development*
 - 17 ○ Computer Voice Stress Analyzer, Interview and Interrogation
 - 18 ○ Violent Crimes, Lead Homicide, Death Investigations, Forensic Science
 - 19 ○ Family and Child Maltreatment Conference, Internet Crimes against Children,
 - 20 Investigative Strategies
 - 21 ○ Swat School, Countermeasures Tactical Institute
- 22

23 Mr. Gurney notified the City Council of some future challenges the Police and Fire departments
24 would face in the coming years:

- 25 • Aging Apparatus
 - 26 ○ Police Patrol Units
 - 27 ○ Fire Engine 35- 2000
 - 28 ○ Ladder Truck - 2004
- 29 • Radios
 - 30 ○ Portables for Fire Department
 - 31 ○ Portables for Police Department
 - 32 ○ Radios for patrol vehicles
- 33 • Fire Station #4 Estimates
 - 34 ○ Station (including FF&E) - \$4,000,000
 - 35 ○ Fire Apparatus (Ladder Truck) - \$1,200,000
 - 36 ○ Equipment for Fire Truck - \$90,000
 - 37 ○ Rescue Unit (Ambulance) - \$150,000
 - 38 ○ Equipment for Ambulance - \$75,000
 - 39 ○ Personnel & Equipment - \$1,500,000 per year
- 40

41 *Public Works*

42 Chris Tschirki, Public Works Director, identified some of the Public Works department
43 accomplishments over the course of the previous year, which accomplishments were attributed to
44 specific City Council Areas of Focus:

- 45 • Parks
 - 46 ○ New Shade Structures, Backstops, and Bleachers – *City Facilities*
- 47 • Streets

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- 1 ○ Road Maintenance Plan Projects – *City Facilities*
- 2 ○ 8th East and 12th West Reconstruction – *City Facilities*
- 3 ○ 8th North Trail – *City Facilities*

4
5 Mr. Tschirki detailed the Public Works – Parks budget requests for the coming fiscal year:

- 6 ● Parks Operational and Equipment Support – *City Facilities*
 - 7 ○ Palisade Park Personnel - \$88,000
 - 8 ○ Palisade Equipment and Addt'l OPEX Needs - \$66,000
 - 9 ○ Playground Equipment Replacement - \$50,000
 - 10 ○ Addt'l Park Needs – City Wide - \$25,000

11 12 *Administrative Services*

13 Richard Manning, Administrative Services Director, outlined the Administrative Services'
14 budget requests for the coming fiscal year and attributed the needs to City Council Areas of
15 Focus:

- 16 ● Merit Increases – *Employee Development*
 - 17 ○ \$120,000 for Merit Increases in January 2015
 - 18 ○ Performance based
- 19 ● UTOPIA Obligations – *UTOPIA*
 - 20 ○ UIA OPEX \$480,000 budgeted
 - 21 ○ UTOPIA debt obligation \$2,916,162
- 22 ● Justice Court Budget Increase– *Employee Development*
 - 23 ○ Based on current year estimates, Orem Justice Court is currently seeing a 21%
24 increase in case load from last year, and a 35% increase since our first year of
25 operation.
 - 26 ○ Total clerical hours per week (including court administrator) have not changed
27 since the first year of operation in 2010.
 - 28 ○ Increase of 25 hours per week would be an 11% increase in total clerical hrs.

29 30 *Legal Services*

31 Greg Stephens, City Attorney, explained the Legal Services budget requests for the coming fiscal
32 year:

- 33 ● \$40,000 ongoing for a part-time Attorney – *Employee Development*
 - 34 ○ Prosecutor Coverage
 - 35 ○ Civil Help
 - 36 ■ Draft and review contracts, easements and other legal docs
 - 37 ■ Draft ordinances and resolutions
 - 38 ■ Draft policies
 - 39 ■ Research legal issues
 - 40 ■ Advise City Council, Boards and Commissions, and City depts
 - 41 ■ Prosecute misdemeanors

42 43 *City Manager*

44 Jamie Davidson, City Manager, presented information to the City Council regarding the major
45 accomplishments within the City Manager department over the previous fiscal year:

- 46 ● New Economic Development Website – *Communication*
- 47 ● Joined EDCUtah – *Financial Sustainability*

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- In coordination with EDCUtah, Orem accomplished the following:
 - Site Visits: 4 (Project Nightingale, Arriba, Lightsaber, and one unnamed)
 - RFI Submittals: 4 (Project Knock, Oar, Prism, and Urban)
 - Sure Sites: 8

Mr. Davidson explained the City Manager department budget requests for the coming fiscal year and attributed the needs to City Council Areas of Focus:

- Additional training for Certified Economic Developer (CEcD) program – *Employee Development*
 - Leading industry designation—not only shows we have the breadth of knowledge to perform at the top level in the profession, but also enhances the visibility of our organization within the profession
- Additional Community Relations \$18,000 – *Communication*
 - Increase the amount of public outreach through additional newsletters, direct mailers, etc.
- Hardware and Network Equipment Funding – *City Facilities*
 - Initiate a long-term replacement plan for all workstations
 - Total of 324 desktops, 86 laptops, and 150 tablets/smartphones City-wide
 - Proposed for FY 2015: Replace Windows XP computers with 7+ yrs old hardware
 - FY 2015: Upgrade remaining Windows XP computers to Windows 7 or 8
- Hardware and Network Equipment Funding – *City Facilities*
 - Current Library ILS system (Horizon) is over 7 years old and does not support operating systems newer than Windows XP
 - A virtual server environment would be created that can run the ILS application to the PC's the library customers use
 - Out of 21 total servers, 10 are virtualized, with 5 potential upgrades
- Additional Software Licensing \$5,000 – *City Facilities*

5:30 P.M. STUDY SESSION

CONDUCTING

Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director; Greg Stephens, City Attorney; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Library Director; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

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Preview of Upcoming Agenda Items

Staff presented a preview of upcoming agenda items to the Council.

Review Agenda Items

The Council and staff reviewed the agenda items.

City Council New Business

There was no new City Council new business.

The Council adjourned at 5:53 p.m. to the City Council Chambers for the regular meeting.

6:00 P.M. REGULAR SESSION

CONDUCTING

Mayor Richard F. Brunst, Jr.

ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Karl Hirst, Recreation Director; Keith Larsen, Traffic Operations Section Manager; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Library Director; Heather Schriever, Assistant City Attorney; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Mr. Macdonald **moved** to approve the minutes from the following meetings:

- April 29, 2014 City Council Meeting
- April 29, 2014 Special Joint Meeting with Lindon and Payson Councils

Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**, unanimously.

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

The Mayor referred the Council to the upcoming events listed in the agenda packet.

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Appointments to Boards and Commissions

No new appointments to Boards and Commissions were made.

Recognition of New Neighborhoods in Action Officers

No new Neighborhood in Action officers were recognized.

Report – Heritage Advisory Commission

Nathan Coe, Heritage Advisory Commission member, reported on the Heritage Advisory Commission. Mr. Coe invited the public to the Memorial Day program at the Orem City Cemetery. Mr. Coe said it was a great privilege to be a part of the event and ceremony.

CITY MANAGER APPOINTMENTS

There were no City Manager appointments.

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not on the agenda. Those wishing to speak should have signed in prior to the meeting, and comments were limited to three minutes or less.

Sarah Bateman informed the Council and public about a community free swap event. Ms. Bateman said she had begun her “free yard sale” event nine years ago. The program allowed a means for meeting the needs of many citizens. Ms. Bateman said she would appreciate any effort to pass along the word for the event.

James Fawcett, resident, said he understood the UTOPIA deal was a big deal, and that the City Council was doing its best to make the proper decision. His opinion was to allow UTOPIA to go bankrupt. Mr. Fawcett questioned the refinancing of a UTOPIA bond in 2008 and said that transaction seemed suspicious. He suggested the City Council look over the refinance of the bond to ensure everything was legitimate.

John Reinhard, resident, said he appreciated the town hall meeting held in April. Mr. Reinhard asked what the term “challenges” referred to in the tentative budget. He drew attention to the statements such as “improving our neighborhoods” and said that term seemed ambiguous. He asked for that information to contain more detail.

Wayne Burr, resident, voiced concern for the proposed utility fee and said he didn’t think it was right for citizens to give future generations a bill or utility fee. Mr. Burr also expressed concern that the utility tax would be expanded at a later time. Mr. Burr asked the Council to not go any further with UTOPIA.

CONSENT ITEMS

There were no consent times.

1 **SCHEDULED ITEMS**

2
3 6:20 P.M. PUBLIC HEARING

4 ORDINANCE – Amending Sections 22-11-26(H), 22-11-26(K), and 22-11-26(M) of the
5 Orem City Code pertaining to development requirements in the PD 14 (Residential Estates)
6 zone

7
8 Jason Bench, Planning Division Manager, gave a brief history of the lot in question and how the
9 existing structure came to be. The applicant owned the property at 479 East 1450 North in the
10 PD-14 zone. The main dwelling was demolished by the applicant in 2013 and there was a
11 remaining large pool house that was built in 1990.

12
13 The applicant wanted to enlarge the existing pool house by approximately 3,019 square feet to
14 improve the façade, add additional living space, and turn it into a guest house. The applicant also
15 intended to construct an additional structure that would be the permanent residence on the
16 property.

17
18 The existing pool house was approximately 12,955 square feet in size and occupied about
19 24 percent of the total lot area. Although the size of the pool house was legal when it was
20 constructed, it was nonconforming under the standards of the PD-14 zone which state that the
21 total footprint area of all accessory structures may only occupy 8 percent of the lot area. The pool
22 house may not be enlarged under the current standards because that would increase the
23 nonconformity.

24
25 The pool house had a height of approximately thirty four feet which exceeded the height limit of
26 twenty four feet for accessory structures in the PD-14 zone. The applicant wanted to increase the
27 allowable height for guest houses to forty three feet which equaled the allowable height for
28 primary structures and would allow the applicant to make the desired improvements to the façade
29 of the pool house.

30
31 The applicant proposed several amendments to the PD-14 zone that would allow for making the
32 desired additions to the pool house building:

- 33 • Amend Section 22-11-26(H) to exclude guest homes from the twenty-four foot height
34 limit applicable to accessory structures.
- 35 • Amend Section 22-11-26(K) to allow guest homes to be built to forty three feet in height
36 which is the same height allowed for primary structures.
- 37 • Amend Section 22-11-26(K) to eliminate the maximum size of a guest home in the
38 PD-14 zone. The current PD-14 zone standards limit guest houses to 25 percent of the
39 above-grade finished floor area of the primary dwelling.
- 40 • Amend Section 22-11-26(M) to allow the total footprint area of all accessory structures
41 (including guest houses) to cover up to 33 percent of the lot area. That would allow the
42 applicant to make his desired additions and alterations to the existing pool house.

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1 Mr. Bench went over the potential advantages and disadvantages:

2 Advantages

- 3 • The proposed amendments would allow the applicant to convert the existing pool
- 4 house to a guest home and to improve the façade of the building to match that of the
- 5 surrounding area.
- 6 • The proposed amendments apply to the entire PD-14 zone allowing all property
- 7 owners the same opportunity.

8 Disadvantages

- 9 • Allowing accessory structures to cover up to 33 percent of all the lots within the
- 10 PD-14 zone may have some negative impact to the neighborhood. However, the
- 11 applicant has indicated that his neighbors in the PD-14 zone do not object to the
- 12 proposed amendments.

13
14
15 Mr. Bench went over the proposed amendments that would be made to the Orem City code if the
16 Council chose to approve the request. The proposed amendments are outlined below:

17 **PD-14 Residential Estate Zone.**

18 **H. Building Heights.**

- 19 1. Residential dwellings shall not exceed forty-three feet (43') in height above the average
- 20 grade of earth at the foundation wall.
- 21 2. Accessory buildings/structures other than guest homes shall not exceed twenty-four feet
- 22 (24') in height.

23
24
25 **K. Guest House.** A guest house is a particular type of accessory building and shall be placed on the same
26 lot as the primary structure. One guest house per lot may be permitted, and each of the following shall
27 apply:

- 28 1. The guest house shall be of the same architectural design and materials as the main
- 29 residential dwelling.
- 30 2. The guest house shall be no smaller than one thousand (1,000) square feet, ~~nor larger than~~
- 31 ~~twenty five percent of the above grade finished floor area of primary dwellings larger than four~~
- 32 ~~thousand (4,000) square feet.~~
- 33 3. The guest house shall not be sold or rented separately from the main residence.
- 34 4. A property owners shall obtain a conditional use permit for a guest house prior to its
- 35 erection.
- 36 5. A guest house shall not exceed forty-three feet (43') in height above the average grade of the
- 37 earth at the foundation wall.

38 **M. Additional Requirements.**

- 39 1. The total footprint area of all accessory buildings/structures shall not exceed 33 percent of
- 40 the area of the parcel on which they are located.
- 41 2. In areas where the PD-14 zone does not have specific requirements, the requirements of the
- 42 R8 zone shall apply.

43
44
45 Mrs. Black said she read over the notes from the Planning Commission and the letters of
46 approval from neighbors. She gathered that neighbors were generally in favor of the request.

47
48 Mr. Sumner asked if a neighborhood meeting was required. Mr. Bench said though it was not
49 required, a neighborhood meeting was held.

50
51 Mr. Burningham indicated that he represented the applicant and said the existing building would
52 not be able to be remodeled due to the existing structural integrity. That was why it would be

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1 necessary to extend out from the building an additional fifteen feet. It was impossible to give the
2 structure a new façade given the condition of the existing building, and due to the code
3 requirements.

4
5 Mayor Brunst asked if the new façade would be built in front of it and not be attached to the
6 existing building. Mr. Birmingham said it would not be attached structurally, but would appear
7 to be attached.

8
9 Mayor Brunst asked about the tennis court and said the swimming pool had no water in it. Mayor
10 Brunst expressed he had safety concerns for the two areas and suggested the areas be fenced to
11 eliminate risk. Mr. Burningham said they were in the process of securing fencing to the area.

12
13 Mayor Brunst opened the public hearing. When no one forward, Mayor Brunst closed the public
14 hearing and brought the discussion back to the Council.

15
16 Mrs. Black **moved**, by ordinance, to amend Sections 22-11-26(H), 22-11-26(K), and
17 22-11-26(M) of the Orem City Code pertaining to development requirements in the PD-14
18 (Residential Estates) zone. Mr. Seastrand **seconded** the motion. Those voting aye: Hans
19 Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David
20 Spencer, and Brent Sumner. The motion **passed**, 7-0.

21
22 Mr. Burningham asked Mayor Brunst when he wanted to have the fence up by. Mayor Brunst
23 said it should be done within a week from the meeting.

24 25 6:20 P.M. PUBLIC HEARING

26 ORDINANCE – Amending Section 22-5-3(A) and the zoning map of the City of Orem by 27 rezoning property located generally at 720 East Timpanogos Parkway from the PD-6 zone 28 to the Professional Office (PO) zone

29
30 Mr. Macdonald left the discussion at 6:33 p.m.

31
32 Mr. Bench reported that the applicant operated a private school known as the Arches Academy.
33 Arches Academy (“Arches”) was looking for a new site for the school since the lease on their
34 current building would expire in June, 2014. Arches had identified the building at 720 East
35 Timpanogos Parkway as a desirable location for the school and had a contract to purchase the
36 property as well as the adjacent parcel to the northwest. The building at that location had been
37 vacant for several years. However, the property was located in the PD-6 zone which does not
38 allow for private schools.

39
40 The applicant was requesting that the City Council rezone the property on which the building
41 was located as well as the adjacent property to the Professional Office (PO) zone. The PO zone
42 allowed for private schools and fit within the parameters of the General Plan designation of
43 Professional Services. The applicant would have to make some interior changes to the building
44 to meet the needs of the school. Some additional windows would be added to the exterior, but no
45 other additions to the building were being proposed. The school included kindergarten through
46 eighth grade and Arches estimated that it would have a total of 125 students enrolled.

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1 The PD-6 zone did not allow for schools, but a PO zone would.

2
3 City staff had observed that private/charter schools in other parts of the city had experienced
4 certain traffic-related issues. Staff had therefore suggested modifications to the proposed site to
5 mitigate some of the potential problems. The applicant had been receptive to those changes and
6 was working with staff to finalize a development agreement which staff anticipated would
7 improve the access and circulation pattern for pick-up and drop-off of students at the school.

8
9 GENERAL PLAN: The current General Plan designation was Professional Services which
10 allowed the property to be zoned to the PO zone only. The designation called for developments
11 that were low-impact professional office space used to “buffer between collector or arterial-class
12 roads and residential development.” No retail was allowed with that land use classification.

13
14 A neighborhood meeting was held on February 10, 2014 regarding the proposed rezone. The
15 only attendees were Arches Academy Staff and parents of current students. No other adjacent
16 property owners were in attendance.

17
18 Mr. Bench provided a comparison of the PD-6 and PO zones.

PD-6	PO
Setbacks: 50' from dedicated street; 20' from property line	20' from dedicated street; 25' from residential zone; If height is greater than 24' setback equals height; 100' from residential if 2 stories
Landscaping: 40% minimum of site	20' along street frontage; Landscaped islands in parking
Building Height: 36'	35'
Building Size: Including parking, up to 60% of site	1 story – 7,500 sq. feet 2 story – 6,500 sq. feet per floor 3 acres – 1 story up to 10,000 sq. feet 5 acres – 2 story up to 7,500 sq. feet
Parking: Setback – 50' from dedicated street 1 stall per 300 sq. feet	Setback – 10' from dedicated street Setback – 10' from residential 1 stall per 250 sq. feet
Architecture: Approved by Committee Brick, glass, aggregate	Residential styling: 8/12 roof pitch Exterior finish shall not include steel, T-111, aluminum, or vinyl siding. No asphalt shingles allowed

19
20 Mr. Bench reviewed proposed traffic plans with the Council, as well as a potential site plan. He
21 then Bench outlined the following as advantages and disadvantages of approving the request:

22 Advantages:

- 23 • The requirements of the PO zone will ensure low impact development adjacent to the
24 surrounding residential community similar to the existing PD-6 zone.
- 25 • The development agreement will provide additional improvements to the property
26 including access improvements.
- 27 • The PO zone requires all new structures to have residential architectural styling.

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Disadvantages:

- Some private/charter schools in the City have had negative traffic impacts. However, the proposed development agreement will help mitigate potential traffic-related issues.
- Schools in general may generate more noise than a typical office use.

Mr. Seastrand asked what zones schools were allowed in. Mr. Bench said public schools could go in any zone, but private and charter schools were limited to certain zones.

Mr. Seastrand then asked where the sidewalk would connect to. Mr. Bench said when the initial development went in, sidewalks were only required on one side of the street. The sidewalk on the site plan eventually could be connected to the development on the vacant lot, which would connect to the neighborhood and then would to 1200 North.

Mrs. Black said there was concern from the adjacent neighborhood about a possible entryway on Research Park Drive. Mr. Bench said that, ultimately, the plan was to build phase two on the vacant lot. Staff thought requiring a possible entryway on Research Park Drive through means of a development agreement would create better circulation. They had since rescinded that requirement knowing it could be reconsidered when lot two was built.

Mrs. Black said another access would come out on Timpanogos Way.

Mr. Spencer asked what the plans were for the second lot. Mr. Bench said he understood the applicant would contract with the current owner to buy the property. The second phase would be a future build out, but there could be a possibility the applicant may not complete a second phase.

Mr. Spencer asked about the applicant meeting with neighbors. Mr. Bench said between the Planning Commission meeting and the City Council meeting, the neighbors did meet. The HOA was present as well as City staff. The meeting discussion focused on traffic options for the school.

Both Mr. Sumner and Mr. Spencer asked for elaboration on what occurred with the neighborhood meeting. Mr. Bench said, to his knowledge, no neighbors attended the meeting. The applicant was responsible for mailing the notice to the neighbors surrounding the project. As a matter of practice the City did not take to verifying that the notices were mailed.

Mrs. Warnick, applicant, said future plans for the vacant lot would be for Arches Academy to utilize the space for a future playground and green space for the children to run and play. The school also looked forward to building its own auditorium, but that would not happen for at least three years. She said Joseph Walker, HOA president, agreed to act as a mediator at a second meeting planned by the applicant. Neighbors declined a second meeting knowing Mr. Walker was on board as a mediator. Mrs. Warnick said she mailed the notification letters herself, and was unaware of why several of the neighbors were claiming they had not received the notice. She speculated that the notices were mistaken as junk mail and therefore were unintentionally thrown in the trash.

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1 Mr. Spencer asked how many children attended the school and if there was a problem with the
2 school's current location.

3
4 Mrs. Warnick said 105 students were currently enrolled. The owner of the current building they
5 were leasing was planning to sell and would not be renewing the school's lease. The school had
6 considered buying the property but, because there were no adequate fire exits and no windows in
7 the basement area, the property did not meet the school's needs.

8
9 Mr. Seastrand asked what the applicant's perspective was on the neighborhood concerns and
10 what actions were taken to mitigate those concerns.

11
12 Mrs. Warnick said the main concerns were traffic flow and noise from the playgrounds. The City
13 did help to propose a new traffic plan. An agreement was signed between Da Vinci Place and
14 Arches Academy which declared the playground area would be kept far from the neighborhood,
15 as the projection showed.

16
17 Mr. Sumner asked how the pick-up and drop-off situation would be mitigated with fifty cars
18 coming in and out. Mrs. Warnick said a traffic study was conducted which determined the traffic
19 flow was conducive to outside traffic on the road.

20
21 Mayor Brunst opened the public hearing.

22
23 Don Hawley, resident, said he was appreciative that the school was willing to work with the
24 HOA. With regard to the playground, he suggested that if something temporary was to be done,
25 then a definition should be made which explained what was expected with the playground areas.
26 Mr. Hawley also suggested the zoning should be subject to having an agreement with the current
27 property owner. The zoning should be complete upon the actual purchase of the property, not
28 just on intent to lease the property. Mr. Hawley expressed concern about the funding for the
29 school and asked what the long-term plan for the property was going to be. He said he feared the
30 property values of the retirement community would decrease as a result of the rezone.

31
32 Allen Finlinson, President and General Manager of the Canyon Park Technology Center, said
33 anywhere from 7,000 to 8,400 people worked at the Canyon Park business campus. Their
34 organization was in favor of the rezone for the school to occupy the building in question. Mr.
35 Finlinson reported receiving a notice in the mail in addition to a number of calls from business
36 park tenants inquiring about the proposed school.

37
38 Joseph Walker, resident, said he didn't see the notification letter, but he assumed he must have
39 thrown it away with his junk mail. There were still some questions that remained unanswered,
40 especially with the vacant lot. Mr. Walker said the administrators at Arches Academy had been
41 forthright in addressing concerns. Mr. Walker recognized it was a valuable piece of property in
42 the neighborhood.

43
44 Mayor Brunst closed the public hearing.

45
46 Mayor Brunst then asked Mrs. Warnick to address funding, purchase agreements, and the
47 playground.

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1 Mrs. Warnick said the funding for the private school was received from tuition, fundraising, and
2 donations from parents and the community. The purchase price on the property was listed at \$3.4
3 million. The school had been in conversation with several banks that were willing to aid in the
4 financing. The school anticipated leasing the property with the plan to purchase it within three
5 years. The playground would be temporally located in the grass area, and within nine months the
6 permanent playground would be relocated to another area on the property.

7
8 Mayor Brunst asked if the school had looked at other sites. Mrs. Warnick said they had but did
9 not find any other building that was as inviting as was one in question.

10
11 Mr. Sumner asked how many attended the extra neighborhood meeting. Mr. Hawley said there
12 were approximately eighteen residents in attendance. The meeting was held in Mr. Hawley's
13 home.

14
15 Mr. Spencer asked Mr. Hawley if all the neighbors who signed the petition were in agreement
16 with Mr. Walker. Mr. Hawley said the neighbors had not been informed of the recent agreement
17 signed regarding the playground. There was another petition signed by forty-three neighbors who
18 had not known there was a meeting on February 10, 2014.

19
20 Mayor Brunst stated that the HOA president said the neighbors were in favor, but that Mr.
21 Hawley indicated he and the other neighbors directly across the fence were not in favor. Mr.
22 Hawley said there were mitigating factors, and that he as a homeowner did not know enough
23 about the rezone to give his support.

24
25 Mayor Brunst expressed concern in placing a school next to a retirement community.

26
27 Mrs. Black said she could understand the concern with the original drop-off proposal. She said
28 the mitigating factors had calmed her fears. The only things left were the drive and the
29 playground not being next to it.

30
31 Mr. Sumner asked if there was any way to legally increase the number of students attending the
32 school, based on fire code.

33
34 Mr. Bench said the number of students could go up, as long as fire codes were met.

35
36 Mr. Seastrand said the Arches Academy had showed good faith in making the rezone
37 application. He said community schools could bring neighborhoods together, and he was hopeful
38 the neighbors could participate and be involved. Mr. Seastrand said he did not see a large degree
39 of difference in the zone change and believed the rezone could be a win-win situation.

40
41 Mrs. Black **moved**, by ordinance, to amend Section 22 5 3(A) and the zoning map of the City of
42 Orem by rezoning property located generally at 720 East Timpanogos Parkway from the PD-6
43 zone to the Professional Office (PO) zone. Mr. Seastrand **seconded** the motion. Those voting
44 aye: Margaret Black, Mark E. Seastrand. Those voting nay: Hans Anderson, Richard F. Brunst
45 Jr., David Spencer, and Brent Sumner. The motion **failed**, 2-4.

46
47 Mr. Macdonald returned to the meeting at 7:17 p.m.

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ORDINANCE - Approving the Amounts to be Awarded to the CARE Grant Recipients for the 2014 CARE Granting Round

Steven Downs, Assistant to the City Manager, presented to the City Council the proposed amounts to be awarded to CARE Grant recipients for the 2013-14 CARE year. On November 8, 2005, a majority of City of Orem voters voted in favor of enacting a local sales and use tax of 0.1 percent as a means of enhancing financial support for recreational and cultural facilities, and cultural organizations within the City of Orem. Known as the Cultural Arts and Recreation Enrichment tax (CARE), the Orem City Council enacted the tax by ordinance on November 22, 2005. The tax went into effect April 1, 2006, and was authorized for a period of eight years. On November 5, 2013, a majority of City of Orem voters voted to continue collecting the CARE tax for an additional 10 years.

On December 9, 2008, the City Council amended the CARE Program policies and procedures, establishing eligibility requirements and an application process for the competitive granting program. Three categories of grants were established, including Recreational and Cultural Facilities, available for publicly-owned or operated facilities; Cultural Arts Major Grants, of \$5,000 or more for operating costs of nonprofit cultural arts organizations; and, Cultural Arts Mini Grants, of up to \$4,999 for operating costs of nonprofit cultural arts organizations.

Applications for the current CARE granting round were due on March 20, 2014. As a group and with members serving as a smaller review panel, the City Council met in a series of public meetings in April to hear from applicants and to consider their grant requests.

Utah law requires that the entire amount of revenues and interest collected as a result of the imposition of the tax be distributed in a manner consistent with Utah Code Ann. 59-12-1403, which allows for granting to one or more facilities or organizations. Utah law also requires the City to provide for that distribution by ordinance.

Mr. Downs appreciated the CARE committee members who served by listening to CARE application presentations.

Mr. Downs detailed the proposed CARE major grant and City facility awards for 2014.

Major Grant Applicants

- | | |
|--------------------------|-----------|
| • Utah Valley Symphony | \$7,500 |
| • Hale Center Foundation | \$340,088 |
| • Utah Lyric Opera | \$7,500 |
| • Utah Regional Ballet | \$35,000 |
| • SCERA | \$535,000 |

City Facilities

- | | |
|--------------------|-----------|
| • Recreation | \$598,000 |
| • Center for Story | \$300,000 |
| • Administration | \$24,751 |

Mr. Downs detailed the proposed CARE mini grant awards for 2014.

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Mini Grant Applicants

• Colonial Heritage Foundation	\$4,999
• The Orem Chorale	\$4,500
• Latinos in Action	\$4,500
• Flix for Charity	-
• Wasatch Chorale	\$4,500
• Utah Valley Young Voices	-
• Utah Storytelling Guild	\$4,000
• Roots of Freedom Foundation	\$4,999
• Utah Baroque Ensemble	\$4,500
• Chauntenette Women's Chorus	\$4,500
• Utah Film Center	\$1,000
• Center State Performing Arts Studio	\$4,000
• UVU Noorda Theater	-
• Utah Valley Civic Ballet Company	\$4,500
• Resonance Story Theater	\$4,000

Mr. Downs reported the total 2013/14 CARE allocation amounted to \$1,897,837.

Mayor Brunst said the CARE grant proposals had been discussed over the course of several work sessions.

Mr. Macdonald thanked Councilmembers Black, Spencer, and Seastrand for serving on the committee that oversaw the CARE mini grant applicant presentations. Mr. Macdonald acknowledged there were differing opinions within the Council on how much should be allocated to the different groups.

Mr. Macdonald **moved** to accept the CARE allocation dollar amounts as presented.

Mr. Sumner said it was a great experience listening to the grant applicants. Mr. Sumner then proposed a change to the major grants and suggested allocating the following:

• Utah Valley Symphony	\$7,500
• Hale Center Foundation	\$330,088
• Utah Lyric Opera	\$7,500
• Utah Regional Ballet	\$30,000
• SCERA	\$550,000

Mr. Sumner explained that he wanted to see the SCERA receive more grant money due to the SCERA reaching so many Orem citizens.

Mr. Andersen said he supported Mr. Sumner's proposal.

Mr. Seastrand drew attention to Mr. Macdonald's original motion and said his motion had not had the opportunity for a second.

Mayor Brunst asked Mr. Macdonald to clarify his motion.

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1 Mr. Macdonald restated his motion to accept the CARE grant as presented. Mr. Seastrand
2 **seconded** the motion. Those voting aye: Margaret Black, Richard F. Brunst, Tom Macdonald,
3 Mark E. Seastrand, and David Spencer. Those voting nay: Hans Andersen and Brent Sumner.
4 The motion **carried**, with a 5-2 vote.

5
6 RESOLUTION – Tentatively Adopting the City of Orem Fiscal Year 2014-2015 Tentative
7 Budget

8
9 Richard Manning, Administrative Services Director, presented a staff request for the City
10 Council to tentatively adopt the FY 2014-15 Tentative Budget. Mr. Manning said that on April
11 29, 2014, the City Council received a draft copy of the proposed Tentative Budget in preparation
12 for this meeting. Prior to being presented with a draft copy of the budget, the City Council and
13 staff have met in a continuing series of public meetings to review the General Fund. On May 27,
14 2014 the Enterprise Funds would be reviewed.

15
16 Mr. Manning said the budget did not contain any request to increase the property tax rate.
17 Proposed fee changes will be reviewed in the budget presentation.

18
19 Mr. Manning noted the Tentative Budget was made available for review on the Orem.org
20 website.

21
22 Mr. Davidson said the purpose of the presentation was to provide an overview of the budget with
23 some of the philosophy and framework behind the tentative budget.

24
25 **Areas of Focus**

26 Brenn Bybee, Assistant City Manager, reviewed the City Council's Areas of Focus for 2014-
27 2015:

- 28 • Communication
- 29 • Employee Development
- 30 • UTOPIA
- 31 • City Facilities
- 32 • State Street
- 33 • Financial Sustainability
- 34 • Harmony

35
36 **Budget Guiding Principles**

37 Mr. Bybee introduced the Budget Guiding Principles and said the principles gave a summary of
38 industry standards that cities use and refer to as cities decide where budget dollars go:

- 39 • City Council – Incorporate policies and vision of the City Council.
- 40 • Self-Sustaining – Enterprise funds should be self-sustaining.
- 41 • One-Time Money – One-time money should be used for one-time expenses.
- 42 • Ongoing Money – Use sustainable, ongoing revenue sources to pay for ongoing
43 expenses.
- 44 • Asset Management
 - 45 ○ Develop capital facility master plans for buildings, utilities, and other significant
46 City infrastructure:

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- 1 ○ Master plans should include strategic operations, maintenance, and replacement
2 guidelines with supporting financial plans. Financial plans should justify rate
3 structures that support the implementation of a master plan. Adopt rate structures
4 that support the implementation of a master plan for a five-year period and
5 redevelop plans every five years.
- 6 ● Compensation – Develop and follow a market-driven compensation plan that will entice
7 and retain good, quality employees.
- 8 ● Vehicle Replacement – Fund an annual vehicle replacement plan that prioritizes the
9 replacement of qualified vehicles.
- 10 ● Revenue Sources
 - 11 ○ Evaluate the health of revenue sources on a regular basis.
 - 12 ○ The General Fund should be supported by diverse, stable revenue sources that do
13 not collectively cause dramatic fluctuations over time.
- 14 ● Reserves - Develop and maintain healthy enterprise fund reserves to sustain impacts of
15 emergencies. Manage the General Fund reserves consistent with State law.
- 16 ● Planning
 - 17 ○ Plan ahead with the big picture in mind.
 - 18 ○ Provide a means for employees across department lines to consult with each other
19 during planning processes. Seek community input through a variety of means, for
20 example, a regular citizen survey.
- 21 ● Debt will only be used for projects that cannot be reasonably afforded through a pay-as-
22 you-go savings plan. For example, a pay-as-you-go scenario may be rejected if to do so
23 would require cutting services or increasing service fees higher than practical.

25 **Stewardship Report**

26 Mr. Bybee presented the following stewardship report from the FY 2013-2014 budget year and
27 attributed specific accomplishments to the City Council's Areas of Focus:

- 28 ● City Manager
 - 29 ○ Separation of Public Safety Departments – *Harmony*
 - 30 ○ Replaced Critical Positions – *Employee Development*
 - 31 ○ Met UTOPIA Obligations – *UTOPIA*
 - 32 ○ Joined EDCUtah – *Financial Sustainability*
 - 33 ○ Core Network Upgrade – *City Facilities*
- 34 ● Administrative Services
 - 35 ○ No Increase in Health Costs to City (63% of employees on HAS) – *Financial*
36 *Sustainability*
 - 37 ○ RDA Governance & Compliance Report – *Financial Sustainability*
 - 38 ○ Received Risk Management Dividend – *Financial Sustainability*
- 39 ● Legal Services
 - 40 ○ Continued Work on Significant Legal Cases (personnel-related, Northgate,
41 referendum) – *Harmony*
- 42 ● Development Services
 - 43 ○ University Place – PD-34 Zone – 1,300,000 Square Feet of Retail Space, 600,000
44 Square Feet of Office Space, and 1500 Residential Units – *State Street &*
45 *Financial Sustainability*
 - 46 ○ Comprehensive Update to the Sign Code – Chapter 14 Signs – *State Street*
 - 47 ○ HVAC and Roof Repairs – *City Facilities*

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- 1 • Recreation
 - 2 ○ Fitness Center Remodel and Addition – *City Facilities*
 - 3 ○ Resurfaced the Zero-Entry Pool at SCERA – *City Facilities*
- 4 • Public Works
 - 5 ○ Palisade Park Construction – *City Facilities*
 - 6 ○ New Shade Structures, Backdrops, and Bleachers – *City Facilities*
 - 7 ○ Back-up Generator for the Water Wells – *City Facilities*
 - 8 ○ Alta Springs and Center Street Water Lines – *City Facilities*
 - 9 ○ Road Maintenance Plan Projects – *City Facilities*
 - 10 ○ 800 East and 1200 West Reconstruction – *City Facilities*
 - 11 ○ 800 North Trail – *City Facilities*
 - 12 ○ UV Project at Water Reclamation Facility – *City Facilities*
 - 13 ○ Williams Farm Detention Pond – *City Facilities*
- 14 • Library
 - 15 ○ Capital Replacement & Repair Plan – *City Facilities*
 - 16 ○ Replaced Critical Positions – *Employee Development*
- 17 • Public Safety
 - 18 ○ Rapid Intervention Team (RIT)/Self-Rescue Training (off-duty) – *Employee*
 - 19 *Development*
 - 20 ○ New Ambulance – *Financial Sustainability*
 - 21 ○ Additional HazMat Supplies – *City Facilities*
 - 22 ○ Resolved Significant Cases – *Harmony*

Revenues

Mr. Manning provided the following information on City revenues forecast by fund:

Revenues: Forecast by Fund				
Fund	Revenues	Interfund Transfers In	Appropriation of Surplus	Total
General	\$43,491,963	\$5,712,022	\$0	\$49,203,985
Road	\$2,305,000	\$0	\$0	\$2,305,000
CARE	\$1,710,000	\$0	\$0	\$1,710,000
Debt Service	\$2,626,826	\$4,714,290	\$0	\$7341116
Capital	\$240,000	\$0	\$0	\$240,000
Water	\$11,419,000	\$892,377	\$0	\$12,311,377
Water Reclamation	\$7,017,851	\$10,000	\$0	\$7,027,851
Storm Sewer	\$3,010,500	\$100,000	\$0	3,110,500
Recreation	\$1,543,000	\$125,000	\$158,088	\$1,826,088
Solid Waste	\$3,010,500	\$100,000	\$0	\$3,397,000
Fleet	\$0	\$652,000	\$0	\$652,000
Purchasing	\$0	\$363,000	\$0	\$363,000
Self-Insurance	\$500,000	\$1,175,000	\$0	\$1,675,000
StoryTelling	\$285,000	\$10,000	\$0	\$295,000
Orem Foundation	\$10,000	\$0	\$0	\$10,000
CNS	\$734,500	\$47,048	\$0	\$781,548
Sr. Citizens	\$51,250	\$0	\$0	\$51,250

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Telecom Billing	\$60,000	\$0	\$0	\$60,000
TOTAL	\$78,401,890	\$13,800,737	\$158,088	\$92,360,715

Mr. Manning provided the following information on City revenue sources:

Revenues: Sources		
Revenue Description	Amount	Percent
Sales Tax	\$18,000,000	19.49%
Water Fees	\$11,368,000	12.31%
Property Taxes (General)	\$6,433,188	6.96%
Property Taxes (G.O. Bonded Indebtedness)	\$1,939,601	2.1%
Franchise Taxes	\$8,050,000	8.72%
Water Reclamation Fees	\$7,002,851	7.58%
General Fund Charges to Other Funds	\$5,712,022	6.18%
Debt Services	\$5,401,515	5.85%
Solid Waste Fees	\$3,396,000	3.68%
Storm Water Fees	\$2,990,200	3.24%
Excise Taxes (Gas Tax)	\$2,300,000	2.49%
Police/Fire Contracted Services	\$1,725,500	1.87%
CARE Tax Revenues	\$1,680,000	1.82%
Recreation Fees	\$1,536,200	1.66%
Ambulance Fees	\$1,330,000	1.44%
Court Fees	\$1,278,500	1.38%
Building Permit & Construction Fees	\$994,500	1.08%
Grants	\$865,000	0.94%
E911 Fees	\$650,000	0.70%
Business Licenses	\$625,000	0.68%
Cemetery Fees	\$520,000	0.56%
Interest Income	\$405,750	0.44%
Appropriation of Surplus	\$158,888	0.175%
Other Revenues	\$7,998,000	8.66%
TOTAL	\$92,360,715	100.00%

Mr. Manning provided a General Fund comparison from previous fiscal years:

Description	FY 11-12	FY 12-13	Budget FY 14	Tentative FY 15
Taxes	\$30,172,672	\$31,382,380	\$30,660,000	\$32,588,188
Permits/Licenses	\$1,391,473	\$1,534,393	\$1,379,500	\$1,619,500
Grants	\$1,341,669	\$940,900	\$853,344	\$327,500
Service Fees	\$9,153,286	\$9,368,499	\$9,145,704	\$8,780,853
Fines	\$1,296,545	\$1,245,145	\$1,202,000	\$1,217,500
Misc.	\$2,190,092	\$1,542,955	\$1,257,097	\$1,159,969
Transfers	\$2,299,416	\$2,565,915	\$2,273,221	\$3,510,475
Reserves	\$0	\$0	\$1,922,610	\$0
TOTALS	\$47,865,152	+\$48,580,187	\$48,693,476	\$49,203,985

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1 Mr. Manning shared visual graphics of select tax revenue categories over the previous twelve
2 years. Sales tax revenues in 2007-2008 rapidly spiked and then fell significantly. That was likely
3 due to the housing bubble. The City's core of sales tax revenue generator was groceries, and
4 Costco was a big contributor in that category.

5
6 Mr. Macdonald noted that the tax generated from clothing sales was less than previous years.

7
8 Mr. Manning said the presented graphs did not show dollars because of the nature of the
9 information. Actual tax figures were, by law, considered confidential information.

10
11 Mr. Manning then explained the process the City used to project sales tax revenues for the
12 coming budget year. The method used was a historical method to project and crosscheck tax
13 revenues with known economic factors, such as wage data and unemployment, and was adjusted
14 for known future events. Mr. Manning said the economic outlook was stable, but there could be
15 trouble on the horizon that the City did not foresee.

16
17 Mr. Manning reported the FY 2015 sales tax projections included the following information:

- 18 • FY 2014 current projection was \$17.9M to \$18.1M
- 19 • Unemployment rates went from 4.0% to 4.2%
- 20 • Salary in Utah County was up 6.4%
- 21 • State projections and national projections confirmed sales tax projection
- 22 • Loss of DōTerra was factored into overall FY 2015 projection

23
24 Mr. Manning said revenues from Telecom were a portion of franchise tax, which tax was not
25 paid on services provided over the internet. That explained the downward trend for telecom tax
26 revenues.

27
28 Mr. Manning discussed the General Fund by Department and provided the following breakdown:

Department	Percentage of General Fund
Police Department	25.62%
Fire Department	15.92%
Development Services	6.95%
Legal Services	1.99%
Administrative Services	4.82%
City Manager	5.89%
Mayor/City Council	0.93%
Library	6.34%
Recreation	1.68%
Public Works	10.61%
Non-Departmental	19.24%

29
30
31 Mr. Manning explained the expected FY 2015 organizational changes and their corresponding
32 fiscal amounts:

Work Group	From	To	Amount
Information Tech	Admin. Services	City Manager	\$1,928,850

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Fire Facilities	Public Safety	Development Services	\$79,200
Police	Public Safety	Own Department	\$12,605,961
Fire	Public Safety	Own Department	\$7,835,107

1
2 Mr. Manning gave comparisons for each department which highlighted number of employees,
3 personnel cost, operations cost, capital cost and total costs for FY 2015, which information was
4 available in the Tentative Budget booklet.

5
6 Mr. Manning covered Capital Improvement Funds, explaining the revenue descriptions fund
7 totals for FY 2011-12, FY 2012-13, FY 2013-14, and the tentative budget for FY 2014-15.

8
9 Mr. Seastrand asked if surplus would go to the Capital Improvement Fund. Mr. Manning said
10 yes; the City forecasted revenues from a conservative standpoint, and any excess would filter
11 into the Capital Improvement Fund.

12
13 Mr. Manning said the City would be wise to pull excess aside and only spend those funds on
14 one-time expenditures.

15
16 Mr. Manning explained proposed compensation changes to the FY 2015 budget. A 2 percent
17 market increase was built into the base, with an additional 1 percent merit increase totaling
18 \$120,000 for January, 2015. Mr. Manning said a health insurance premium increase totaling
19 \$185,000 was forecasted for 2015, as well as the Utah Retirement System increases totaling
20 \$295,600.

21
22 Mr. Manning went over the changes in fees and charges and said fees were aimed to cover cost.

23

Fee	From	To
Annexation Request	\$1,000	\$1,500
Review Plats extra reviews (2-7)	\$1,500	\$1,000
PRD Preliminary	\$800	\$700
PRD Final	\$600	\$400
Preliminary Residential	\$800	\$700
Final Residential	\$600	\$400
Plat Amendments	\$800	\$600
Site Plan Administrative Approval	\$500	\$400
Zoning Ordinance Amendment	\$1,200	\$800
Zoning Ordinance Amendment New PD	\$2,000	\$1,000
Road Bore Fees (0-2 Years)	-	\$5,000
Road Bore Fees (2-5 Years)	-	\$250
Road Bore Fees (5+ Years)	-	\$150
Cemetery Lot	\$1,000	\$1,200
Cemetery Lot ½ Space on Edge of Road	\$550	\$600
Adult Burial	\$500	\$600
Junior Burial	\$400	\$600
Saturday Interment (in addition to reg. fee)	\$300	\$400
Headstone Inspection and Setting Fee	-	\$35

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1 Mayor Brunst asked about cemetery fees. Mr. Manning said it was in the best interest of the City
2 to keep cemetery fees at par with neighboring areas. Land at the cemetery was limited, and
3 therefore the fees should be kept at par in effort to discourage people coming from far away just
4 because Orem had the cheapest burial plots.

5
6 Mr. Manning discussed the changes in water fees. The fees on the meters were based on the
7 volume of water that passed through and were assessed depending on the size of the meter.

8 9 **“Big Rocks” for FY 2015 Budget**

10 Mr. Manning turned the time over to Mr. Davidson to discuss “big rocks” for FY 2015. Mr.
11 Davidson noted the budget was a balanced budget, that there were no deficiencies in terms of
12 revenue, and that the City had the means to move forward.

13
14 Mr. Davidson explained the “big rocks” and related them to the City Council’s Areas of Focus:

- 15 1. Enterprise Fund Cost Allocation (Water, Water Reclamation, Storm Sewer and Street
16 Lighting) – *Financial Sustainability*
 - 17 • State-Mandated Utility Fund Transfers - \$865,000
- 18 2. Emergency Communications and Citizen Outreach – *Communication*
 - 19 • Mass Communication Software - \$27,000
 - 20 • Citizen Newsletter - \$18,000
- 21 3. Justice Court and Legal Services Staffing Concerns – *Employee Development*
 - 22 • Legal Professional Services - \$40,000
 - 23 • Additional Justice Court Personnel - \$22,300
- 24 4. Engineering Equipment – *City Facilities*
 - 25 • GPS Rovers - \$59,000
- 26 5. Traffic and Signal Maintenance – *City Facilities*
 - 27 • Signal Maintenance - \$15,000
 - 28 • Signage Maintenance - \$7,500
- 29 6. Public Safety Life-Safety Equipment and Support (funding, in part, from FY 2014) –
30 *Financial Sustainability*
 - 31 • Additional Ambulance / EMS supplies - \$17,000
 - 32 • Fire Turnout Gear Additions - \$6,000
 - 33 • Police Body Armor Additions - \$4,000
- 34 7. Ongoing Fleet Replacement – *Financial Sustainability*
 - 35 • Additional Fleet Investment (>\$600K) - \$50,000
- 36 8. Employee Health Insurance and Retirement Contributions – *Employee Development*
 - 37 • Anticipated Health Insurance Increase - \$189,000
 - 38 • Additional Mandatory URS Contribution - \$295,000
 - 39 • Benefits Consultant (ACA) - \$36,000
- 40 9. Market Competitive Compensation (funded, in part, from FY 2014) – *Employee*
41 *Development*
 - 42 • FY 2015 Market Adjustment - \$450,000
 - 43 • FY 2015 Merit Adjustment - \$125,000
 - 44 • Employee Professional Development - \$25,000
- 45 10. Critical IT / Network / System Replacement (funded, in part, from FY 2014) – *Financial*
46 *Sustainability*

DRAFT

- 1 • *Additional Software Licensing - \$5,000*
- 2 11. UTOPIA Debt Service Payments and OPEX – *UTOPIA*
- 3 • *Additional UTOPIA Debt Service - \$57,000*
- 4 12. Recreation Fund Operational Support – *Financial Sustainability*
- 5 • *Fitness Center Operational Support - \$125,000*
- 6 13. Maintenance and Repair of Critical City Facilities (roof, HVAC, carpeting, elevators,
- 7 etc.) – *City Facilities*
- 8 • *Children’s Library Carpet - \$97,000*
- 9 • *City Building Roof Repairs - \$75,000*
- 10 • *City Building HVAC Improvements - \$18,000*
- 11 • *Elevator Maintenance - \$11,000*
- 12 • *Public Safety Building Floor Drains - \$5,000*
- 13 • *Fire Alarm Improvements - \$3,500*
- 14 14. Parks Operation and Equipment Support – *City Facilities*
- 15 • *Palisade Park Personnel - \$88,000*
- 16 • *Palisade Equipment and Additional OPEX needs - \$71,000*
- 17 • *Playground Equipment Replacement - \$50,000*
- 18 • *Additional Citywide Park Needs - \$25,000*
- 19 15. Fees for Service Adjustments (development, cemetery, water, storm, sewer, recreation,
- 20 etc.) – *Financial Sustainability*
- 21 • *Water (3/4” meter) - increase \$0.25 / month*
- 22 • *Storm Sewer (per ESU) - increase \$0.25 / month*

23
24 Mayor Brunst asked about the amount for the citizen newsletter.

25
26 Mr. Davidson said there was a variety of communication means being employed by the City
27 since different sections of the population responded to a variety of those means. The City staff
28 had demonstrated they could do more with limited resources, but ultimately the City was falling
29 short where printed resources were concerned.

30
31 Mayor Brunst asked if the City continued to make its own signs, and Mr. Davidson said staff did.

32
33 Mr. Macdonald asked about the Recreation Fund Operation Support. Mr. Davidson said the City
34 would take effort in regrowing the patron base which had been lost through the construction and
35 remodel of the fitness center.

36
37 Mr. Davidson said the recommended adjustments and capital replacement of infrastructure were
38 based on operational needs the City had. Mr. Davidson concluded by naming some of the
39 future/unfunded projects within the City:

- 40 • *Streets, Sidewalks, Trails, and Traffic Management, Construction, and Maintenance*
- 41 • *Street Lighting LED Project*
- 42 • *Fire Station #4*
- 43 • *Utility Master Plan Projects*
- 44 • *Ongoing Facility & Fleet Needs*
- 45 • *Additional Staffing Requirements*
- 46 • *Southwest Annexation Needs*

DRAFT

- 1 • State Street Master Plan Implementation
- 2 • Automated Meter Reading

3
4 Mr. Davidson said there were present concerns about decaying infrastructure. The average life of
5 pipe was 40 to 50 years. The City was fast approaching the life of many of the utility systems as
6 many had been installed during the 1970s and 1980s.

7
8 Mr. Tschirki spoke to the need to update some of the City's master plans. Mr. Davidson said
9 many years had passed since work to that end had been completed, which meant the process of
10 updating those master plans could take longer.

11
12 Mr. Andersen stated that he wanted to see if the reserves had been growing.

13
14 Mr. Spencer said he wanted to see that the City had adequate reserves. A guesstimate on the
15 City's reserves would be helpful, especially as the Council approached making the decision on
16 the Macquarie proposal.

17
18 Mr. Davidson reiterated that what the City Council had before them was a balanced budget. He
19 expressed appreciation to the department directors who assisted staff to work out the budget
20 details for the coming fiscal year. He said Mr. Manning and Mr. Nelson had put together the
21 tentative budget booklet, which was given to the Council.

22
23 Mayor Brunst allowed time for public comment.

24
25 Bob Wright, resident, said he appreciated the effort put forth by City staff. He said the Council
26 should be able to make changes to what was being proposed. Mr. Wright asked the Council to be
27 generous to the citizens and reject any added service fees. He also suggested the garbage can rate
28 be reduced.

29
30 Jim Fawcett, resident, suggested the Recreation Center open a half hour earlier to bring more
31 patrons. He said the UTOPIA bonds should be reflected in the financial budgets so as to inform
32 citizens on the bonds.

33
34 Jon Reinhard, resident, said he was concerned that a few amounts were swapped. He suggested
35 the City create some type of system to accept donations to offset budget cost. He said he was
36 curious on what had been done to look at different ways of fueling City vehicles.

37
38 Eric Royer, resident, said he was interested in the UTOPIA report and the increase in utility fee
39 per household. His understanding was that the benefits received would not be worth the fees. He
40 said he would possibly move out of Orem if something like that happened. He asked what would
41 happen to the people who could not afford the fees.

42
43 Mayor Brunst **moved**, by resolution, that the City Council tentatively adopt the Fiscal Year
44 2014-2015 Tentative Budget and set a public hearing to adopt the final budget on June 10, 2014,
45 at 6:00 p.m. Mr. Seastrand **seconded** the motion. Those voting aye: Margaret Black, Richard F.
46 Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. Those voting
47 nay: Hans Andersen. The motion **passed**.

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1 Mr. Macdonald said he understood it would be irresponsible for the Council to not vote on the
2 tentative budget. He acknowledged that a lot of homework was required by the Council in
3 preparation to approve the final budget.

4 5 **COMMUNICATION ITEMS**

6
7 Mr. Davidson allowed time for Jason Bench to present to Council a preview of upcoming agenda
8 items.

9
10 Mr. Davidson then reminded the Council that the CARE committee did require participants and
11 asked the Council members to put its heads together to come up with name recommendations to
12 fill the vacancies.

13 14 **CITY MANAGER INFORMATION ITEMS**

15
16 There were no city manager information items.

17 18 **ADJOURNMENT**

19
20 Mr. Seastrand **moved** to adjourn to the Redevelopment Agency meeting. Mr. Spencer **seconded**
21 the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom
22 Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

23
24 The meeting adjourned at 9:17 p.m.

DRAFT

CITY OF OREM
SPECIAL MEETING
SCERA Center for the Arts, Room 201
745 South State, Orem, UT 84058
May 14, 2014

This meeting was for discussion purposes only. No action was taken.

CONDUCTING Mayor Richard F. Brunst, Jr.

OREM ELECTED OFFICIALS Mayor Richard F. Brunst, Jr. and Councilmembers Hans Andersen, Mark E. Seastrand, David Spencer, and Brent Sumner

OREM STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Assistant to the City Manager; Scott Gurney, Interim Public Safety Director; Karl Hirst, Recreation Director; Richard Manning, Administrative Services Director; Jason Bench, Planning Division Manager; Jennifer Sisoutham, Administrative Secretary; and Taraleigh Gray, Deputy City Recorder

EXCUSED Orem Councilmembers Margaret Black and Tom Macdonald

Welcome

Val Hale welcomed those in attendance at the meeting.

Introductions and Agenda Review

Mayor Brunst introduced Treeo. He asked Don Potter, GM of Treeo, to come forward and give a brief overview of what Treeo was.

Mr. Potter said Treeo was a smart retirement community. Treeo was changing the stereotype of what a retirement community must look like. Treeo would teach the senior population what technology could do for them. Each member of Treeo had an iPad. The building was very modern, bright and open. A large part of Treeo's mission was to connect with community.

Mayor Brunst reviewed the items listed on the agenda.

Utah Valley Chamber Introduction

Val Hale provided an introduction and brief history of the Utah Valley Chamber. He said the Chamber wanted to be more active and visible within the community. Mr. Hale said he appreciated the meeting that was being held and spoke about the possibility of putting together a quarterly forum, similar in structure to the Orem Forum.

1
2 Mr. Hale introduced Donna Milakovic. Ms. Milakovic encouraged businesses to think about
3 challenges each of the businesses faced and asked that the businesses allow the Chamber to
4 employ its tools to help local businesses to grow and succeed.

5
6 **Economic Development Division Introduction**

7
8 Brenn Bybee introduced the Economic Development website and directed those in attendance to
9 pay attention to the handout that was distributed. Mr. Bybee said in addition to the website
10 featuring real estate, the site would also feature businesses. Mr. Bybee said utilizing the site
11 could be an exciting synergistic opportunity for both the businesses and the City.

12
13 Mr. Bybee explained that the City was trying to align marketing strategies with local businesses
14 similar to how the State did.

15
16 Ms. Milakovic said the website provided a free service and resource for businesses to connect to
17 other businesses.

18
19 **Goldman Sachs 10,000 Small Businesses Program**

20
21 Thomas Longenecker introduced the Goldman Sachs' Small Business Program. The program
22 was a \$500 million investment to educate small businesses with the purpose of bringing existing
23 business owners in to teach classes, and to provide advisors that went out and advised businesses
24 over the course of a sixteen week period.

25
26 In order for businesses to work through this program they must meet certain requirements:

- 27
- 28 • Businesses must be in business at least two years
 - 29 • Businesses must have revenues totaling between \$150,000 to \$4 million per year or more

30
31 The program was offered on a 100 percent free scholarship and was valued between \$18,000 to
32 \$20,000. Mr. Longenecker said the program was like a miniature MBA for the individual
33 business owners.

34
35 Mr. Longenecker said the program was very competitive. A prominent program goal was to
36 encourage businesses to grow so they could grow economic development within each
37 community.

38
39 The program encouraged training and evaluated people on business performance. Through the
40 program businesses worked closely with local banks and other resources so businesses could
41 grow when they were ready to scale.

42
43 The program suited a variety of business owners ranging in age from twenty five years old to
44 seventy years old. The past cohort was comprised of 50 percent women participants.

45
46 Mr. Longenecker said the program was not about who had the best business, but rather it was
47 about what businesses were the best fit for the group.

48 **Sign Ordinance Introduction**

1
2 Jason Bench, Planning Division Manager, presented an overview of the sign ordinance passed by
3 the Orem City Council on October 22, 2013.

4
5 **Introduction of the State Street Master Plan**

6
7 Mr. Bench provided an overview of the City’s process of generating a State Street Master Plan.
8 There were coordination efforts in play with UDOT, MAG, and other organizational key players.
9 The City was in the process of sending out the RFP as quickly as possible. Mr. Bench said the
10 City anticipated submissions to be returned in June.

11
12 **Q & A and Closing Remarks**

13
14 Cameron Martin gave remarks on current happenings at Utah Valley University (UVU). Mr.
15 Martin said UVU had a presence at the last legislative session which proved successful in
16 securing appropriated funds referred to as acute equity. He said the acute equity would help
17 address the bottleneck effect with regard to students coming in and going out.

18
19 Mr. Martin gave an update on the new Student Life and Wellness Center at UVU, which focused
20 on student wellness through spirit, mind, and body.

21
22 A business member in the audience asked Mr. Martin if the completion of the new classroom
23 center would pave the way for more faculty jobs at the university. Mr. Martin said it would have
24 a positive impact on faculty job openings.

25
26 Mr. Martin said UVU was a workhorse institution. He referenced the Academy of Creativity and
27 Technology, which was a program driven by seniors and faculty, and said it was a great resource
28 for the school and the students.

29
30 Mayor Brunst said Orem was a recent new member of EDCUtah (Economic Development
31 Corporation of Utah) and asked Russ Fathering to come forward to introduce the corporation.
32 Mr. Fathering said EDCUtah was happy to have Orem and Provo as new members of the
33 organization. He said EDCUtah operated out of offices located at the Business Resource Center
34 (BRC), which was part of UVU. He said the BRC was a great resource as it acted as a business
35 incubator.

36
37 Mayor Brunst noted an update on the status of Midtown Village. He referenced an article in the
38 Daily Herald about the happenings at Midtown Village. The development was under contract
39 with a group of investors who were seasoned and well financed. The groups were comprised of
40 the Richie group from Heber, and the Evergreen group out of Provo. The two groups had a track
41 record in developing apartments and retirement communities.

42
43 Mayor Brunst said the investment groups were hoping to close on the project at the end of June,
44 2014.

45
46 **Adjournment**

1 The meeting adjourned at 1:06 p.m.
2

UPCOMING EVENTS

DATE	EVENT TIME LOCATION	TYPE EVENT SPONSOR
MAY 26	MEMORIAL DAY PROGRAM 9:00 a.m. Orem City Cemetery	HERITAGE PROGRAM
JUNE 7	GENEVA HEIGHTS BBQ 12:00 p.m. Orem Jr. High (<i>tentative</i>)	NEIGHBORHOOD MTG
JUNE 13-14	SUMMERFEST TBD	CITY OF OREM
~JUNE 16	LIBRARY EVENTS TBD	
SEPT 10 -12	ULCT SL Sheraton	ANNUAL CONFERENCE

CITY OF OREM
CITY COUNCIL MEETING
MAY 27, 2014



REQUEST:	6:20 P.M. PUBLIC HEARING ORDINANCE – Amending Sections 22-11-35(D), and 22-11-35(L)(9) of the Orem City Code pertaining to development requirements in the PD-22 (Urban Village) zone
APPLICANT:	Paul Washburn
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspapers
- Emailed to newspapers
- Posted on State’s notification website.
- Mailed 348 notifications to properties within 400’ of the affected properties as well as all property owners in the PD-22 zone.

SITE INFORMATION:

- General Plan
Regional Commercial
- Current Zone
PD-22
- Acreage
47.29
- Neighborhood
Timpview
- Neighborhood Chair
Brian & Lisa Kelly

PREPARED BY: Clinton A. Spencer Planner
--

PLANNING COMMISSION RECOMMENDATION: 6-0 for approval
--

REQUEST:

Paul Washburn requests the City Council amend Sections 22-11-35(D) and 22-11-35(L)(9) of the Orem City Code pertaining to development requirements in the PD-22 (Urban Village) zone.

BACKGROUND:

The PD-22 zone currently does not allow the outdoor storage of equipment, materials, or products related to a commercial use. The applicant desires to amend the PD-22 zone to allow such outdoor storage in order to accommodate the needs of BJ’s Plumbing Supply who desires to locate at 950 North 1200 West in the PD-22 zone.

The proposed amendment would limit outdoor storage in the PD-22 zone to only those parcels that are adjacent to 1200 West. In addition to the BJ’s Plumbing Supply property, other properties in the PD-22 zone with frontage on 1200 West are McDonald’s, Maverick, Marriot TownPlace Suites, and Broadview University. Heringer Marine also has frontage on 1200 West and has outside storage, but is in the HS zone and not the PD-22 zone. Any future businesses that locate north of the approved BJ’s Plumbing site would also be able to have outside storage.

Outside storage of materials is currently allowed in all commercial and professional office zones provided that such storage is screened by a sight obscuring fence at least six feet in height. The proposed amendment would also require a minimum six foot masonry type fence to enclose the entire storage area and also requires that no outside storage items can exceed the height of the fence.

The applicant is also requesting that Standard Land Use (SLU) code *6413 Automobile Repair (inside only and only along and facing 1200 West)* be permitted in the PD-22 zone. Like the outdoor storage provision, automobile repair uses would only be allowed on parcels adjacent to 1200 West. Adding this use to the PD-22 zone would give the applicant more options to develop his property. This use is currently allowed in the C2, M1, M2 and HS zones. There is an existing auto repair shop currently operating in the HS zone which is directly adjacent to the PD-22 zone. In addition, similar uses such as Automobile Wash (SLU 6411) and Auto Lube & Tune (SLU 6412) are currently permitted in the PD-22 zone only along and

facing 1200 West.

The proposed amendments are outlined below:

22-11-35(D):

<u>Standard Land Use Code</u>	<u>Category</u>
<u>6413</u>	<u>Automobile Repair (inside only and only along and facing 1200 West)</u>

22-11-35(L)(9):

9. Outside Storage:

- a. The development shall provide areas for the secure and covered storage of bicycles and other small recreational items. Such items shall not be permitted to be stored on residential balconies, or within common interior or exterior hallways of the development.
- b. No outside storage of equipment, materials, or products related to any nonresidential use shall be allowed except that the outside storage of products that are or will be offered for sale to the general public shall be allowed on parcels located adjacent to 1200 West. All allowed outdoor storage shall be screened by a sight obscuring fence at least six feet (6') in height. All fencing shall be constructed of masonry, or a steel reinforced, polyethylene, pre-panelized fence, which has the look of a pre-cast concrete fence with granite-textured panels. The height of any outdoor storage materials may not exceed the height of the fence screening such materials.

Advantages:

- The proposed amendment allows a business in the PD-22 zone to have outside storage, but only when adjacent to 1200 West.
- Requires outdoor storage to be screened by a sight-obscuring fence so that storage materials will not be readily visible.
- Allowing SLU 6413 *Automobile Repair (inside only)* allows more options to develop property adjacent to 1200 West. Similar uses are currently allowed when facing 1200 West.

Disadvantages:

- None determined

RECOMMENDATION:

The Planning Commission recommends that the City Council approve this request. Based on the advantages outlined above, staff also recommends the approval of the proposed amendments.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTIONS 22-11-35(D) AND 22-11-35(L)(9) OF THE OREM CITY CODE PERTAINING TO DEVELOPMENT REQUIREMENTS IN THE PD-22 (URBAN VILLAGE) ZONE.

WHEREAS on April 3, 2014, Paul Washburn filed an application with the City of Orem requesting that the City amend Sections 22-11-35(D), and 22-11-35(L)(9) of the Orem City Code pertaining to development in the PD-22 (Urban Village) zone; and

WHEREAS the proposed amendments to Section 22-11-35(D), and 22-11-35(L)(9) will amend the Orem City Code to allow Standard Land Use Code 6413 Automobile Repair (inside only and only along and facing 1200 West) as a permitted use in the PD-22 zone, and allow screened outdoor storage for properties adjacent to 1200 West in the PD-22 zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on May 21, 2014 and the Planning Commission forwarded a positive recommendation to the City Council; and

WHEREAS a public hearing considering the subject application was held before the City Council on May 27, 2014; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; and the effect upon the surrounding neighborhood.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds that this request is in the best interest of the City because it will allow greater flexibility in the development and improvement of property in the PD-22 zone.

2. The City Council hereby amends a portion of Section 22-11-35(D) by adding Standard Land Use Code 6413 as a permitted use in the PD-22 zone to read as follows:

<u>Standard Land Use Code</u>	<u>Category</u>
6413	Automobile Repair (inside only and only along and facing 1200 West)

3. The City Council hereby amends Section 22-11-35(L)(9) to read as follows:

DRAFT

9. Outside Storage:

- a. The development shall provide areas for the secure and covered storage of bicycles and other small recreational items. Such items shall not be permitted to be stored on residential balconies, or within common interior or exterior hallways of the development.
- b. No outside storage of equipment, materials, or products related to any nonresidential use shall be allowed except that the outside storage of products that are or will be offered for sale to the general public shall be allowed on parcels located adjacent to 1200 West. All allowed outdoor storage shall be screened by a sight obscuring fence at least six feet (6') in height. All fencing shall be constructed of masonry, or a steel reinforced, polyethylene, pre-panelized fence, which has the look of a pre-cast concrete fence with granite-textured panels. The height of any outdoor storage materials may not exceed the height of the fence screening such materials.

4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

5. All ordinances, resolutions or policies in conflict herewith are hereby repealed.

6. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED and APPROVED this 27th day of May 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

DRAFT

22-11-35(D):

<u>Standard Land Use Code</u>	<u>Category</u>
<u>6413</u>	<u>Automobile Repair (inside only and only along and facing 1200 West)</u>

22-11-35(L)(9):

9. Outside Storage:

- a.** The development shall provide areas for the secure and covered storage of bicycles and other small recreational items. Such items shall not be permitted to be stored on residential balconies, or within common interior or exterior hallways of the development.
- b.** No outside storage of equipment, materials, or products related to any nonresidential use shall be allowed except that the outside storage of products that are or will be offered for sale to the general public shall be allowed on parcels located adjacent to 1200 West. All allowed outdoor storage shall be screened by a sight obscuring fence at least six feet (6') in height. All fencing shall be constructed of masonry, or a steel reinforced, polyethylene, pre-panelized fence, which has the look of a pre-cast concrete fence with granite-textured panels. The height of any outdoor storage materials may not exceed the height of the fence screening such materials.

D. Permitted Uses. The following uses shall be permitted in the PD 22 zone:

<u>Standard Land Use Code</u>	<u>Category</u>
1112	Residential Condominiums
1120	Apartments
1500	Transient Lodging
4211	Bus Passenger Terminals/Mass Transit Stations
4600	All Auto Parking Facilities, NEC
4741	Television Broadcasting Stations & Relay Tower
4751	Radio & Television Broadcasting Studios, Only (Combo Systems)
5220	Building Materials, Equipment Supplies, and Hardware (only located along and facing 1200 West)
5260	Home Improvement Centers
5310	Department Stores
5320	Mail Order Houses (not to exceed 5,000 square feet in size)
5330	Limited Price Variety Stores
5350	Direct Selling Organizations
5391	Dry Goods & General Merchandise
5393	Arts, Crafts, & General Merchandise
5394	Musical Instruments
5410	Groceries & Food
5420	Farmers Market
5440	Candy & Other Confectionery Products
5511	Motor Vehicles (new & used, including motorcycles and ATVs, only along and facing 1200 West)
5520	Tires, Batteries, & Accessories (only along and facing 1200 West)
5530	Gasoline Service Station with or without store (only along and facing 1200 West)
5591	Marine Craft & Accessories (only along and facing 1200 West)
5600	Clothing, Apparel, & Accessories
5710	Furniture & Home Furnishings
5730	Music Supplies
5810	Restaurants
5811	Drinking Places Nonalcoholic Beverages
5910	Drugs & Related Drug Dispensing
5931	Antiques
5932	Gold & Silver
5941	Books
5942	Stationery
5943	Office Supplies
5944	Cigars Cigarettes
5945	Newspapers/Magazines
5946	Camera & Photographic Supplies
5947	Gifts, Novelties, & Souvenirs
5948	Florists
5949	Video Rentals
5951	Sporting Goods
5952	Bicycles
5953	Toys
5963	Nursery Plants (indoor only)
5970	Computer Goods & Services
5996	Optical Goods
6110	Banking & Credit Services
6111	Check Cashing & Other Credit Services
6120	Security & Commodity Brokers, Dealers, & Exchanges
6130	Insurance Agents, Brokers & Related Services
6150	Real Estate Agents, Brokers & Related Services
6152	Title Abstracting
6153	Real Estate Operative Builders
6154	Combination Real Estate, Insurance Loan, & Law
6200	All Personal Services, NEC

6211 Laundering, Dry Cleaning, & Dyeing Services (except rugs)
6212 Custom Tailoring
6213 Diaper Services
6214 Laundromats
6220 Photographic Services Including Commercial
6221 Onsite Personal Services for Occupants of the PD 22 zone Only (May Include Rug Cleaners/Repair, Cleaning, and Janitorial Services)
6231 Beauty & Barber Shops
6233 Massage Therapy
6251 Apparel Repair, Alterations, Laundry / Dry Cleaning Services (pick up only)
6261 Commercial Day Care / Preschool
6262 Commercial Adult Day Care Facility
6291 Catering Services
6292 Wedding Reception Centers
6310 Advertising Services (General)
6313 Direct Mail Advertising
6320 Consumer & Mercantile Credit Reporting Services Adjustment & Collection Services
6330 Travel Arranging Services
6331 Private Postal Services
6332 Blueprinting & Photocopying
6334 Stenographic Services
6342 Locksmithing
6350 News Syndicate
6360 Employment Services
6391 Research, Development, & Testing
6392 Business & Management Consulting
6393 Detective & Protective Services
6394 Equipment Rental & Leasing (Office Only)
6395 Automobile Rental & Leasing (Office Only)
6396 Photofinishing
6397 Stamp Trading
6398 Motion Picture Distribution & Services
6411 Automobile Wash (only along and facing 1200 West)
6412 Auto Lube & Tune up (Inside Only) (only along and facing 1200 West)
6413 Automobile Repair (inside only and only along and facing 1200 West)
6493 Watch, Clock, & Jewelry Repair
6510 Medical, Dental, & Health Services
6512 Medical & Dental Laboratories
6513 Medical Clinics Outpatient
6514 Chiropractic & Osteopaths
6520 Legal Services
6531 Authors Books, Magazines, Newspapers, and Computer Software
6591 Engineering & Architectural
6592 Educational & Scientific Research
6593 Accounting, Auditing & Bookkeeping
6594 Urban Planning
6595 Auction Services (Indoor Only)
6597 Family & Behavioral Counseling
6598 Genealogical
6599 Interior Design
6610 Landscaping Services (Office Only) (No Outside Storage of Equipment or Materials)
6813 Private Primary & Secondary Schools
6821 Universities & Colleges
6823 Professional & Vocational Schools
6832 Martial Arts Studios
6833 Barber & Beauty Schools
6834 Art & Music Schools
6835 Dancing Schools
6837 Correspondence Schools
6911 Churches, Synagogues, and Temples

6921	Adoption Agencies
6991	Business Associations
7111	Libraries
7112	Museums
7113	Art Galleries
7121	Planetaria
7122	Aquariums
7123	Botanical Gardens and Arboretums
7211	Amphitheaters
7212	Motion Picture Theaters
7214	Live Theater
7231	Auditoriums & Exhibit Halls
7233	Convention Centers
7391	Arcades and Miniature Golf
7413	Tennis Courts
7414	Skating
7417	Bowling
7421	Playgrounds, Play Lots, and Tot Lots
7424	Recreation Centers (General)
7425	Gymnasium and Athletic Clubs
7426	Health Spa
7432	Swimming Pools
7433	Water Slides (indoor)
7610	Parks General Recreation

57 Mr. Whetten asked if this storage can be onto 1200 West. Mr. Spencer said the storage area will need to be set back
58 from 1200 West.

59
60 Chair Moulton asked if Herringer's fence is six feet. Mr. Spencer said it appeared to be six feet high. It is a chain
61 link fence with slats.

62
63 Ms. Larsen asked if there was a requirement on how much square footage can be storage. Mr. Spencer indicated
64 that the landscaping and parking requirements must be met first. Mr. Earl added the outside storage is permitted in
65 all other commercial zones. He noted that the original idea of this zone was to be more of a mixed-use village. The
66 area where Winco is was supposed to be a mixed-use village, but because of the drop in the economy the mixed-use
67 village has not worked well. The development has since turned into the commercial being separate from the
68 residential. There is no reason to not allow it like all other commercial zones.

69
70 Chair Moulton invited the applicant to come forward. Paul Washburn introduced himself.

71
72 Mr. Washburn agreed with Mr. Earl and added that when the zone came through, the City Council put some very
73 specific retail requirements which made it more difficult. He noted that the project as a whole as done well to hold
74 to the architectural design. The outside storage area will be used to part the part trucks for BJ Plumbing and for
75 storage of sprinkler pipe in the spring/summer. Mr. Washburn also noted that even after this passes others
76 properties in this zone along 1200 West cannot just put up fences. They will be required to amend their site plan
77 through the City, per their CC&R's.

78
79 Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to
80 come forward to the microphone.

81
82 When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had
83 any more questions for the applicant or staff. When none did, he called for a motion on this item.

84
85 **Planning Commission Action:** Ms. Jeffreys said she is satisfied that the Planning Commission has found this
86 request complies with all applicable City codes. She then moved to recommend the City Council amend Sections
87 22-11-35(D) and 22-11-35(L)(9) pertaining to development requirements in the PD-22 (Urban Village) zone in the
88 Orem City Code. Ms. Larsen seconded the motion. Those voting aye: Carlos Iglesias, Karen Jeffreys, Lynnette
89 Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

90
91

Orem City Public Hearing Notice



Planning Commission

Wednesday, May 21, 2014
4:30 PM, City Council Chambers
56 North State Street

City Council

Tuesday, May 27, 2014
6:20 PM, City Council Chambers
56 North State Street

Paul Washburn requests the City approve a request for a text amendment of the PD-22 *Northgate Village* zone. The proposed amendment would allow businesses adjacent to 1200 West to have screened outside storage. It also includes the addition of Standard Land Use code *6413 Automobile Repair (inside only)* to be permitted in the PD-22 zone. The proposed text change is on the reverse of this notice. Please call before the meeting with any questions or concerns.

For more information, special assistance or to submit comments, contact Clinton Spencer at caspencer@orem.org or 801-229-7267.

22-11-35(D):

Standard Land Use Code

6413

Category

Automobile Repair (inside only)

22-11-35(L)(9):

9. Outside Storage:

- a.** The development shall provide areas for the secure and covered storage of bicycles and other small recreational items. Such items shall not be permitted to be stored on residential balconies, or within common interior or exterior hallways of the development.
- b.** No outside storage of equipment, materials, or products related to any nonresidential use shall be allowed except that the outside storage of products that are or will be offered for sale to the general public shall be allowed on parcels located adjacent to 1200 West. All allowed outdoor storage shall be screened by a sight obscuring fence at least six feet (6') in height. All fencing shall be constructed of masonry, or a steel reinforced, polyethylene, pre-panelized fence, which has the look of a pre-cast concrete fence with granite-textured panels. The height of any outdoor storage materials may not exceed the height of the fence screening such materials.

COMMON AREA
--OR CURRENT RESIDENT--
COMMON AREA
OREM, UT 84057

HAYNIE, BRIAN
PO BOX 10
TETON, ID 83451

NORTHGATE VILLAGE
DEVELOPMENT LC
PO BOX 1234
OREM, UT 84059

NORTHGATE VILLAGE
DEVELOPMENT LC
PO BOX 1239
OREM, UT 84059

ZEBRA ASSET MANAGEMENT LLC
PO BOX 1481
OREM, UT 84057

UTAH DEPARTMENT OF
TRANSPORTATION
PO BOX 148420
SALT LAKE CITY, UT 84114

FORSMAN, DANIEL B & TRUDY H
PO BOX 1715
PROVO, UT 84603

MC DONALD'S REAL ESTATE
COMPANY
PO BOX 182571
COLUMBUS, OH 43218

PROVO CITY COMM. DEV.
PO BOX 1849
PROVO, UT 84603

WINCO FOODS LLC
%TAX DEPARTMENT
PO BOX 5756
BOISE, ID 83705

OREM CITY
--OR CURRENT RESIDENT--
PUBLIC ROAD
OREM, UT 84057

DTS/AGRC MANAGER
STATE OFFICE BLDG, RM 5130
SALT LAKE CITY, UT 84114

INFANGER, VERA (ET AL)
9 EAGLE LA
SALMON, ID 83467

HART, ROLAND J
20 TIMBERLINE TRL
LANDER, WY 82520

CORP OF THE PRES BISHOP CHURCH
OF JESUS CHRIST OF L D S
50 E N TEMPLE
SALT LAKE CITY, UT 84150

CORP OF PRES BISHOP CHURCH OF
JESUS CHRIST OF LDS
50 E NORTH TEMPLE ST
SALT LAKE CITY, UT 84150

TLB2 LLC
51 W CENTER # 420
OREM, UT 84057

TLB2 LLC
51 W CENTER ST # 420
OREM, UT 84057

FONSECA, WALSTIR H
76 S KINGS PEAK DR
LINDON, UT 84042

ROCKY MOUNTAIN POWER
70 NORTH 200 EAST
AMERICAN FORK, UT 84003

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

LINDON CITY
PLANNING DEPARTMENT
100 NORTH STATE STREET
LINDON, UT 84042

CRAWFORD, GARY L & KATHRYN A
79 N PALISADES DR
OREM, UT 84097

COMMON AREA
100 CENTER ST
PROVO, UT 84606

WASHBURN, PAUL V & STEFFANI
172 S 165 W
OREM, UT 84057

COMMON AREA
100 E CENTER ST
PROVO, UT 84606

WILLIAMSON RENTALS LC
168 N 1200 E
OREM, UT 84097

WILLIAMSON RENTALS LC
195 S GENEVA RD
LINDON, UT 84042

WASHBURN, PAUL V (ET AL)
172 S 165 W
OREM, UT 84058

WRIGHT, RODNEY K & LINDA F
191 SHADOW BREEZE RD
KAYSVILLE, UT 84037

BELKIN, MATTHEW W
222 W GRAPE ST
SAN DIEGO, CA 92101

SANFORD, BRIAN
197 COURTNEY ANN DR
HENDERSON, NV 89074

HANSEN GROUP THE LC (ET AL)
201 W 3200 N
PROVO, UT 84604

HANSEN GROUP THE LC
301 W 3200 N
PROVO, UT 84604

TOWN OF VINEYARD
240 E. GAMMON ROAD
VINEYARD, UT 84058

HOUSING AUTHORITY UTAH
COUNTY
LYNELL SMITH
240 EAST CENTER
PROVO, UT 84606

JEEMA V LLC
470 S 200 W
SALEM, UT 84653

SUITE PROPERTIES LC
%DASTRUP, MERRILL
368 S 850 W
OREM, UT 84058

GERULAT, NICOLE C
375 HAMPTON AV
SALT LAKE CITY, UT 84111

MURDOCK, PHYLLIS S
482 E 1834 S
OREM, UT 84058

MANN, CHRISTOPHER & ASHLIE
470 W 750 S
OREM, UT 84058

SMITH, JEFFERY D
473 W 500 S
OREM, UT 84058

OLSEN, JACK D & GAE H
538 N 80 W
LINDON, UT 84042

NORTHGATE VILLAGE
DEVELOPMENT LC
507 N 1500 W
OREM, UT 84057

RIRIE PROPERTIES LLC
518 N 1980 E
SPANISH FORK, UT 84660

MAG
586 EAST 800 NORTH
OREM, UT 84097

ALPINE SCHOOL DISTRICT
ATTN: SUPERINTENDENT
575 NORTH 100 EAST
AMERICAN FORK, UT 84003

MURILLO, JARED M & ALEX
575 N 1200 W
OREM, UT 84057

BRIAN & LISA KELLY
TIMPVIEW NEIGHBORHOOD CHAIR
668 W 1325 NORTH
OREM, UT

PLANNED PARENTHOOD
ASSOCIATION OF UTAH
654 S 900 E
SALT LAKE CITY, UT 84102

CAMERON, BRUCE & MARCIA
658 N BELLA VISTA DR
OREM, UT 84097

CRITCHFIELD, C JAY & LOIS J
725 S 200 W
OREM, UT 84058

CHRISTENSEN, GORDON J & RELLA P
675 E 900 S
MAPLETON, UT 84664

LEE, MICHAEL VALLANT & JULIE A
714 W 550 S
OREM, UT 84058

CRUMP PROPERTY LLC
811 N 900 W
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
768 N 1030 WEST
OREM, UT 84057

R S LOSEE NORTH OREM LC
777 N PALISADES DR
OREM, UT 84097

WASHBURN, PAUL V & STEFFANI
--OR CURRENT RESIDENT--
817 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
813 N 900 WEST
OREM, UT 84057

NELSON ENTERPRISES LLC
--OR CURRENT RESIDENT--
816 N 980 WEST
OREM, UT 84057

GREENFIELD INVESTMENTS LC
--OR CURRENT RESIDENT--
822 N 980 WEST
OREM, UT 84057

KCM HOLDINGS LLC
--OR CURRENT RESIDENT--
819 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
820 N 980 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
833 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
825 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
830 N 980 WEST
OREM, UT 84057

JACKMAN, FREDERICK A &
FREDERICK V (ET AL)
837 N 900 W # 307
OREM, UT 84057

MAVERIK INC
--OR CURRENT RESIDENT--
833 N 1200 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
835 N 900 WEST
OREM, UT 84057

RIRIE PROPERTIES LLC
--OR CURRENT RESIDENT--
843 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
840 N 980 WEST
OREM, UT 84057

RENAISSANCE WATERBEDS AND
FUNITURE OF LINDON INC
--OR CURRENT RESIDENT--
841 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
857 N 900 WEST
OREM, UT 84057

WASHBURN, PAUL V (ET AL)
--OR CURRENT RESIDENT--
848 N 980 WEST
OREM, UT 84057

LEE, MICHAEL VALLANT & JULIE A
--OR CURRENT RESIDENT--
851 N 900 WEST
OREM, UT 84057

CRITCHFIELD, C JAY & LOIS J
--OR CURRENT RESIDENT--
864 N 980 WEST
OREM, UT 84057

RIRIE PROPERTIES LLC
--OR CURRENT RESIDENT--
859 N 900 WEST
OREM, UT 84057

TLB2 LLC
--OR CURRENT RESIDENT--
860 N 980 WEST
OREM, UT 84057

JACKMAN, FREDERICK A &
FREDERICK V (ET AL)
--OR CURRENT RESIDENT--
867 N 900 WEST
OREM, UT 84057

RENAISSANCE WATERBEDS AND
FUNITURE OF LINDON INC
--OR CURRENT RESIDENT--
865 N 900 WEST
OREM, UT 84057

NORTHGATE VILLAGE
DEVELOPMENT LC
--OR CURRENT RESIDENT--
865 N 980 WEST
OREM, UT 84057

MAVERIK INC
%MURRAY, DAN
880 W CENTER ST
NORTH SALT LAKE, UT 84054

TLB2 LLC
--OR CURRENT RESIDENT--
870 N 980 WEST
OREM, UT 84057

NORTHGATE HOTEL LLC
873 N 1200 W
OREM, UT 84057

EDGAR, SAMUEL & ERIN
887 N 900 W
OREM, UT 84057

SPERRY, ROBERT LYMAN
881 N 900 W
OREM, UT 84057

JACKMAN, FREDERICK A
883 N 900 W
OREM, UT 84057

GODFREY, NADENE
894 N 960 W
OREM, UT 84057

CHRISTENSEN, GORDON J & RELLA P
--OR CURRENT RESIDENT--
891 N 900 WEST
OREM, UT 84057

OPENSHAW, ROBYN
893 N 900 W
OREM, UT 84057

WINCO FOODS LLC
--OR CURRENT RESIDENT--
895 N 980 WEST
OREM, UT 84057

GODFREY, NADENE
--OR CURRENT RESIDENT--
894 N 980 WEST
OREM, UT 84057

SANFORD, BRIAN
--OR CURRENT RESIDENT--
895 N 920 WEST
OREM, UT 84057

CHILD, BENJAMIN D
897 N 900 W
OREM, UT 84057

VALGARDSON INVESTMENT
PARTNERS LTD
--OR CURRENT RESIDENT--
895 N 1200 WEST
OREM, UT 84057

MERRILL, GREGORY S & CASSIDY M
896 N 940 W
OREM, UT 84057

SHANER, SETH N & AUBREY D
--OR CURRENT RESIDENT--
899 N 920 WEST
OREM, UT 84057

HABIBULLAH, SALMAN R (ET AL)
898 N 980 W
OREM, UT 84057

MYHRE HOLDINGS-OREM LLC
--OR CURRENT RESIDENT--
898 N 1200 WEST
OREM, UT 84057

PETERSON, MADISON
904 N 960 W
OREM, UT 84057

MAYOR RICHARD BRUNST
900 EAST COUNTRY DRIVE
OREM, UT 84097

NEILSON, ROBERT T & SARAH
ELIZABETH WHEATLEY
902 N 940 W
OREM, UT 84057

KARTCHNER, K D
907 N 900 W
OREM, UT 84057

GERULAT, NICOLE C
--OR CURRENT RESIDENT--
905 N 920 WEST
OREM, UT 84057

MURILLO, JARED M & ALEX
--OR CURRENT RESIDENT--
906 N 980 WEST
OREM, UT 84057

LULLOFF, JANEAN & BRIAN
910 N 960 W
OREM, UT 84057

LEE, CHRISTOPHER C & ANDREA D
908 N 940 W
OREM, UT 84057

WATTS, EMMELINE
909 N 940 W
OREM, UT 84057

GOULDING, JESSE & DARETH HICKS
913 N 920 W # 49
OREM, UT 84057

BARRY, DEAN & JENNIFER L
912 N 980 W
OREM, UT 84057

GOULDING, JESSE & DARETH HICKS
--OR CURRENT RESIDENT--
913 N 920 WEST
OREM, UT 84057

CALL, CHRISTOPHER REED
--OR CURRENT RESIDENT--
915 N 1200 WEST
OREM, UT 84057

WHEELER, MICHAEL
914 N 940 W
OREM, UT 84057

BLEAK, NATHAN & STEPHANIE
--OR CURRENT RESIDENT--
915 N 940 WEST
OREM, UT 84057

PRATT, STEPHEN W & CAMMIE
920 N 960 W
OREM, UT 84057

GATES, JAY C
916 N 960 W
OREM, UT 84057

HOYT, RYAN L & CARINA S
918 N 960 W
OREM, UT 84057

MC CANN, DARIN R
923 W 965 N
OREM, UT 84057

BLEAK, BRYAN JAMES & JENNIE
921 N 940 W
OREM, UT 84057

WELLING, ASHLEY & MARK
923 N 920 W
OREM, UT 84057

CRAWFORD, GARY L & KATHRYN A
--OR CURRENT RESIDENT--
926 N 940 WEST
OREM, UT 84057

FAERBER, ALMA
924 N 980 W
OREM, UT 84057

IAM, ADHIS
925 N 900 W
OREM, UT 84057

WRIGHT, RODNEY K & LINDA F
--OR CURRENT RESIDENT--
927 W 965 NORTH
OREM, UT 84057

HART, ROLAND J
--OR CURRENT RESIDENT--
926 W 880 NORTH
OREM, UT 84057

HAYNIE, BRIAN
--OR CURRENT RESIDENT--
927 N 940 WEST
OREM, UT 84057

BELKIN, MATTHEW W
--OR CURRENT RESIDENT--
929 N 900 WEST
OREM, UT 84057

SYCAMORE FAMILY LLC
928 N 960 W
OREM, UT 84057

FASLIJA, CAROL Y
928 W 880 N
OREM, UT 84057

HANSEN GROUP LC THE
--OR CURRENT RESIDENT--
930 W 965 NORTH UNIT#301
OREM, UT 84057

VEIBELL MARKETING LLC
--OR CURRENT RESIDENT--
930 N 980 WEST
OREM, UT 84057

GALLAND, MASON S & GARY S
930 W 880 N
OREM, UT 84057

WEST, MATTHEW C & WHITNEY S
932 N 940 W
OREM, UT 84057

ECKLES, MARIE P
--OR CURRENT RESIDENT--
931 W 965 NORTH
OREM, UT 84057

ECKLES, MARIE P
931 W 965 N
OREM, UT 84058

SUITE PROPERTIES LC
--OR CURRENT RESIDENT--
934 N 960 WEST
OREM, UT 84057

CAMERON, MICHAEL C
932 W 880 N
OREM, UT 84057

TITTENSOR, ZACHARY S & JENNIFER
--OR CURRENT RESIDENT--
933 N 900 WEST
OREM, UT 84057

STUBALZABUL LLC
935 N 1200 W
OREM, UT 84057

SYCAMORE FAMILY LLC
--OR CURRENT RESIDENT--
934 N 980 WEST
OREM, UT 84057

BAMBL, MATT
934 W 880 N
OREM, UT 84057

AMADOR, MICHELLE
937 N 940 W
OREM, UT 84057

WOOD, GORDON S & TIFFANY H (ET
AL)
935 W 965 N
OREM, UT 84057

SUITE PROPERTIES LC
--OR CURRENT RESIDENT--
936 N 980 WEST
OREM, UT 84057

SUITE PROPERTIES LC
--OR CURRENT RESIDENT--
938 N 980 WEST
OREM, UT 84057

SMITH, JEFFERY D
--OR CURRENT RESIDENT--
938 N 940 WEST
OREM, UT 84057

WILKINS, ELIZABETH
938 N 960 W
OREM, UT 84057

SUITE PROPERTIES LC
--OR CURRENT RESIDENT--
940 N 980 WEST
OREM, UT 84057

WOOD, KARI M
939 N 900 W
OREM, UT 84057

ELDER, GEOFFREY SCOTT & STACY
M
939 W 965 N
OREM, UT 84057

SUITE PROPERTIES LC
--OR CURRENT RESIDENT--
942 N 980 WEST
OREM, UT 84057

AHN, SOO YOUNG
%ALEXANDER, SOO YOUNG AHN
941 N 940 W
OREM, UT 84057

GRAVES, HOPE
942 N 940 W
OREM, UT 84057

MC CANN, DANIEL MARCUS REESE &
JESSICA A
--OR CURRENT RESIDENT--
944 N 980 WEST
OREM, UT 84057

JONES, CHARLES R & ATHENA ANN
943 N 900 W
OREM, UT 84057

HOYT, CHARLES LAURENCE &
SUZANN
943 W 965 N
OREM, UT 84057

VANEE' BURGESS ASHBY LLC
945 N 920 W
OREM, UT 84057

HERINGER SALES AND SERVICE INC
944 N 1200 W
OREM, UT 84057

MANN, CHRISTOPHER & ASHLIE
--OR CURRENT RESIDENT--
944 W 880 NORTH
OREM, UT 84057

MC CANN, DANIEL MARCUS REESE &
JESSICA A
--OR CURRENT RESIDENT--
946 N 980 WEST
OREM, UT 84057

PHILLIPS, ANDREA
945 N 940 W
OREM, UT 84057

YU, LINA (ET AL)
946 N 940 W
OREM, UT 84057

HANSEN GROUP LC THE
--OR CURRENT RESIDENT--
947 W 1010 NORTH UNIT#401
OREM, UT 84057

HART, JOSH STEVEN & ANGELA
946 W 880 N
OREM, UT 84057

STOLZE, MICHAEL R & KATHY V (ET
AL)
947 N 900 W
OREM, UT 84057

KERSHAW, LYNN G & SUSAN J
949 N 920 W
OREM, UT 84057

MC CANN, DANIEL MARCUS REESE &
JESSICA A
--OR CURRENT RESIDENT--
948 N 980 WEST
OREM, UT 84057

SCHNEIDER, GLEN L
948 W 880 N
OREM, UT 84057

STEWART, CHASE H & GARY H
950 N 940 W
OREM, UT 84057

ARGAEZ, HUMBERTO & PRISCILA
949 N 940 W
OREM, UT 84057

HOYT DENTAL 401(K) PROFIT
SHARING PLAN
--OR CURRENT RESIDENT--
949 W 965 NORTH
OREM, UT 84057

HANSEN GROUP THE LC
--OR CURRENT RESIDENT--
952 W 65 NORTH UNIT#201
OREM, UT 84057

SPERRY, MICHAEL GORDON
950 W 880 N
OREM, UT 84057

TIPPETS, LEWIS R & KAREN A
951 N 900 W
OREM, UT 84057

WILLIAMSON, TYSON D & AUDRA
MAY
953 W 965 N
OREM, UT 84057

CROOK, JORDAN TAYLOR &
KENNETH L (ET AL)
953 N 920 W
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
953 N 1030 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
955 N 1030 WEST
OREM, UT 84057

REDD, JEANNE H
954 N 940 W
OREM, UT 84057

WELLEN, STEPHEN R & SANDRA P
--OR CURRENT RESIDENT--
955 N 900 WEST
OREM, UT 84057

ZHANG, XINYOU (ET AL)
957 W 965 N
OREM, UT 84057

MARTIN, KRISTINE E
957 N 920 W
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
957 N 1030 WEST
OREM, UT 84057

KHAN, OSMAN A (ET AL)
961 N 920 W
OREM, UT 84057

ENGLE, KOZETTE
958 N 940 W
OREM, UT 84057

KENDALL, KIMBERLEE ELIZABETH
& KIMBERLEE ELIZABETH
958 W 880 N
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
963 N 995 WEST
OREM, UT 84057

TAYLOR, ROGAN L
962 W 880 N
OREM, UT 84057

MOULTON, MICHAEL B
963 N 900 W
OREM, UT 84057

WILLIAMSON RENTALS LC
--OR CURRENT RESIDENT--
967 W 1055 NORTH UNIT# 701
OREM, UT 84057

CAMERON, BRUCE & MARCIA
--OR CURRENT RESIDENT--
966 W 880 NORTH
OREM, UT 84057

SYCAMORE FAMILY LLC
--OR CURRENT RESIDENT--
967 N 900 WEST
OREM, UT 84057

CLYDE, TYLER & LAUREN
--OR CURRENT RESIDENT--
970 W 880 NORTH
OREM, UT 84057

PHILLIPS, TERESA A
969 N 920 W
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
969 N 1030 WEST
OREM, UT 84057

GIBBS, GAYE
973 N 920 W
OREM, UT 84057

HALES, JANET F
971 N 900 W
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
971 N 1030 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
975 N 1010 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
974 N 1030 WEST
OREM, UT 84057

COOPER, CINDY D
975 N 900 W
OREM, UT 84057

ZEBRA ASSET MANAGEMENT LLC
--OR CURRENT RESIDENT--
979 N 900 WEST
OREM, UT 84057

NIELSEN, J CARY & ALLISON B
--OR CURRENT RESIDENT--
977 N 920 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
977 N 995 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
981 N 1010 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
979 N 995 WEST
OREM, UT 84057

HANSEN GROUP THE LC (ET AL)
--OR CURRENT RESIDENT--
980 W 960 NORTH
OREM, UT 84057

SWH LTD
--OR CURRENT RESIDENT--
982 W 960 NORTH UNIT#101
OREM, UT 84057

MURDOCK, PHYLLIS S
--OR CURRENT RESIDENT--
981 N 1200 WEST
OREM, UT 84057

SWH LTD
982 W 960 N
OREM, UT 84057

SWH LTD
--OR CURRENT RESIDENT--
982 W 960 NORTH UNIT#104
OREM, UT 84057

PALICA, TRACY
--OR CURRENT RESIDENT--
983 N 900 WEST
OREM, UT 84057

BATEMAN, MICHAEL & BREEANN
(ET AL)
983 N 920 W
OREM, UT 84057

RUIZ, MACARENA A (ET AL)
983 W 1055 N # 807
OREM, UT 84057

EVERSON, THOR & JENNIE
983 W 1055 N # 808
OREM, UT 84057

ANDERSON, WHITNEY
983 W 1055 N # 815
OREM, UT 84057

YOUNG, WESTON L & HEATHER E
983 W 1055 N # 805
OREM, UT 84057

COPE, AUSTIN J & BRITTANY J
983 W 1055 N # 806
OREM, UT 84057

FREESTONE, JENNI
983 W 1055 N # 802
OREM, UT 84057

HARRISON, CURTIS J & KAILEY A (ET
AL)
983 W 1055 N # 814
OREM, UT 84057

BUCHANAN, KAYLE K & CANDICE O
983 W 1055 N # 803
OREM, UT 84057

HAINSWORTH, JASON E (ET AL)
983 W 1055 N # 809
OREM, UT 84057

WILLARDSON, CRAIG A & JOAN
ELIZABETH (ET AL)
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#801
OREM, UT 84057

FREESTONE, JENNI
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#802
OREM, UT 84057

BUCHANAN, KAYLE K & CANDICE O
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#803
OREM, UT 84057

WILLIAMSON RENTALS LC
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#804
OREM, UT 84057

YOUNG, WESTON L & HEATHER E
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#805
OREM, UT 84057

COPE, AUSTIN J & BRITTANY J
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#806
OREM, UT 84057

RUIZ, MACARENA A (ET AL)
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#807
OREM, UT 84057

EVERSON, THOR & JENNIE
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#808
OREM, UT 84057

HAINSWORTH, JASON E (ET AL)
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#809
OREM, UT 84057

THORESEN, STEPHEN L & MARY ANN
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#810
OREM, UT 84057

BREMS, KENYON P & SHAYLI M
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#811
OREM, UT 84057

TOP PROPERTY MANAGEMENT LLC
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#812
OREM, UT 84057

MALLORY, KEVIN G
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#813
OREM, UT 84057

HARRISON, CURTIS J & KAILEY A (ET
AL)
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#814
OREM, UT 84057

ANDERSON, WHITNEY
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#815
OREM, UT 84057

TOP PROPERTY MANAGEMENT LLC
--OR CURRENT RESIDENT--
983 W 1055 NORTH UNIT#816
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
985 N 1030 WEST
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
986 N 1030 WEST
OREM, UT 84057

CLARK, ERICA N & DAVID D (ET AL)
--OR CURRENT RESIDENT--
986 W 950 NORTH
OREM, UT 84057

CLARK, ERICA N & DAVID D (ET AL)
986 W 960 N
OREM, UT 84097

988 PROPERTIES LLC
--OR CURRENT RESIDENT--
988 W 950 NORTH
OREM, UT 84057

NEVES, JEREMY D
989 N 900 W
OREM, UT 84057

BLEAK, NATHAN & STEPHANIE
--OR CURRENT RESIDENT--
990 W 950 NORTH
OREM, UT 84057

WILLIAMSON, JERRY D & JOAN H (ET AL)
--OR CURRENT RESIDENT--
992 W 950 NORTH
OREM, UT 84057

TUTTLE, COURTNEY J & CARRIE
993 N 900 W
OREM, UT 84057

WILLIAMSON, TYSON & AUDRA
996 W 950 N
OREM, UT 84057

C & S LEE PROPERTIES LLC
--OR CURRENT RESIDENT--
998 W 950 NORTH
OREM, UT 84057

BANK OF UTAH
--OR CURRENT RESIDENT--
1000 W 800 NORTH
OREM, UT 84057

THE HAMMOND COMPANY
--OR CURRENT RESIDENT--
1001 N 1200 WEST
OREM, UT 84057

C & S LEE PROPERTIES LLC
--OR CURRENT RESIDENT--
1002 W 950 NORTH
OREM, UT 84057

PAYNE, SHAWN D & TONYA M
1004 W 950 N
OREM, UT 84057

K C WEST DEVELOPMENT LC (ET AL)
--OR CURRENT RESIDENT--
1005 N 1030 WEST
OREM, UT 84057

THE HAMMOND COMPANY
--OR CURRENT RESIDENT--
1005 N 1200 WEST
OREM, UT 84057

CLYDE, TYLER & LAUREN
1014 S 300 W
LEHI, UT 84043

VALGARDSON INVESTMENT
PARTNERS LTD
% VALGARDSON AND SONS INC
1010 E 820 N
PROVO, UT 84606

LARSEN, JAMES & JAMES G
1026 N 1200 W
OREM, UT 84057

DUNN, CARRIE
1023 N 900 W
OREM, UT 84057

C & S LEE PROPERTIES LLC
--OR CURRENT RESIDENT--
1014 W 950 NORTH
OREM, UT 84057

AUSTIN, TREVOR E
1030 N 995 W # 902
OREM, UT 84057

STEWART, KENNETH S & DEBORAH
K
1030 N 995 W # 903
OREM, UT 84057

HALL, ROBERT JEFFREY &
KATHERINE
1016 W 950 N
OREM, UT 84057

BOSHARD, DEVRAUX R
1030 N 995 W # 915
OREM, UT 84057

SELK, LOGAN A
1030 N 995 W # 907
OREM, UT 84057

ADAMS, NICHOLAS M & ALISHA
1018 W 950 N
OREM, UT 84057

MURILLO, JOSHUA A & JARED
1030 N 995 W # 908
OREM, UT 84057

WEBB, NATALIE
1030 N 995 W # 912
OREM, UT 84057

HILL, CLAUDIA A
1030 N 995 W # 913
OREM, UT 84057

STEWART, KENNETH S & DEBORAH
K
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#903
OREM, UT 84057

JEEMA V LLC
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#901
OREM, UT 84057

BIRD, KIMBERLY A
1030 N 995 W # 911
OREM, UT 84057

CAMPBELL, BRIAN S & GENEVIEVE R
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#906
OREM, UT 84057

SELK, LOGAN A
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#907
OREM, UT 84057

WOLSEY, ELIZABETH A
1030 N 995 W # 905
OREM, UT 84057

INFANGER, VERA (ET AL)
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#909
OREM, UT 84057

TOP PROPERTY MANAGEMENT LLC
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#910
OREM, UT 84057

AUSTIN, TREVOR E
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#902
OREM, UT 84057

WEBB, NATALIE
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#912
OREM, UT 84057

HILL, CLAUDIA A
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#913
OREM, UT 84057

WOLSEY, ELIZABETH A
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#905
OREM, UT 84057

BOSHARD, DEVRAUX R
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#915
OREM, UT 84057

FONSECA, WALSTIR H
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#916
OREM, UT 84057

MURILLO, JOSHUA A & JARED
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#908
OREM, UT 84057

OLSEN, JACK D & GAE H
--OR CURRENT RESIDENT--
1045 N 1160 WEST
OREM, UT 84057

WHITAKER, ADAM S & KENICE
1049 W 1100 N
OREM, UT 84057

BIRD, KIMBERLY A
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#911
OREM, UT 84057

JACOB, EARL I & LOUISE O
1054 N 1200 W
OREM, UT 84057

988 PROPERTIES LLC
1058 N 500 W
OREM, UT 84057

WATTS, ELIZABETH
--OR CURRENT RESIDENT--
1030 N 995 WEST UNIT#914
OREM, UT 84057

DRAPER, JERRY L
1064 N 1160 W
OREM, UT 84057

SMITH, KELLY D & MARY ANNE
1068 N 1160 W
OREM, UT 84057

LAMOREAUX, THOMAS C
1052 N GRAND CIR
PROVO, UT 84604

LONG, MARK D
1069 N 1160 W
OREM, UT 84057

CORP OF THE PRES BISHOP CHURCH
OF JESUS CHRIST OF L D S
--OR CURRENT RESIDENT--
1075 W 1100 NORTH
OREM, UT 84057

ROSENTHAL, JACOB W & APRIL
1061 N 1035 W
OREM, UT 84057

MCDANIEL, DOUGLAS WAYNE &
KRISTINE
1077 N 1160 W
OREM, UT 84057

PLANNED PARENTHOOD
ASSOCIATION OF UTAH
--OR CURRENT RESIDENT--
1086 N 1200 WEST
OREM, UT 84057

ARMENTA, JOSE RAMIRO (ET AL)
1069 N 1035 W
OREM, UT 84057

ASAY, MARK FOSTER & MARILYN
KAY
1088 N 1160 W
OREM, UT 84057

SORENSEN INVESTMENT
--OR CURRENT RESIDENT--
1100 W 800 NORTH
OREM, UT 84057

PEREZ, NORBERTO (ET AL)
1076 N 1160 W
OREM, UT 84057

DAGOSTINI, DANTE K
1135 W 1100 N
OREM, UT 84057

CORP OF PRES BISHOP CHURCH OF
JESUS CHRIST OF LDS
--OR CURRENT RESIDENT--
1140 W 950 NORTH
OREM, UT 84057

CHATWIN, WESLEY T & MYSTIE D
1087 N 1160 W
OREM, UT 84057

MC DONALD'S REAL ESTATE
COMPANY
--OR CURRENT RESIDENT--
1180 W 800 NORTH
OREM, UT 84057

ASPEN VENTURES LLC
--OR CURRENT RESIDENT--
1187 N 1200 WEST
OREM, UT 84057

DDO-UTAH LLC
--OR CURRENT RESIDENT--
1130 W 800 NORTH
OREM, UT 84057

PALICA, TRACY
1229 S 1100 E
OREM, UT 84097

KCM HOLDINGS LLC
1251 W 1320 N
PLEASANT GROVE, UT 84062

800 NORTH RETAIL LLC
--OR CURRENT RESIDENT--
1160 W 800 NORTH
OREM, UT 84057

ASPEN VENTURES LLC
1270 E 2000 N
PROVO, UT 84604

BLEAK, NATHAN & STEPHANIE
1286 W 1980 N
PROVO, UT 84604

VEIBELL MARKETING LLC
1218 GRANDVIEW DR
PROVIDENCE, UT 84332

NELSON ENTERPRISES LLC
1629 VIA MONTEMAR
PALOS VERDES ESTATES, CA 90274

QUESTAR GAS COMPANY
1640 NORTH MTN. SPRINGS PKWY.
SPRINGVILLE, UT 84663

THORESEN, STEPHEN L & MARY ANN
1264 E 530 N
OREM, UT 84097

RENAISSANCE WATERBEDS AND
FUNITURE OF LINDON INC
1755 BLUEBIRD RD
OREM, UT 84097

MALLORY, KEVIN G
1787 W 410 N
LINDON, UT 84042

CALL, CHRISTOPHER REED
1395 N 1500 E
PROVO, UT 84604

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

UTAH CNTY SOLID WASTE DISTRICT
C/O RODGER HARPER
2000 WEST 200 SOUTH
LINDON, UT 84042

MC CANN, DANIEL MARCUS REESE &
JESSICA A
1714 N 850 W
OREM, UT 84057

SWH LTD
%HANSEN, SCOTT
2243 W SUNBROOK DR LOT # 132
SAINT GEORGE, UT 84770

BREMS, KENYON P & SHAYLI M
2494 APRICOT PL
SARATOGA SPRINGS, UT 84045

800 NORTH RETAIL LLC
1820 S ESCONDIDO BLVD STE 205
ESCONDIDO, CA 92025

WATTS, ELIZABETH
3137 E SAN ANGELO AV
GILBERT, AZ 85234

C & S LEE PROPERTIES LLC
3219 LAURELWOOD DR
TWIN FALLS, ID 83301

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

THE HAMMOND COMPANY
3664 FOOTHILL DR
PROVO, UT 84604

DDO-UTAH LLC
3845 STOCKTON HILLS RD
KINGMAN, AZ 86409

BANK OF UTAH
2605 WASHINGTON BLVD
OGDEN, UT 84401

SYCAMORE FAMILY LLC
4302 N SHEFFIELD DR
PROVO, UT 84604

UTAH DEPARTMENT OF
TRANSPORTATION
4501 S 2700 W
SALT LAKE CITY, UT 84119

SORENSEN INVESTMENT
3316 W 4305 S
WEST VALLEY CITY, UT 84119

WILLARDSON, CRAIG A & JOAN
ELIZABETH (ET AL)
5220 AVENIDA DE DESPACIO
YORBA LINDA, CA 92686

CAMPBELL, BRIAN S & GENEVIEVE R
6264 W SKYLINE DR N
HIGHLAND, UT 84003

SYCAMORE FAMILY LLC
4302 SHEFFIELD DR
PROVO, UT 84604

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

WILLIAMSON, JERRY D & JOAN H (ET
AL)
10102 W GERONIMO ST
BOISE, ID 83709

WELLEN, STEPHEN R & SANDRA P
4604 CEDAR OAKS LA
BELLAIRE, TX 77401

NIELSEN, J CARY & ALLISON B
21211 SILENT SPRING LA
TRABUCO CANYON, CA 92679

TOP PROPERTY MANAGEMENT LLC
10136 N MYSTIC DR
HIGHLAND, UT 84003

MYHRE HOLDINGS-OREM LLC
8089 GLOBE DR
WOODBURY, MN 55125

TITTENSOR, ZACHARY S & JENNIFER
12527 N WILDFLOWER LA
AMERICAN FORK, UT 84003

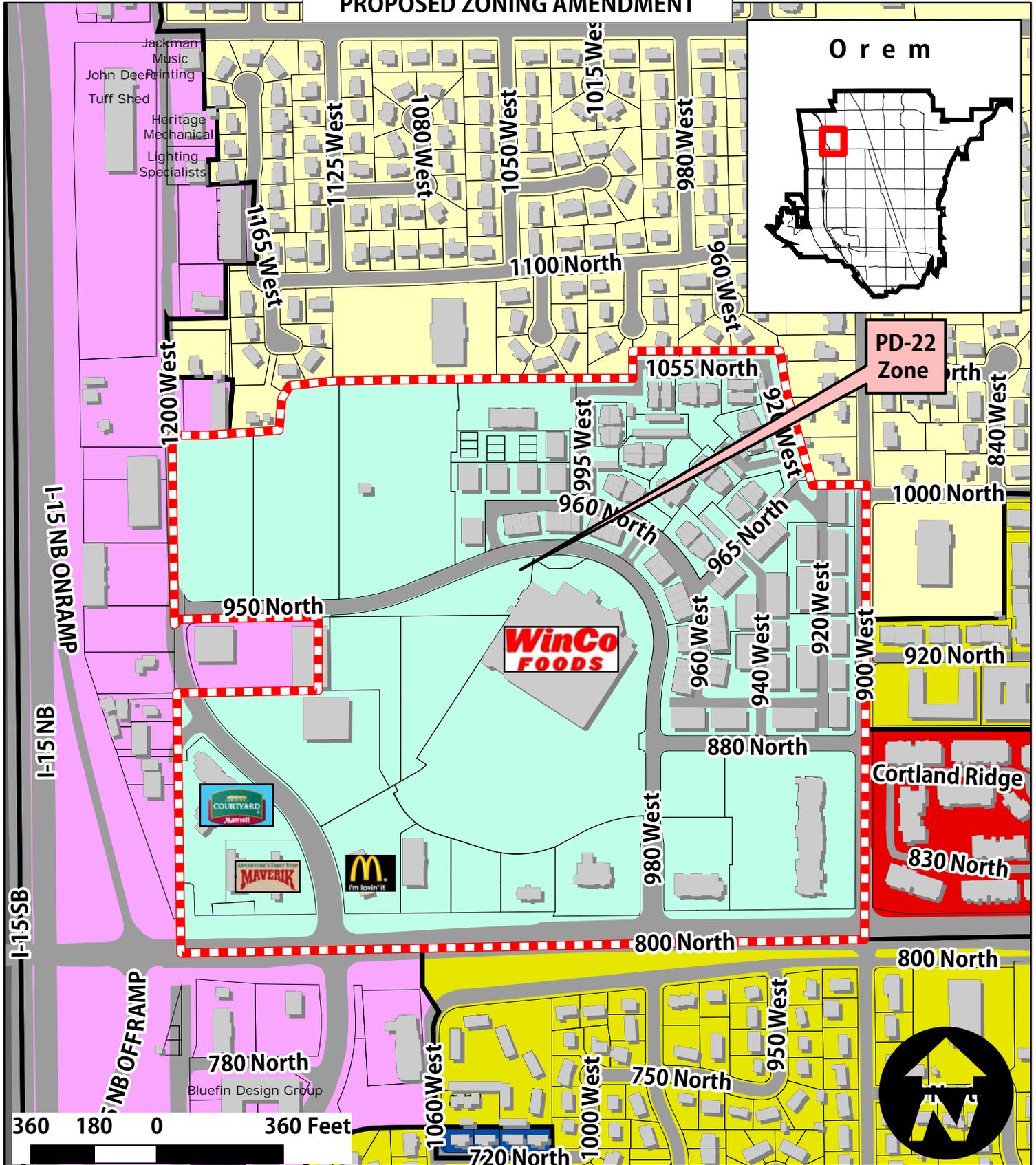
SHANER, SETH N & AUBREY D
26110 MALAGA LA
MISSION VIEJO, CA 92692

TOP PROPERTY MANAGEMENT LLC
%CHRISTENSEN, LESLIE
10136 MYSTIC DR
AMERICAN FORK, UT 84003

HOYT DENTAL 401(K) PROFIT
SHARING PLAN
40119 MURRIETA HOT SPRINGS RD
C105
MURRIETA, CA 92563

PD-22 Zone

PROPOSED ZONING AMENDMENT



◆ PD-22 Zone:
Proposed Zoning Amendment

Legend

-  PD-22 Zone
-  Buildings
-  Parcels

RECEIVED

MAR 28 2014



DRC APPLICATION

Development Services Department • 56 North State Street, Orem, Utah 84057 • (801) 229-7183 • FAX (801) 229-7191

By _____
CITY OF OREM www.orem.org

APPLICANT INFORMATION FORM EXPIRES: 06-30-2014

Name: Washburn Associates Phone: 801-765-4700
 Address: 535 N 900 W FAX: _____
 City: Orem State: Utah Zip: 84057 e-mail: washburnsmith@gmail.com

PROJECT INFORMATION

Project Name: PD-22 Zone
 Project Address: 1100 W 500 N

Nature of Request (Check all that apply) and Filing Fee Amount				
SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$700 + \$20/lot or unit	<input type="checkbox"/> Sign \$600	<input type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee	<input type="checkbox"/> Site Plan Admin. Approval \$400	<input type="checkbox"/> To City Council \$400
<input type="checkbox"/> Preliminary deep lot sign fee \$25	<input type="checkbox"/> Subdivision \$600	<input type="checkbox"/> Text Change \$1000	<input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21	<input type="checkbox"/> To Planning Commission \$400
<input type="checkbox"/> Final \$400 + \$20/lot or unit + recording fees	<input checked="" type="checkbox"/> Zoning, Text \$600		<input type="checkbox"/> Concrete/Masonry Fence \$50	<input type="checkbox"/> Street Vacation \$800
<input type="checkbox"/> Vacation/Amendment \$600 + \$20/lot or unit + \$25 sign fee + recording fees	<input type="checkbox"/> New PD Zone, Text \$1000 +25 sign fee for PD zone		<input type="checkbox"/> Daycare Fence Approval \$100	<input type="checkbox"/> Annexation \$1000 + \$25 sign fee
<input type="checkbox"/> Final PRD \$400 + \$30/lot or unit + recording fees	<input type="checkbox"/> Rezone \$800 + \$25 sign fee		<input type="checkbox"/> Temporary Site Plan Approval \$100	<input type="checkbox"/> Driveway Entrance Modification \$175
<input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> New PD Zone, Rezone \$800 +25 sign fee for PD zone		<input type="checkbox"/> Conditional Use Permit \$600.00 + \$25 sign fee	<input type="checkbox"/> Resubmittal Fee \$100/review After three reviews
			<input type="checkbox"/> Fence Modification/Waiver \$100	<input type="checkbox"/> Other \$200
			<input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	

FILING FEES AND REQUIRED COPIES

FILING FEES: The filing fee for each "Nature of Request" checked above is required at the time the application is filed with the City. The fee amount is listed above. One DRC Application may be used for more than one Nature of Request.

REQUIRED COPIES: Two (2) full size copies 24" by 36", one (1) copy reduced to an 11" by 17", one (1) copy reduced to an 8½" by 11" shall be submitted with each application for Subdivision Plats, Conditional Use Permits, Site Plans, and Condominium Conversions. Provide a complete set of PDF drawings with application – email PDF drawings to lpmeritt@orem.org.

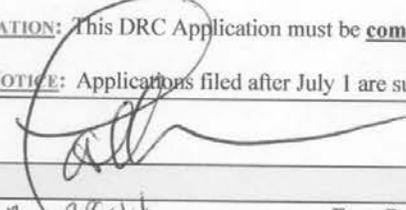
APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

PLANNING COMMISSION/CITY COUNCIL MEETINGS: Once the Development Review Committee determines your application is complete the Staff will forward it to the Planning Commission and City Council. **The applicant's attendance at the Planning Commission and City Council meetings is required.** The City Council is the final approving authority on the following items: Conditional Use Permits; Appeals; City Code amendments; General Plan Amendments; Fence Modifications; and site plans in the following zones: PD-1, PD-4, PD-5, PD-15, PD-16, and PD-21.

NEIGHBORHOOD MEETING: The applicant shall hold a neighborhood meeting in accordance with the City Code for the following requests: General Plan Amendments; Zoning Ordinance Amendment, Map; Commercial developments adjacent to residential zones; all non-residential uses in a residential zone.

DRC APPLICATION: This DRC Application must be **complete** at the time it is submitted to the City or it may not be accepted.

FILING FEE NOTICE: Applications filed after July 1 are subject to fee changes.

Applicant's Signature:  Contact Person Name: Paul Washburn Phone: 801-368-4700

OFFICE USE ONLY

Date Filed: 3-28-14 Fees Paid: 600 Received By: LD

Please Note: The deadline for filing this application to be considered at the next DRC Meeting is Monday at noon. If Monday is a Holiday the deadline is extended to the following Tuesday at noon. Once filed with the City, you may contact any of the following individuals to learn of the status of this application: Jason Bench, 229-7238; David Stroud, 229-7095; or Clinton Spencer, 229-7267.

WASHBURN & ASSOCIATES
Developers & Consultants



March 26, 2014

Text Amendment

Washburn and Associates in behalf of Northgate Development LLC requests that the City of Orem amend the PD-22 Zone to allow “screened outdoor storage” for retail sites adjacent to and facing 1200 West.

Also allow SLU 6413 Automobile Repair (inside only) adjacent to and facing 1200 West.

835 North 900 West, Orem, Utah 84057
Tel 1-801-765-4700 / Fax 1-801-431-0385

RECEIVED

MAR 28 2014

By _____
CITY OF OREM

Project Timeline

Project: PD-22 ZOA Outside Storage

1. Neighborhood Meeting held by applicant on: N/A
2. DRC Application Date: 3/28/14
3. Obtained Development Review Committee Clearance on: 4/3/14 by: CAS
4. Publication notice for PC sent to Records office on: 4/24/14 by: CAS
5. Neighborhood notice (300') for Planning Commission mailed on: 5/15/14 by: CAS
6. Planning Division Manager received neighborhood notice on: 5/16/14
7. Property posted for PC on: 5/15/14 by: CAS Removed on : _____
8. Planning Commission recommended approval / denial on : 5/23/14
9. Publication notice for CC sent to Records office on: 4/24/14 by: CAS
10. Neighborhood notice (300') for City Council mailed on: 5/15/14 by: CAS
11. Planning Division Manager received neighborhood notice on: 5/16/14
12. Property Posted for City Council on: 5/15/14 by: CAS Removed: _____
13. City Council Approved / Denied on: _____

CITY OF OREM
CITY COUNCIL MEETING
 MAY 27, 2014



REQUEST:	6:20 PUBLIC HEARING ORDINANCE - Amending the General Plan land use map by changing the land use from medium density residential to regional commercial, and amending Section 22-5-3(A) and the zoning map of the Orem City Code by rezoning 0.35 acres from R6 to HS at 2008 South Sandhill Road
APPLICANT:	Young Electric Sign Company
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspaper
- Emailed to newspaper
- Posted property on April 17, 2014
- Mailed 84 notices on April 11, 2014
- Posted on utah.gov/pmn

SITE INFORMATION:

- General Plan
Medium Density Residential
- Current Zone
R6
- Acreage
0.35
- Neighborhood
Lakeview
- Neighborhood Chair
Garr Judd

**PLANNING
 COMMISSION
 RECOMMENDATION**

Approve: 7-0

PREPARED BY:
 David Stroud, AICP
 Planner

REQUEST: Young Electric Sign Company (YESCO) requests the City Council, by ordinance, amend the General Plan land use map by changing the land use from medium density residential to regional commercial and amend Article 22-5-3(A) and the zoning map of the City by changing the zone on 0.35 acres at 2008 South Sandhill Road from R6 to HS.

BACKGROUND: Young Electric Sign Company (YESCO) requests the City Council, by resolution, amend the General Plan land use map by changing the land use from medium density residential to regional commercial; and, by ordinance, amend Article 22-5-3(A) and the zoning map of the City by changing the zone on 0.35 acres at 2008 South Sandhill Road from R6 to HS.

This application consists of two parts. The first is to amend the General Plan land use map of the City from medium density residential to regional commercial. The second part is to amend the zone map of the City by changing the zone from R6 to Highway Services (HS).

YESCO is making this request because it desires to maintain an LED sign on its existing billboard at this location. YESCO first erected a billboard on this property in approximately 1998. At that time the YESCO parcel consisted of 0.56 acres (24,393 square feet). Up until 2005, the property was in unincorporated Utah County and was zoned Industrial-1.

In 2005, YESCO filed an application to have the property annexed into the City. At approximately the same time, the City was negotiating with YESCO to acquire a part of the property so that the City could construct a storm water detention basin and a roundabout at the intersection of 2000 South and Sandhill Road.

The City needed to acquire as much of the YESCO parcel as possible in order to construct the desired improvements and YESCO was willing to work with the City to accomplish this goal. YESCO's only interest at the time was to retain enough property to allow it to continue operating a billboard on the property. YESCO agreed that it would sell as much of its original parcel to the City as it could while still retaining enough property to meet a minimum lot size requirement. The City suggested applying the R6

zone to the property as that zone required only a 6,000 square foot lot size and was the only zone that allowed a lot of less than 7,000 square feet. The intent was to apply a zone that would allow the City to purchase the greatest amount possible of YESCO property. YESCO agreed to this proposal with the belief that the R6 zone would not in any way impede its ability to continue operating a billboard on the property.

In accordance with this understanding, the City Council annexed the YESCO property into the City on September 27, 2005 and applied the R6 zone to the property. The minutes of the City Council meeting of September 27, 2005 reflect the parties' intentions and state in part: *"In order to maximize the area that the City can purchase and use for storm water detention, the City and YESCO desire that the parcel that YESCO will retain ownership of be as small as possible."*

The City subsequently completed its purchase of all but 6,430 square feet of the YESCO property and proceeded to construct the detention basin and the roundabout. YESCO continued to maintain the billboard on the remaining parcel.

As part of UDOT's I-CORE I-15 project, UDOT constructed sound walls along the eastern edge of I-15 that obstructed the view of YESCO's billboard to traffic on I-15. In January, 2013, YESCO applied for and received a permit from UDOT to increase the height of the billboard in order to make it clearly visible over these sound walls. YESCO also requested and received a permit to install a new LED sign on the south face of the billboard. Subsequent to receiving the permit, YESCO proceeded to increase the height of the billboard and installed the new LED sign.

In approximately March 2013, following installation of the LED sign on the south face of the billboard, the City received complaints from residential neighbors about the LED sign. While looking into the legality of the LED sign, the City discovered that on YESCO's permit application to UDOT, YESCO had inadvertently indicated that its property was in a commercial zone. When the City notified UDOT that the YESCO property was actually in the R6 zone, UDOT indicated that it would not have issued a permit for the installation of an LED sign on the billboard if it had known the property was in a residential zone. UDOT indicated that it would not allow this type of upgrade on a billboard unless the property was located in a commercial or industrial zone. However, UDOT indicated that the increase in the billboard height was still appropriate as a billboard company has the right to make its billboard clearly visible in the event that it becomes obstructed due to highway improvements.

Following the receipt of this information, City staff notified YESCO that it would either need to remove the LED sign or have its property rezoned to a commercial or industrial zone. City staff has also held ongoing discussions with YESCO representatives and neighbors in the area to see if some kind of compromise could be reached that would allow YESCO to keep the LED sign while mitigating the sign's impact on neighbors. Some of the options

that have been discussed include (1) keeping the sign message static (no sign changes) during certain hours such as between midnight and 6:00 a.m.; (2) slowing the rate of ad changes so that the message changes appear less abrupt; and (3) prohibiting an LED sign on the north face of the billboard. Those discussions have continued up until shortly before the Planning Commission meeting although no final agreement has been reached. In the event that a compromise agreement is reached, City staff recommends that such agreement be memorialized in a development agreement prior to any City Council action.

If the City Council rezones the property to HS, UDOT will most likely allow YESCO to maintain the LED sign. If the City Council denies the application and the property stays R6, UDOT will likely require YESCO to remove the LED sign. However, even if the property remains R6, YESCO will maintain the right to have a traditional billboard on the property at its current height.

YESCO held a neighborhood meeting on April 9 with five neighbors or property owners in attendance. The concerns of the neighbors included the height and the LED panel. Some neighbors felt the billboard was too high. Others felt the LED sign may be acceptable and less obtrusive if kept at the existing height.

The Planning Commission first heard this request on April 23, 2014, but continued the item to May 7, 2014. Planning Commission members wanted to make a night visit to the site to see what impact the LED sign had on neighbors. Mike Helm of YESCO met several members of the Planning Commission (staggered times) on May 2, 2014, to view the sign at night and to examine readings of a light meter while directed at the LED sign. They also went into the home of a nearby resident to see how the LED sign affected the enjoyment of her house.

Advantages

- A rezone of the property to HS would allow YESCO to maintain the LED sign on the south face of the billboard and avoid the expense and investment loss that would arise from removing the LED sign. This would also allow YESCO to realize the expectations it had at the time of annexation that application of the R6 zone would not negatively affect its ability to operate a billboard on the property.
- LED is generally less bright than standard lighting on billboards which may result in less overall light pollution.
- Application of the HS zone to the property would not open the door to other commercial uses since existing easements on the property would prevent any use other than the billboard.
- YESCO has indicated that it is willing to commit not to install an LED sign on the north face of the billboard.

Disadvantages

- Some neighbors may find the existence of an LED sign on the south face of the billboard to be less desirable than a traditional billboard

face.

- If the property is rezoned HS, an LED sign could also be installed on the north face of the billboard unless a development agreement prohibiting this is executed prior to City Council action.

RECOMMENDATION: The Planning Commission recommends the City Council approve this request. Based on the advantages outlined above, staff also recommends the City Council approve this request.

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ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING THE GENERAL PLAN MAP TO CHANGE THE LAND USE FROM MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL AND AMENDING ARTICLE 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY CHANGING THE ZONE FROM R6 TO HS ON APPROXIMATELY 0.35 ACRES AT 2008 SOUTH SANDHILL ROAD

WHEREAS on February 28, 2014, Young Electric Sign Company (YESCO) filed an application to amend the General Plan land use map by changing the land use from medium density residential to regional commercial and to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone from R6 to HS on 0.35 acres at 2008 South Sandhill Road; and

WHEREAS on April 23, 2014, and May 7, 2014, the Planning Commission held a public hearing to consider the subject application and the Planning Commission forwarded a positive recommendation to the City Council; and

WHEREAS on May 27, 2014, the City Council held a public hearing to consider the subject application; and

WHEREAS a public hearing notice was posted at 56 North State Street, orem.org, utah.gov/pmn, and in a newspaper of general circulation; and

WHEREAS notices were mailed to all property owners and residents within 500 feet of the subject property and the property was posted; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhoods; and the special conditions applicable to the request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council hereby finds this request is in the best interest of the City for the following reasons:

A. A rezone of the property to HS would allow the owner of the property, YESCO, to maintain the LED sign on the south face of the billboard and thereby realize the expectations

DRAFT

it had at the time of annexation into the City 2005 that such annexation would not negatively affect its ability to operate a billboard on the property.

B. Application of the HS zone to the property would not open the door to other commercial uses since existing easements on the property would prevent any use other than the billboard.

C. The HS zone is a more appropriate zone for the property than the R6 zone based on the current and anticipated future use of the property.

2. The City Council hereby amends the General Plan land use map by changing the land use from Medium Density Residential to Regional Commercial on 0.35 acres at 2008 South Sandhill Road, as shown on Exhibit A, which is attached hereto and incorporated herein by reference.

3. The City Council hereby amends Article 22-5-3(A) and the zoning map of Orem City by changing the zone from R6 to HS on 0.35 acres at 2008 South Sandhill Road, as shown on Exhibit B, which is attached and hereto and incorporated herein by reference.

4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

5. All other ordinances in conflict herewith are hereby repealed.

6. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED, and ORDERED PUBLISHED THIS 27th day of **May** 2014

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

DRAFT

COUNCIL MEMBERS VOTING "AYE"

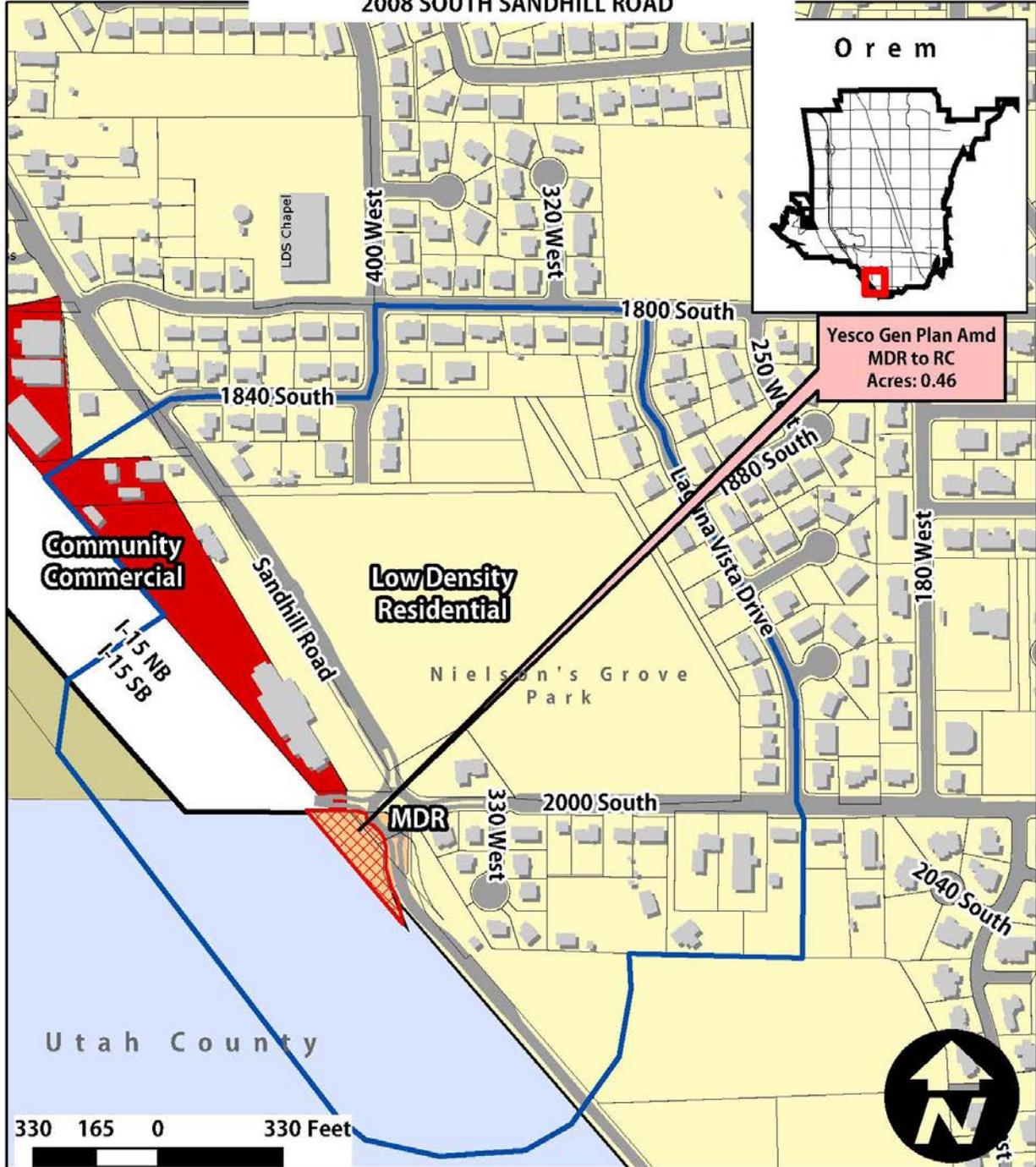
COUNCIL MEMBERS VOTING "NAY"

DRAFT

EXHIBIT "A"

Yesco GP Amendment - MDR to CC or RC

2008 SOUTH SANDHILL ROAD



◆ Yesco General Plan Amendment:
MDR to RC; 0.46 Acres.

NIA CONTACT:
Lakeview Neighborhood
Garr Judd

Page 4 of 5

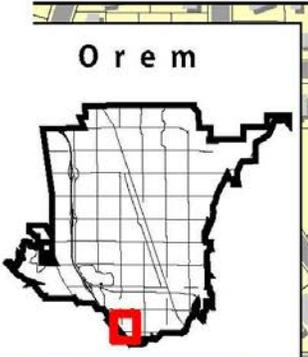
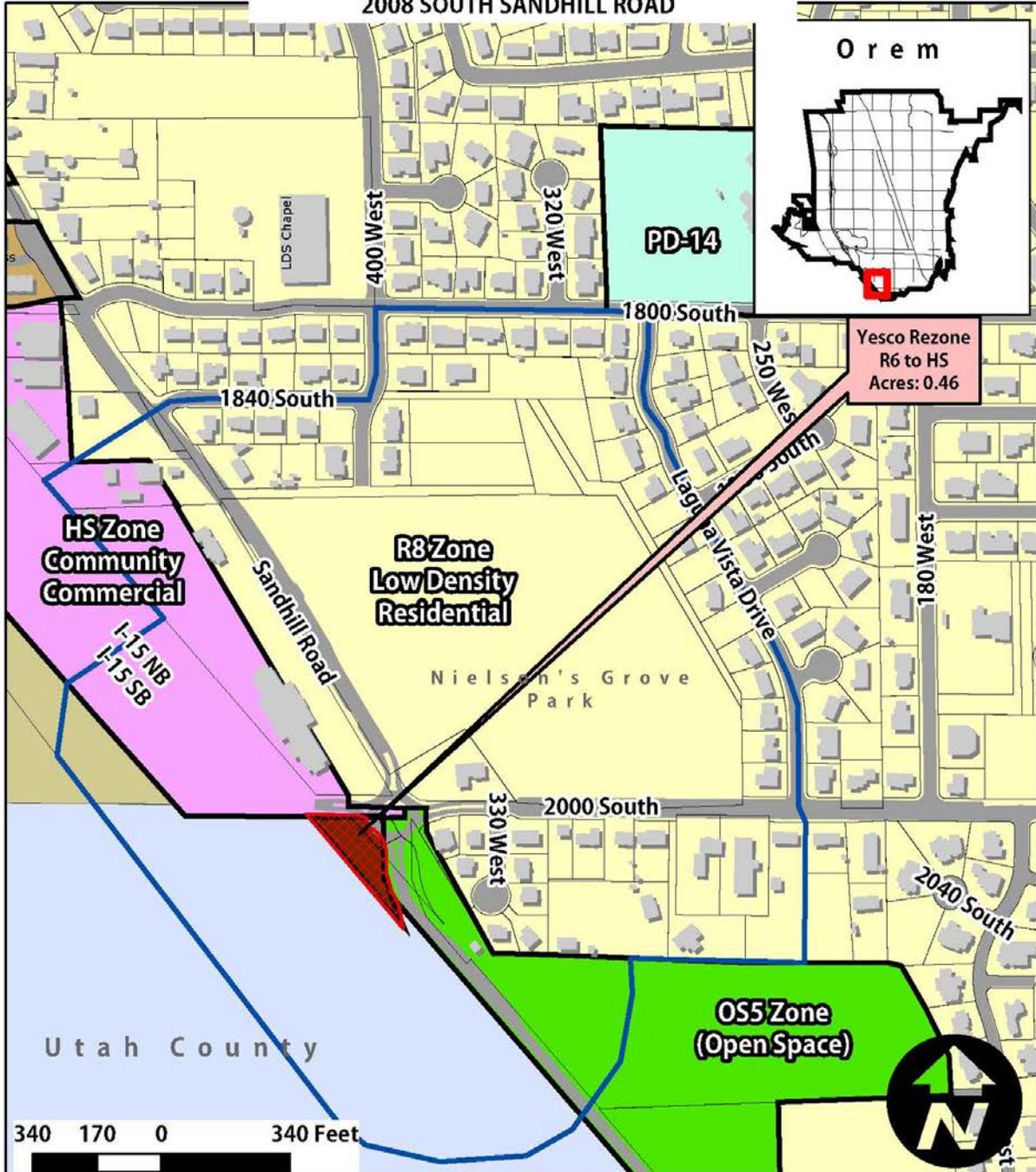
- Legend**
- Buildings
 - Notification Boundary
 - Parcels

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EXHIBIT "B"

Yesco Rezone - R6 to HS

2008 SOUTH SANDHILL ROAD



Yesco Rezone
R6 to HS
Acres: 0.46

◆ Yesco Rezone:
R6 to HS Zone; 0.46 Acres.

NIA CONTACT:
Lakeview Neighborhood
Garr Judd

- Legend
- Buildings
 - Notification Boundary
 - Parcels

DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL DENYING THE REQUEST TO AMEND THE GENERAL PLAN MAP BY CHANGING THE LAND USE FROM MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL AND DENYING THE REQUEST TO AMEND ARTICLE 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY CHANGING THE ZONE FROM R6 TO HS ON APPROXIMATELY 0.35 ACRES AT 2008 SOUTH SANDHILL ROAD

WHEREAS on February 28, 2014, Young Electric Sign Company (YESCO) filed an application to amend the General Plan land use map by changing the land use from medium density residential to regional commercial and to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone from R6 to HS on 0.35 acres at 2008 South Sandhill Road; and

WHEREAS on April 23, 2014, and May 7, 2014, the Planning Commission held a public hearing to consider the subject application and forwarded a positive recommendation to the City Council; and

WHEREAS on May 27, 2014, the City Council held a public hearing to consider the subject application; and

WHEREAS a public hearing notice was posted at 56 North State Street, orem.org, utah.gov/pmn, and in a newspaper of general circulation; and

WHEREAS notices were mailed to all property owners and residents within 500 feet of the subject property and the property was posted; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhoods; and the special conditions applicable to the request.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council hereby finds this request:

A. Is not in the best interest of the City because it will have a negative effect on adjacent residential property.

B. Is not in harmony with the Orem General Plan.

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2. The City Council hereby denies the request to amend the General Plan land use map at 2008 South Sandhill Road.

3. The City Council hereby denies the request to rezone property at 2008 South Sandhill Road.

4. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.

5. All other resolutions and ordinances in conflict herewith are hereby repealed.

6. This resolution shall take effect immediately upon passage.

PASSED, APPROVED, and ORDERED PUBLISHED THIS 27th day of May 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

DRAFT PLANNING COMMISSION MINUTES – APRIL 23, 2014

AGENDA ITEM 4.3 is a request by YESCO to amend the **GENERAL PLAN LAND USE MAP BY CHANGING THE LAND USE FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL OR REGIONAL COMMERCIAL AND AMEND ARTICLE 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY CHANGING THE ZONE ON 0.36 ACRES AT 2008 AND 2018 SOUTH SANDHILL ROAD FROM R6 TO C1 OR HS.**

Staff Presentation: Mr. Stroud said this request also involves amending the General Plan land use map from medium density residential to community commercial or regional commercial. The General Plan is a guide for development. As a guide, the City is not required to follow the plan but in order to maintain orderly development rezone requests should be in harmony with the land use plan. If a rezone does not comply with the land use map, the map should be amended, which is the case in this request. Property to the west is I-15; to the east is zoned R8; and to the north is zoned R8 and HS.



The applicant requests a rezone of 0.36 acres comprised of two lots; one owned by YESCO at 6,430 square feet and the other owned by Orem City at 9,013 square feet. The Orem City parcel is the location of a storm drainage detention basin. The YESCO parcel is the location of a billboard structure and also two storm drainage easements in favor of Orem City which encumber the entire YESCO parcel.

The requested zone of HS or C1 requires a minimum lot size of 7,000 square feet. However, the City can approve a zone that contains less than required because the lots were created prior the zone change. However, a new lot could not be created that is less than the minimum of the zone in which the lot is located. When the City changed zoning designations throughout the City several years ago, many residential lots were made legal non-conforming because the size did not meet the new zone requirements. The smaller lot of YESCO becomes legal non-conforming, much like when the property was annexed with a commercial billboard; but given a residential (R6) zone designation. The billboard became legal non-conforming because billboards are not permitted in a residential zone.

In September 2005, Orem City acquired property from YESCO for the purpose of road improvements at the intersection of 2000 South and Sandhill Road. YESCO's original parcel was 0.56 acres or 24,393 square feet. The City purchased property in order for the roundabout to be constructed and to construct a storm drainage detention basin. From the annexation City Council minutes of September 27, 2005: *"In order to maximize the area that the City can purchase and use for storm water detention, the City and YESCO desire that the parcel that YESCO will retain ownership of be as small as possible."* At the time of purchase, the property was located in Utah County and zoned Industrial-1. The annexation of the property was officially approved when accepted by then Lt. Governor Gary Herbert in February 2006.

YESCO kept 6,430 square feet of their original 24,393 square feet with the City purchasing the remainder. The property was annexed in as the R6 zone as this was the only zone that permitted a lot less than 7,000 square feet. The R6 zone is a residential zone which does not permit billboards. Since the billboard was located on the property at the time of annexation, the use became legal non-conforming. The YESCO subdivision was then recorded on February 28, 2006.

The existing billboard was recently reconstructed and an LED panel installed on the south face as well as an increase in height because of the sound wall installed by UDOT as part of the I-CORE I-15 project. The wall blocked the billboard from I-15 traffic. State Code permits a billboard to be increased in height to make it "clearly visible" to the traveling public on I-15 if highway improvements blocked visibility. To raise the billboard, UDOT granted a permit but did so without the knowledge the billboard was in a residential zone. Because of the zone, UDOT does not permit an LED billboard in a residential zone and asks YESCO to remove the LED panel. A static billboard is permitted, however, and at the existing height. The billboard will remain regardless of whether the display is LED or static.

A neighborhood meeting was held on April 9 with five neighbors or property owners in attendance. The concerns of the neighbors include the height and the LED panel. Some neighbors felt the sign is too high. Others felt the LED may be okay and less obtrusive if kept at the existing height.

The height of the sign is not an issue as State Law allows the sign to be at the current height. Staff drove I-15 and made a video of the view of a passenger while in the right lane. The sound wall drops just below the lower left corner of the sign when traveling northbound. This appears to make the sign “clearly visible” as State Code permits.

There may be some consensus between the neighbors and YESCO on what may be done with the LED. There was talk of a static message between midnight and 5:30AM, for example. YESCO and UDOT were both under the assumption that the property was zoned commercial. If YESCO kept a few hundred more square feet and sold less to the City, a commercial zone may have been applied instead of a residential zone.

The worst case scenario is that the City Council does not rezone the property and UDOT requires the LED panel to be removed. Because the height is already permitted, the sign will not be lowered as it will then be obscured by the sound wall. If the LED is removed, the face will then be changed to a static element with illumination from standard lights, which may be brighter than an LED face.

Advantages

- Brings the billboard into compliance with UDOT standards
- LED is generally less bright than standard lighting causing less light pollution
- Easements prevent any commercial use other than the billboard

Disadvantages

- Height cannot be reduced for neighbors as the current height is permitted
- If the rezone is not granted, a static billboard may cause a greater amount of light pollution than the LED display

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend the General Plan land use map by changing the land use from medium density residential to community commercial or regional commercial and amending Article 22-5-3(A) and the zoning map of Orem City by changing the zone on 0.36 acres at 2008 and 2018 South Sandhill Road from R6 to C1 or HS.

Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

Chair Moulton asked if the mistaken permit allowed YESCO to have an LED on both sides. Mr. Stroud said no because it is zoned R6. They could take the LED out and change it to a static display with the halogen lighting. The billboard will exist no matter what happens.

Chair Moulton invited the applicant to come forward. Mike Helm introduced himself.

Mr. Helm said the sign has been there since 1998. YESCO started the annexation process in 2000 and it was annexed in 2005. The minutes from the original Planning Commission meeting stated “that the zoning of R6 would not negatively affect the current or anticipated future uses of the property.” This is affecting the use of the property. It is very important to them to retain the use of the sign. If they had they kept another 570 square feet they could have retained some kind of commercial zoning and not had to go through this process. At the neighborhood meeting there were concerns about the height of the sign and staff noted that was allowed by State Statute. There are other signs that have needed to be raised in order to be visible. Other concerns were brightness levels, face changing times and whether the face flashes against the house. Mr. Helms presented the Planning Commission with a document that showed the measurement of the different light levels in the vicinity of the sign. He noted that YESCO manufactures 1 out of every 2 digital displays in the nation. He said they are a directional light and so horizontally they are best at a 45% viewing angle. Within 45% on each side of center is the best angle to view the sign, which is 90%. Once out of the 45% mark the ambient light does not change, but where they measure the ambient light with the sign turned off was 3.8 foot candles, when the sign was turned on the light ranged from 3.8 to 4 feet candles. He is happy to meet with staff, Planning Commission or City Council and demonstrate how the readings are done. Whenever they ran the different tests the changes were small and undetectable to the human eye.

The test was run from 8:30 p.m. to 10:00 p.m., so they could get a reading with some sunlight and then in the dark. They found that the street lights and the lighting on the freeway is far more intrusive than the billboard. He then showed them pictures of ads that have run on the billboard. He noted that a couple had an off-white background, noting that YESCCO does not allow any white backgrounds on digital because they are too bright. They use off-white or gray.

In discussing the different measurements with the Planning Commission, Mr. Helm said there is a gun called a NIT gun that can be aimed at the sign and measures the actual light coming out of the LED itself. It does not measure how it affects the surrounding area. A Foot Candle Meter takes in all light around it and gives a more true measurement on how the digital display affects the area around it.

Vice Chair Walker asked how would the light from a regular billboard compare to the digital. Mr. Helm said the best way to measure is to use the NIT gun and shoot each face. This will give the actual light on the face and the digital display at night are measuring typically 100 nits lower than a typical static face with the light turned on. Vice Chair Walker noted that this light emits less light than a flooded sign.

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

Mikaela Dufur, Orem, said she lived in the cul-de-sac that is across from the sign. She is sympathetic to the desire to put right mistakes in the past. There was a meeting and there were several compromises proposed that included issues like fading between the ads instead of a sharp turn to new add, or a possible static image late at night from midnight to 6 a.m. She is disappointed that those have not been included in the previous statements. She noted that Mr. Earl was aware of those compromises and she hoped they would be conditions of approval. Next she asked the Planning Commission to make as conservative a change as possible so that with reasonable prudence the neighbors could be assured that as technology changes come in the future they will not be back in this situation.

Mike Whimpey, Lakeview neighborhood co-chair, Orem, said he is a civil engineer and has some experience with sight/light design. He noted that staff has been great to meet with him and some of the neighbors to address their concerns. He understands that when the property annexed the best decision was made to minimize the impacts to the billboard company, create a detention basin property, bring the property into the City and designate a land use that would not infringe on the adjoining neighborhood. At that time the neighbors understanding was the continued use of YESCO of the property would not infringe upon the neighborhood. The expansion allowed the sign to be raised and it went from a parallel back to a split or angle billboard. That makes a larger footprint in the sky, but that was within their right because of the freeway expansion. Mr. Whimpey said that the upgrade to the LED is an expansion of their commercial use, they are fully entitled to continue the use of the property with an improved and upgraded sign without the LED upgrade. The UDOT permit that was issued was issued erroneously making the current billboard illegal. There is good reason UDOT does not permit LED displays in residential areas, because it is a detriment to the neighborhoods. Rezoning the parcel would allow the LED display to remain, but there is no indication that the LED would have been permitted had the property never been annexed into the City. He noted that approving the zone change invalidates representations that were made to area residents in 2005 that the neighborhood would not be negatively impacted by the annexation and allowing the LED display to remain would have a severe detriment to the character and integrity of the neighborhood. This would set precedence to upgrading to LED in other parts of the City, also nothing would prevent them for applying for a LED on the opposite face of the sign, which would impact Nielsen's Grove Park and more neighbors. He canvassed the neighborhood to find out how the neighbors feel. Those that are heavily impacted by the billboard, living to the south, were against the sign and said the sign is bright in their home. He has found studies that exist that counter the assertion that the flood lit billboards are brighter than the LED display. The studies say that LED is brighter than traditionally lit billboards. He invited the Planning Commissioners to come down to the area at night and see which sign would be better in their neighborhood.

Mr. Earl said that staff has discussions with YESCO and the neighbors in order to come to an agreement; YESCO has indicated they would sign a development agreement stating that they would not put an LED sign on the north face. If the development agreement is not required, then they could put one on the other side.

Vice Chair Walker said that opening the flat faced sign would be an advantage to the neighborhood, so more of the light is going towards the freeway and away from the neighborhood. He also added that YESCO did the change in good faith and was not trying to beat the system. If the annexation had not occurred YESCO would be in the County and could do the sign and have on both sides.

Mr. Whimpey agreed YESCO was not trying to beat the system or be deceitful. His opinion was that even had the annexation not occurred, no one could say that the sign would be changed to LED. The billboard is very valuable to YESCO even without the LED.

Vice Chair Walker asked when was the cul-de-sac built. Mr. Whimpey said it is after the annexation of the static sign.

Vice Chair Walker said he is not a fan of billboards, but they are there and must be treated fairly.

Mr. Earl said this was originally zoned industrial in the County. The neighbors were the first to make complaint to the City about the LED in March of 2013. He was assigned to look into it and find out if it was illegal. He looked at state regulations that govern billboards and based on that research he concluded that YESCO should not have put the LED on the sign. He was the one to call UDOT and let them know of the issue. After researching the permit, UDOT realized they should not have issued the permit. He talked to the attorney for UDOT and he noted that in order to have an upgrade to an existing billboard; it can only be done if it is located in a commercial, highway services or industrial zone. If it would still be industrial, it would be an automatic upgrade. At the time of application YESCO believed they were zoned commercial. It was an automatic approval, because of the assumption the land was zoned commercial. Staff has been trying to find some compromise solution. Mr. Earl then suggested that the compromises be considered. He suggested that if the Planning Commission and the City Council approve the request that they enter into some development agreement for that action. Some of the things that could be included are:

1. No LED on the north face,
2. Reverting to a static sign during certain hours of the night; and
3. Changing the time the sign rotates ads.

YESCO has agreed to these conditions and this will help mitigate some of the concerns of the neighbors. When YESCO was first annexing into the City, the only reason the City chose the R6 zone was because it was the zone that allowed for the smallest possible parcel. There was no thought that this would ever have a residential use. If there had been a commercial zone that was smaller than 6,000 square feet that would have been the chosen zone.

Ms. Jeffreys said that YESCO said it was commercial without checking. Mr. Earl said that the people who filed the application were different than who staff worked with in 2005. There was an incorrect assumption.

Ms. Jeffreys asked if the static sign during the night would still be LED and not moving. Mr. Earl said yes.

Mr. Whimpey said the neighbors had presented compromises with YESCO. One compromise was to address the operations of the billboard, the brightness, sign changes and have the sign lowered ten feet. There was no serious attempt to try and mitigate this on YESCO's part before coming before the City.

Mr. Earl said he cannot agree with Mr. Whimpey's characterization, the City had a lot of back and forth with YESCO and the neighborhood representatives trying to set up additional meetings. YESCO has been acting in good faith. They met with the neighbors a couple of weeks ago and there was a good discussion, nothing was resolved as of yet. His impression is that YESCO is willing to compromise.

Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Helm said that if the property were still in the County and zoned industrial the only way there would be some kind of regulation on proximity to residential is if the County ordinance is changed to address digital signage in proximity to residential. The State does not regulate that. He cannot speak to Mr. Whimpey's "studies." He is willing to meet with anyone to measure ambient light levels. When measuring light for this meeting, he put his back to the sign, to try and catch the sign rotating a face against one of the houses. He only caught it one time and that

was a brighter ad. One evening he was down there and made a map with Google Street map and he pinpointed 24 different lights consisting of:

- a. street lights,
- b. lights in the park, and
- c. the lights on the freeway that are twice as bright as anything on the road.

Mr. Helm added that he represents the YESCO real estate division, and the other side of the billboard is not a location they would consider installing digital. As you travel the left hand reads are not ideal. These signs are expensive and there is a lot of effort and cost put into the installation, therefore they try to keep them on the right hand side of the road. Most digital signs are theirs and they have a light monitoring sensor that works 24/7. As a cloud rolls in front of the sun, the sign will dim down and will brighten up as the sun returns. As the ambient light changes the sign adjusts to preset levels, that should not change ambient light more than 0.3 foot candles. This is an industry standard.

Mr. Iglesias asked if the monitoring system can be adjusted. Mr. Helm said yes. He said their office in Logan has a section, employing 30 people that specifically watch digital faces all day long, about 8,800 faces. They make sure, via a camera pointed at the sign that nothing is off. As he drives to Salt Lake daily to work he notes the signs. One time he noticed a sign that was brighter than it needed to be, he contacted the office and he was notified by email within two minutes that it had been adjusted. Their computer is set so that if the light monitoring ever fails it will go back to the default settings.

Ms. Jeffreys asked how many ads run and how often do they change. Mr. Helm said there are six ads and they change every six seconds. Mr. Earl indicated that State law also says the digital face cannot change more than every eight seconds also.

Vice Chair Walker said it is to YESCO's advantage to keep the display at the dimmest possible as far as reading, because it must chew up a lot of energy. Mr. Helm said five years ago they changed out an old unit and put in the latest greatest at that time. That unit ran on 200 amp service by itself, which is like a large home. Two years later with more digital units, that was down to 100 amp service and now they are running on a 60 amp breaker, which can only be loaded at 80%. They keep getting more efficient. He noted that YESCO runs the Amber Alert on their billboards.

Mr. Stroud said this request has two components; General Plan and the land use zone. The rezone can be C1 or HS; they both require 7,000 square feet. Highway Services allows more intensive uses than the C1, which is generally office space. This property cannot have any commercial access from the roundabout. The HS will match the property across the street to the north. The C1 would be by itself. If the Commission chooses C1 the General Plan would be Community Commercial for the General Plan, HS would be Regional Commercial.

Ms. Jeffreys suggested continuing the item in order to go out and see the light.

Mr. Whetten said he lived there when the light first came in. It was quite bright, especially the red light. He has not lived there for a year. He would like to see the light measurements. He would like the dimming of the lights to start earlier than midnight. The freeway is super well lit. He noted there is something about the changing of colors that is very different from the static white light.

Mr. Bell said if the Planning Commission is going to continue the item, the Planning Commission could suggest that YESCO work with the neighbors now and not wait until the next meeting.

Ms. Larsen asked if the City had any ordinance regulating LED display. Mr. Earl said the new sign ordinance states that no LED signs are permitted in residential zones, but are okay in commercial and industrial zones. Ms. Larsen asked if there are any restrictions on how far the light can go out, especially if it borders a residential zone. Mr. Earl said the signs cannot be flashing signs; the brightness cannot exceed 0.3 lumens above ambient light. Mr. Stroud said that some cities have restrictions on distances to residential properties. Ms. Larsen said she would be in favor of putting in something about having ads fade and going static from 11:00 p.m. to 6:00 a.m. Vice Chair Walker agreed and thought that the neighbors should compromise also. He said the Planning Commission should encourage the neighbors and YESCO to meet and come to a compromise.

Chair Moulton called for a motion on this item.

Planning Commission Action: Mr. Whetten moved to continue this item until May 5, 2014 meeting. He encouraged the neighbors and YESCO to meet together and reach a compromise prior to the next meeting and have Planning Commission meet with YESCO and observe the light and how light is measured. Ms. Jeffreys seconded the motion. Those voting aye: Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

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1 **DRAFT PLANNING COMMISSION MINUTES – MAY 7, 2013**

2 **AGENDA ITEM 4.1** is a request by YESCO to amend the **GENERAL PLAN LAND USE MAP BY CHANGING THE LAND**
3 **USE FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL OR REGIONAL COMMERCIAL AND**
4 **AMENDING ARTICLE 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY CHANGING THE ZONE ON 0.36 ACRES AT**
5 **2008 AND 2018 SOUTH SANDHILL ROAD FROM R6 TO C1 OR HS.**

6
7 **Staff Presentation:** Mr. Stroud said this request was continued from the April 23, 2014, Planning Commission
8 meeting. The public hearing was opened and then closed.

9
10 The request also involves amending the General Plan land use map from medium density residential to community
11 commercial or regional commercial. The General Plan is a guide for development. As a guide, the City is not
12 required to follow the plan but to maintain orderly development; rezone requests should be in harmony with the land
13 use plan. If a rezone does not comply with the land use map, the map should be amended, which is the case in this
14 request. Property to the west is I-15; to the east is zoned R8; and to the north is zoned R8 and HS.

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16 The applicant requests a rezone of 0.36 acres comprised of two lots; one owned by YESCO at 6,430 square feet and
17 the other owned by Orem City at 9,013 square feet. The Orem City parcel is the location of a storm drainage
18 detention basin. The YESCO parcel is the location of a billboard structure and also two storm drainage easements in
19 favor of Orem City which encumber the entire YESCO parcel.

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21 The requested zone of HS or C1 requires a minimum lot size of 7,000 square feet. However, the City can approve a
22 zone that contains less than required because the lots were created prior to the
23 zone change. However, a new lot could not be created that is less than the
24 minimum of the zone in which the lot is located. When the City changed
25 zoning designations throughout the City several years ago, many residential
26 lots were made legal non-confirming because the size did not meet the new
27 zone requirements. The smaller lot of YESCO becomes legal non-confirming,
28 much like when the property was annexed with a commercial billboard but
29 given a residential (R6) zone designation. The billboard became legal non-
30 conforming because billboards are not permitted in a residential zone.



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32 In September 2005, Orem City acquired property from YESCO for the
33 purpose of road improvements at the intersection of 2000 South and Sandhill
34 Road. YESCO's original parcel was 0.56 acres or 24,393 square feet. The City
35 purchased property in order for the roundabout to be constructed and to
36 construct a storm drainage detention basin. From the annexation City Council minutes of September 27, 2005: "*In*
37 *order to maximize the area that the City can purchase and use for storm water detention, the City and YESCO*
38 *desire that the parcel that YESCO will retain ownership of be as small as possible.*" At the time of purchase, the
39 property was located in Utah County and zoned Industrial-1. The annexation of the property was officially approved
40 when accepted by then Lt. Governor Gary Herbert in February 2006.

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44 The R6 zone is a residential zone which does not permit billboards. Since the billboard was located on the property
45 at the time of annexation, the use became legal non-confirming. The YESCO subdivision was then recorded on
46 February 28, 2006.

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49 in height because of the sound wall installed by UDOT as part of the I-CORE I-15 project. The wall blocked the
50 billboard from I-15 traffic. State Code permits a billboard to be increased in height to make it "clearly visible" to the
51 traveling public on I-15 if highway improvements blocked visibility. To raise the billboard, UDOT granted a permit
52 but did so without the knowledge the billboard was in a residential zone. Because of the zone, UDOT does not
53 permit an LED billboard in a residential zone and asks YESCO to remove the LED panel. A static billboard is
54 permitted, however, and at the existing height. The billboard will remain regardless of whether the display is LED or
55 static.

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58 the neighbors include the height and the LED panel. Some neighbors felt the sign is too high. Others felt the LED
59 may be okay and less obtrusive if kept at the existing height.

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62 made a video of the view of a passenger while in the right lane. The sound wall drops just below the lower left
63 corner of the sign when traveling northbound. This appears to make the sign “clearly visible” as State Code permits.

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66 talk of a static message between midnight and 5:30AM, for example. YESCO and UDOT were both under the
67 assumption that the property was zoned commercial. If YESCO kept a few hundred more square feet and sold less to
68 the City, a commercial zone may have been applied instead of a residential zone.

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70 The worst case scenario is that the City Council does not rezone the property and UDOT requires the LED panel to
71 be removed. Because the height is already permitted, the sign will not be lowered as it will then be obscured by the
72 sound wall. If the LED is removed, the face will then be changed to a static element with illumination from standard
73 lights.

- 74
75 **Advantages**
- 76 • Brings the billboard into compliance with UDOT standards
 - 77 • LED is generally less bright than standard lighting causing less light pollution
 - 78 • Easements prevent any commercial use other than the billboard
- 79

- 80 **Disadvantages**
- 81 • Height cannot be reduced for neighbors as the current height is permitted
 - 82 • If the rezone is not granted, a static billboard may cause a greater amount of light pollution than the LED
 - 83 display
- 84

85 **Recommendation:** Staff recommends the Planning Commission forward a positive recommendation to the City
86 Council to amend the General Plan land use map by changing the land use from medium density residential to
87 community commercial or regional commercial and amending Article 22-5-3(A) and the zoning map of Orem City
88 by changing the zone on 0.36 acres at 2008 and 2018 South Sandhill Road from R6 to C1 or HS.

89
90 Chair Moulton asked if the Planning Commission had any questions for Mr. Stroud.

91
92 Chair Moulton invited the applicant to come forward. Mike Helm introduced himself.

93
94 Mr. Helm indicated he had met with some the Commission member to measure light levels and the neighbor, Mikala
95 also invited them into her home to see what it is like in her home at night. Mr. Helm indicated that YESCO is
96 willing to freeze the lights from midnight to 5:30 a.m.

97
98 Chair Moulton thanked Mr. Helm and Mikala for assisting the Planning Commission in becoming more informed.

99
100 Vice Chair Walker said that if YESCO had not made the effort to help the City they would not have this problem.
101 He noted that the street light was brighter than the sign.

102
103 Mr. Whetten said that when the sign was first installed it was brighter. When he went the other night it was much
104 dimmer. He suggested staff consider adding to the sign ordinance measurements on how much light is reflected into
105 a home, especially into bedroom windows.

106
107 Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to
108 come forward to the microphone.

109
110 When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had
111 any more questions for the applicant or staff.

112

113 Ms. Jeffreys said it was interesting that no one had come to the meeting this evening. Vice Chair Walker said since
114 this item will go to the City Council, they may show up their
115

116 Ms. Larsen noted that she had originally suggested the sign goes static at night, but after viewing the sign she does
117 not think that is important anymore.
118

119 Chair Moulton suggested as an alternative for stagnant, maybe only use dark backgrounds at night. Ms. Buxton said
120 she hated to limit the design of the ads. She thought maybe fading out would be better instead changing the design.
121 Mr. Helm was not sure what the standards were, but would consider it.
122

123 Ms. Buxton said that if she lived there she would plant trees and shrubs, put up an awning or dark curtains as ways
124 to mitigate some of the light.
125

126 Chair Moulton suggested the Planning Commission recommend as the General Plan recommendation – Regional
127 Commercial and for the zone – HS.
128

129 Mr. Iglesias said it sounded like YESCO was willing to compromise with the neighbors. Mr. Helm agreed and said
130 they want to work with the neighbors. Mr. Iglesias encouraged Mr. Helms to continue to work with the neighbors.
131 He noted that the street light was by far the brightest light.
132

133 Chair Moulton called for a motion on this item.
134

135 **Planning Commission Action:** Vice Chair Walker said he is satisfied that the Planning Commission has found this
136 request complies with all applicable City codes. He then moved to recommend the City Council amend the Orem
137 General Plan land use map by changing the land use map from Medium Density Residential (MDR) to Regional
138 Commercial (RC) and amend Article 22-5-3(A) and the zoning map of Orem City by changing the zone at 2008 and
139 2018 South Sandhill Road from the R6 to the HS (Highway Services) zone. Ms. Jeffreys seconded the motion.
140 Those voting aye: Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael
141 Walker and Derek Whetten. The motion passed unanimously.
142

Orem City Public Hearing Notice

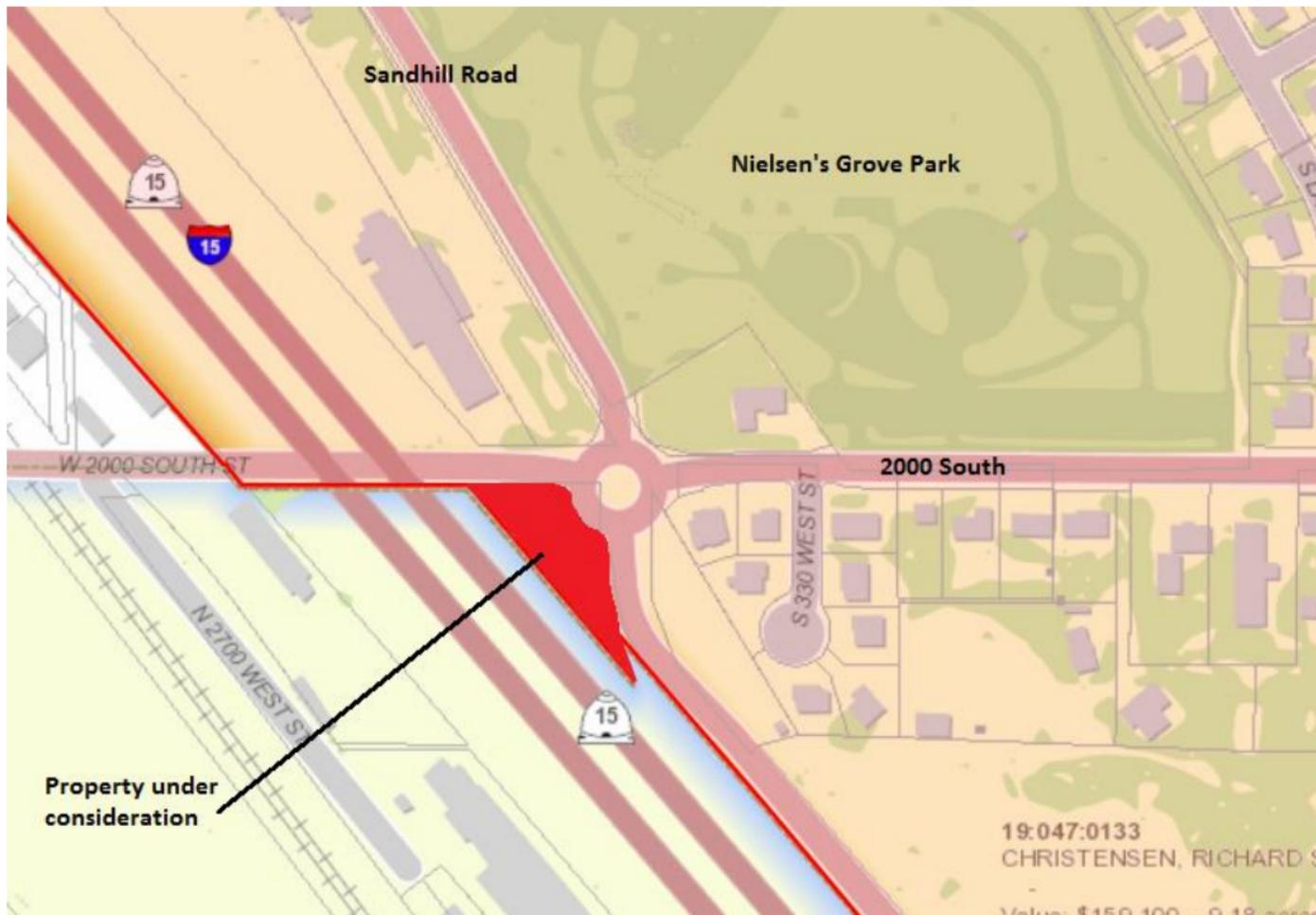


Planning Commission
Wednesday, April 23, 2014
5:00 PM, City Council Chambers
56 North State Street

City Council
Tuesday, May 27, 2014
6:20 PM, City Council Chambers
56 North State Street

Mike Helm of YESCO requests the City amend the general plan land use map for property at 2008 and 2018 South Sandhill Road from Medium Density Residential (MDR) to Regional Commercial (RC) or Community Commercial (CC) and change the zone map concerning the same property from the R6 zone to the Highway Services (HS) zone or Commercial 1 (C1) zone. The purpose of the change is to meet UDOT requirements of which zone LED billboards are permitted. A location map is on the reverse of this notice.

For more information, special assistance or to submit comments, contact David Stroud at drstroud@orem.org or 801-229-7095.



Sandhill Road

Nielsen's Grove Park

W 2000 SOUTH ST

2000 South

N 2700 WEST ST

S 330 WEST ST

Property under
consideration

19:047:0133
CHRISTENSEN, RICHARD S

Value: \$150,100 0.18 acres

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

CHRISTENSEN, RICHARD S &
SHARON W (ET AL)
265 E 3450 N
PROVO, UT 84604

DTS/AGRC MANAGER
STATE OFFICE BLDG, RM 5130
SALT LAKE CITY, UT 84114

WILLIAMSON INVESTMENTS LLC
%URRY, BRIAN
195 S GENEVA RD
LINDON, UT 84042

BOWDEN, MARK R & BONNIE G
277 W 2000 S
OREM, UT 84058

ROCKY MOUNTAIN POWER
70 NORTH 200 EAST
AMERICAN FORK, UT 84003

BROWN, JAMES H & LORRAINE ANN
255 W 2000 S
OREM, UT 84058

WILLIAMSON INVESTMENTS LLC
--OR CURRENT RESIDENT--
293 W 2000 SOUTH
OREM, UT 84058

GARR JUDD
LAKEVIEW NEIGHBORHOOD CHAIR
273 W 2000 SOUTH
OREM, UT 84058

RHA COMMUNITY SERVICES OF
UTAH INC
--OR CURRENT RESIDENT--
275 W 2000 SOUTH
OREM, UT 84058

PITTARD, BRIAN M & LAURA
321 W 1800 S
OREM, UT 84058

WESTWOOD, RYAN
279 W 2000 S
OREM, UT 84058

WADLEY, ESTELLA RAE
281 W 2000 S
OREM, UT 84058

RTW INVESTMENTS LLC
--OR CURRENT RESIDENT--
335 W 2000 SOUTH
OREM, UT 84058

FOSTER, CHRISTOPHER
305 W 2000 S
OREM, UT 84058

LEUE, PHILLIP A & EMILY P
--OR CURRENT RESIDENT--
319 W 2000 SOUTH
OREM, UT 84058

REAMS, JAMES A & SUSAN H
355 W 1800 S
OREM, UT 84058

LEAVITT, BRIAN R & CINDY M
331 S 950 W
OREM, UT 84058

MAY, LEVI E & ALYSSA N
333 W 1800 S
OREM, UT 84058

DAYTON, JESSICA WANG & DAVID
ALBERT
387 W 1800 S
OREM, UT 84058

KELLING, HANS W
--OR CURRENT RESIDENT--
341 W 2000 SOUTH
OREM, UT 84058

WHITING, RALPH M & M CHRISTINE
345 W 1800 S
OREM, UT 84058

BRYAN, WILLIAM H JR & SHANNON J
447 W 1840 S
OREM, UT 84058

SWANSON, SHANE D & LEANN
--OR CURRENT RESIDENT--
423 W 1840 SOUTH
OREM, UT 84058

CROWE, CHRIS & LOUISE M
371 W 1800 S
OREM, UT 84058

RHA COMMUNITY SERVICES OF
UTAH INC
468 HALLE PARK DR
COLLIERVILLE, TN 38017

ALL AMERICAN VINYL LLC
450 S 1100 W
PROVO, UT 84601

BAUER, JOHN LEE
435 W 1840 S
OREM, UT 84058

LEUE, PHILLIP A & EMILY P
676 W 1800 N
PROVO, UT 84604

MAYOR RICHARD BRUNST
900 EAST COUNTRY DRIVE
OREM, UT 84097

PETERSON, JEREMY & AMANDA E
459 W 1840 S
OREM, UT 84058

PILLAR, BOBBIE W & HEATH C
1094 OSAGE CIR
IVINS, UT 84738

JORGENSEN, DOUGLAS L &
MAERENE B
1254 N 1270 W
PROVO, UT 84604

MAG
586 EAST 800 NORTH
OREM, UT 84097

GORNICHEC, DEE ANN C
1468 N 2040 W
PROVO, UT 84604

QUESTAR GAS COMPANY
1640 NORTH MTN. SPRINGS PKWY.
SPRINGVILLE, UT 84663

HALES, MARGARET J (ET AL)
1306 JORDAN AV
PROVO, UT 84604

SWANSON, SHANE D & LEANN
1756 SANDHILL RD
OREM, UT 84058

ALL AMERICAN VINYL LLC
--OR CURRENT RESIDENT--
1822 N 2700 WEST
PROVO, UT 84601

JARRETT CONSTRUCTION INC
1731 S 400 W
OREM, UT 84058

ZUNDEL, DALLYN M & TAMMY
--OR CURRENT RESIDENT--
1826 S LAGUNA VISTA DR
OREM, UT 84058

PULVER, DAN E & LISA
1827 S 400 W
OREM, UT 84058

BLUEMEL, GAYE E & ROBERT L
%WILKINSON, KENNEY R
1828 LAGUNA VISTA DR
OREM, UT 84058

LORD, MICHAEL R & DEBRA K
1833 S 400 W
OREM, UT 84058

WHIMPEY, MICHAEL JAY &
ANNETTE
--OR CURRENT RESIDENT--
1839 S 400 WEST
OREM, UT 84058

PILLAR, BOBBIE W & HEATH C
--OR CURRENT RESIDENT--
1834 N 2700 WEST
PROVO, UT 84601

IVY ACADEMY HOLDINGS LC
--OR CURRENT RESIDENT--
1834 S SANDHILL RD
OREM, UT 84058

OLSEN, REED LEWIS & YOKO OHIRA
--OR CURRENT RESIDENT--
1861 S SANDHILL
OREM, UT 84058

BARNEY, CRAIG T & JODIE
--OR CURRENT RESIDENT--
1843 S SANDHILL RD
OREM, UT 84058

JOHNSON, PATRICIA B
--OR CURRENT RESIDENT--
1842 S LAGUNA VISTA DR
OREM, UT 84058

JORGENSEN, BRAD WAYNE &
APRYLL L
1865 S 400 W
OREM, UT 84058

MOLLNER, CINDY
1868 S LAGUNA VISTA DR
OREM, UT 84058

BOWLER, M (ET AL)
1847 S 400 W
OREM, UT 84058

MERRELL, KEN D
--OR CURRENT RESIDENT--
1876 N 2700 WEST
PROVO, UT 84601

RMH FAMILY LC
--OR CURRENT RESIDENT--
1880 S LAGUNA VISTA DR
OREM, UT 84058

WILKINSON, KENNEY R & TERRY L
--OR CURRENT RESIDENT--
1856 S LAGUNA VISTA DR
OREM, UT 84058

ROWLEY, STEPHEN L & MARY J
--OR CURRENT RESIDENT--
1892 S 240 WEST
OREM, UT 84058

CHESNEL, KARINE
1904 S LAGUNA VISTA DR
OREM, UT 84058

WHIMPEY, MICHAEL J & ANNETTE
1862 S 400 W
OREM, UT 84058

FEDERAL HOME LOAN MORTGAGE
CORPORATION
--OR CURRENT RESIDENT--
1918 S LAGUNA VISTA DR
OREM, UT 84058

CHEN, JAU-FEI & JAU-FEI
1929 S 180 W
OREM, UT 84058

OLSEN, REED LEWIS & YOKO OHIRA
--OR CURRENT RESIDENT--
1872 S 400 WEST
OREM, UT 84058

CHRISTENSEN, MICHEAL J & LINDA
ALLEN
--OR CURRENT RESIDENT--
1954 S LAGUNA VISTA DR
OREM, UT 84058

PETRUCKA, PAUL M & MARBETH K
--OR CURRENT RESIDENT--
1942 S LAGUNA VISTA DR
OREM, UT 84058

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

CROPPER, EARL B & ANNA F
1978 S LAGUNA VISTA DR
OREM, UT 84058

CHEN, JAU-FEI & JAU-FEI
--OR CURRENT RESIDENT--
1966 S LAGUNA VISTA DR
OREM, UT 84058

CHEN, JAU-FEI
--OR CURRENT RESIDENT--
1930 S LAGUNA VISTA DR
OREM, UT 84058

R MELVILLE LLC
2000 SANDHILL RD
OREM, UT 84058

UTAH CNTY SOLID WASTE DISTRICT
C/O RODGER HARPER
2000 WEST 200 SOUTH
LINDON, UT 84042

MERRELL, KEN D
1971 S 180 W
OREM, UT 84058

MARSHALL, EUGENE & RACHELLE
2034 S 330 W
OREM, UT 84058

COOK, JUDY P
2013 S 330 W
OREM, UT 84058

SNARR, BLAINE KENNETH & LELA
GWEN
--OR CURRENT RESIDENT--
1990 S LAGUNA VISTA DR
OREM, UT 84058

GORNICHEC, DEE ANN C
--OR CURRENT RESIDENT--
2685 W 2000 NORTH
PROVO, UT 84601

SERNA, HUVER & JAQUELINE
2023 S 330 W
OREM, UT 84058

DUFUR, MIKAELA
2016 S 330 W
OREM, UT 84058

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

LEAVITT, BRIAN R & CINDY M
--OR CURRENT RESIDENT--
2029 S 330 WEST
OREM, UT 84058

FEDERAL HOME LOAN MORTGAGE
CORPORATION
5000 PLANO PKY
CARROLLTON, TX 75010

KELLING, HANS W
2840 APACHE LA
PROVO, UT 84604

YOUNG ELECTRIC SIGN COMPANY
2401 FOOTHILL DR
SALT LAKE CITY, UT 84109

RTW INVESTMENTS LLC
10447 DORAL DR
CEDAR HILLS, UT 84062

Orem City Neighborhood Meeting regarding property rezone

In attendance:

Dave Stroud: Orem City Planner

Steve Earl: Orem City Attorney

Mike Helm: YESCO Outdoor Media / mhelm@yesco.com

Rich Melville: 1890 Sandhill Rd. / melvillerich@yahoo.com

Garr Judd: 273 W. 2000 So. / selltous@aol.com

Brian Leavitt: 2029 So. 380 W. / bcleavitt@gmail.com

Mikaela Dufur: 2016 So. 330 W. / mikaela_dufur@byu.edu

Sven Kelling: 341 W. 2000 So. / sven@powervision.net

Concerns per resident:

Rich Melville:

1. Over all height of sign. Rich believes it is 12-15' too tall.
2. Digital sign to close to residential properties.
3. Wants a curfew on the rotating ads at night.
4. Turn on lights on north face
5. Slower ad change time

Garr Judd:

1. Over all height of sign
2. Sees ad changes mainly in the morning and evening

Brian Leavitt:

1. Has renter in house, but hasn't heard anything negative from them.
2. Doesn't see any real negative impact from the sign.

Mikaela Dufur:

1. If sign is lowered her house will be more impacted by lowering the viewing angle of the sign.
2. Brightness of sign. The color red is very noticeable inside her home.
3. Fade: change the speed at which the ads change
4. Static/curfew at night

Sven Kelling:

1. Doesn't want sign lowered. If it's lowered it will negatively impact his home due to viewing angle.
2. Not concerned with overall height.
3. More noticeable with LED.

Steve Earl, City Attorney summarized main points of concern.

1. Curfew for digital face. Static from midnight to 5:30 am.
2. Fade between ad changes at a slower rate than currently being sued.
3. Brightness of red on ads
4. Brightness of lights on north face.
5. No future digital sign on north face.

4'24" W.

North 1/4 Corner Section 34
T. 6 S. R. 2 E. S.L.B. & M.

N. 89°34'24" W.
73.83'

POB

27.55'
South

C1

C2

East 87.70'

Lot 1

6,430 Sq.Ft. or 0.15 Acres

100' South

Note:  Lot 1 is encumbered with a Storm Water Detention Easement granted to the City of Orem. Containing 4,379 Sq. Ft.

Storm Water Det. Easement Area
S. 82° 15'36" W. 73.28'

C3

201' South

Lot 2

9,013 Sq.Ft. or 0.21 Acres

Note:  Lot 1 is encumbered with a Storm Water Pipe Easement granted to the City of Orem. Containing 2,051 Sq. Ft.

S. 60°35'36" W. 89.61'
N. 40°49'30" W. 87.70'

S. 5°02'29" E. 15.00'

S. 47°01'43" E. 5.98'

S. 5°02'29" E. 23.91'

10' PUE

C5

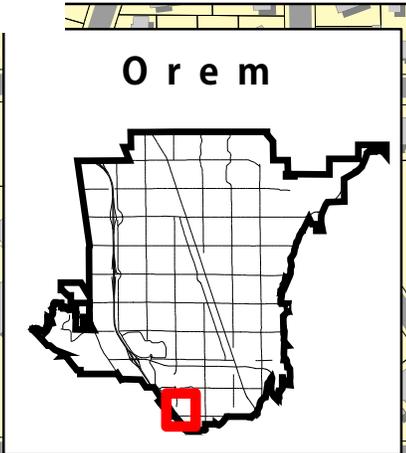
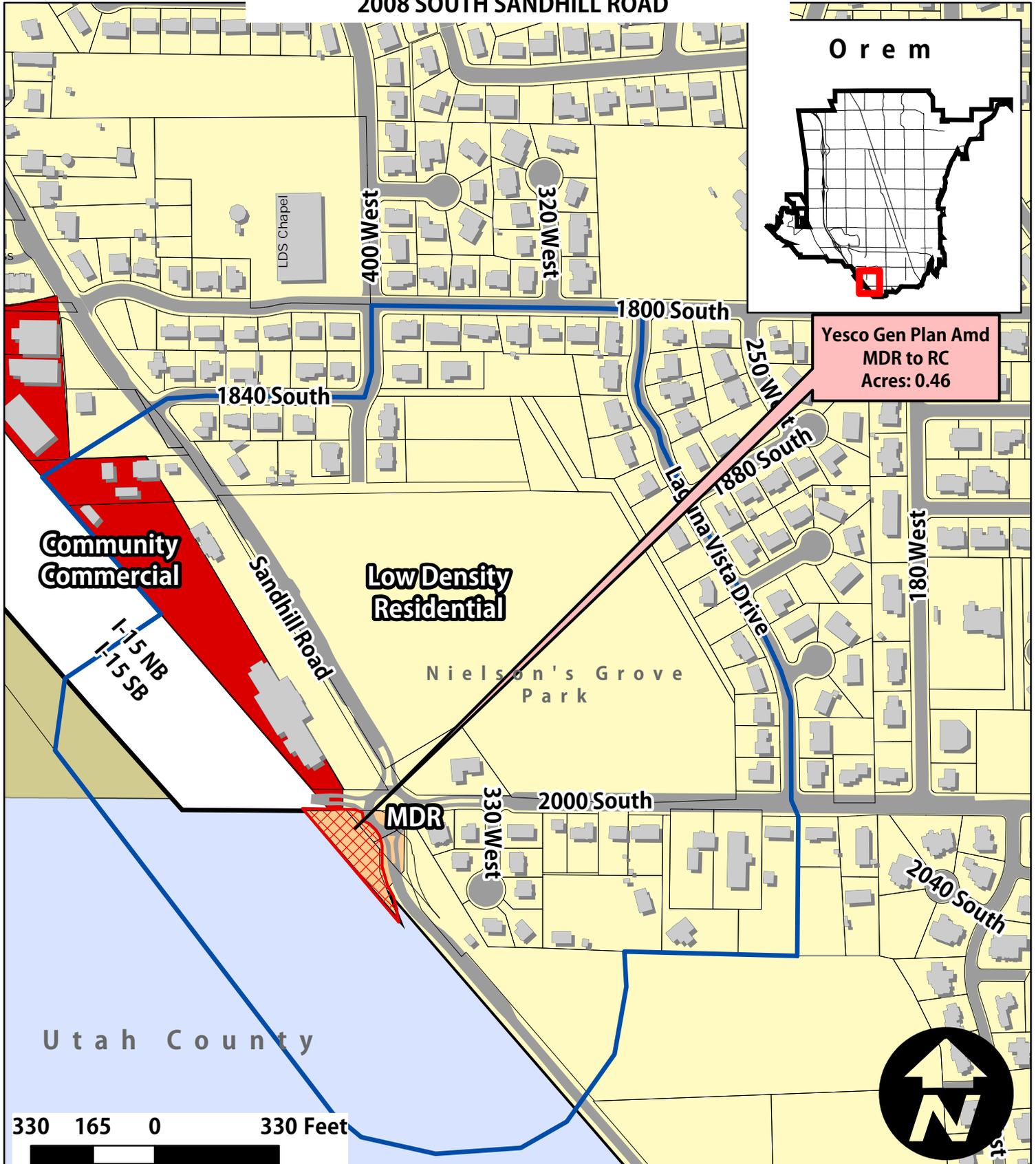
Interstate 15

Lot 1 - YESCO
Lot 2 - Orem City

City of Orem

Yesco GP Amendment - MDR to CC or RC

2008 SOUTH SANDHILL ROAD



Yesco Gen Plan Amd
MDR to RC
Acres: 0.46

Community
Commercial

Low Density
Residential

MDR

Utah County

330 165 0 330 Feet

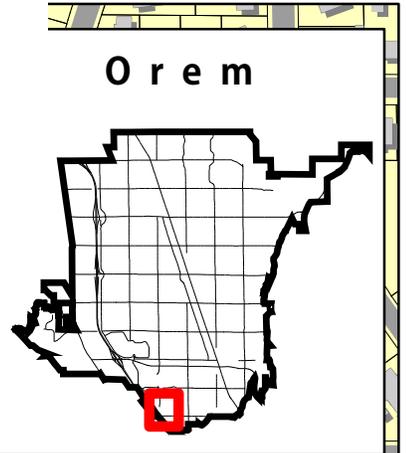
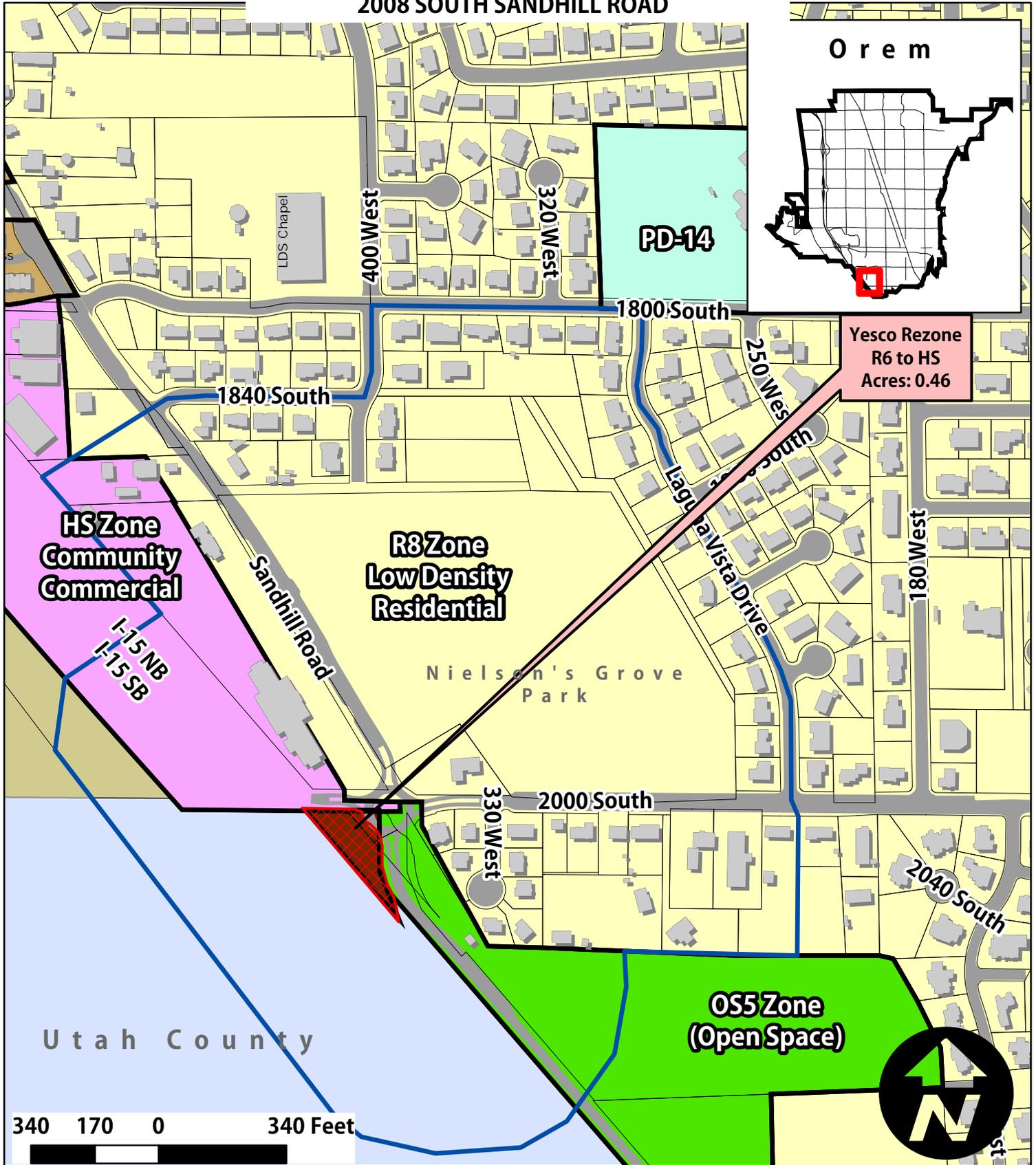
◆ Yesco General Plan Amendment:
MDR to RC; 0.46 Acres.

NIA CONTACT:
Lakeview Neighborhood
Garr Judd

- Legend**
- Buildings
 - Notification Boundary
 - Parcels

Yesco Rezone - R6 to HS

2008 SOUTH SANDHILL ROAD



Yesco Rezone
R6 to HS
Acres: 0.46

◆ Yesco Rezone:
R6 to HS Zone; 0.46 Acres.

NIA CONTACT:
Lakeview Neighborhood
Garr Judd

- Legend**
- Buildings
 - Notification Boundary
 - Parcels



DRC APPLICATION

Development Services Department • 56 North State Street, Orem, Utah 84057 • (801) 229-7183 • FAX (801) 229-7191

www.orem.org

APPLICANT INFORMATION			FORM EXPIRES: 06-30-2014	
Name:	<i>YESCO Outdoor Media</i>	Phone:	<i>801.464.6400</i>	
Address:	<i>1605 So. Granerney Rd.</i>	FAX:		
City:	<i>Salt Lake City</i>	State:	<i>UT</i>	Zip: <i>84104</i>
		e-mail:	<i>mhelm@yesco.com</i>	

PROJECT INFORMATION	
Project Name:	<i>YESCO Rezone</i>
Project Address:	<i>2008 So. Sandhill Rd.</i>

Nature of Request (Check all that apply) and Filing Fee Amount				
SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$700 + \$20/lot or unit	<input type="checkbox"/> Sign \$600	<input checked="" type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee	<input type="checkbox"/> Site Plan Admin. Approval \$400	<input type="checkbox"/> To City Council \$400
<input type="checkbox"/> Preliminary deep lot sign fee \$25	<input type="checkbox"/> Subdivision \$600	<input type="checkbox"/> Text Change \$1000	<input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21	<input type="checkbox"/> To Planning Commission \$400
<input type="checkbox"/> Final \$400 + \$20/lot or unit + recording fees	<input type="checkbox"/> Zoning, Text \$600		<input type="checkbox"/> Concrete/Masonry Fence \$50	<input type="checkbox"/> Street Vacation \$800
<input type="checkbox"/> Vacation/Amendment \$600 + \$25 sign fee + recording fees	New PD Zone, Text \$1000 + \$25 sign fee for PD zone		<input type="checkbox"/> Daycare Fence Approval \$100	<input type="checkbox"/> Annexation \$1000 + \$25 sign fee
<input type="checkbox"/> Final PRD \$400 + \$30/lot or unit + recording fees	<input checked="" type="checkbox"/> Rezone \$800 + \$25 sign fee		<input type="checkbox"/> Temporary Site Plan Approval \$100	<input type="checkbox"/> Driveway Entrance Modification \$175
<input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> New PD Zone, Rezone \$800 + \$25 sign fee for PD zone		<input type="checkbox"/> Conditional Use Permit \$600.00 + \$25 sign fee	<input type="checkbox"/> Resubmittal Fee \$100/review After three reviews
			<input type="checkbox"/> Fence Modification/Waiver \$100	<input type="checkbox"/> Other \$200
			<input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	

FILING FEES AND REQUIRED COPIES

FILING FEES: The filing fee for each "Nature of Request" checked above is required at the time the application is filed with the City. The fee amount is listed above. One DRC Application may be used for more than one Nature of Request.

REQUIRED COPIES: Two (2) full size copies 24" by 36", one (1) copy reduced to an 11" by 17", one (1) copy reduced to an 8½" by 11" shall be submitted with each application for Subdivision Plats, Conditional Use Permits, Site Plans, and Condominium Conversions. **Provide a complete set of PDF drawings with application – email PDF drawings to lperritt@orem.org.**

APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

PLANNING COMMISSION/CITY COUNCIL MEETINGS: Once the Development Review Committee determines your application is complete the Staff will forward it to the Planning Commission and City Council. **The applicant's attendance at the Planning Commission and City Council meetings is required.** The City Council is the final approving authority on the following items: Conditional Use Permits; Appeals; City Code amendments; General Plan Amendments; Fence Modifications; and site plans in the following zones: PD-1, PD-4, PD-5, PD-15, PD-16, and PD-21.

NEIGHBORHOOD MEETING: The applicant shall hold a neighborhood meeting in accordance with the City Code for the following requests: **General Plan Amendments; Zoning Ordinance Amendment, Map; Commercial developments adjacent to residential zones; all non-residential uses in a residential zone.**

DRC APPLICATION: This DRC Application must be **complete** at the time it is submitted to the City or it may not be accepted.

FILING FEE NOTICE: Applications filed after July 1 are subject to fee changes.

Applicant's Signature: <i>[Signature]</i>	Contact Person Name: <i>MIKE HELM</i>	Phone: <i>801.464.6400</i>
---	---------------------------------------	----------------------------

OFFICE USE ONLY		
Date Filed: <i>7/28/14</i>	Fees Paid: <i>1,825.00</i>	Received By: <i>[Signature]</i>

Please Note: The deadline for filing this application to be considered at the next DRC Meeting is Monday at noon. If Monday is a Holiday the deadline is extended to the following Tuesday at noon. Once filed with the City, you may contact any of the following individuals to learn of the status of this application: Jason Bench, 229-7238; David Stroud, 229-7095; or Clinton Spencer, 229-7267.

Project Timeline

YESCO GPA/Rezone 2008 South Sandhill Road

1. DRC application date: 2/28/2014
2. Obtained Development Review Committee clearance on: 3/6/2014
3. Publication notice for PC sent to Records office on: 4/10/2014
4. Applicant held neighborhood meeting on: 4/9/2014
5. Neighborhood notice for PC/CC mailed on: 4/11/2014
6. Planning Division Manager received neighborhood notice on: 4/12/2014
7. Planning Commission recommended approval on: 5/7/2014
8. Publication notice for CC sent to Records office on: 5/1/2014
9. Property posted for PC and CC on: 4/17/2014
10. City Council approved/denied request on: 5/27/2014

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED APRIL 2014

Percent of Year Expired: 83%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2014	% To Date FY 2013	Notes
10 GENERAL FUND								
Revenues	42,222,384	4,023,897	34,274,351			81%		
Appr. Surplus - Current	972,180		972,180			100%		
Appr. Surplus - Prior Year	1,040,867		1,040,867			100%		
Std. Interfund Transactions	4,623,406		4,623,406			100%		
Total Resources	48,858,837	4,023,897	40,910,804		7,948,033	84%	85%	
Expenditures	48,858,837	3,922,198	36,825,447	836,196	11,197,194	77%	80%	
20 ROAD FUND								
Revenues	2,260,000	1,160	1,477,473			65%		
Appr. Surplus - Prior Year	1,554,240		1,554,240			100%		
Total Resources	3,814,240	1,160	3,031,713		782,527	79%	72%	
Expenditures	3,814,240	171,588	2,375,248	230,616	1,208,376	68%	68%	
21 CARE TAX FUND								
Revenues	1,700,000	130,438	1,213,879			71%		
Appr. Surplus - Current	133,035		133,035			100%		
Appr. Surplus - Prior Year	4,946,793		4,946,793			100%		
Total Resources	6,779,828	130,438	6,293,707		486,121	93%	92%	
Expenditures	6,779,828	674,802	3,109,372	601,913	3,068,543	55%	19%	1
30 DEBT SERVICE FUND								
Revenues	7,331,861	970,707	5,914,665			81%		
Appr. Surplus - Current	574,999		574,999			100%		
Appr. Surplus - Prior Year	4,820		4,820			100%		
Total Resources	7,911,680	970,707	6,494,484		1,417,196	82%	86%	
Expenditures	7,911,680	993,329	4,787,523		3,124,157	61%	45%	
45 CIP FUND								
Revenues	246,571		287,511			117%		
Appr. Surplus - Prior Year	869,126		869,126			100%		
Total Resources	1,115,697		1,156,637		-40,940	104%	105%	
Expenditures	1,115,697	66,071	206,341	65,855	843,501	24%	24%	
51 WATER FUND								
Revenues	11,215,044	1,306,015	9,862,231			88%		
Appr. Surplus - Current	5,096		5,096			100%		
Appr. Surplus - Prior Year	2,913,995		2,913,995			100%		
Total Resources	14,134,135	1,306,015	12,781,322		1,352,813	90%	91%	
Expenditures	14,134,135	309,052	7,666,044	775,108	5,692,983	60%	62%	
52 WATER RECLAMATION FUND								
Revenues	6,954,851	704,143	6,278,753			90%		
Appr. Surplus - Current	312,453		312,453			100%		
Appr. Surplus - Prior Year	1,496,982		1,496,982			100%		
Total Resources	8,764,286	704,143	8,088,188		676,098	92%	87%	
Expenditures	8,764,286	397,887	4,910,772	960,411	2,893,103	67%	61%	
55 STORM SEWER FUND								
Revenues	2,880,300	261,519	2,537,819			88%		
Appr. Surplus - Current	2,677		2,677			100%		
Appr. Surplus - Prior Year	977,969		977,969			100%		
Total Resources	3,860,946	261,519	3,518,465		342,481	91%	93%	
Expenditures	3,860,946	87,206	2,769,666	304,533	786,747	80%	62%	2
56 RECREATION FUND								
Revenues	1,694,500	85,422	962,028			57%		
Appr. Surplus - Current	1,458		1,458			100%		
Appr. Surplus - Prior Year	18,255		18,255			100%		
Total Resources	1,714,213	85,422	981,741		732,472	57%	76%	
Expenditures	1,714,213	97,725	1,225,814	59,852	428,547	75%	81%	3

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED APRIL 2014

Percent of Year Expired: 83%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2014	% To Date FY 2013	Notes
57 SOLID WASTE FUND								
Revenues	3,379,600	286,780	2,800,429			83%		
Appr. Surplus - Prior Year	10,094		10,094			100%		
Total Resources	3,389,694	286,780	2,810,523		579,171	83%	86%	
Expenditures	3,389,694	215,928	2,476,586		913,108	73%	76%	
58 STREET LIGHTING FUND								
Revenues	1,313,000	73,859	1,188,255			90%		
Appr. Surplus - Prior Year	250,898		250,898			100%		
Total Resources	1,563,898	73,859	1,439,153		124,745	92%	87%	
Expenditures	1,563,898	32,755	489,707	23,995	1,050,196	33%	41%	
61 FLEET MAINTENANCE FUND								
Appr. Surplus - Current	12,180		12,180			100%		
Appr. Surplus - Prior Year	595		595			100%		
Std. Interfund Transactions	585,000		585,000			100%		
Total Resources	597,775		597,775			100%	100%	
Expenditures	597,775	37,011	464,300	10,509	122,966	79%	89%	
62 PURCHASING/WAREHOUSING FUND								
Revenues		15	150			100%		
Appr. Surplus - Current Year	842		842			100%		
Std. Interfund Transactions	340,000		340,000			100%		
Total Resources	340,842	15	340,992		-150	100%	100%	
Expenditures	340,842	18,357	267,666	2,959	70,217	79%	70%	
63 SELF INSURANCE FUND								
Revenues	490,000	36,465	394,352			80%		
Appr. Surplus - Current Year	215		215			100%		
Std. Interfund Transactions	1,175,000		1,175,000			100%		
Total Resources	1,665,215	36,465	1,569,567		95,648	94%	91%	
Expenditures	1,665,215	42,141	1,158,283	286	506,646	70%	86%	
74 CDBG FUND								
Revenues	1,132,583	8,313	290,175			26%		
Appr. Surplus - Prior Year	241,343		241,343			100%		
Total Resources	1,373,926	8,313	531,518			39%	70%	
Expenditures	1,373,926	30,994	484,743	7,584	881,599	36%	58%	
CITY TOTAL RESOURCES	105,885,212	7,888,733	90,546,589		14,496,215	86%	87%	
CITY TOTAL EXPENDITURES	105,885,212	7,097,044	69,217,512	3,879,817	32,787,883	69%	67%	

NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED APRIL 2014:

- 1) The current year expenditures are higher in comparison to the prior year due to the current year encumbrances (\$601,913) being significantly more than in the prior fiscal year (\$306) at this date in time. This is due to the Fitness Center Pool Remodel project.
- 2) The current year expenditures are higher in comparison to the prior year due to the current year encumbrances (\$304,533) being significantly more than in the prior fiscal year (\$45,200) at this date in time. This is due to purchasing a replacement dump truck and vac truck which we did not have last year.
- 3) The current year revenue is significantly lower than the prior year primarily due to lower use of the fitness center because of the pool renovation project. This trend will probably continue through the remainder of the fiscal year.

<p>Note: In earlier parts of a fiscal year, expenditures may be greater than the collected revenues in a fund. The City has accumulated sufficient reserves to service all obligations during such periods and does not need to issue tax anticipation notes or obtain funds in any similar manner. If you have questions about this report, please contact Richard Manning (229-7037) or Brandon Nelson (229-7010).</p>
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