



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
June 10, 2014

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

4:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM

1. **DISCUSSION – UTOPIA Fiber Options**

5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

2. **ANNUAL REVIEW – Gang Loitering Free Areas - Eric Ahlborn**
3. **REVIEW – Upcoming agenda items - Staff**

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

APPROVAL OF MINUTES

6. **MINUTES of City Council Meeting – May 27, 2014**

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

7. **UPCOMING EVENTS**

8. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

CDBG Advisory Commission1 vacancy

Library Advisory Commission1 vacancy

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

Orem Arts Council.....	2 vacancies
Summerfest Advisory Commission.....	1 vacancy
Recreation Allocation Advisory Commission.....	7 vacancies
CARE Advisory Commission.....	

- 9. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
- 10. **REPORT – Senior Advisory Commission**

CITY MANAGER’S APPOINTMENTS

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

PERSONAL APPEARANCES – 15 MINUTES

- 12. **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

- 13. **MOTION – Canceling the August 12, 2014, City Council Meeting.**

SCHEDULED ITEMS

- 14. **CONTINUED DISCUSSION – 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 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: *The applicant may not be ready to bring a recommendation forward and could request this discussion be continued to a future meeting.*

On May 27, 2014, the City Council continued this item to allow the applicant time to work with the neighborhood and consider proffering a development agreement that outlines specific restrictions to help mitigate neighborhood concerns. Additional information concerning the development agreement will be provided at the public hearing.

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 or 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 subject to a development agreement.

6:00 P.M. PUBLIC HEARING

15. ORDINANCE - Amending the Current Fiscal Year 2013-2014 Budget

REQUEST: The City Manager requests that the City Council amend the current Fiscal Year 2013-2014 Budget and, by ordinance, amend the Fiscal Year 2013-2014 Budget as proposed.

BACKGROUND: The Fiscal Year 2013-2014 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants received from Federal, State, and other governmental or private entities/organizations; Water Reclamation facility ultra violet disinfection system funding; funding SCBA equipment for the Fire Department; increasing the allowance for bad debt for UTOPIA pledge payments; providing operating funds for the Recreation Fund; and various other smaller technical corrections or minor budget adjustments that need to be made.

RECOMMENDATION: The City Manager recommends the City Council hold a public hearing to discuss amending the current Fiscal Year 2013-2014 Budget and, by ordinance, amend the Fiscal Year 2013-2014 Budget.

6:00 P.M. PUBLIC HEARING

16. ORDINANCE – Approving and Adopting a Budget for Fiscal Year 2014-2015, Adopting Compensation Programs, Adopting Fees and Charges, Setting the Property Tax, Franchise Tax, Municipal Energy Sales and Use Tax, Telecommunications License Tax, Transient Room Tax, and E-911 Fee Rates

REQUEST: The City Manager recommends the City Council, by ordinance, approve and adopt the Fiscal Year 2014-2015 Budget, adopt the compensation programs, adopt the fees and charges schedule, set the property tax, franchise tax, municipal

energy sales and use tax, telecommunications license tax, transient room tax, and E-911 fee rates.

BACKGROUND: On April 29, 2014, the City Council received a draft of the Tentative Budget for the Fiscal Year 2014-2015. Budget work sessions were held on April 29, May 13, and May 27, 2014, to discuss the budget. In addition, two public hearings were held to review CDBG budget requests.

The purpose of this hearing is to consider the budget for Fiscal Year 2014-2015 along with the compensation program and the fees, charges and tax rates of the City.

The national and local economies have shown signs of improvement over the past year. The Fiscal Year 2014-2015 Budget is a balanced budget that was formulated with this environment in mind as it does not include requests for tax increases and includes only minor increases in utility rates.

Property taxes are not increased, the franchise tax and municipal energy sales and use tax rates remain at 6% and the transient room tax stays at 1%. The telecommunications license tax is 3.5% and the E-911 fee is \$0.61 per month. With the exception of some minor adjustments to miscellaneous fees and charges, the only proposed fee increases are in the Water Fund and Storm Sewer Fund.

A \$0.25 per month water rate increase for a ¾” meter service (and a proportionate increase for all other meter sizes) is proposed in the Water Fund. This rate increase is needed to cover the increasing cost of using the City’s allocation of Jordanelle water and increased operating costs at the Utah Valley Water Treatment Plant that have been passed on to the City.

A \$0.25 per month increase is proposed in the Storm Sewer Fund to aid in the funding of capital improvements to the City’s storm water system.

Since the presentation of the Tentative Budget, the following changes have been proposed:

General Fund

- Increased Development Services Department costs due to moving fire station facilities maintenance costs to the Facilities Division\$53,200
- Reduced Fire Department costs due to moving fire station facilities maintenance costs to the Facilities division..... (\$53,200)

6:20 P.M. PUBLIC HEARING

17. **ORDINANCE - Annexing property located generally at 1450 South 1080 East, and by ordinance, designating the annexed property low density residential on the General Plan land use map, and amending Article 22-5-3(A) and the zoning map of the City by zoning the property R20**

REQUEST: The applicant requests the City Council, by ordinance, annex approximately 1.69 acres of property located generally at 1450 South 1080 East and by ordinance designate the property low density residential on the General Plan land use map and amend Article 22-5-3(A) and the zoning map of the City by zoning the property R20.

BACKGROUND: The applicant owns property located along and to the east of Carterville Road. Most of the applicant's property is in the City, but the easternmost part of the applicant's property is in unincorporated Utah County. The applicant desires to develop his property in the near future and would like to annex that portion of his property currently in the county so that the whole of his property can be developed in the City. Annexation of this part of the applicant's property will also have the beneficial effect of eliminating a peninsula of unincorporated county that currently juts into City boundaries.

The property is adjacent to R20 zoning and the PD-18 zone. The applicant requests the R20 zone be applied to the property with the General Plan land use designation of low density residential. It is possible the applicant will request the PD-18 zone in the future or just develop under the R20 zone. Discussions have taken place with the Berkshires' home owner association about becoming part of that development since 1080 East is located in the PD-18 zone. However, at this time, there is no agreement to become part of the PD-18 zone.

The City Council accepted the petition of annexation on February 22, 2014. This then set into motion a timeline of protest and public comment periods with May 28, 2014, as the last day to file a protest. No protests have been received. Utah County was also required to certify the petition and provide evidence to the City of this certification. This took place on April 29, 2014.

RECOMMENDATION: The Planning Commission recommends the City Council annex property located generally at 1450 South 1080 East, apply the low density residential designation on the General Plan, and zone the property R20.

6:30 P.M. PUBLIC HEARING

18. RESOLUTION - Site Plan Approval of Taco Bell at 195 West Center Street in the PD-1 Zone

REQUEST: The applicant requests the City Council, by resolution, approve the site plan of Taco Bell at 195 West Center Street in the PD-1 zone.

BACKGROUND: The applicant proposes a new location for Taco Bell which is currently located at 97 West Center Street. Issues with the current lease have led the owner of Taco Bell to propose relocation further west along Center Street. The proposed location is on an approved lot in the Orem Retail Center Subdivision Plat A, located in front of Target. This site is located in the PD-1 zone which requires any site plan to be approved by the City Council.

The proposed building will be 1,960 square feet and 36 parking stalls will be provided. The size of the proposed building will be comparable to the existing building, if not slightly larger. Elevations will be constructed of EIFS (stucco), stone, and aluminum louvers. The PD-1 zone prohibits use of sheet metal or corrugated metal. The louvers are aluminum, but staff believes this material is used as an architectural feature and is a permitted material. The proposed height of the building is 22 feet.

There will be no formal cross-parking easements with Target but access easements will be provided on a revised plat. Access to the site will be provided by the current drive approaches on Center Street and Orem Boulevard.

Landscaping includes that which exists along Center Street with additional landscaping located around the new building. The trash enclosure will have similar materials as the building.

RECOMMENDATION: The Planning Commission recommends the City Council approve the site plan of Taco Bell at 195 West Center Street in the PD-1 zone.

COMMUNICATION ITEMS

- 19. There are no communication items.**

CITY MANAGER INFORMATION ITEMS

- 20. 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 TO REDEVELOPMENT AGENCY OF THE CITY OF OREM MEETING

DRAFT

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

3:00 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; Heather Schriever, Assistant 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 Beverly Burdett, Office Clerk

CONTINUED DISCUSSION – UTOPIA/Milestone One Report Review

Mayor Brunst welcomed those in attendance.

Duncan Ramage and Mike Lee were present, representing Macquarie. Nick Hann, Executive Director of Macquarie, was excused. It was reported that he would be available Monday, June 2, 2014 to answer questions.

Mr. Davidson stated that the Macquarie representatives would not be making a formal presentation but were in attendance to answer questions from the Council, Orem staff, and citizens. He also noted the City was arranging open houses for the citizens to provide feedback, and that Peter Wolfley and Steven Downs were preparing an informational document to be distributed through the Orem utility bill.

Laura Lewis, financial advisor with Lewis and Young, had been in on conversations with the City regarding Macquarie, and was also present at the meeting to provide information and feedback.

Mr. Davidson suggested that those present at the meeting introduce themselves as there were several citizens and internet service provider (ISP) companies in attendance. Those ISP companies included Xmission, Century Link, and Black & Veatch.

DRAFT

1 Mr. Ramage said there were not a lot of new things to add as many answers had been posted on
2 the website. Midvale City voted last week to progress to Milestone Two. Macquarie's
3 partnership with other companies, including Black and Veatch, were continuing to progress. Mr.
4 Ramage said they were focusing on outstanding points such as wholesaler business models,
5 sharing agreements, and national ISPs.

6
7 Mayor Brunst reiterated that the City had scheduled two open houses at the Orem Senior Center,
8 to be tentatively held June 5, 2014, and June 11, 2014. The City Council planned to vote on the
9 Macquarie Milestone One at the scheduled meeting on June 17, 2014.

10
11 Mr. Ramage said that both he and Mr. Hann should be able to attend both open houses.

12
13 Mrs. Black asked about the thirty-month build-out plan and stated that some people were
14 doubtful on whether that could really happen.

15
16 Mr. Ramage said that came from internal UTOPIA estimates. Macquarie took it as a benchmark
17 and also had three other companies analyze the data to check the validity of the estimates. The
18 three sources said it was a reasonable estimate, and that it was achievable to have the build-out
19 completed in the estimated time frame.

20
21 Mr. Sumner stated his concern regarding replacing and updating equipment, since technology
22 changed so often. He asked how the City would calculate the expense for the citizens of Orem,
23 and if it would be done every six years.

24
25 Mr. Lee said Macquarie anticipated a complete refresh of the existing network, which would
26 reset the update clock. He said the initial refresh should extend service 15-20 years. Macquarie
27 would be monitoring the network to determine when the next refresh would need to be done.

28
29 Mr. Sumner asked if competition determined the refresh dates.

30
31 Mr. Lee said many old homes still used 10-100 switches. He said that Macquarie did not
32 anticipate the standard would change. Everything that Macquarie was putting in place was
33 standard-based and should work in the future. If, in the future, Macquarie saw that an update was
34 needed, Macquarie would then enter into a conversation with the cities to address it.

35
36 Mr. Seastrand asked who would pay for the refresh.

37
38 Mr. Lee stated that the first refresh was included in the current cost. There was already a plan to
39 address future refreshes within fifteen years at no extra cost to the cities.

40
41 Mr. Ramage said the costs would be split in proportion to revenues generated. The capacity
42 would relate to the sales of premium services. Those revenues, however they were shared, would
43 determine the split.

44
45 Mayor Brunst asked how long the upfront refresh would last.

DRAFT

1 Mr. Lee said the exact length of time could not be predicted. He said they did not anticipate the
2 market catching up to the critical need before fifteen years. He said the one-gig bandwidth
3 should suffice for the next decade, but reiterated that it could not be predicted.

4
5 Mr. Ramage said the maintenance for the first thirty years was included in the utility fee.

6
7 Mr. Lee said that the platform could provide on gig or ten gig service depending on the box at
8 the home. He said most homes would require one gig. He said there are very few ten gig
9 residential services today.

10
11 Mr. Ramage said the reality was that as Macquarie was replacing some of the devices, it would
12 go to the market and buy the latest and greatest.

13
14 Mr. Sumner asked if Macquarie saw the \$18-\$20 utility fee going up outside of inflation.

15
16 Mr. Ramage said they did not. The math of the utility fee to start with may change depending on
17 participation of cities.

18
19 Mr. Lee said a lot of incumbents had published average usage as twenty-one gigs. He said twenty
20 gigs walked the line between being satisfied and needing to upgrade.

21
22 Mr. Ramage said they saw data usage forecasts that went through the roof, but for the things
23 people did on the web they would not need more.

24
25 Mr. Andersen asked how many ISPs had agreed to do this. He asked what the ISPs had said they
26 wanted from the citizens.

27
28 Mr. Ramage said Macquarie would be responsible for going from the street to the house, and the
29 ISPs would go from outside the house to inside the house. The ISPs would take the power supply
30 from inside to outside, and connectivity from outside to inside. There would be no installation
31 charge. If the homeowner wanted more perks, the homeowner would negotiate with the ISP.

32
33 Mr. Macdonald expressed concern that the Council members, who were not experts on fiber,
34 were in a position to make perhaps the biggest economic decision ever. He asked how the
35 Council could get an expert to help along the way.

36
37 Mr. Davidson stated that, as municipalities, city council have run utility infrastructure since the
38 beginning of time. He said the controls set up by way of the milestone process gave the Council
39 checks and balances. The City Council could assess the market interest in those types of utilities.
40 The Council had financial, legal, and technology advisors to help with the decision.

41
42 Mr. Ramage said the Council effectively was transferring nearly all the risk to Macquarie, so the
43 risks from changing technology, build out, levels of service, etc., would be the responsibility of
44 Macquarie, but the risk of it not being enough in the future was a shared risk. The current plan
45 provided the pipe that would never need to change. The fundamental infrastructure would not
46 need to be changed. The hardware around it could be upgraded. The marginal cost of delivering
47 premium service was exceptionally low.

DRAFT

1 Mr. Spencer asked if the build-out goal was realistic as it would require 200 connections per day.

2
3 Mr. Ramage said the timeline would come into sharper focus as they moved along. He said it
4 could be twenty-nine months or thirty-two months, but it would not take five years. All overages
5 would be penalized to Macquarie. Four independent sources had validated the thirty-month
6 estimate.

7
8 Mr. Seastrand asked about the build-out plan. Mr. Ramage said community interest would
9 determine who would be built first. Those who were near the net would get the net soonest. That
10 would get revenue flowing the most quickly. Once Macquarie had a plan, it would be very
11 transparent so the ISPs could sell ahead of it and people would know when the crew would be on
12 their street.

13
14 Mrs. Black asked when those details would come into focus.

15
16 Mr. Ramage said certain elements would come into focus before closing, but that there would be
17 a lag between closing and the first new drop as they refresh the existing hardware.

18
19 Mr. Spencer stated that Veracity was offering ten gigs to businesses in Provo and asked if Orem
20 would be shortchanging itself already.

21
22 Mr. Lee said the City would not be shortchanging itself. Orem could offer a ten-gig service to
23 businesses that did not have much value for home service. Ten-gig services on a wide
24 deployment would be a problem.

25
26 Mr. Ramage said that the hardware was expensive, and the average speed in the US was ten gigs.

27
28 Mr. Spencer said that requiring citizens to pay for the utility, whether they want it or not, was a
29 tough pill for citizens to swallow. He asked about the 30 percent take rate.

30
31 Mr. Ramage said that the 30 percent take rate was required for the debt to be resolved. The utility
32 fee solved the problem of the risk of people not signing up. He said that some citizens would use
33 a land line, some would use TV service, and some would use internet, but the cost would remain
34 the same relative to the current bill.

35
36 Mr. Macdonald asked if the utility fee would be needed if there was a high enough take rate.

37
38 Mr. Ramage said the premium service would be outside the utility fee; therefore, the take rate
39 was zero. He said that the upside of the premium service was that the revenue would be shared if
40 it went up.

41
42 Mr. Davidson noted there were costs whether the City went forward with Milestone Two or not.

43
44 Ms. Lewis addressed the two options that people most often suggest:

- 45 • Why not sell. Ms. Lewis said that question was waning with education. There was a swap
46 outstanding with those bonds and it would add 40 percent to the cost if the debt was
47 retired. She said it was a very bad option in the low interest rate environment.

DRAFT

- 1 • Regarding the “Go Dark” option, there was an unknown cost due to potential litigation.
2 There was no government immunity in contracts. Other cities would be harmed by Orem
3 going dark. Orem’s relationship to the special assessment bond in Brigham City could be
4 an issue and repayment of the stimulus grant from the federal government would also be
5 called into question. Ms. Lewis reported that if Orem did not go through with the
6 partnership with Macquarie, Orem would be responsible for the operational charges, port
7 access in the homes, electronics in the neighborhoods, and the refreshing of the
8 equipment in the areas that were already lit. She said the cost of having to negotiate a
9 contract for these services was unknown. It was not a question of zero or \$20 per month.

10
11 Mr. Ramage said the current debt load was about \$8 per month, rising to \$12 per month.

12
13 Ms. Lewis said if the City were to put a charge for paying the existing debt, it would be
14 approximately \$8 to \$12.

15
16 Mr. Ramage said the City would benefit from the premium services while Macquarie would
17 absorb the operating costs. Every customer who upgraded would help pay down the debt.

18
19 Ms. Lewis said that even with a low take rate, the City would likely see repayment of a
20 significant amount of the debt.

21
22 Mayor Brunst turned the time to the audience for questions.

23
24 Mike Thill said that Google fiber had a consistency of 60 percent and UTOPIA had 80 percent.
25 He asked how important it was to have a high percentage.

26
27 Mr. Lee said Google had different rates in its different markets. He said Macquarie would use an
28 aggressive model, and everybody would get the 3x3x20.

29
30 Brent Starks asked if the ISPs would be free to set their own rates and wondered if there would
31 be any additional fees tacked onto that, like the UTOPIA maintenance fee.

32
33 Mr. Lee said the utility fee would be paid to the City, and the customer would only pay a fee to
34 the ISP if the customer selected premium service.

35
36 Mr. Ramage said the ISPs would provide basic service at no fee beyond the utility fee. All
37 operating costs would be set by the utility fee, and Macquarie would make it very competitive.

38
39 Jim Fawcett asked if at any time in the next 30 years Macquarie might sell its interest in the deal.

40
41 Mr. Ramage said selling was possible.

42
43 Mr. Fawcett asked how that sale would be valued.

44
45 Mr. Ramage said a future investor would look at how the business had been operating as well as
46 at quality, the nature of cash flow, and the cost base.

DRAFT

1 Mr. Macdonald asked if people could send questions to Mr. Davidson to give to Mr. Hann before
2 Monday. Mr. Davidson said that would be fine.

3
4 Sam Lentz said that, as a citizen who understood technology, he wanted to tell the City Council
5 that the City would be foolish not to take the deal.

6 7 PRESENTATION – FY 2015 Budget – Part III

8
9 Mr. Davidson said this was the third installment of the scheduled budget discussions for FY
10 2014-15. He said the final budget would go before the City Council for adoption at the meeting
11 scheduled on June 10, 2014.

12 13 *Public Works*

14 Chris Tschirki provided a Power Point presentation on the FY 2015 Budget for the Department
15 of Public Works.

16 17 Enterprise Fund Departmental Budgets

- 18 • Water – Fund 51
 - 19 ○ Stewardship report
 - 20 ▪ 400 kW Generator
 - 21 ▪ 4” Water Main Replacement - \$500,000, 1 mile
 - 22 ▪ Bid and awarded Alta Springs Pipeline Project - \$2.5 Million
 - 23 ○ Master Plan
 - 24 ▪ Created a water model to evaluate current piping and storage and predict
 - 25 future needs
 - 26 ▪ Evaluate Alta Springs Power Generation Possibilities
 - 27 ▪ Study Automatic Meter Reading (AMR)
 - 28 ▪ Study Water Reuse
 - 29 ▪ Develop Water System Capital Facilities Plan
 - 30 ▪ Analyze current impact fees and connection fees
 - 31 ▪ Develop a Financial Plan with a rate study to support the proposed plans
 - 32 ○ Budget – Fund 51 FY 2015
 - 33 ▪ \$50,000 Misc. Construction
 - 34 ▪ \$250,000 4” Waterline Replacements
 - 35 ▪ \$250,000 Canyon Springs (3 Year Sinking)
 - 36 ▪ \$75,000 Vehicle 5150 (Maintainer)
 - 37 ▪ \$180,000 Vehicle 545 (Dump Truck)
 - 38 ▪ \$75,000 Vehicle 5152 (Service Truck)
 - 39 ▪ \$50,000 Asphalt Paver Contribution (\$160k)
 - 40 ▪ \$930,000 TOTAL
- 41 • Water Reclamation (Sewer) – Fund 52
 - 42 ○ Stewardship Report
 - 43 ▪ UV Disinfection - \$1.0 Million
 - 44 ▪ New Jet/Vac Truck - \$350,000
 - 45 ▪ Pipe Liners
 - 46 ○ Master Plan

DRAFT

- 1 ▪ Create a sewer model to evaluate current piping and storage and predict
- 2 future needs
- 3 ▪ Analyze existing struvite problem and recommend solutions
- 4 ▪ Connection fees and base rate analysis
- 5 ▪ Evaluate maintenance and manpower needs
- 6 ▪ Develop a sewer capital facilities plan
- 7 ▪ Develop a financial plan with a rate study to support the proposed plans
- 8 ○ Budget – Fund 52 FY 2015
- 9 ▪ \$25,000 Misc Construction
- 10 ▪ \$150,000 Beverly Neighborhood Replacement
- 11 ▪ \$100,000 Pipe Liners (Yearly)
- 12 ▪ \$15,000 Mini-scout Camera Replacement
- 13 ▪ \$200,000 Vehicle 6201 (Jet/Vac Truck, 2nd year)
- 14 ▪ \$70,000 Vehicle 6100 (Service Truck)
- 15 ▪ \$80,000 Treatment Monitoring Equipment
- 16 ▪ \$29,000 GPS Rover
- 17 ▪ \$669,000 TOTAL
- 18 • Storm Water – Fund 55
- 19 ○ Stewardship Report
- 20 ▪ Sweeping – Annual Averages
- 21 • 2,098 Machine Hours
- 22 • 7,871 Miles Swept
- 23 • 14,249 Miles Traveled
- 24 • 2,878 Cubic Yards of Debris Removed
- 25 • Each City Street Swept 13 Times
- 26 ▪ SWPPP Inspections – Annual Averages
- 27 • 86 SWPPP Permits Issued
- 28 • 219 Construction Site Inspections
- 29 • 135 Construction Sites in Compliance
- 30 • 68 Construction Sites in Compliance with Conditions
- 31 • 28 Construction Sites out of Compliance
- 32 • 3 Citations Issued
- 33 • \$880 in Fines Collected
- 34 ▪ Compliance with EPA and State Regulations
- 35 • 2010 Stormwater Management Plan
- 36 • NPDES Minimum Control Measures
- 37 ○ Public Education
- 38 ○ Public Involvement
- 39 ○ Illicit Discharge Detection and Elimination
- 40 ○ Construction
- 41 ○ Post-Construction
- 42 ○ Good Housekeeping
- 43 • Coordination with:
- 44 ○ Utah County Storm Water Coalition
- 45 ○ Utah Storm Water Advisory Committee
- 46 • Quarterly Inspections of City Facilities

DRAFT

- 1 ▪ Infrastructure
- 2 • Inlets
- 3 ○ 3175 Stormwater Inlets
- 4 ○ 26 Groundwater Inlets
- 5 ○ 754 Irrigation Inlets
- 6 ○ 3210 Private Stormwater Inlets
- 7 ○ 333 Inlets Inspected Annually
- 8 • Manholes
- 9 ○ 1561 Stormwater Manholes
- 10 ○ 154 Groundwater Manholes
- 11 ○ 631 Irrigation Manholes
- 12 ○ 444 Private Stormwater Manholes
- 13 ○ 68 Manholes inspected Annually
- 14 • Sumps
- 15 ○ 1753 Stormwater Sumps
- 16 ○ 1818 Private Stormwater Sumps
- 17 ○ 337 Sumps Inspected Annually
- 18 • Pipes
- 19 ○ 82.9 Miles Stormwater Pipe
- 20 ○ 6.8 Miles Groundwater Pipe
- 21 ○ 59.1 Miles Irrigation Pipe
- 22 ○ 34.1 Miles Private Stormwater Pipe
- 23 ○ 13.9 Miles of Pipe Inspected Annually
- 24 ○ Storm Water Accomplishments
- 25 ▪ New Infrastructure
- 26 • Williams Farm Detention Basin
- 27 • Pipe installation on Industrial Park Drive north of 800 North
- 28 • Pipe installation on 1330 West, north of Center St.
- 29 • Lindon Hollow detention basin and conveyance
- 30 ▪ UDOT Partnership improvements
- 31 • I-15 Storm drain crossings in multiple locations
- 32 • Drain installation on 1200 West in multiple locations
- 33 • Drain installation in 800 North from 400 West to 1550 West
- 34 • Drain pipe extension in Center St. from I-15 to 1000 West
- 35 • Drain installation in Geneva Road from University Parkway to
- 36 1200 North
- 37 • Six additional detention basins, including one regional basin
- 38 located at 1550 West 800 North
- 39 ○ Budget – FY 2015 – Storm Water Current Status
- 40 ▪ 21,581 Utility Accounts
- 41 ▪ 52,977 ESUs
- 42 ▪ \$2,995,776.73 Annual Revenue (Adjusted for Credits)
- 43 ▪ FY 2014 Budget – \$2,850,000
- 44 • Personnel – \$834,424
- 45 • Operations and Maintenance – \$528,940
- 46 • Administrative Fees and Charges – \$483,972

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- Capital Improvements – \$310,944 (\$1,084,471- FY 2014 Projects)
- Equipment Replacement – \$360,624
- 2006 Bond Payment – \$331,096
- Proposing a 25¢/ESU/Month increase for FY 2015 which would generate approximately \$145,000 annually

○ Capital Improvement Needs

Description	Cost
Taylor/Cherry Hill Farm Wetland Property Purchase	\$500,000
Pipe the Lake Bottom Canal, 2000 South	\$100,000
Lakeside Park drainage thru Vineyard	\$300,000
400 North, Main Street to 400 East	\$500,000
400 North, 400 East to 800 East	\$500,000
400 North, 800 East to 1000 East	\$300,000
1200 North, 400 East to 1200 West	\$1,500,000
400 East to State Street, Scera Park	\$500,000
600 North, 200 East to 800 East	\$600,000
Construct Detention Basin at Sharon Park	\$350,000
Southwest Annexation Work (Engineering Est.)	\$2,500,000
Lakeridge Detention Basin	\$500,000
Lakeridge Piping Projects	\$1,000,000
TOTAL	\$9,150,000

Mr. Andersen asked if the \$0.25 rate increase was for operating expenses. Mr. Tschirki said the increase was intended for capital improvements. The City was attempting to have 30 percent of the fund balance set aside for emergencies.

Mr. Davidson said Orem had long prided itself by reporting it had the cheapest utilities compared to many other cities in the state, but now the infrastructure was getting old.

Mayor Brunst said the City did not need to be the cheapest but needed to use wisdom.

- Street Lighting – Fund 58
 - Stewardship Report
 - Testing LED Street Lights – *Financial Sustainability*
 - The City would save an estimated \$295,000 annually for power by changing lights to LED
 - Maintained 5,248 Street Lights
 - Replaced Retired Street Light Specialist
 - Work Orders Completed 1,194
 - 895 Light Bulbs Changed out
 - 566 Capacitors Replaced
 - 126 Fuses Replaced
 - 83 Photo Cells Replaced
 - 29 Ballasts Replaced
 - 8 Dig Ins Repaired Requiring

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- 1 ○ 1,600 Feet of Wire
- 2 ○ 210 Feet of Conduit
- 3 ▪ 7 Street Lights Hit by Vehicles
- 4 ○ Future Challenges
- 5 ▪ Funding LED change-out of City-owned street lights - \$2.8M
- 6 ▪ Convert RMP-owned street lights in expired light districts to
- 7 City-owned standard green Washington poles w/LEDs - \$1.4M
- 8 ▪ Convert RMP-owned street lights along South State Street to
- 9 City-owned standard green Memphis Corridor poles w/LEDs -
- 10 \$600,000
- 11 • OR: Purchase the RMP lights above and leave the existing
- 12 poles and only convert to LEDs - \$264,000
- 13 ▪ Financial Sustainability - continued increase in power costs
- 14 ▪ Operational and maintenance funding after street light fee expires
- 15 ▪ Long-term operations, maintenance, repair/replacement plan
- 16 (develop a 50-year sinking fund)
- 17

18 Mr. Macdonald asked if a cost benefit analysis had been completed on the street lighting. In
19 response, Mr. Tschirki discussed the option summary as presented in the PowerPoint
20 presentation and pointed out the total savings over the life of the light. He drew attention to the
21 installation cost being reported in red because the retrofit kits did cost more.
22

23 The Streets and Fleet budget information was not covered in the meeting due to lack of time. A
24 document containing the following information was sent to the City Council. Mr. Tschirki
25 instructed the Council to contact him with any questions they had regarding the Streets and Fleet
26 funds.

- 27 • Streets (State Road Fund) – Fund 20 / Fund 10
- 28 ○ Stewardship Report – Streets
- 29 ▪ 241 Centerline Miles
- 30 • Local – 187 Miles
- 31 • Collector – 37.5 Miles
- 32 • Arterial – 16.5 Miles
- 33 ▪ 529 Lane Miles
- 34 ▪ 47 Million SF
- 35 ▪ Estimated Value of \$135M
- 36 ▪ 34 City Owned Parking Lots
- 37 ○ Stewardship Report – Sidewalks
- 38 ▪ 500 +/- Miles
- 39 • Standard Combination – 362 Miles
- 40 • Rollback Combination – 18.5 Miles
- 41 • Planter Strip – 30 Miles
- 42 ▪ 4,278 ADA Ramps
- 43 ▪ 745 Locations without an ADA Ramp
- 44 ▪ Approximately 13 miles of the City did not have sidewalk or gutter
- 45 ▪ Estimated Value of \$132M
- 46 ○ Accomplishments in 2013
- 47 ▪ Overlays & Reconstructs

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- 1 • 1200 North Murdock Canal reconstruction
- 2 • 2000 North 400 West reconstruction
- 3 • 1200 West Overlay
- 4 ▪ Slurry Seal – 23 miles of City Streets
- 5 ▪ Crack Seal – 36 miles of City Streets
- 6 ▪ Micro Surface
- 7 • Orem Boulevard 400 North to 400 South
- 8 • 1200 South State Street to Sandhill Road
- 9 ▪ Street Maintenance – Previous Five Years
- 10 • 133 centerline miles of crack seal
- 11 ○ 92 centerline miles of slurry seal
- 12 ○ 22 centerline miles reconstruct/overlay
- 13 ○ 2 centerline miles micro surfacing
- 14 ○ 26,990 tons of asphalt placed by City crews - equal to
- 15 12 miles of new road
- 16 • 5,070 cubic yards of concrete placed by City Crews - equal to
- 17 9.5 miles of sidewalk
- 18 • Over one mile of curb, gutter, and sidewalk installed
- 19 • Over 400 ramps installed or updated to meet current ADA
- 20 requirements
- 21 • Over 1,500 sidewalk hazards milled
- 22 • Snow Removal – Five Year Average
- 23 ○ 1,500 man hours
- 24 ○ 1,600 lane miles treated
- 25 ○ 2,000 tons of salt used
- 26 • Pavement and Sidewalk Management
- 27 ○ Over 2,500 Street Inspections
- 28 ○ Over 4,000 Sidewalk Inspections
- 29 ○ Asphalt Cored all Rehabilitated Roads
- 30 ○ Budget – FY 2015 – Streets Current Status
- 31 ▪ General Fund
- 32 • \$1.34M budget
- 33 • Personnel, \$1.02M
- 34 • Equipment Maintenance
- 35 ○ Fuel
- 36 ○ Equipment Repairs
- 37 ○ Equipment Rental
- 38 • Materials
- 39 • Other
- 40 ○ Landfill
- 41 ○ Tools
- 42 ○ Office Needs
- 43 ○ Phones/Communications & Supplies
- 44 ▪ State Road Fund
- 45 • \$2.4M Budget
- 46 • Capital Projects – \$1.4M

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- Overlays – \$500,000
- Crack Sealing – \$300,000
- Slurry Seals – \$500,000
- Street Striping – \$100,000
- Materials – \$511,000
 - Asphalt, Concrete, Salt (Snow Removal)
- Equipment – \$100,000
 - Maintenance
 - Purchase/Replace
 - Lease/Rental
- Other - \$400,000
 - Administration Charge
 - Professional & Technical Services
 - Supplies
- Capital Improvement Needs
 - General Fund
 - \$2.3M budget
 - Personnel – \$1.09M
 - Operations & Maintenance – \$50,000
 - Equipment Maintenance – \$162,000
 - Fuel
 - Equipment Repairs
 - Equipment Rental
 - Materials – \$511,000
 - Equipment – \$410,000
 - Purchase/Replace
 - Lease/Rental
 - Miscellaneous Projects – \$81,000
 - State Road Fund
 - \$2.4M budget
 - Capital Projects – \$2M
 - Overlays – \$1M
 - Crack Sealing – \$300k
 - Slurry Seals – \$400k
 - Micro Surfacing – \$200k
 - Street Striping – \$100k
 - Other – \$400k
 - Administration Charge
 - Professional & Technical Services
 - Supplies

The current funding enabled the City to perform the needed crack and slurry seal each year. It allowed for only 60 percent of the needed overlays to be completed. Within ten years, the City's average OCI would likely decrease below 80, with approximately twelve centerline miles of arterial and collector streets rated as "Poor" or "Failed."

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The following chart was included in the shared document which illustrated the increased funding needed to complete the minimum maintenance and rehabilitation each year. All City streets could receive crack seal in an 8-year cycle, and all local roads could receive slurry seal in this same cycle. This could also provide for the needed centerline miles of arterial, collector and selected local overlays each year. The work performed each year with this amount of funding could enable the City OCI average to remain at or near the current 82.7.

Type	Current Funding	Increased Funding
Crack Seal	\$300,000	\$300,000
Slurry Seal	\$500,000	\$400,000
Overlay/Reconstruction	\$500,000	\$1,000,000
Micro Surfacing	\$0	\$200,000
Striping	\$100,000	\$100,000
Total	\$1,300,000	\$2,000,000

- Fleet – Fund 61

- Stewardship Report

- The Fleet Maintenance Fund was an internal service fund that received all of its operating revenues through transfers from City General Fund and Enterprise Funds
 - Annual Operating Fund of approximately \$585,000 in FY 2014
 - 78% comes from the General Fund
 - 22% comes from Enterprises Funds
 - 506 Pieces of Rolling Stock (trucks, pickups, sedans, mowers, heavy equipment, fire equipment, motorcycles, utility vehicles, etc.)
 - 114 Sedans (65 of which are patrol cars)
 - 92 Pickups
 - 44 Dump Trucks of various sizes
 - 8 Fire Trucks
 - 7 Ambulances
 - Own nearly 400 licensed vehicles, of which 347 were exempt
 - 380 Pieces of Small Equipment (weed trimmers, push mowers, chain saws, water pumps, portable generators, backpack blowers, sanders, etc.)
 - 4 Full-time Mechanics, 1 Fleet Manager
 - Performed 500 vehicle inspections and 260 emission tests conducted annually
 - \$600,000 General Fund in annual vehicle replacement
 - Completed State of the Fleet Report
 - Needs Identified:
 - General Fund needed \$1.7M in annual equipment replacement
 - Enterprise Fund needed \$1.3M in annual equipment replacement

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- Identified 34 Surplus Pieces of Equipment, which would save \$72,000 annually in equipment expenditures
- Average age of the fleet has increased from 6.5 years in 1985 to 10.5 years in 2014
- Moving to standardizing the fleet wherever practical
- Fleet – Leasing vs. Replacement
 - Analysis completed May 2014 indicated the following:
 - 139 Potential vehicles (sedans and pickup trucks)
 - 176 Potential vehicles Citywide

Solid Waste

Brenn Bybee, Assistant City Manager, said the Solid Waste Fund was self-sustaining and numbers stayed with over 12,000 customers recycling.

Recreation Facility and Outdoor Pool

Karl Hirst, Recreation Director, said the recreation fund involved the Scera outdoor pool and the Orem Fitness Center. The recreation fund was not fee based, but was point-of-sale based, which had the tendency to increase volatility of the fund.

In 2008, Orem was the only show in town when it came to recreation. Prior to 2008, the recreation fund was supported by the General Fund. From 2008 to 2013, the recreation fund was self-sustaining. Due to the recent remodel of the fitness center, and other contributing factors, the recreation fund would not be self-sustaining moving into FY 2014-15.

Mr. Hirst said the Recreation Department was making efforts to try to regain patronage of local Orem citizens who may have begun using Provo or other neighboring recreation centers when the Orem Fitness Center was closed for a period of time for the remodel. Plans were in place to heavily market and promote the grand reopening of the Fitness Center Pool. The grand reopening was scheduled for July 12, 2014.

The Recreation Department would also attempt to get the Scera outdoor pool patrons to move indoors to the Fitness Center for year-round recreational swimming at the end of the summer season.

Mr. Hirst detailed some of the recreation department concerns which included the following:

- Maintenance of a 37-year old building
- Competition from new Provo Rec Center and Pass of all Passes
- Having the Orem Fitness Center pool closed for 2-3 months
- Flexible staff competitive compensation plan
- Fair, comparable, and competitive pool pricing

Mayor Brunst asked how long it would take to tell if patrons were coming back. Mr. Hirst said the Recreation Department would likely know by the end of March.

Mr. Spencer asked what marketing tools were being used. Mr. Hirst said email, Twitter, and Facebook would be used; the Recreation Department would likely circulate some kind of flier as well.

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1 Comprehensive Financial Sustainability Plan

2 Laura Lewis, with Lewis, Young, Robinson and Burningham, provided a progress report on the
 3 process of preparing a Financial Sustainability Plan for the City of Orem. Ms. Lewis reported the
 4 firm was on schedule to complete the Financial Sustainability Plan around the first week of July.
 5

6 Future Cost Saving Measures

7 Richard Manning, Administrative Services director, reviewed the following list of suggested
 8 service level changes:

Department	Description	Savings
City Manager	Sr. Programmer replaced with PC Coordinator	\$24,000
NIA	Eliminate NIA Grant Program	\$17,430
Admin Services	Changes to A/P processing	\$17,490
	Modifications to Warehouse operations	\$45,800
	Contracted security process service in Court	(Out to RFP)
Dev. Services	Eliminate PRD Subsidy	\$9,400
Library	Close Internet Desk	\$25,000
	Open 10:00 AM M - F	\$18,000
	Library open Noon Sat	\$6,750
	Scale back Flex Positions throughout Library	\$7,500
Comm Promos	Eliminate support for Utah Lake Commission	\$17,750
	Miss Orem Pageant and City Float	\$18,000
	Summerfest Public Safety extra expenses	\$17,775
	Summerfest Fireworks	\$12,000
	Eliminate support for Utah Lake festival	\$1,000
	Eliminate Lights On Program	\$1,000
	Changes in Arts Commission funding	\$1,500
	Changes in Planning Commission funding	\$1,000
	Discontinue Volunteer Appreciation Event	\$2,700
	Changes in Historic Preservation funding	\$250
	Changes in Beautification Commission funding	\$2,000
Police & Fire	Reduced PS front counter hours	\$5,750
	Cut Public Safety fair	\$8,855
	Public Safety extra Storytelling Festival costs	\$6,125
Police	Online Traffic School	\$16,300
	Changes in Milestones of Freedom funding	\$10,000
	Divert NOVA officer to Patrol/Investigations	-
Fire	Efficient use of apparatus	\$12,000
	Modifications to staffing of shifts	\$350,000

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Recreation	Senior Center close 2 hours earlier	\$6,750
	Close the Fitness Center on select City holidays	\$5,000
	Close the Fitness Center at 9:00 p.m.	\$16,000
	Close the Fitness Center at 7:00 p.m. on Saturdays	\$6,500
Public Works	Changes in Park Maintenance operations	\$53,000
	Changes to beautification programs funding	\$3,500
	Changes in Fleet services	(Under eval.)
Grand Total		\$748,625

1
2 Mr. Manning said the list was comprised of things the City could let go of to get back to
3 equilibrium. He said the process was dynamic in that the changes could happen over time to
4 allow the City to appreciate the savings. Some measures would require up-front cost in order to
5 reap long-term savings. He said the suggested list of service level changes was not finite, but the
6 list merely suggested considerations that could lead to significant short and long-term savings.
7 Mr. Manning noted that some of the suggested service level changes and other cost saving
8 measures may be viewed as sacred cows. He said staff had put together a list of possible cost-
9 saving measures for the Council to consider.

10
11 Mr. Davidson discussed core essential services and said many of the cost-savings measures listed
12 were not considered “core essential services,” though they were nice services that the citizens
13 appreciated.

14
15 Mr. Manning said the City had some costs that were not necessarily deemed financial necessities.
16 He said the Council could consider those costs as well to find ways to save.

17
18 Mr. Davidson summed up the discussion by stating that the City, in order to save money, would
19 either have to raise fees or decrease services.

20 21 **5:35 P.M. STUDY SESSION**

22 23 CONDUCTING

Mayor Richard F. Brunst, Jr.

24 25 ELECTED OFFICIALS

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

28 29 APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant
30 City Manager; Richard Manning, Administrative Services
31 Director, Greg Stephens, City Attorney; Karl Hirst,
32 Recreation Director; Chris Tschirki, Public Works
33 Director; Scott Gurney, Interim Public Safety Director;
34 Charlene Crozier, Library Director; Steven Downs,
35 Assistant to the City Manager; and Taraleigh Gray, Deputy
36 City Recorder
37

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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 5:56 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; Steve Earl, Deputy City Attorney; Bill Bell, Development Services Director; Jason Bench, Planning Division Manager; Karl Hirst, Recreation Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Library Director; Steven Downs, Assistant to the City Manager; and Taraleigh Gray, Deputy City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT

Annette Harkness

PLEDGE OF ALLEGIANCE

Steven Downs

APPROVAL OF MINUTES

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

- May 13, 2014, City Council Meeting
- May 14, 2014, Orem Forum Meeting

Mr. Andersen **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 – Summerfest Advisory Commission

Annette Harkness, Committee Chair, thanked Mrs. Black for serving as the councilmember liaison to the Summerfest Advisory Commission. Ms. Harkness reported the grand marshals for Summerfest 2014 were Allan and Suzanne Osmond. Ms. Harkness said Summerfest donations were reported high and stated the baby contests, along with other Summerfest events, would be fully funded through those donations. She said Summerfest was self-sustaining other than the firework expenses.

Mrs. Black thanked those working on the committee for putting together the celebration the community always enjoyed.

Presentation – Pleasant Grove Royalty

The Miss Pleasant Grove royalty presented the City Council with a strawberry cheesecake and invited them to attend the Pleasant Grove Strawberry Days events being held June 18-21, 2014.

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.

Sam Lentz, resident, said walking away from UTOPIA would do nothing to resolve the debt. Mr. Lentz spoke in favor of the partnership with Macquarie. He voiced concern that some of the Councilmember's opinions on the Macquarie PPP and the speed of the potential build-out were not in the best interests of the citizens.

Jim Fawcett, resident, said he was not in favor of the City trying to save UTOPIA, and that the Cities involved should just let UTOPIA die.

Linda Housekeeper, resident, said she coordinated "Meet and Mingle" events for the County election races. She voiced frustration that Orem did not give her non-profit status for these functions.

CONSENT ITEMS

There were no consent times.

1 **SCHEDULED ITEMS**

2
3 6:20 P.M. PUBLIC HEARING

4 ORDINANCE – Amending 22-11-35(D), and 22-11-35(L)(9) of the Orem City Code
5 pertaining to development requirements in the PD-22 (Urban Village) zone
6

7 Jason Bench, Planning Division Manager, reviewed with the Council a request to amend
8 Sections 22-11-35(D) and 22-11-35(L)(9) of the Orem City Code pertaining to development
9 requirements in the PD-22 (Urban Village) zone. He noted that it currently did not allow the
10 outdoor storage of equipment, materials, or products related to a commercial use. The applicant
11 wished to amend the PD-22 zone to allow such outdoor storage in order to accommodate the
12 needs of BJ Plumbing Supply who desired to locate at 950 North 1200 West.
13

14 The proposed amendment would limit outdoor storage in the PD-22 zone to only those parcels
15 that were adjacent to 1200 West. In addition to the BJ Plumbing Supply property, other
16 properties in the PD-22 zone with frontage on 1200 West included McDonald’s, Maverick,
17 Marriot TownPlace Suites, and Broadview University. Heringer Marine also had frontage on
18 1200 West and had outside storage, but was in the HS zone and not the PD-22 zone. Any future
19 businesses that locate north of the approved BJ Plumbing site would also be able to have outside
20 storage.
21

22 Outside storage of materials is currently allowed in all commercial and professional office zones
23 provided that such storage is screened by a sight obscuring fence at least six feet in height. The
24 proposed amendment would also require a minimum six-foot, masonry-type fence to enclose the
25 entire storage area and also require that no outside storage items could exceed the height of the
26 fence.
27

28 The applicant was also requesting that Standard Land Use (SLU) code 6413 Automobile Repair
29 (inside only and only along and facing 1200 West) be permitted in the PD-22 zone. Like the
30 outdoor storage provision, automobile repair uses would only be allowed on parcels adjacent to
31 1200 West. Adding that use to the PD-22 zone would give the applicant more options to develop
32 his property. The use was currently allowed in the C2, M1, M2 and HS zones. There was an
33 existing auto repair shop currently operating in the HS zone which was directly adjacent to the
34 PD-22 zone. In addition, similar uses such as Automobile Wash (SLU 6411) and Auto Lube &
35 Tune (SLU 6412) were currently permitted in the PD-22 zone only along and facing 1200 West.
36

37 The proposed amendments are outlined below:

38 **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>

39
40
41
42
43 **22-11-35(L)(9):**
44

45 **9. Outside Storage:**

- 46 **a.** The development shall provide areas for the secure and covered storage of bicycles and
47 other small recreational items. Such items shall not be permitted to be stored on residential
48 balconies, or within common interior or exterior hallways of the development.
49 **b.** No outside storage of equipment, materials, or products related to any nonresidential use
50 shall be allowed except that the outside storage of products that are or will be offered for

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

Disadvantages

- None determined.

Mr. Seastrand asked if the storage would be behind the building along 1200 West. Mr. Bench said part of the storage would be adjacent to the building, and part would be behind the building.

Mr. Macdonald asked if neighbors were notified and if neighbors were in favor of the change. Mr. Bench said neighbors were notified and, to his knowledge, the neighbors were in favor of the change.

Mr. Spencer asked about fence heights. Mr. Bench said seven feet was the maximum fence height.

Paul Washburn, applicant, said the reason for the secured storage area was because BJ Plumbing had trucks full of supply parts that needed to be parked in a secure area overnight. The majority of the sprinkler materials would be moved inside a warehouse area. The secured yard would allow deliveries to be secure, no matter what time the deliveries came.

Mr. Washburn said the property was completely surrounded by highway services. He added that the reason behind changing the zone instead of simply rezoning the highway services was that there were certain design standards that were planned to be maintained.

Mr. Sumner asked where the equipment was being stored currently. Mr. Washburn said BJ Plumbing had a yard near its current location.

Mayor Brunst opened the public hearing. When no one came forward he closed the public hearing.

Mr. Seastrand **moved**, by ordinance, to 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. Mr. Spencer **seconded** the motion.

DRAFT

1 Mrs. Black asked if automobile repair had been addressed. Mr. Washburn said currently auto
2 tune-ups were an approved use and indicated he had received some inquiries regarding using the
3 property to erect a brake shop. The same design requirements would be present should the brake
4 shop come in.

5
6 Mayor Brunst called for a vote. Those voting aye: Hans Andersen, Margaret Black, Richard F.
7 Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion
8 **passed**, 7-0.

9
10 6:20 P.M. PUBLIC HEARING

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

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

21
22 He indicated that the application consisted of two parts. The first was to amend the General Plan
23 land use map of the City from medium density residential to regional commercial. The second
24 part was to amend the zone map of the City by changing the zone from R6 to Highway Services
25 (HS).

26
27 YESCO made the request because it desired to maintain an LED sign on its existing billboard at
28 the proposed location. YESCO first erected a billboard on the property in approximately 1998.
29 At that time the YESCO parcel consisted of 0.56 acres (24,393 square feet).

30
31 Up until 2005, the property was in unincorporated Utah County and was zoned Industrial-1.

32
33 In 2005, YESCO filed an application to have the property annexed into the City. At
34 approximately the same time, the City was negotiating with YESCO to acquire a part of the
35 property so that the City could construct a storm water detention basin and a roundabout at the
36 intersection of 2000 South and Sandhill Road.

37
38 The City needed to acquire as much of the YESCO parcel as possible in order to construct the
39 desired improvements, and YESCO was willing to work with the City to accomplish that goal.
40 YESCO's only interest at the time was to retain enough property to allow it to continue operating
41 a billboard on the property. YESCO agreed that it would sell as much of its original parcel to the
42 City as possible while still retaining enough property to meet a minimum lot size requirement.
43 The City suggested applying the R6 zone to the property as that zone required only a
44 6,000 square foot lot size and was the only zone that allowed a lot of less than 7,000 square feet.
45 The intent was to apply a zone that would allow the City to purchase the greatest amount
46 possible of YESCO property. YESCO agreed to the proposal with the belief that the R6 zone
47 would not in any way impede its ability to continue operating a billboard on the property.

DRAFT

1 In accordance with that understanding, the City Council annexed the YESCO property into the
2 City on September 27, 2005 and applied the R6 zone to the property. The minutes of the City
3 Council meeting of September 27, 2005 reflect the parties' intentions and state in part: "In order
4 to maximize the area that the City can purchase and use for storm water detention, the City and
5 YESCO desire that the parcel that YESCO will retain ownership of be as small as possible."
6

7 The City subsequently completed its purchase of all but 6,430 square feet of the YESCO
8 property and proceeded to construct the detention basin and the roundabout. YESCO continued
9 to maintain the billboard on the remaining parcel.
10

11 As part of UDOT's I-CORE I-15 project, UDOT constructed sound walls along the eastern edge
12 of I-15 that obstructed the view of YESCO's billboard to traffic on I-15. In January 2013,
13 YESCO applied for and received a permit from UDOT to increase the height of the billboard in
14 order to make it clearly visible over these sound walls. YESCO also requested and received a
15 permit to install a new LED sign on the south face of the billboard. Subsequent to receiving the
16 permit, YESCO proceeded to increase the height of the billboard and installed the new LED
17 sign.
18

19 In approximately March 2013, following installation of the LED sign on the south face of the
20 billboard, the City received complaints from residential neighbors about the LED sign. While
21 looking into the legality of the LED sign, the City discovered that on YESCO's permit
22 application to UDOT, YESCO had inadvertently indicated that its property was in a commercial
23 zone. When the City notified UDOT that the YESCO property was actually in the R6 zone,
24 UDOT stated that it would not have issued a permit for the installation of an LED sign on the
25 billboard if it had known the property was in a residential zone. UDOT indicated that it would
26 not allow that type of upgrade on a billboard unless the property was located in a commercial or
27 industrial zone. However, UDOT said the increase in the billboard height was still appropriate as
28 a billboard company had the right to make its billboard clearly visible in the event that it became
29 obstructed due to highway improvements.
30

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

- 37 • Keeping the sign message static (no sign changes) during certain hours such as between
38 midnight and 6:00 a.m.
- 39 • Slowing the rate of ad changes so that the message changes appear less abrupt
- 40 • Prohibiting an LED sign on the north face of the billboard.
41

42 Those discussions continued up until shortly before the Planning Commission meeting, although
43 no final agreement had been reached. In the event that a compromise agreement was reached,
44 City staff recommended that such agreement be memorialized in a development agreement prior
45 to any City Council action.
46

DRAFT

1 If the City Council rezoned the property to HS, UDOT would most likely allow YESCO to
2 maintain the LED sign. If the City Council denied the application and the property stayed R6,
3 UDOT would likely require YESCO to remove the LED sign. However, even if the property
4 remained R6, YESCO would maintain the right to have a traditional billboard on the property at
5 its current height.

6
7 YESCO held a neighborhood meeting on April 9, 2014, with five neighbors or property owners
8 in attendance. The concerns of the neighbors included the height and the LED panel. Some
9 neighbors felt the billboard was too high. Others felt the LED sign might be acceptable and less
10 obtrusive if kept at the existing height.

11
12 The Planning Commission first heard the request on April 23, 2014, but continued the item to
13 May 7, 2014. Planning Commission members wanted to make a night visit to the site to see what
14 impact the LED sign had on neighbors. Mike Helm of YESCO met several members of the
15 Planning Commission (staggered times) on May 2, 2014, to view the sign at night and to
16 examine readings of a light meter while directed at the LED sign. They also went into the home
17 of a nearby resident to see the how the LED sign affected the enjoyment of her house.

18
19 Mr. Bench showed images of the site and referenced different lighting circumstances, both day
20 and night.

21 22 Advantages:

- 23 • A rezone of the property to HS would allow YESCO to maintain the LED sign on the
24 south face of the billboard and avoid the expense and investment loss that would arise
25 from removing the LED sign. That would also allow YESCO to realize the expectations
26 it had at the time of annexation that application of the R6 zone would not negatively
27 affect its ability to operate a billboard on the property.
- 28 • LED was generally less bright than standard lighting on billboards which might result in
29 less overall light pollution.
- 30 • Application of the HS zone to the property would not open the door to other commercial
31 uses since existing easements on the property would prevent any use other than the
32 billboard.
- 33 • YESCO had indicated it was willing to commit to not install an LED sign on the north
34 face of the billboard.

35 36 Disadvantages:

- 37 • Some neighbors might find the existence of an LED sign on the south face of the
38 billboard to be less desirable than a traditional billboard face.
- 39 • If the property was rezoned HS, an LED sign could also be installed on the north face of
40 the billboard unless a development agreement prohibiting that was executed prior to City
41 Council action.

42
43 Mayor Brunst asked if the signs were angled toward the freeway. Mr. Bench said the signs did
44 angle toward the I-15 frontage. Prior to changing the sign facing south to LED, the angle was
45 flat.

46
47 Mrs. Black asked if the current proposal for the sign on the north side was to be left static.

DRAFT

1 Mr. Bench said it would, but that could change. Typically, sign companies did not change the
2 other face to LED because it was not normally cost effective.

3
4 When Mrs. Black asked about the development agreement requirement, Mr. Bench said the
5 Planning Commission did not feel a development agreement was necessary after visiting the site.

6
7 Mr. Sumner asked if the area had been zoned commercial before. Mr. Bench said it had once
8 been zoned for industrial when the parcel was part of Utah County.

9
10 Mr. Macdonald said he assumed YESCO took fair market value for the property sold to the City.
11 Mr. Bench said YESCO had.

12
13 Mr. Macdonald stated that the current sign was not in compliance with the current zoning. Mr.
14 Bench said YESCO had a permit from UDOT, which ultimately should not have been issued.

15
16 Mr. Macdonald said without the approval of a zone change, YESCO's permit would be
17 rescinded. Mr. Bench agreed.

18
19 Mayor Brunst invited the applicant, Mike Helm with YESCO Outdoor Media, to come forward.
20 Mr. Helm said when the neighborhood meeting had been set up at night to measure the light
21 meter readings, he had heard from City staff that two neighbors were planning on attending;
22 however, no neighborhood members showed up.

23
24 Mayor Brunst asked if there was intent to put LED on the north facing side. Mr. Helm said for
25 cost effectiveness the signs were maximized for "right-hand read" so motorists did not have to
26 look across the freeway to read the sign. Mr. Helm said it was unlikely that YESCO would
27 convert the north-facing sign to LED.

28
29 Mayor Brunst opened the public hearing.

30
31 Mark Bowden, resident, said he had concerns about the bright sign and suspected the site visit
32 was not effective in showing the Planning Commission the true effect the light coming from the
33 sign had on the surrounding neighborhood. Mr. Bowden said it was bad for the neighborhood.

34
35 Mike Whimpey, resident, said he had visited the home located under the sign. His belief was that
36 the sign was much more intrusive than what was represented to the Planning Commission. He
37 said that, depending on the ad, the lights could change. The sign was most intrusive as it cycled
38 through the different ads being featured.

39
40 Rich Melvin, resident, said the neighborhood was looking for concessions. He said the sign
41 occupied such a large presence in the neighborhood and devastated the quality of life for the
42 neighbors in the area.

43
44 Garr Judd, resident, said he met with YESCO to discuss ways to mitigate the situation. His
45 suggestions were to reduce the amount of advertisement turnovers in the evenings. He suggested
46 the possibility of manipulating colors. He expressed disappointment that neighborhood input had
47 not made its way to the City Council.

DRAFT

1 Mayor Brunst closed the public hearing.

2
3 Mr. Macdonald asked if LED was more or less intrusive. Mr. Bench said the Planning
4 Commission had determined the LED sign was less impactful than the static signs with lights
5 shining on them.

6
7 Mrs. Black stated that a changing light was much more intrusive than a static light. She said she
8 understood the neighborhood concerns and was disappointment that little mitigation had gone on
9 to that point. Mrs. Black suggested the City Council consider defining that no LED be allowed
10 on the north side of the sign and to determine static images on the south LED side of the sign
11 during the evening hours. She recognized that the overall height limit of the sign was set by the
12 State.

13
14 Subsequent to Council discussion, it was decided the item would be best to continue the
15 discussion to a later date to allow YESCO to work more closely with the neighborhood to
16 mitigate the sign issue.

17
18 Mr. Seastrand **moved** to continue the discussion to June 10, 2014. Mayor Brunst **seconded** the
19 motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald,
20 Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed**, 7-0.

21 22 **COMMUNICATION ITEMS**

23
24 Mr. Davidson drew the Council's attention to the April financial statement which was included
25 in the agenda packet.

26
27 Mr. Davidson said sales tax revenues were on track with what had been predicted.

28 29 **CITY MANAGER INFORMATION ITEMS**

30
31 Mr. Davidson allowed time for Jason Bench to present to Council a preview of upcoming agenda
32 items.

33
34 Mr. Davidson discussed the development of a customer survey with regard to the Macquarie
35 PPP.

36
37 Scott Riding, Y2 Analytics Executive Vice President, addressed the Council. He distributed a
38 proposed survey. Mr. Riding said the objectives were to collect citizen input that represented the
39 City as a whole. The survey would provide for the following:

- 40 • Allow citizen input
- 41 • Measure current satisfaction
- 42 • Educate on Macquarie's proposal and measure current opinion
- 43 • Ensure representativeness of the study
- 44 • Maximize participation through random sampling.

45
46 Mr. Bybee said the survey questions were based off a number of information items.

DRAFT

1 Mr. Macdonald said the timing of carrying out the survey had to be sharp given that the City did
2 not have a large window of time to conduct it.

3
4 Mayor Brunst asked that the Council members look over the distributed survey and get back to
5 Mr. Bybee with any questions.

6
7 Mrs. Black said she appreciated having a professional who would carry out the survey to ensure
8 questions would be fair and analytical.

9
10 Mr. Riding said the demographic information was compared to census information. The only
11 deficiency was Orem's student population. Y2 Analytics was proposing to work with UVU to be
12 able to email its student list as part of the study.

13
14 Mr. Riding acknowledged the most robust way to send a survey would be to send a mailer out,
15 but that option was expensive and time intensive. The planned approach would be slightly less
16 robust but, considering the trade-offs of cost and time, it would be comparative in
17 representativeness. The results from the random sampling were anticipated to give the Council
18 an accurate idea of where the citizens stood.

19
20 Mr. Davidson reiterated that the reliability of the data received would not change, depending on
21 the method by which the survey was carried out.

22
23 Mr. Bybee said the plan was to have the results by June 17, 2014, so the Council could begin
24 looking over the results in preparation for making a decision on moving forward with the
25 Macquarie Milestone Two.

26
27 Mr. Riding said the results could be provided a few days prior to June 17, 2014, to better
28 accommodate the Council in considering the results.

29
30 Mayor Brunst asked for Council input on the planned open houses for distributing information
31 about Macquarie's proposal.

32
33 Mrs. Black stated that she would like a professional explanation of the facts to be available to the
34 citizens.

35
36 Mr. Seastrand said it was important to understand the consequence of not going with Macquarie.
37 He suggested there could still be some factual statements about what could potentially happen if
38 the City did not move forward with Macquarie.

39
40 Mr. Andersen said he would want a vote of the citizens. He suggested the City provide as much
41 information as possible. He said he suspected the people did not realize the City had had
42 meetings with those offering alternative solutions. Mr. Andersen suggested other groups be
43 allowed to attend the open house.

44
45 Mr. Davidson said that, so far, Macquarie was the only entity with a formal proposal on the table
46 It might be possible in the future that additional open houses could be held for those who had
47 brought forth a formal proposal.

DRAFT

1 Mrs. Black, Mr. Sumner, and Mr. Seastrand expressed interest in having Laura Lewis present to
2 provide more financial information.

3
4 Mr. Davidson said Ms. Lewis had been working with UTOPIA's finance committee to develop
5 more definitive information. Mr. Davidson said he could follow up with Ms. Lewis to see if there
6 was more concrete information she would be able to share at a future meeting.

7
8 Mayor Brunst said the planned open house would likely begin at 6:00 p.m. Mr. Davidson said
9 the details on the open houses were not yet determined, but it was initially intended that the open
10 houses would begin at 6:00 p.m. to follow suit with other regular scheduled meetings. Mr.
11 Davidson added that the structure of the planned open houses was up to the Council to decide.

12
13 Mr. Spencer asked if any changes could be made to the mailer intended to be distributed through
14 the Orem utility bill. Mr. Davidson said changes could be made, but the City was limited in time
15 to get it printed and mailed out.

16
17 Steven Downs, Assistant to the City Manager, said changes could still be made but the mailer
18 should be mailed as soon as possible. Mr. Downs said an email address had been set up for
19 citizens to submit questions the public had about the Macquarie proposal.

20
21 Mr. Davidson indicated there was limited space on the mailer. The entire information about the
22 Macquarie/UTOPIA relationship would not fit on the 5.5 x 8.5 flier. The City was trying to be
23 strategic in presenting the most beneficial information, given the limited space, to maximize the
24 resource the fliers would be.

25
26 Mr. Davidson asked if the Council would be interested in meeting again with First Digital. He
27 cautioned about holding more meetings with partial quorums.

28
29 Mrs. Black suggested that conversations should continue after the UTOPIA board meeting.

30
31 Mr. Macdonald acknowledged the article in the *Daily Herald* about businesses coming to Orem.
32 He appreciated seeing Orem highlighted in the press in such a positive way.

33
34 Mayor Brunst noted there was a new Economic Development website.

35
36 Mr. Davidson acknowledged an award given to the Timpanogos Storytelling Festival.

37
38 Charlene Crozier, Library Director, explained the award was given by the State of Utah. Each
39 year Governor Herbert recognized arts academies by presenting awards to recognize outstanding
40 performance in different categories. Timpanogos Storytelling Institute was recognized for Arts
41 Origination. The awards were presented at the Mountain West Arts Conference.

42
43 Mr. Seastrand suggested that news of the award should be shared on the City website.

DRAFT

1 **ADJOURNMENT**

2

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

6

7 The meeting adjourned at 8:05 p.m.

UPCOMING EVENTS

DATE	BUSINESS AND LOCATION	TYPE
JUNE 7	GENEVA HEIGHTS NEIGHBORHOOD 11:30 AM Orem Jr. High	PICNIC
JUNE 13 – 14	CITY OF OREM City Center Park	SUMMERFEST
AUG 28-30	OREM Mt. Timpanogos Park	MT. TIMPANOGOS STORYTELLING FESTIVAL
SEPT 10 -12	ULCT SL Sheraton	ANNUAL CONFERENCE



Citizen Commission Appointment Application

Personal Information

Name	Dr. Randy Bernhard	
Street Address	22 Westview Drive	
City ST ZIP Code	Orem, UT 84058	
Home Phone	385-226-9274	
Work Phone	385-226-9274	
E-Mail Address	randylb103@yahoo.com	
Preferred method of correspondence?	Email	
How many years have you been a resident of Orem?	1 year	
Are you a U.S. Citizen?	Yes	Are you Registered to vote in Orem? Yes

Person to Notify in Case of Emergency

Name: Janae Bernhard	Relationship: Spouse	Phone: 385-226-9306
----------------------	----------------------	---------------------

Availability

Please specify when you would NOT be available for city commission appointments (e.g. weekends, mornings, specific day(s) of the week, etc.).

Monday, Wednesday, Friday mornings, Sundays

Interests

Tell us the top three (3) city commissions you are interested in volunteering, in order of priority.

- | | |
|--|---|
| <input type="checkbox"/> Alcoholic Beverage License Hearing Board | <input checked="" type="checkbox"/> 3 Library Advisory Commission |
| <input checked="" type="checkbox"/> 1 Arts Council | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Beautification Commission | <input type="checkbox"/> Public Works Commission |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Recreation Advisory Commission |
| <input type="checkbox"/> Board of Building and Fire Code Appeals | <input type="checkbox"/> Senior Citizen Advisory Commission |
| <input type="checkbox"/> CDBG Advisory Commission | <input checked="" type="checkbox"/> 2 SummerFest Committee |
| <input type="checkbox"/> Heritage Advisory Commission | <input type="checkbox"/> Transportation Advisory Commission |
| <input type="checkbox"/> Historic Preservation Advisory Commission | |

Reasons Interested in Appointment

Summarize why you wish to serve on a city commission and if there are areas of concern that you would like to see addressed by a city commission.

I know the difference the arts and an arts council can make in a community's quality of life. The arts can assist in economic development, historic & cultural preservation, and as a recruitment tool for new talent. I would love to help the arts to continue to grow & thrive in the Orem area.

Brief Biography and Special Skills (Please also attach your resume and references)

Tell us a little about yourself by giving a brief biography. Also include a summary of the special skills and qualifications you have acquired from employment, previous appointments, previous volunteer work, or through other activities.

I have over 22 years of experience with large regional arts councils in Michigan, Louisiana, Oklahoma and Wyoming. I have a B.A. in music & theater from Western Michigan University and a Ph.D. in theater from Brigham Young University. I also have over 17 years of educational theater experience as a teacher, administrator, director and actor. Additionally, I have over 17 years of business experience in banking, and advertising/communications.

Previous Appointments

Summarize your previous experience on city commission(s).

As an Arts Council Board President in Michigan and Wyoming and Arts Council Executive Director in Oklahoma and Louisiana, I have had extensive experience working with city governments, Downtown Development Authorities, Attraction Associations, etc.

Ethical and Legal Statements

Do you own real property, personal property, financial holdings, or receive income from any source which might present a potential conflict of interest or appearance of conflict of interest with your requested appointment?	If yes, please explain: No
Are you an adversary party to pending or existing litigation against the City of Orem? Have you ever been an adversary party to litigation against the City of Orem?	If yes, please explain: No
Are you behind on any City of Orem taxes, utility service charge, or other obligations owed to the City of Orem?	If yes, please explain: No
Have you ever been convicted of a felony?	If yes, please explain: No

Optional Statistical Information

This information is requested for the sole purpose of ensuring that a cross-section of the community is appointed.

Sex: Male	Age: 61	Disability (Yes or No): No
Race (Pick as many as apply)	<input type="checkbox"/> African American or Black	<input type="checkbox"/> American Indian or Alaska Native
	<input type="checkbox"/> Asian or Pacific Islander	<input checked="" type="checkbox"/> White or Caucasian
	<input type="checkbox"/> Hispanic, Latino, or Spanish	<input type="checkbox"/> Other _____

Agreement and Signature

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that if I am accepted as a volunteer, any false statements, omissions, or other misrepresentations made by me on this application may result in my immediate dismissal.

Name (printed)	Dr. Randall L. Bernhard
Signature	Dr. Randall L. Bernhard
Date	5-27-14

Our Policy

It is the policy of this organization to provide equal opportunities without regard to race, color, religion, national origin, gender, sexual preference, age, or disability.

This application does not guarantee an appointment to one of the city's citizen commissions. The selection process may include consideration by the city elected body, narrowed down over two (2) council meetings or may require a recommendation from the City Manager. If you are not selected at this time, your application will remain on file for a one (1) year period, to be considered again should a new vacancy occur.

Thank you for completing this application form and for your interest in serving the City of Orem!

CITY OF OREM
CITY COUNCIL MEETING
 JUNE 10, 2014



REQUEST:	CONTINUED DISCUSSION – 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
- 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 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:

The applicant may not be ready to bring a recommendation forward and could request this discussion be continued to a future meeting.

On May 27, 2014, the City Council continued this item to allow the applicant time to work with the neighborhood and consider proffering a development agreement that outlines specific restrictions to help mitigate neighborhood concerns. Additional information concerning the development agreement will be provided at the public hearing.

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 or 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 subject to a development agreement.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING THE GENERAL PLAN MAP BY CHANGE THE LAND USE FROM MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL AND AMENDING ARTICLE 22-5-3(A) AND THE ZONING MAP OF OREM CITY 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 amend 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; 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 and June 10, 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; the compliance of the request with all applicable City ordinance and the Orem General Plan; and the special condition 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 in the best interest of the City in that it will not have a negative effect on neighborhoods and businesses.
 - B. Will change the zone to a more appropriate zone for the use of the property.
 - C. Is in harmony with the Orem General Plan.

DRAFT

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 10th day of June 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL DENYING THE REQUEST TO AMEND GENERAL PLAN MAP BY CHANGE 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 OREM CITY 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 amend 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; 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 and June 10, 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; the compliance of the request with all applicable City ordinance and the Orem General Plan; and the special condition 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 the best interest of the City in that it will have a negative effect on adjacent neighborhoods and businesses.
 - B. Is not in harmony with the Orem General Plan.
2. The City Council hereby denies the request to amend the General Plan land use map at 2008 South Sandhill Road.

DRAFT

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

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 10th day of June 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

CITY OF OREM
CITY COUNCIL MEETING
JUNE 10, 2014



REQUEST:	6:00 P.M. PUBLIC HEARING ORDINANCE - Amending the Current Fiscal Year 2013-2014 Budget
APPLICANT:	City Manager
FISCAL IMPACT:	\$3,706,205.28

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on State Noticing Website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

General Plan Designation:
N/A
Current Zone:
N/A
Acreage:
N/A
Neighborhood:
N/A
Neighborhood Chair:
N/A

PREPARED BY:

Richard Manning
Admin. Services Dir.

REQUEST: The City Manager requests that the City Council amend the current Fiscal Year 2013-2014 Budget and, by ordinance, amend the Fiscal Year 2013-2014 Budget as proposed.

BACKGROUND: The Fiscal Year 2013-2014 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants received from Federal, State, and other governmental or private entities/organizations; Water Reclamation facility ultra violet disinfection system funding; funding SCBA equipment for the Fire Department; increasing the allowance for bad debt for UTOPIA pledge payments; providing operating funds for the Recreation Fund; and various other smaller technical corrections or minor budget adjustments that need to be made.

RECOMMENDATION: The City Manager recommends the City Council hold a public hearing to discuss amending the current Fiscal Year 2013-2014 Budget and, by ordinance, amend the Fiscal Year 2013-2014 Budget.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AMENDING THE FISCAL YEAR 2013-2014 BUDGET.

WHEREAS On June 11, 2013, the City Council adopted a final budget following State law; and

WHEREAS the City Council held a public hearing on June 10, 2014, to receive input from the public regarding proposed amendments to the Fiscal Year 2013-2014 budget; and

WHEREAS the budget has been revised as deemed appropriate to accommodate unexpected revenues and expenses.

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

1. The Council hereby amends the Fiscal Year 2013-2014 Budget as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.
2. The City Manager is directed to implement these budget amendments in accordance with State laws and appropriate City procedures.
3. This ordinance shall take effect immediately upon publication.

PASSED AND APPROVED this 10th day of June 2014.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2013-2014

REVENUES

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
GENERAL FUND				
10-3316	1	Library - CLEF Grant	\$ 8,000.00	\$ 19,965.00
10-3316-013	1	Library - What's New Teen Literature - DHA Grant	-	625.00
10-3318-023	1	SAFG Grant - FY 2014	8,895.00	10,395.00
10-3424-004-001	1	MCTF - Forfeitures Revenues - Federal	-	12,100.00
10-3424-005	1	MCTF - Restitution Revenues	-	18,965.00
10-3424-009	1	MCTF - Evidence Revenues	55,500.00	120,688.11
10-3620-006		Rental Revenues - City Park Stage	250.00	1,475.00
10-3640		Sale of Fixed Assets	15,000.00	45,400.00
10-3690-010		Misc Revenues - NOVA Donations	-	1,712.00
10-3698		Library - Donations	-	4,541.10
10-3960		Capital Lease Revenues - Server	-	26,454.00
10-3997-017	5	App. Surp - SCBA Equipment	-	600,000.00
Total			<u>\$ 87,645.00</u>	<u>\$ 862,320.21</u>
Net Fund Increase				<u>\$ 774,675.21</u>
TELECOMMUNICATIONS BILLING SPECIAL REVENUE FUND				
22-3610		Interest Earnings	\$ 36,000.00	\$ 56,000.00
Total			<u>\$ 36,000.00</u>	<u>\$ 56,000.00</u>
Net Fund Increase				<u>\$ 20,000.00</u>
DEBT SERVICE FUND				
30-3690-002		Misc. Revenues - Midtown Village SID	\$ 275,384.00	\$ 325,384.00
30-3997-004	3	App. Surp - UTOPIA	-	2,473,531.43
Total			<u>\$ 275,384.00</u>	<u>\$ 2,798,915.43</u>
Net Fund Increase				<u>\$ 2,523,531.43</u>
WATER FUND				
51-3640		Sale of Fixed Assets	\$ -	\$ 6,012.92
Total			<u>\$ -</u>	<u>\$ 6,012.92</u>
Net Fund Increase				<u>\$ 6,012.92</u>
WATER RECLAMATION FUND				
52-3690-001	2	Misc Revenues - UV Project - Lindon	\$ -	\$ 134,909.86
52-3690-002	2	Misc Revenues - UV Project - Vineyard	-	22,925.86
Total			<u>\$ -</u>	<u>\$ 157,835.72</u>
Net Fund Increase				<u>\$ 157,835.72</u>
RECREATION FUND				
56-3995-003	6	Cont. From - Fund 10 - Operations	\$ -	\$ 160,000.00
Total			<u>\$ -</u>	<u>\$ 160,000.00</u>
Net Fund Increase				<u>\$ 160,000.00</u>
FLEET MAINTENANCE FUND				
61-3997-004		App. Surp - Equipment / Software	\$ -	\$ 11,000.00
Total			<u>\$ -</u>	<u>\$ 11,000.00</u>
Net Fund Increase				<u>\$ 11,000.00</u>
TIMPANOGOS STORYTELLING FESTIVAL FUND				
72-3997-004	4	App. Surp - Operations	\$ 37,000.00	\$ 90,150.00
Total			<u>\$ 37,000.00</u>	<u>\$ 90,150.00</u>
Net Fund Increase				<u>\$ 53,150.00</u>
Total City Funds			<u>\$ 436,029.00</u>	<u>\$ 4,142,234.28</u>
Net City Funds Increase				<u>\$ 3,706,205.28</u>

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2013-2014

EXPENDITURES

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
GENERAL FUND				
Information Technology				
10-4190-743-005		Server Lease	\$ -	\$ 26,454.00
Investigation Services				
10-6530-250-006	1	Equipment - FY 2014 SAFG Grant	8,895.00	10,395.00
Major Crimes Task Force				
10-6531-230		Employee Development	51,765.00	56,765.00
10-6531-240		Supplies	20,985.00	33,485.00
10-6531-270		Utilities	11,682.19	16,682.19
10-6531-280		Telephone & Communications	44,760.00	74,760.00
10-6531-290		Maintenance & Repairs	2,000.00	3,688.11
10-6531-623-004	1	Equip/Facility Lease/Rent - Forfeitures	-	5,200.00
10-6531-742-005	1	New Vehicle - Restitution	-	18,965.00
10-6531-743		Equipment	5,500.00	16,500.00
10-6531-743-004	1	Equipment - Forfeitures	46,337.55	53,237.55
Fire & Medical Services				
10-6540-791-001	5	Equipment - SCBA Replacement	-	600,000.00
Community Education				
10-6554-450		Public Safety Supplies - NOVA Program	8,000.00	9,712.00
Library Administration				
10-8510-250-002	1	Equipment - State Library Grant - CLEF	4,500.00	10,500.00
10-8510-600-010	1	Misc. - State Library Grant - CLEF	-	5,965.00
Access Services				
10-8520-600-005		Misc. Expenditures - City Park Stage	-	1,225.00
10-8520-600-013	1	Misc. Expenditures - What's New Teen Lit Grant - DHA	-	625.00
Reference & Collections Services				
10-8530-250		Equipment - Supplies & Maintenance	6,780.00	11,321.10
Non-Departmental Expenditures				
10-9910-792		Vehicle Replacement	-	30,400.00
Total			<u>\$ 211,204.74</u>	<u>\$ 985,879.95</u>
Net Fund Increase				<u>\$ 774,675.21</u>
TELECOMMUNICATIONS BILLING SPECIAL REVENUE FUND				
22-4529-310		Professional & Technical Services	\$ 40,000.00	\$ 60,000.00
Total			<u>\$ 40,000.00</u>	<u>\$ 60,000.00</u>
Net Fund Increase				<u>\$ 20,000.00</u>
DEBT SERVICE FUND				
30-4521-600-023		Misc. Expenses - Midtown Village SID	\$ 4,104.47	\$ 54,104.47
30-4521-999	3	UTOPIA Contingency - Pledge Payments	2,858,983.00	5,332,514.43
Total			<u>\$ 2,863,087.47</u>	<u>\$ 5,386,618.90</u>
Net Fund Increase				<u>\$ 2,523,531.43</u>
WATER FUND				
51-7570-792		Vehicle Replacement	\$ -	\$ 6,012.92
Total			<u>\$ -</u>	<u>\$ 6,012.92</u>
Net Fund Increase				<u>\$ 6,012.92</u>
WATER RECLAMATION FUND				
52-7583-734-259	2	Ultra Violet Disinfection Project	\$ 1,106,450.00	\$ 1,264,285.72
Total			<u>\$ 1,106,450.00</u>	<u>\$ 1,264,285.72</u>
Net Fund Increase				<u>\$ 157,835.72</u>
RECREATION FUND				
56-8020-999	6	Operations Contingency	\$ -	\$ 160,000.00
Total			<u>\$ -</u>	<u>\$ 160,000.00</u>
Net Fund Increase				<u>\$ 160,000.00</u>

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2013-2014

EXPENDITURES

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
FLEET MAINTENANCE FUND				
61-7542-250-030		Equipment - Computers & Accessories	\$ 1,000.00	\$ 8,000.00
61-7542-290-032		Software Licensing & Maintenance Agreements	-	4,000.00
Total			<u>\$ 1,000.00</u>	<u>\$ 12,000.00</u>
Net Fund Increase				<u>\$ 11,000.00</u>
TIMPANOGOS STORYTELLING FESTIVAL FUND				
72-8598-220-002	4	Ordinances, Public Notices, & Printing	\$ 21,388.55	\$ 24,738.55
72-8598-310-002	4	Professional & Technical Services	124,000.00	159,000.00
72-8598-480-002	4	Special Dept. Supplies - Merchandise for Resale	35,534.80	38,034.80
72-8598-600-002	4	Miscellaneous Expenses	3,800.00	13,800.00
72-8598-612-002	4	Timp Storytelling Festival Expenses	30,254.09	32,554.09
Total			<u>\$ 214,977.44</u>	<u>\$ 268,127.44</u>
Net Fund Increase				<u>\$ 53,150.00</u>
Total City Funds			<u>\$ 4,436,719.65</u>	<u>\$ 8,142,924.93</u>
Net City Funds Increase				<u>\$ 3,706,205.28</u>

**BUDGET AMENDMENTS
FISCAL YEAR 2013-2014**

NOTES

These notes are attached to the budget amendments summary to describe the more unusual or extraordinary amendments to the Fiscal Year 2013-2014 City of Orem Budget that have been necessitated to this point in the fiscal year. Many of the amendments listed in the summary are immaterial and/or are technical corrections that any organization of this size would expect to encounter during an operating year and therefore, no specific note has been given for these items. Please contact Brandon Nelson, Accounting Division Manager, at 801-229-7010, if you have any questions or concerns.

- 1) The City receives grant or donation funds during the year to aid many different operations such as Public Safety (Major Crimes Task Force Grants) and Library Services (Utah Arts Council). The funds are received from Federal, State, and other governmental (or private) entities. These entries represent the adjustments necessary to adjust the appropriate budgets.
- 2) Originally, funds from other capital projects were identified and moved to the Ultra Violet Disinfection project to get the project going. Since that time, Lindon and Vineyard have paid their respective shares of the project costs. Thus, this budget amendment adds funds to the project for any contingencies that may arise and may (if any funds remain) fund the other capital projects that were originally used to get the project going.
- 3) Due to the uncertainty related to UTOPIA in general and with its current negotiations with Macquarie, the remaining net accounts receivable balance for the pledge payments already made needs to be adjusted by increasing the allowance for bad debt.
- 4) The Timpanogos Storytelling Festival has identified a need to use their "reserves" to cover some professional services and operational supplies as donations are lagging behind those of prior years.
- 5) It was determined there was an immediate need to replace the Fire Department's Self-Contained Breathing Apparatus' (SCBA) as the existing equipment was long past its useful life and was becoming difficult to maintain, both of which put firefighters at risk. Thus, this budget amendment authorizes the use of General Fund "reserves" to fund the purchase of SCBA's to replace all existing units.
- 6) Due to the renovation/addition at the Orem Fitness Center, revenues have dropped considerably. Therefore, it has become apparent that the Recreation Fund will not "break even" in the current fiscal year. Thus, funds are needed to partially support the operations of the Recreation Fund.

CITY OF OREM
CITY COUNCIL MEETING
 JUNE 10, 2014



REQUEST:	6:00 P.M. PUBLIC HEARING ORDINANCE – Approving and Adopting a Budget for Fiscal Year 2014-2015, Adopting Compensation Programs, Adopting Fees and Charges, Setting the Property Tax, Franchise Tax, Municipal Energy Sales and Use Tax, Telecommunications License Tax, Transient Room Tax, and E-911 Fee Rates
APPLICANT:	Jamie Davidson – City Manager
FISCAL IMPACT:	\$92,393,575

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on State Noticing Website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

- General Plan Designation:
N/A
- Current Zone:
N/A
- Acreage:
N/A
- Neighborhood:
N/A
- Neighborhood Chair:
N/A

PREPARED BY:

Brandon C. Nelson
 Accounting Div. Mgr

REQUEST: The City Manager recommends the City Council, by ordinance, approve and adopt the Fiscal Year 2014-2015 Budget, adopt the compensation programs, adopt the fees and charges schedule, set the property tax, franchise tax, municipal energy sales and use tax, telecommunications license tax, transient room tax, and E-911 fee rates.

BACKGROUND: On April 29, 2014, the City Council received a draft of the Tentative Budget for the Fiscal Year 2014-2015. Budget work sessions were held on April 29, May 13, and May 27, 2014, to discuss the budget. In addition, two public hearings were held to review CDBG budget requests.

The purpose of this hearing is to consider the budget for Fiscal Year 2014-2015 along with the compensation program and the fees, charges and tax rates of the City.

The national and local economies have shown signs of improvement over the past year. The Fiscal Year 2014-2015 Budget is a balanced budget that was formulated with this environment in mind as it does not include requests for tax increases and includes only minor increases in utility rates.

Property taxes are not increased, the franchise tax and municipal energy sales and use tax rates remain at 6% and the transient room tax stays at 1%. The telecommunications license tax is 3.5% and the E-911 fee is \$0.61 per month. With the exception of some minor adjustments to miscellaneous fees and charges, the only proposed fee increases are in the Water Fund and Storm Sewer Fund.

A \$0.25 per month water rate increase for a ¾” meter service (and a proportionate increase for all other meter sizes) is proposed in the Water Fund. This rate increase is needed to cover the increasing cost of using the City’s allocation of Jordanelle water and increased operating costs at the Utah Valley Water Treatment Plant that have been passed on to the City.

A \$0.25 per month increase is proposed in the Storm Sewer Fund to aid in the funding of capital improvements to the City’s storm water system.

Since the presentation of the Tentative Budget, the following changes have been proposed:

General Fund

- Increased Development Services Department costs due to moving fire station facilities maintenance costs to the Facilities Division...\$53,200
- Reduced Fire Department costs due to moving fire station facilities maintenance costs to the Facilities Division.....(\$53,200)

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OREM, UTAH, APPROVING AND ADOPTING A BUDGET FOR FISCAL YEAR 2014-2015, ADOPTING COMPENSATION PROGRAMS, ADOPTING THE FEES AND CHARGES SCHEDULE, SETTING THE PROPERTY TAX, FRANCHISE TAX, MUNICIPAL ENERGY SALES AND USE TAX, TELECOMMUNICATIONS LICENSE TAX, TRANSIENT ROOM TAX AND E-911 FEE RATES.

WHEREAS on May 13, 2014, the City Manager of the City of Orem, Utah, presented the Tentative Budget for Fiscal Year 2014-2015 to the City Council; and

WHEREAS the City Council has reviewed the Fiscal Year 2014-2015 Tentative Budget during several public work sessions; and

WHEREAS the City Council, on due public notice, held a public hearing on Tuesday, June 10, 2014, in the Council Chambers of the Orem City Hall to receive input regarding the budget prior to adopting the final 2014-2015 Budget; and

WHEREAS the City Council considered the budget as submitted and all information presented at the public hearings and made all changes which the City Council desires to make; and

WHEREAS the Employee and Elected Official Compensation Programs have been established in accordance with Council desire; and

WHEREAS the fees and charges of the City have been set in accordance with Council desire; and

WHEREAS the City Council has developed a budget in which the anticipated revenues equal the total of appropriated expenditures; and

WHEREAS the budget has been revised to reflect each of the changes and modifications which the City Council believes should be made in the budget; and

WHEREAS the City Council desires to establish the property tax rate at the Certified Tax Rate; and

WHEREAS the City Council desires to maintain the Franchise Tax and the Municipal Energy Sales and Use Tax at the present rate of 6% (6 percent), and maintain the Telecommunications License Tax at the present rate of 3.5% (3.5 percent); and

WHEREAS the City Council desires to continue the Transient Room Tax at 1% (1 percent); and

WHEREAS the City Council desires to continue implementation of the enhanced 911 program and levy a \$0.61 (61 cents) monthly surcharge on all phone lines in the City; and

DRAFT

WHEREAS the public hearings required for the Community Development Block Grant Program have been held.

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

1. The City of Orem budget for the Fiscal Year 2014-2015 as amended and revised, which budget is attached hereto as Exhibit "A," and incorporated herein by this reference, is adopted.

2. Exhibit "B" establishing all fees and charges for Fiscal Year 2014-2015, which is attached hereto and incorporated herein by this reference, is adopted.

3. Exhibit "C" containing the Elected Official and Employee Compensation Programs, attached hereto and incorporated herein by reference, is hereby adopted effective July 1, 2014.

4. The property tax rate for 2014 is hereby set at the Certified Tax Rate, plus the voted interest and sinking fund levy.

5. The Franchise Tax and the Municipal Energy Sales and Use Tax shall be maintained at 6% (6 percent) and the Telecommunications License Tax shall be maintained at 3.5% (3.5 percent).

6. The Transient Room Tax shall be 1% (1 percent), as adopted by ordinance.

7. The E911 surcharge shall be set at the maximum rate allowed by law (currently \$0.61 per month).

8. Transfers from enterprise funds to the General Fund outlined as follows will be made:

Enterprise Fund	Amount
Water Fund	\$750,000.00
Water Reclamation Fund	\$10,000.00
Storm Sewer Fund	\$90,000.00
Street Lighting Fund	\$15,000.00

9. The City Manager is directed to implement this budget in accordance with State laws and appropriate City procedures, including GAAP carry-overs and CIP carry-overs. All approved purchase orders in effect on June 30, 2014, and all CIP projects previously budgeted but not completed, will be carried over and re-budgeted in Fiscal Year 2014-2015. Authorized engineering overtime expenditures are authorized to be charged against capital projects and transferred to the General Fund.

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10. A copy of the Orem City Budget shall be placed on file in the office of the City Recorder of the City of Orem, Utah, and in the Orem Public Library.

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

12. All other resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this 10th day of June 2014.

Richard Brunst, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

CITY OF OREM
CITY COUNCIL MEETING
 JUNE 10, 2014



REQUEST:	6:20 P.M. PUBLIC HEARING ORDINANCE - Annexing property located generally at 1450 South 1080 East, and by ordinance, designating the annexed property low density residential on the General Plan land use map, and amending Article 22-5-3(A) and the zoning map of the City by zoning the property R20
APPLICANT:	Scott Sykes
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Faxed to newspaper
- Emailed to newspaper
- Posted property on
 May 30, 2014
- Mailed 62 notices on
 May 27, 2014
- Posted on utah.gov/pmn

SITE INFORMATION:

- Proposed General Plan
 Low Density Residential
- Proposed Zone
 R20
- Acreage
 1.69
- Neighborhood
 Hillcrest
- Neighborhood Chair
 Dewon Holt

**PLANNING
 COMMISSION
 RECOMMENDATION**

Approve: 7-0

PREPARED BY:
 David Stroud, AICP
 Planner

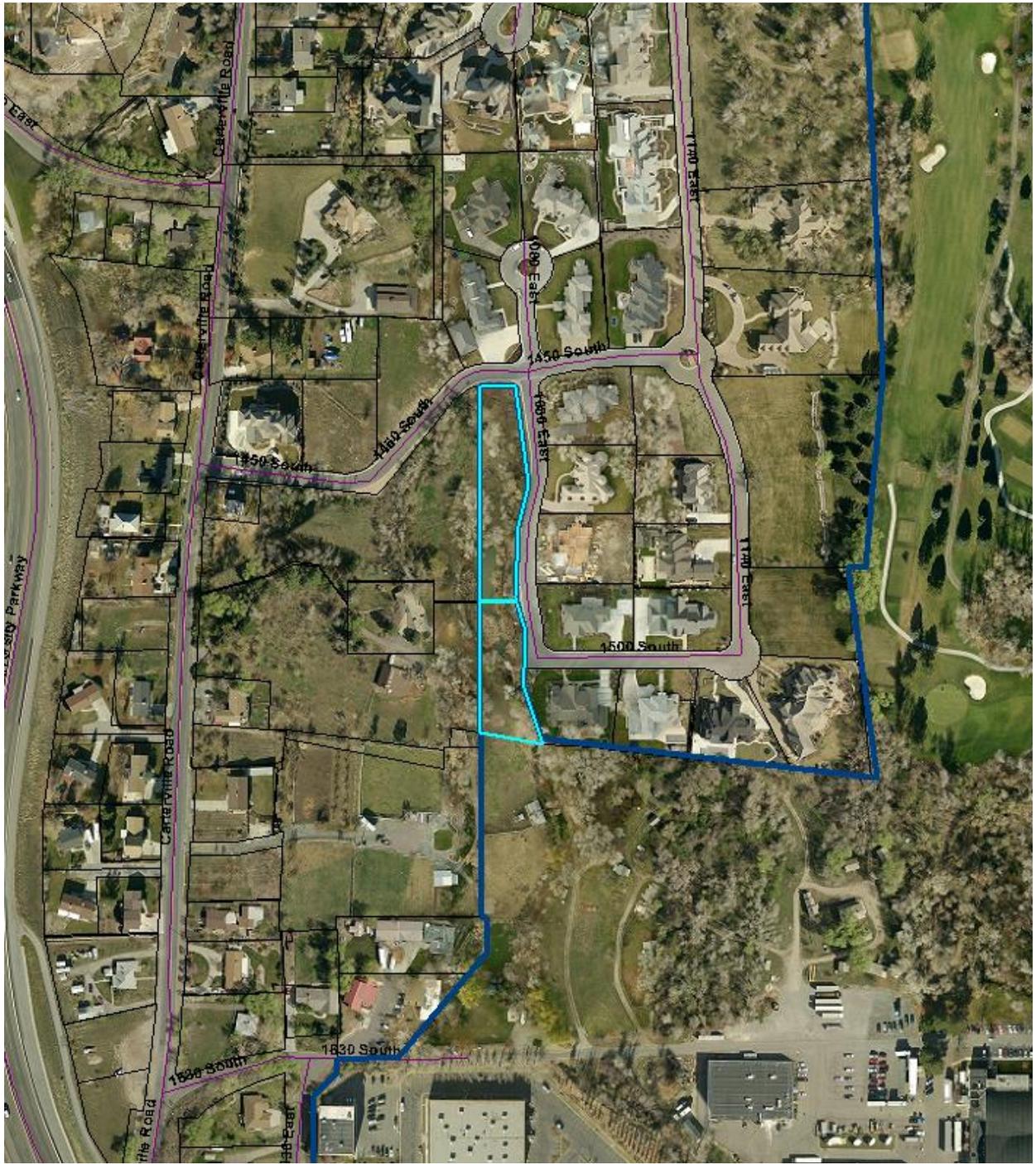
REQUEST: The applicant requests the City Council, by ordinance, annex approximately 1.69 acres of property located generally at 1450 South 1080 East and by ordinance designate the property low density residential on the General Plan land use map and amend Article 22-5-3(A) and the zoning map of the City by zoning the property R20.

BACKGROUND: The applicant owns property located along and to the east of Carterville Road. Most of the applicant's property is in the City, but the easternmost part of the applicant's property is in unincorporated Utah County. The applicant desires to develop his property in the near future and would like to annex that portion of his property currently in the county so that the whole of his property can be developed in the City. Annexation of this part of the applicant's property will also have the beneficial effect of eliminating a peninsula of unincorporated county that currently juts into City boundaries.

The property is adjacent to R20 zoning and the PD-18 zone. The applicant requests the R20 zone be applied to the property with the General Plan land use designation of low density residential. It is possible the applicant will request the PD-18 zone in the future or just develop under the R20 zone. Discussions have taken place with the Berkshires' home owner association about becoming part of that development since 1080 East is located in the PD-18 zone. However, at this time, there is no agreement to become part of the PD-18 zone.

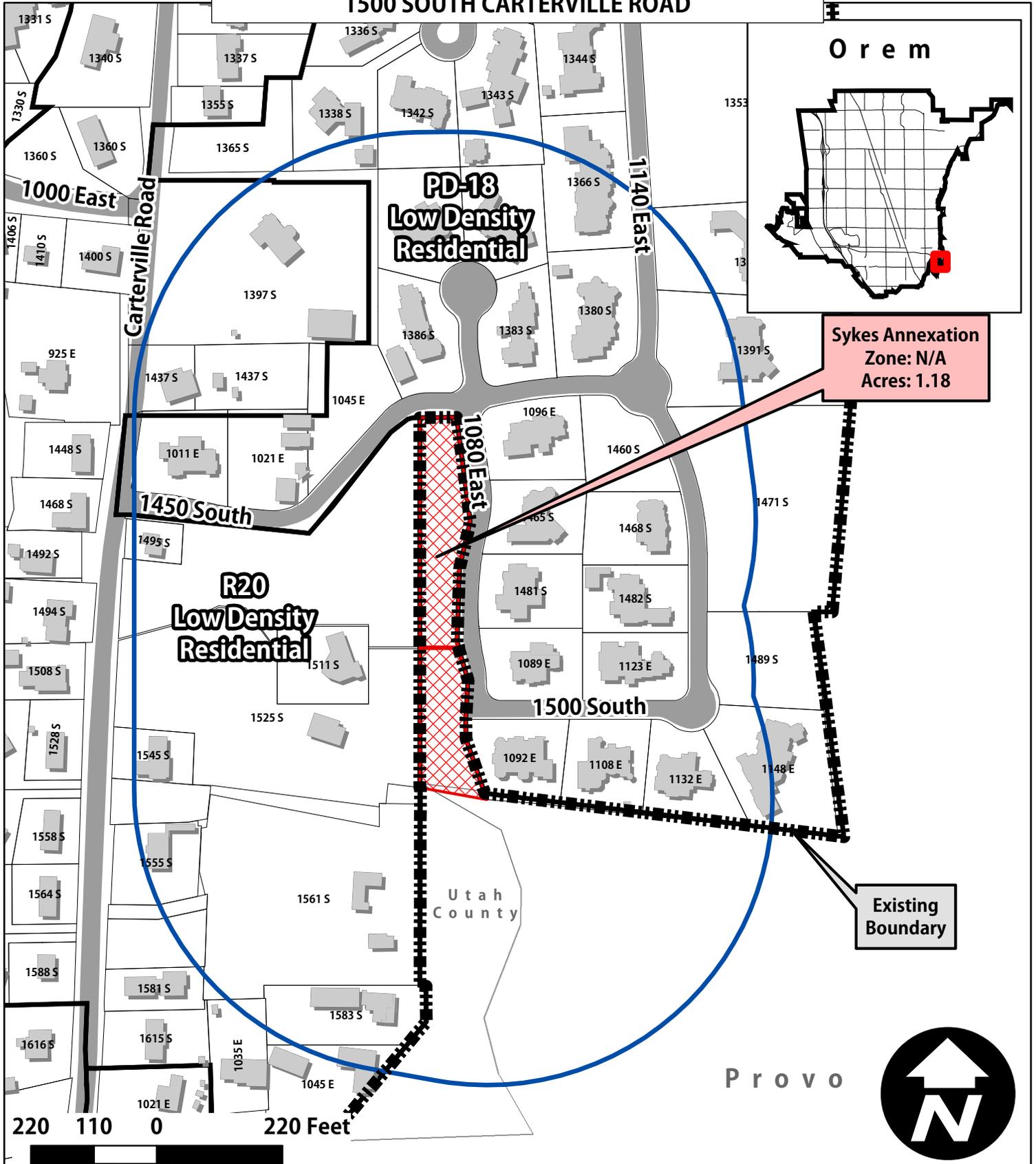
The City Council accepted the petition of annexation on February 22, 2014. This then set into motion a timeline of protest and public comment periods with May 28, 2014, as the last day to file a protest. No protests have been received. Utah County was also required to certify the petition and provide evidence to the City of this certification. This took place on April 29, 2014.

RECOMMENDATION: The Planning Commission recommends the City Council annex property located generally at 1450 South 1080 East, apply the low density residential designation on the General Plan, and zone the property R20.



Sykes Addition Annexation

1500 SOUTH CARTERVILLE ROAD



◆ Sykes Addition Annexation:
1.18 Acres.

NIA CONTACT:
Hillcrest Neighborhood
Dewon Holt

- Legend**
- Notification Boundary
 - Sykes Annex
 - Buildings
 - Parcels

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL ANNEXING PROPERTY LOCATED AT 1450 SOUTH 1080 EAST, AMENDING CHAPTER 2 AND THE LAND USE MAP OF THE OREM GENERAL PLAN BY DESIGNATING THIS PROPERTY AS LOW DENSITY RESIDENTIAL, AND AMENDING SECTION 22-5-3(A) OF THE OREM CITY CODE AND THE ZONING MAP BY ZONING THE PROPERTY R20

WHEREAS on January 21, 2014, Scott Sykes filed a petition with the City of Orem requesting annexation of approximately 1.69 acres adjacent to the intersection of 1459 South 1080 East, which is shown and more particularly described in the Sykes Annexation Plat which is attached hereto as Exhibit “A” and by reference is made a part hereof (hereinafter referred to as the “Sykes Annexation Plat”); and

WHEREAS the applicant requests the Low Density Land Use designation of the Orem General Plan for this parcel and the R20 zone; and

WHEREAS the City of Orem has the ability to provide all municipal services to the Sykes Annexation Plat property; and

WHEREAS on February 25, 2014, the City Council accepted the petition for annexation; and

WHEREAS on April 29, 2014, the City Recorder, after consulting with the Utah County Clerk, Utah County Recorder, and Utah County Surveyor, certified to the Orem City Council that the application complies with all applicable City ordinances and Utah State Codes; and

WHEREAS within ten days of certification, a public notice regarding the application for annexation was published in the public newspaper for three consecutive weeks; and

WHEREAS the thirty day protest period, as mandated by Utah Code expired on May 28, 2014; and

WHEREAS the City Council held a public hearing to consider the request for annexation on June 10, 2014; and

WHEREAS the City of Orem and the Utah County Boundary Commission received no protests to the annexation petition; and

WHEREAS the applicant desires to proceed with the request to annex the Sykes Annexation Plat property into Orem City; and

WHEREAS the applicant’s request complies with all applicable City ordinances and Utah State Code; and

DRAFT

WHEREAS the City Council has determined the Low Density Residential Land Use and R20 zone to be the most appropriate for the Sykes Annexation property; 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 neighborhood; and the compliance of the request with all applicable City ordinances and the Orem General Plan.

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

1. The City Council hereby annexes the property known as the Sykes Annexation Plat, the location and description of which is contained in the Sykes Annexation Plat, which is attached hereto as Exhibit "A" and by reference is made a part hereof.

2. The City Council hereby amends Exhibit 1 of Chapter 2 of the Orem General Plan by designating the property in the Sykes Annexation Plat as "Low Density Residential" which is attached hereto as Exhibit "B" and by reference is made a part hereof.

3. The City Council hereby amends Exhibit 3 of Chapter 2 of the Orem General Plan by amending the Carterville Annexation Area which is attached hereto as Exhibit "C" and by reference is made a part hereof.

4. The City Council hereby amends Section 22-5-3(A) and the Zoning Map of the City of Orem, Utah, by zoning property in the Sykes Annexation Plat to R20.

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

6. All other resolutions, ordinances, and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED, APPROVED, AND ORDERED PUBLISHED this 10th day of June 2014.

Richard F. Brunst, Mayor

ATTEST:

Donna R. Weaver, City Recorder

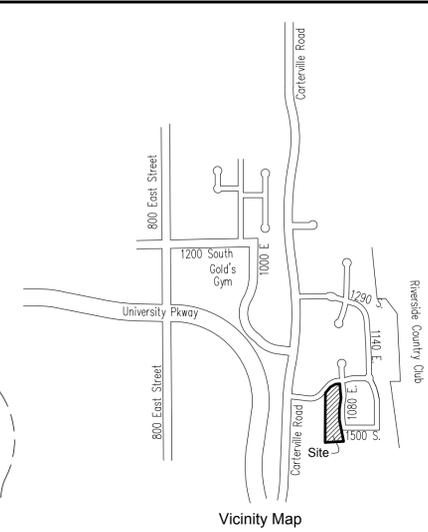
DRAFT

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"



NORTH
1" = 50'



Surveyor's Certificate

I hereby certify that this is a true and accurate map of the tract of land to be Annexed to Orem City, Utah County, Utah.

Date _____

Surveyor
(See Seal Below)

Boundary Description

Commencing at a point located South 00°36'51" East along the Section line 1509.91 feet and East 1907.52 feet from the Northwest corner of Section 25, Township 6 South, Range 2 East, SLB&M; thence North 89°30'00" East 85.60 feet; thence South 07°03'56" East 66.64 feet; thence South 89°56'37" East 20.42 feet; thence South 01°04'37" West 144.11 feet; thence South 10°11'24" West 104.10 feet; thence South 04°48'39" West 106.59 feet; thence South 02°35'39" East 37.39 feet; thence South 17°32'44" East 29.47 feet; thence South 13°51'21" East 44.22 feet; thence South 04°47'39" West 38.35 feet; thence South 00°33'30" East 63.97 feet; thence South 18°59'55" East 107.88 feet; thence North 81°48'29" West 139.27 feet; thence North 710.90 feet to the point of beginning.

AREA=1.69 acres

Basia of Bearing _____ North 00°36'51" West along the Section line

Acceptance by Legislative Body

We, the duly elected council of the City of Orem, Utah have received a request to initiate procedures for the annexation of the tract of land shown hereon, which tract consists a portion of an existing island or peninsula within or contiguous to the city, and do hereby certify: (1) The council has adopted a resolution setting forth its intent to annex the tract, provided notice and conducted hearings on the matter and adopted an ordinance providing for the annexation of the tract to the city; all in accordance with the provisions of Section 10-2-418 Utah Code annotated, as amended and (2) that the council does hereby approve and accept the annexation of the tract of land shown hereon as part of Orem City, to be known as the Sykes Addition

This _____ day of _____, A.D. 2014

Attest _____ Recorder

Acceptance by County Surveyor

THIS PLAT HAS BEEN RECEIVED BY THE COUNTY SURVEYOR AND IS HEREBY CERTIFIED AS A FINAL LOCAL ENTITY PLAT, PURSUANT TO UTAH CODE ANN. 17-23-20 AS AMENDED.

COUNTY SURVEYOR

DATE

COUNTY SURVEYOR'S SEAL

Annexation Plat

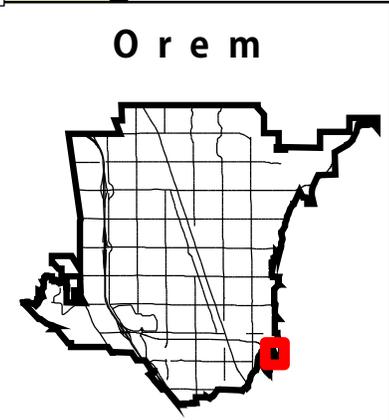
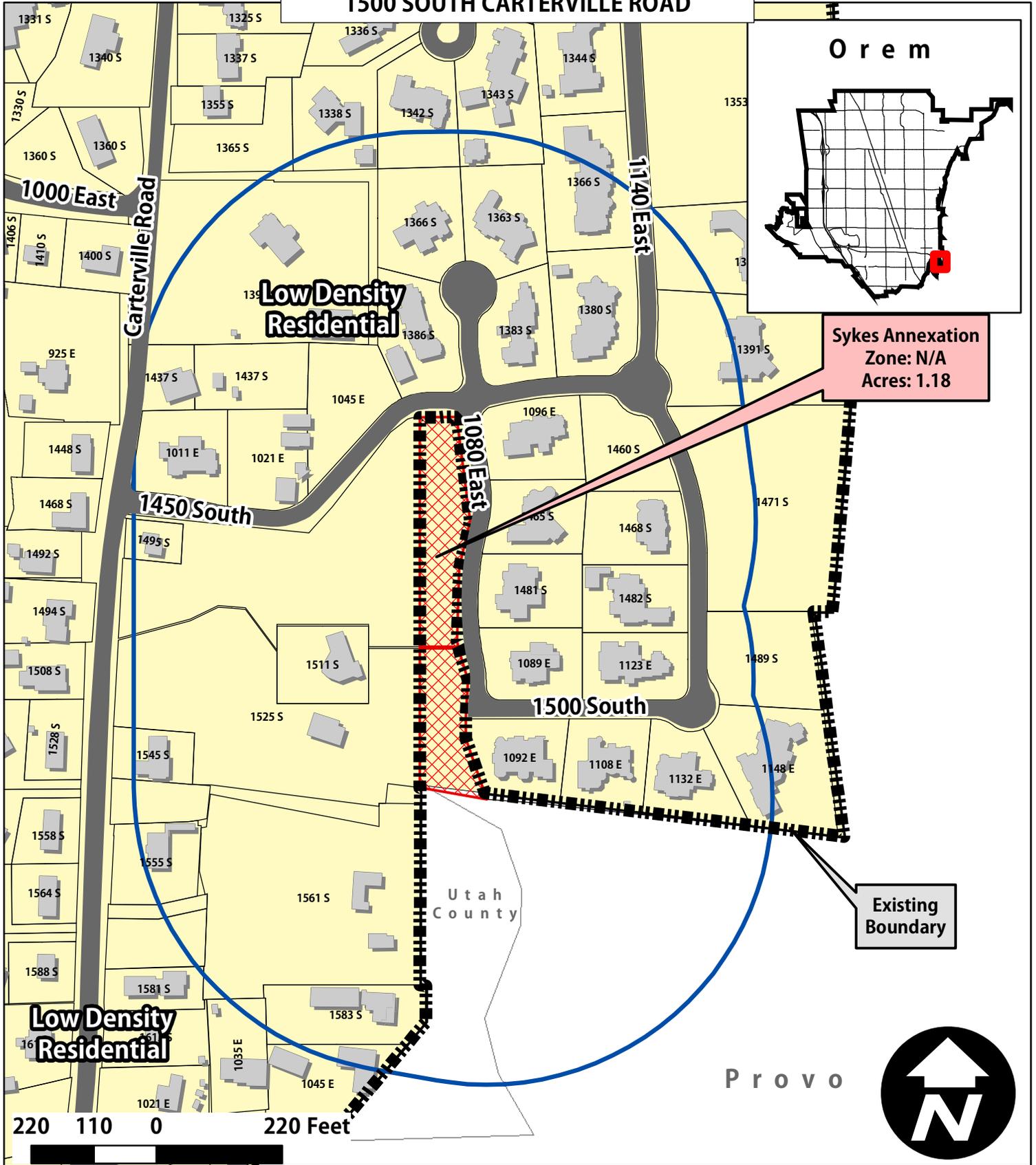
Sykes Addition

Orem City, _____ Utah County, Utah
Scale: 1" = 50 Feet

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

Sykes - General Plan

1500 SOUTH CARTERVILLE ROAD



Sykes Annexation Zone: N/A
Acres: 1.18

Existing Boundary

◆ Sykes Annexation General Plan:
1.18 Acres.

NIA CONTACT:
Hillcrest Neighborhood
Dewon Holt



- Legend
- Asphalt
 - Notification Boundary
 - Sykes Annex
 - Buildings
 - Parcels

DRAFT PLANNING COMMISSION MINUTES – JUNE 4, 2014

AGENDA ITEM 4.1 is a request by Scott Sykes to ANNEX PROPERTY LOCATED GENERALLY AT 1450 SOUTH 1080 EAST AND BY ORDINANCE DESIGNATE THE PROPERTY LOW DENSITY RESIDENTIAL ON THE GENERAL PLAN LAND USE MAP AND AMEND ARTICLE 22-5-3(A) AND THE ZONING MAP OF THE CITY BY ZONING THE PROPERTY R20.

Staff Presentation: Mr. Stroud said the applicant owns property located along Carterville Road and located adjacent to a Utah County island between Carterville Road and The Berkshires (PD-18) development. The applicant desires to subdivide his property in the near future but the exclusion of the property in Utah County does not provide for orderly development. To fully utilize his property, the inclusion of the county property is desired but annexation must take place first.



The property is adjacent to R-20 zoning and the PD-18 zone. The applicant requests the R-20 zone be applied to the property with the General Plan land use designation of low density residential. It is possible the applicant will request the PD-18 zone in the future or just develop as the R-20 zone. Discussions have taken place with The Berkshires Home Owner Association about becoming part of that development since 1080 East is located in the PD-18 zone. At this time, there is not an agreement to become part of the PD-18 zone.

The City Council accepted the petition of annexation on February 22, 2014. This then set into motion a timeline of protest and public comment periods with May 28, 2014, as the last day to file a protest. No protests have been received. Utah County was also required to certify the petition and provide evidence to the City of this certification. This took place on April 29, 2014.

Recommendation: Based on compliance with the State Code, staff recommends the Planning Commission forward a positive request to the City Council to annex property located generally at 1450 South 1080 East, and by ordinance, designate the property low density residential on the General Plan land use map, and amend Article 22-5-3(A) and the zoning map of the City by zoning the property R-20.

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

Chair Moulton asked what the width of the property was. Mr. Stroud said it is approximately 115 feet at the widest and is 75 feet in other areas.

Mr. Whetten asked if there will be any problem servicing utilities to this property; Mr. Stroud said there will not be a problem servicing utilities to this property.

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.

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

Planning Commission Action: Ms. Jeffreys said recommends the City Council approve annexing property located generally at 1450 South 1080 East and by ordinance, designate the property low density residential on the General Plan land use map, and amending Article 22-45-3(A) and the zoning map of the City by zoning the property R20. Ms. Buxton seconded the motion. Those voting aye: Becky Buxton, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.



DRC APPLICATION

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

RECEIVED

FEB 03 2014

www.orem.org

CITY RECORDER'S OFFICE

APPLICANT INFORMATION			FORM EXPIRES: 06-30-2013
Name:	SCOTT SYKES		Phone: 801-791-6531
Address:	999 Ben Lomond Ave		FAX:
City:	Ogden	State: UT	Zip: 84403
			e-mail: eyesykes@comcast.net

PROJECT INFORMATION	
Project Name:	SYKES ADDITION
Project Address:	1500 S. CARTEVILLE ROAD

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 \$500 + \$20/lot or unit	<input type="checkbox"/> Sign \$400	<input type="checkbox"/> Land Use Map Change \$525 + \$25 sign fee	<input type="checkbox"/> Site Plan Admin. Approval \$300	<input type="checkbox"/> To City Council \$400
<input type="checkbox"/> Preliminary deep lot sign fee \$25	<input type="checkbox"/> Subdivision \$400	<input type="checkbox"/> Text Change \$525	<input type="checkbox"/> Site Plan \$1,000 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21	<input type="checkbox"/> To Planning Commission \$400
<input type="checkbox"/> Final \$200 + \$20/lot or unit, not including recording fees	<input type="checkbox"/> Zoning, Text \$400 +25 sign fee for PD zone		<input type="checkbox"/> Concrete/Masonry Fence \$50	<input checked="" type="checkbox"/> Annexation \$750 + \$25 sign fee & cost of legal noticing 775.00
<input type="checkbox"/> Vacation/Amendment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Rezone \$400 + \$25 sign fee		<input type="checkbox"/> Temporary Site Plan Approval \$100	<input type="checkbox"/> Driveway Entrance Modification \$175
<input type="checkbox"/> Final PRD \$200 + \$30/lot or unit + recording fees			<input type="checkbox"/> Conditional Use Permit \$400.00 + \$25 sign fee	<input type="checkbox"/> Resubmittal Fee \$100/review After three reviews
<input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees			<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", and 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.

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:	Agent	Contact Person Name: Scott Sykes	Phone: 1-801-791-6531
OFFICE USE ONLY			
Date Filed: 1-27-14	Fees Paid: 775-	Received By:	

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.

PETITION FOR ANNEXATION

WE THE UNDERSIGNED owners of certain real property lying contiguous to the present municipal limits of the City of Orem, Utah, hereby submit this PETITION FOR ANNEXATION and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated (UCA).
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of the City of Orem and the annexation there of will not leave or create an unincorporated island or peninsula.
3. The signatures affixed hereto are those of the owners of private real property that:
 - a. Is located within the area proposed for annexation;
 - b. Covers a majority of the private land area within the area proposed for annexation;
 - c. Is equal in value to at least one third (?) of the value of all private real property within the area proposed for annexation; and
 - d. Lies contiguous to the present boundary of the City of Orem's corporate limits, is described in Exhibit "A," and which is incorporated herein by this reference, and is at:
1511 S. Cartersville Rd
4. Title to the property by those signing this petition is as shown in the deeds or title report attached hereto as Exhibit "B," and which is incorporated herein by this reference.
5. The manner in which it was established that at least one third (?) of the value of all the private property sought to be annexed is owned by the signers of this petition is shown in the attached Exhibit "C," and is incorporated herein by this reference.
6. The total acres and total assessed value of all the lands sought to be annexed are 1.69 acres and \$ _____ assessed value. Values of lands owned by the signers of this petition are as follows:

OWNER OF RECORD	PARCEL SIZE (Acres)	ASSESSED VALUE	UTAH COUNTY TAX ID NUMBER
Mark Sykes	1.06 .69	26,200	19:006:0018
SJS Properties LLC	0.53	26,200	19:006:0017

7. The petitioners have caused an accurate plat or map of the above-described property to be prepared by a licensed surveyor, which plat or map is filed herewith.
8. This PETITION FOR ANNEXATION does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted.
9. This PETITION FOR ANNEXATION does not propose annexation of all or part of an area proposed to be incorporated in a request for a feasibility study under Section 10-2-103 UCA or a petition under Section 10-2-125 UCA if:
 - a. The request or petition was filed before the filing of this PETITION FOR ANNEXATION.
 - b. The request, a petition under Section 10-2-109 UCA based on that request, or a petition under Section 10-2-125 UCA is still pending on the date this PETITION FOR ANNEXATION was filed.
10. The names and mailing addresses of all the owners of the parcels of land located within the City of Orem within 300 feet of the area proposed for annexation are:

OWNERS OF RECORD	MAILING ADDRESS
Mark Sykes	987 Malborne Ct Farmington UT 84057
SJS Properties LLC	999 BEN LOMOND AVE, OGDEN UT 84403

Continued on reverse side.

RECEIVED

Revision Date: 23 April 2002
 JAN 27 2014

By _____
 CITY OF OREM

WHEREFORE, the petitioners hereby request that this petition be considered by the Orem City Council at its next regular meeting, or as soon thereafter as possible, that a resolution be adopted as required by law accepting this PETITION FOR ANNEXATION for further consideration, and that the governing body take such steps as required by law to complete the annexation herein petitioned.

Dated this 25 day of JANUARY, 2014.

The petitioner(s) hereby sign(s) this PETITION FOR ANNEXATION and designate no more than five of the signers as "Sponsor," one of whom has been designated "Contact Sponsor/Petitioner," and has provided the mailing address and phone number of each sponsor.

	PETITIONER(S)	ADDRESS	PHONE
CONTACT SPONSOR/PETITIONER PRINT NAME:	SCOTT O. SYKES	999 BEN LOMOND AVE (201) OGDEN, UT 84403	791-6531
SIGNATURE	Scott O. Sykes		
SPONSOR/PETITIONER PRINT NAME:	MARK A. SYKES	987 Melbourne Ct, Farmington UT 84025	801-580-9617
SIGNATURE	Mark Sykes		
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
SIGNATURE			
SPONSOR/PETITIONER PRINT NAME:			
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PETITIONER PRINT NAME:			
SIGNATURE			
PETITIONER PRINT NAME:			
SIGNATURE			

RECEIVED

JAN 27 2014

By _____
CITY OF OREM

Orem City Public Hearing Notice



Planning Commission
Wednesday, June 4, 2014
5:00 PM, City Council Chambers
56 North State Street

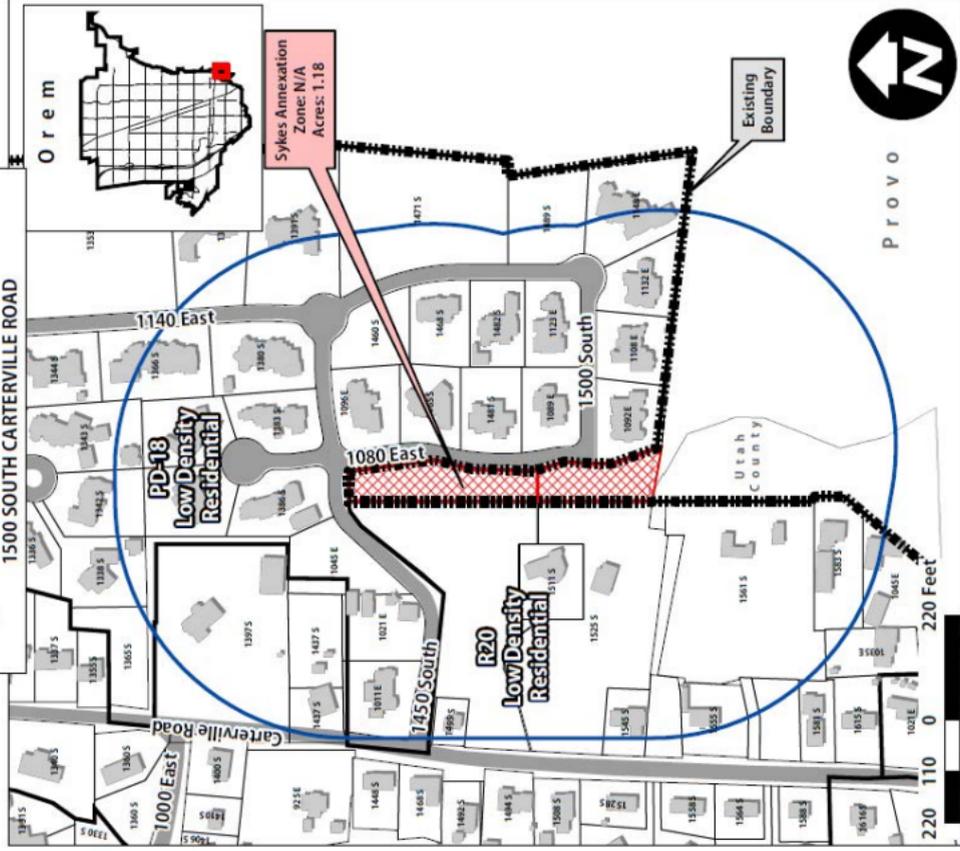
City Council
Tuesday, June 10, 2014
6:20 PM, City Council Chambers
56 North State Street

Scott Sykes requests the City annex approximately 1.18 acres from Utah County into Orem City at 1450 South 1080 East and zone the property R-20. Adjacent zoning is R-20 and PD-18. A copy of the 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.

Sykes Addition Annexation

1500 SOUTH CARTERVILLE ROAD



NIA CONTACT:
Hillcrest Neighborhood
Dewon Holt

Sykes Addition Annexation:
1.18 Acres.

BERKSHIRES LC THE
PO BOX 921
SPANISH FORK, UT 84660

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

GUNNISON VALLEY BANK
PO BOX 220
GUNNISON, UT 84634

STRATE, STEVE & LINDA L
PO BOX 970730
OREM, UT 84097

PURPLE SAGE BE LLC
PO BOX 970340
OREM, UT 84097

BELL, RACHELLE ROSITTA
HTERSCHE
PO BOX 970517
OREM, UT 84097

CATALYST PARTNERS LLC
22 W 620 S
OREM, UT 84058

SIMPSON, MICHAEL K & CYNTHIA
REEVES
PO BOX 971747
OREM, UT 84097

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

MAG
586 EAST 800 NORTH
OREM, UT 84097

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

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

SJS PROPERTIES LLC CARTERVILLE
999 BEN LOMOND AV
OGDEN, UT 84403

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

SYKES, MARK
987 MELBOURNE CT
FARMINGTON, UT 84025

ROSE, KEVIN G
--OR CURRENT RESIDENT--
1011 E 1450 SOUTH
OREM, UT 84097

BIRCHALL, MICHAEL
495 W UNIVERSITY PKY
OREM, UT 84058

RIDDLE, CHAUNCEY C & BERTHA A
--OR CURRENT RESIDENT--
1035 E 1630 SOUTH
OREM, UT 84097

HANSEN, NICHOLAS KIRK & STACY
MONICA
--OR CURRENT RESIDENT--
1045 E 1450 SOUTH
OREM, UT 84097

MAYOR RICHARD BRUNST
900 EAST COUNTRY DRIVE
OREM, UT 84097

MATTHEWS, CORBIN
1089 E 1500 S
OREM, UT 84097

PETERSEN, SCOTT R & MARILYN J
1092 E 1500 S
OREM, UT 84097

QUEIROZ, CLAUDIA S & WALTER G
--OR CURRENT RESIDENT--
1021 E 1450 SOUTH
OREM, UT 84097

YANG, KYUNG A (ET AL)
1108 E 1500 S
OREM, UT 84097

SIMPSON, MICHAEL K & CYNTHIA
REEVES
--OR CURRENT RESIDENT--
1123 E 1500 SOUTH
OREM, UT 84097

CORP OF PRES BISHOP CHURCH OF
JESUS CHRIST OF LDS
--OR CURRENT RESIDENT--
1045 E 1630 SOUTH
OREM, UT 84097

RIDDLE, CHAUNCEY C & BERTHA A
1146 BIRCH LA
PROVO, UT 84604

LILLYWHITE, DAVID & JANA
1148 E 1500 S
OREM, UT 84097

GUNNISON VALLEY BANK
--OR CURRENT RESIDENT--
1096 E 1450 SOUTH
OREM, UT 84097

ALLRED, MARY LARISSA & JEFFERY
DAVID
1342 S 1100 E
OREM, UT 84097

BURTON, MITCHELL & CHERYL
1343 S 1100 E
OREM, UT 84097

RASMUSSEN, MATTHEW
1132 E 1500 S
OREM, UT 84097

DECKER, DAVID M JR & KRISTEN
1363 S 1080 E
OREM, UT 84097

STRATE, STEVE & LINDA L
--OR CURRENT RESIDENT--
1366 S 1080 EAST
OREM, UT 84097

SMITH, RODGER H
1338 S 1100 E
OREM, UT 84097

PURPLE SAGE BE LLC
--OR CURRENT RESIDENT--
1377 S 1140 EAST
OREM, UT 84097

BELL, RACHELLE ROSITTA
HTERSCHE
--OR CURRENT RESIDENT--
1380 S 1140 EAST
OREM, UT 84097

HUGHES, LYNN (ET AL)
1355 S CARTERVILLE RD
OREM, UT 84097

BAUGH, CASEY
1386 S 1080 E
OREM, UT 84097

SORENSEN, SCOTT W & BRENDA R
1391 S 1140 E
OREM, UT 84097

KLEIN, MICHAEL R & SHIRLEY R
1366 S 1140 E
OREM, UT 84097

WATSON, BRIAN L & BRIAN L
1437 S CARTERVILLE RD
OREM, UT 84097

DEWON HOLT
HILLCREST NEIGHBORHOOD CHAIR
1442 S 605 EAST
OREM, UT 84057

DIAL, BRANDON C & KRISTI
1383 S 1080 E
OREM, UT 84097

CATALYST PARTNERS LLC
--OR CURRENT RESIDENT--
1465 S 1080 EAST
OREM, UT 84097

PINEGAR, ED J & JENNIFER N
1468 S 1140 E
OREM, UT 84097

CHAPMAN, BRUCE & CERI
1421 S CARTERVILLE RD
OREM, UT 84097

THORPE, LAURA W
1482 S 1140 E
OREM, UT 84097

CATALYST PARTNERS LLC
--OR CURRENT RESIDENT--
1489 S 1140 EAST
OREM, UT 84097

BIRCHALL, MICHAEL
--OR CURRENT RESIDENT--
1460 S 1140 EAST
OREM, UT 84097

HOLMES, RODNEY L & LUCILLE R
1545 S CARTERVILLE RD
OREM, UT 84097

LORIS, CHARLES A & RUBY F
--OR CURRENT RESIDENT--
1555 S CARTERVILLE RD
OREM, UT 84097

HENSON, BLAKE & KASSANDRA
1481 S 1080 E
OREM, UT 84097

BECKER, VAUGHN D & LEENA K
1583 S CARTERVILLE RD
OREM, UT 84097

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

SJS PROPERTIES LLC CARTERVILLE
--OR CURRENT RESIDENT--
1511 S CARTERVILLE RD
OREM, UT 84097

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

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

HANSEN, NICHOLAS KIRK & STACY
MONICA
9069 HILLSIDE DR
CEDAR HILLS, UT 84062

QUEIROZ, CLAUDIA
4417 STAFFORD CT
PROVO, 84604

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

Project Timeline

Sykes Annexation 1450 South 1080 West

1. DRC application date: 1/27/2014
2. Obtained Development Review Committee clearance on: 2/3/2014
3. Acceptance of application by City Council on: 2/25/2014
4. County survey certification on: 2/26/2014
5. County evaluation of petition on: 4/22/2014
6. Neighborhood notice for PC/CC mailed on: 5/27/2014
7. Planning Division Manager received neighborhood notice on: 5/28/2014
8. Planning Commission recommended approval on: 6/4/2014
9. Publication notice for CC sent to Records office on: 5/5/2014
10. Property posted for PC and CC on: 5/30/2014
11. City Council approved/denied request on: 6/10/2014

CITY OF OREM
CITY COUNCIL MEETING
 JUNE 10, 2014



REQUEST:	6:30 P.M. PUBLIC HEARING RESOLUTION - Site Plan Approval of Taco Bell at 195 West Center Street in the PD-1 Zone
APPLICANT:	Charlie Openshaw
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Faxed to newspaper
- Emailed to newspaper
- Posted property on May 30, 2014
- Mailed 97 notices on May 13, 2014
- Posted on utah.gov/pmn

SITE INFORMATION:

- General Plan
 Community Commercial
- Current Zone
 PD-1
- Acreage
 0.70
- Neighborhood
 Orem Park
- Neighborhood Chair
 Tom and Georgia Pett

**PLANNING
 COMMISSION
 RECOMMENDATION**

Approve: 7-0

PREPARED BY:
 David Stroud, AICP
 Planner

REQUEST: The applicant requests the City approve the site plan of Taco Bell at 195 West Center Street in the PD-1 zone.

BACKGROUND: The applicant proposes a new location for Taco Bell which is currently located at 97 West Center Street. Issues with the current lease have led the owner of Taco Bell to propose relocation further west along Center Street. The proposed location is on an approved lot in the Orem Retail Center Subdivision Plat A, located in front of Target. This site is located in the PD-1 zone which requires any site plan to be approved by the City Council.

The proposed building will be 1,960 square feet and 36 parking stalls will be provided. The size of the proposed building will be comparable to the existing building, if not slightly larger. Elevations will be constructed of EIFS (stucco), stone, and aluminum louvers. The PD-1 zone prohibits use of sheet metal or corrugated metal. The louvers are aluminum, but staff believes this material is used as an architectural feature and is a permitted material. The proposed height of the building is 22 feet.

There will be no formal cross-parking easements with Target but access easements will be provided on a revised plat. Access to the site will be provided by the current drive approaches on Center Street and Orem Boulevard.

Landscaping includes that which exists along Center Street with additional landscaping located around the new building. The trash enclosure will have similar materials as the building.

RECOMMENDATION: The Planning Commission recommends the City Council approve the site plan of Taco Bell at 195 West Center Street in the PD-1 zone.



DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL
APPROVING THE SITE PLAN OF TACO BELL AT 195 WEST
CENTER STREET IN THE PD-1 ZONE

WHEREAS on March 24, 2014, Charlie Openshaw filed an application with the City of Orem requesting the City approve the site plan of Taco Bell at 195 West Center Street in the PD-1 zone; and

WHEREAS the Planning Commission considered the application at a public meeting on May 7, 2014 and recommended approval of the application; and

WHEREAS a public hearing considering the subject application was held by the City Council on June 10, 2014; and

WHEREAS the City mailed notices to all property owners and residents within 500 feet of the proposed site and posted the Planning Commission agenda in the City Offices at 56 North State Street and at www.orem.org,

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 compliance of the request with all applicable City ordinances; and the special conditions applicable to the request.

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

1. The City Council finds that the request complies with the requirements of the PD-1 zone and that approval of this request is reasonable and in the best interest of the City.
2. The City Council hereby approves the site plan of Taco Bell at 195 West Center Street in the PD-1 zone as shown on Exhibit "A", which is attached hereto and incorporated herein by reference.
3. If any part of this resolution shall be declared invalid, such decision shall not affect the validity of the remainder of this resolution.
4. All other resolutions and policies in conflict herewith, either in whole or part, are hereby repealed.

PASSED and APPROVED this 10th day of June 2014.

DRAFT

Richard F. Brunst, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

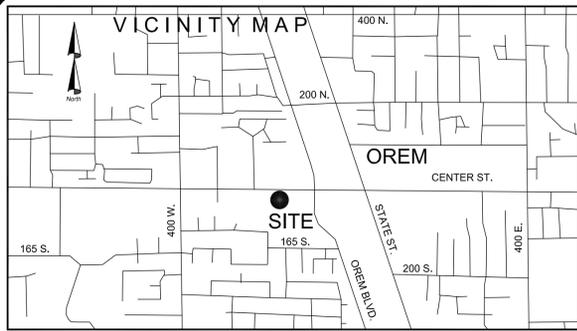
COUNCIL MEMBERS VOTING "NAY"



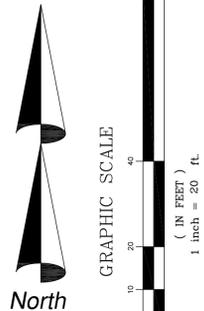


TACO BELL

TACO BELL



Garden Park Square
Plat A, Lot 2

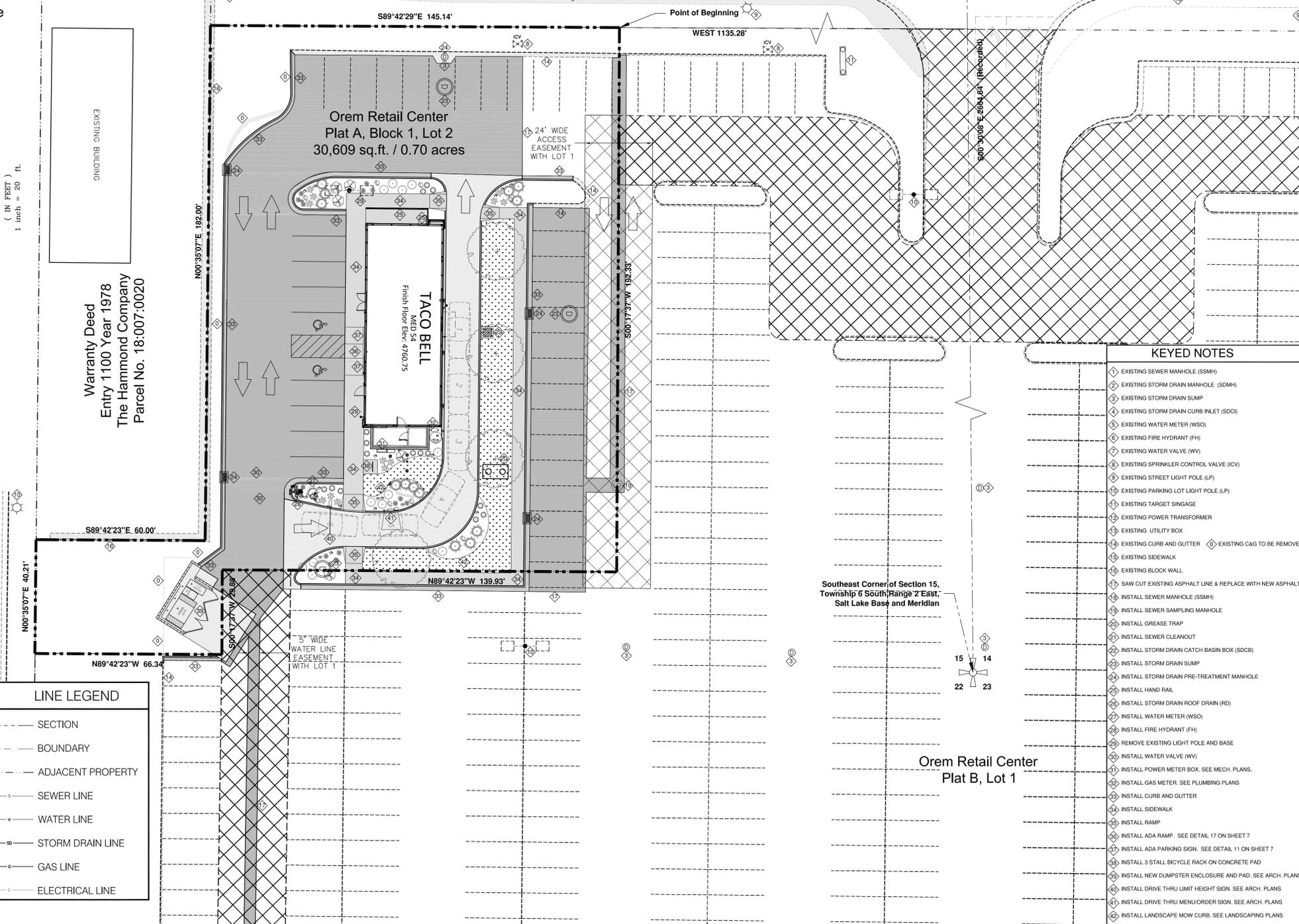


Warranty Deed
Entry 1100 Year 1978
The Hammond Company
Parcel No. 18:007:0020

SHEET INDEX:

- 1 Cover Sheet
- 2 Site Plan
- 3 Utility Plan
- 4 Grading and Drainage Plan
- 5 SWPPP
- 6 SWPPP Details
- 7 Site Details
- 8 Site Details
- 9 City Details

SYMBOL LEGEND		LINE LEGEND	
	SEWER MANHOLE		SECTION
	SD MANHOLE/SUMP		BOUNDARY
	WATER VALVE		ADJACENT PROPERTY
	WATER METER		SEWER LINE
	FIRE HYDRANT		WATER LINE
	IRR. CONTROL VALVE		STORM DRAIN LINE
	LIGHT POLE		GAS LINE
			ELECTRICAL LINE



East Quarter Reference Corner of Section 15,
Township 6 South, Range 2 East,
Salt Lake Base and Meridian
Datum Elevation: 4769.72 NGVD29

East Quarter Corner of Section 15,
Township 6 South, Range 2 East,
Salt Lake Base and Meridian

Southeast Corner of Section 15,
Township 6 South, Range 2 East,
Salt Lake Base and Meridian

KEYED NOTES

- 1 EXISTING SEWER MANHOLE (SSMH)
- 2 EXISTING STORM DRAIN MANHOLE (SDMH)
- 3 EXISTING STORM DRAIN SUMP
- 4 EXISTING STORM DRAIN CURB INLET (SDCI)
- 5 EXISTING WATER METER (WSO)
- 6 EXISTING FIRE HYDRANT (FH)
- 7 EXISTING WATER VALVE (WV)
- 8 EXISTING SPRINKLER CONTROL VALVE (ICV)
- 9 EXISTING STREET LIGHT POLE (LP)
- 10 EXISTING PARKING LOT LIGHT POLE (LLP)
- 11 EXISTING TARGET SIGNAGE
- 12 EXISTING POWER TRANSFORMER
- 13 EXISTING UTILITY BOX
- 14 EXISTING CURB AND GUTTER
- 15 EXISTING C&G TO BE REMOVED
- 16 EXISTING SIDEWALK
- 17 EXISTING BLOCK WALL
- 18 SAW CUT EXISTING ASPHALT LINE & REPLACE WITH NEW ASPHALT
- 19 INSTALL SEWER MANHOLE (SSMH)
- 20 INSTALL SEWER SAMPLING MANHOLE
- 21 INSTALL GREASE TRAP
- 22 INSTALL SEWER CLEANOUT
- 23 INSTALL STORM DRAIN CATCH BASIN BOX (SDCB)
- 24 INSTALL STORM DRAIN SUMP
- 25 INSTALL STORM DRAIN PRE-TREATMENT MANHOLE
- 26 INSTALL HAND RAIL
- 27 INSTALL STORM DRAIN ROOF DRAIN (RD)
- 28 INSTALL WATER METER (WSO)
- 29 INSTALL FIRE HYDRANT (FH)
- 30 REMOVE EXISTING LIGHT POLE AND BASE
- 31 INSTALL WATER VALVE (WV)
- 32 INSTALL POWER METER BOX. SEE MECH. PLANS.
- 33 INSTALL GAS METER. SEE PLUMBING PLANS
- 34 INSTALL CURB AND GUTTER
- 35 INSTALL SIDEWALK
- 36 INSTALL RAMP
- 37 INSTALL ADA RAMP. SEE DETAIL 17 ON SHEET 7
- 38 INSTALL ADA PARKING SIGN. SEE DETAIL 11 ON SHEET 7
- 39 INSTALL 3 STALL BICYCLE RACK ON CONCRETE PAD
- 40 INSTALL NEW DUMPSTER ENCLOSURE AND PAD. SEE ARCH. PLANS
- 41 INSTALL DRIVE THRU LIMIT HEIGHT SIGN. SEE ARCH. PLANS
- 42 INSTALL DRIVE THRU MENU/ORDER SIGN. SEE ARCH. PLANS
- 43 INSTALL LANDSCAPE MOW CURB. SEE LANDSCAPING PLANS

Orem Retail Center
Plat B, Lot 1

OREM CENTER ST. TACO BELL

OREM RETAIL CENTER PLAT A, LOT 2
Located in the Northeast Quarter of Section 15,
Township 6 South, Range 2 East, Salt Lake Base and
Meridian.
195 West Center Street, Orem, Utah
Utah County Parcel No: 48:181:0002

BOUNDARY DESCRIPTION:
Orem Retail Center, Plat "A", Block 1, Lot 2, Block 1,
Plat "A", Orem Retail Center Subdivision, according to
the Official Plat thereof, on file and recorded on
December 7, 1995 as Map No. 6374 and as Entry No.
84761, in the Office of the Utah County Recorder,
State of Utah.

OWNER:
Charlie Openshaw

DEVELOPER:
Taco Bell

SURVEYING / ENGINEERING / PLANNING:
A.L.M. & Associates, Inc.
2230 North University Parkway,
Suite 6D, Provo, Utah 84604
801-374-6262
801-374-0085 fax
Mark Greenwood, P.E.
MGreenwood@ALMOnline.com

ARCHITECT:
GLMV Architecture
1525 East Douglas
Wichita, Kansas 67211
316-265-9367
316-265-5646 fax
www.glmv.com

SITE INFORMATION:
Current Zone - PD-1 Between Center Street and
165 South Street and between Orem Blvd and 200
West Street.

PURPOSED TACO BELL
1,960 sq.ft. Gross Sq.Ft. (G.S.F.)

Required Parking: 10 parking stalls per 1,000 sq. ft. of
G.S.F. (1,960 / 1000 = 20 stalls required)
Parking Shown: 36 stalls (2 Handicap Stalls)

OREM CITY GENERAL NOTES AS PER SECTION 22-14-20F:

1. The fire protection items (fire hydrants, water mains, access roads, etc.) shown on this site plan are preliminary only. Plan reviews by the City of Orem Fire Prevention Bureau shall be completed prior to the issuance of a building permit. The plan reviews by the City of Orem Fire Prevention Bureau may identify additional fire protection requirements mandated by the International Fire Code. Fire hydrant foot valves shall be installed at the connection point with the main water lines.
2. All landscaped areas shall have an automatic, underground sprinkling system which includes a back-flow preventer device to the building. Back-flow devices shall be installed and tested in accordance with section 21-1-14 of the Orem City Code. Water meter sizes shall be determined by the City of Orem Building Division at the time of building permit approval or when there is a request to change the water meter size. Water meters shall be located at the back of sidewalk or curb in an area that is accessible for reading and servicing. Water meters shall not be located within areas enclosed with fences or within ten feet (10') of any existing or proposed structure.
3. If required by Chapter 20 of the Orem City Code or by the applicant's Permit for Industrial Wastewater Discharge, a sampling manhole and fat and oil separator/grease trap shall be installed in accordance with the City of Orem Standards and Specifications.
4. All signage shall comply with the requirements of the Orem City Code.
5. All utilities, including water and sewer laterals, water and sewer mains, storm water drains, storm water sumps, sewer manholes, water valves, etc., water laterals or mains shall not be located under covered parking areas and shall be installed according to Chapter 21 or the Orem City Code.
6. All roof drainage shall be routed through on-site storm water management facilities.
7. At the time of construction, the City of Orem may determine base on professional experience and judgment and at its sole discretion the need for the Owner/Developer to pay for, remove, and replace any existing substandard improvements such as curbs, gutters, sidewalks, drive approaches, driveways, decorative concrete, wheelchair ramps, etc., or any unused drive approaches.
8. All construction shall conform to the City of Orem construction standards and specifications unless the improvement is within the UDOT right-of-way. In which case the construction shall conform to UDOT construction standards and specifications.

TABULATION TABLE	SQ.FT.	AC.	%
TOTAL AREA	30,609	0.70	100
TOTAL BUILDING AREA	2,850	0.07	10
TOTAL IMPERVIOUS AREA	20,183	0.46	66
TOTAL LANDSCAPED AREA	7,576	0.17	24
TOTAL PARKING SPACES	36		
TOTAL BICYCLE SPACES	3		

A.L.M. & Associates, Inc.
Engineering · Surveying · Development · Planning
2230 North University Parkway, Building 6D, Provo, Utah 84604
ph:(801) 374 - 6262

Taco Bell @ Target Center St.
TACO BELL
Cover Sheet

No.	Revision	Date

1
OF 9 SHEETS
Proj # 599 - 1706

ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED. METERS, FEET AND DECIMALS THEREOF. THIS PLAN IS THE PROPERTY OF A.L.M. & ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

FOUND NAIL & WASHER STAMPED LS 6423539

12' R.O.W. DEDICATION PER PLAT "A" OREM RETAIL CENTER SUBDIVISION

EXISTING TURF GRASS TO REMAIN

EXISTING TREES TO REMAIN

10' PUB EASEMENT

STREET SIGN (TYP)

21 PARKING STALLS

BUILDING

UNPLATTED

CINDER BLOCK WALL (TYP)

TACO BELL LIVE WAS MED 54 LOT

EXISTING SHRUBS

589°22'15"E 60.00'

N00°55'15"E

431.99'

34 PARKING STALLS

36 PARKING STALLS

6 STALLS D/CAP

6 STALLS D/CAP

31 PARKING STALLS 4 HANDICAP

31 PARKING STALLS 4 HANDICAP

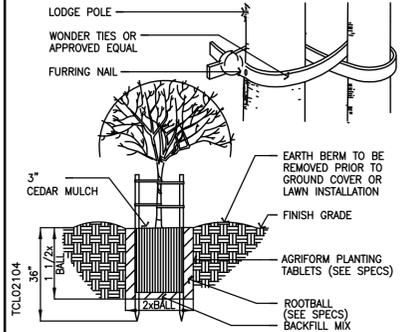
OREM

10' PUB EASEMENT

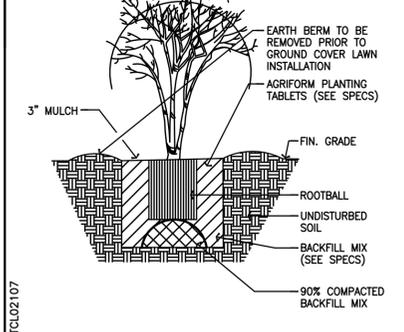
PLANTING LIST					
KEY	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COND.
TREES:					
JZ	1	JAPANESE ZELKOVA	ZELKOVA SERRATA	8' MIN.	B & B
JL	4	JAPANESE TREE LILAC	SYRINGA RETICULATA	8' MIN.	B & B
SHRUBS/GRASSES:					
SD	15	STELLA D'ORO DAYLILY	HEMEROCALLIS 'STELLA D'ORO'	1 GAL.	CONT.
AJ	14	COMPACTA ANDORRA JUNIPER	JUNIPERUS HORIZONTALIS 'PLUMOSA COMPACTA'	5 GAL.	CONT.
DB	1	DWARF BURNING BUSH	EUONYMUS ALATUS 'COMPACTUS'	5 GAL.	CONT.
CB	12	CRIMSON PYGMY BARBERRY	BERBERIS THUNBERGII 'CRIMSON PYGMY'	3 GAL.	CONT.
FG	15	FEATHER REED GRASS	CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	3 GAL.	CONT.
RY	12	RED YUCCA	HESPERALOE PARVIFLORA	5 GAL.	CONT.
RS	5	RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA	2 GAL.	CONT.

PLANTING NOTES

- NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT APPROVAL. QUANTITIES IN THE PLANT LIST ARE FOR INFORMATION ONLY. CONTRACTOR SHALL VERIFY.
- ALL PLANT LOCATIONS ARE APPROXIMATE, ADJUST AS NECESSARY TO AVOID CONFLICTS.
- EDGING SHALL BE STEEL PER SPEC, OR OWNER APPROVED EQUAL. INSTALL STAKES IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATION.
- THE PLANTING BEDS RECEIVING MULCH SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE PRIOR TO PLANTING AND MULCH PLACEMENT. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICE.
- TURF SHALL BE LOCALLY HARDY BLUEGRASS / FESCUE MIX SOD.
- WHEN CLAY SOIL IS ENCOUNTERED IN THE ESTABLISHMENT OF THE LAWN OR THE INSTALLATION OF PLANT MATERIAL, SOIL SHALL BE IMPROVED IN ACCORDANCE WITH STANDARD TRADE PRACTICE. I.E. ADDITION OF LIME, GYPSUM, ETC.
- ANY PLANTING BED ADJACENT TO WALKS OR CURBING SHALL HAVE THE GRADE LOWERED TO A SUFFICIENT DEPTH TO ALLOW THE TOP OF THE MULCH TO MATCH THE TOP OF WALK OR CURBING.
- MULCH SHALL BE GREY GRANITE 3" AGGREGATE (OR OWNER APPROVED SUBSTITUTE).
- INSTALL PROFESSIONAL GRADE LANDSCAPE WEED BARRIER UNDERLAYMENT IN ALL AREAS TO RECEIVE GRAVEL MULCH.



TREE PLANTING N.T.S. 1



SHRUB PLANTING N.T.S. 2

LEGEND

- PROPOSED TREE
- LIMITS OF SOD (LOCALLY GROWN BLUEGRASS / FESCUE MIX)
- 4" STEEL LANDSCAPE EDGING
- PROPOSED SHRUBS AND GRASSES
- 12" TO 30" GREY GRANITE BOULDERS (OR APPROVED SUBSTITUTE BY OWNER)

A PLANTING PLAN
0' 10' 20' 40'
1"=20.0'



MARK D. MCCLUGGAGE AIA, CCS
1325 E. Douglas Avenue, Ste 201
Orem, UT 84058
Tel: (801) 225-8844
www.dhmr.com

13048.020

-
-
-
-
-
-
-
-

CONTRACT DATE: 01.09.14
BUILDING TYPE: MED 54 LM
PLAN VERSION: JULY 2012
SITE NUMBER: XXXXX
STORE NUMBER: XXXXX

TACO BELL
175 W. CENTER STREET
OREM, UT



MED 54

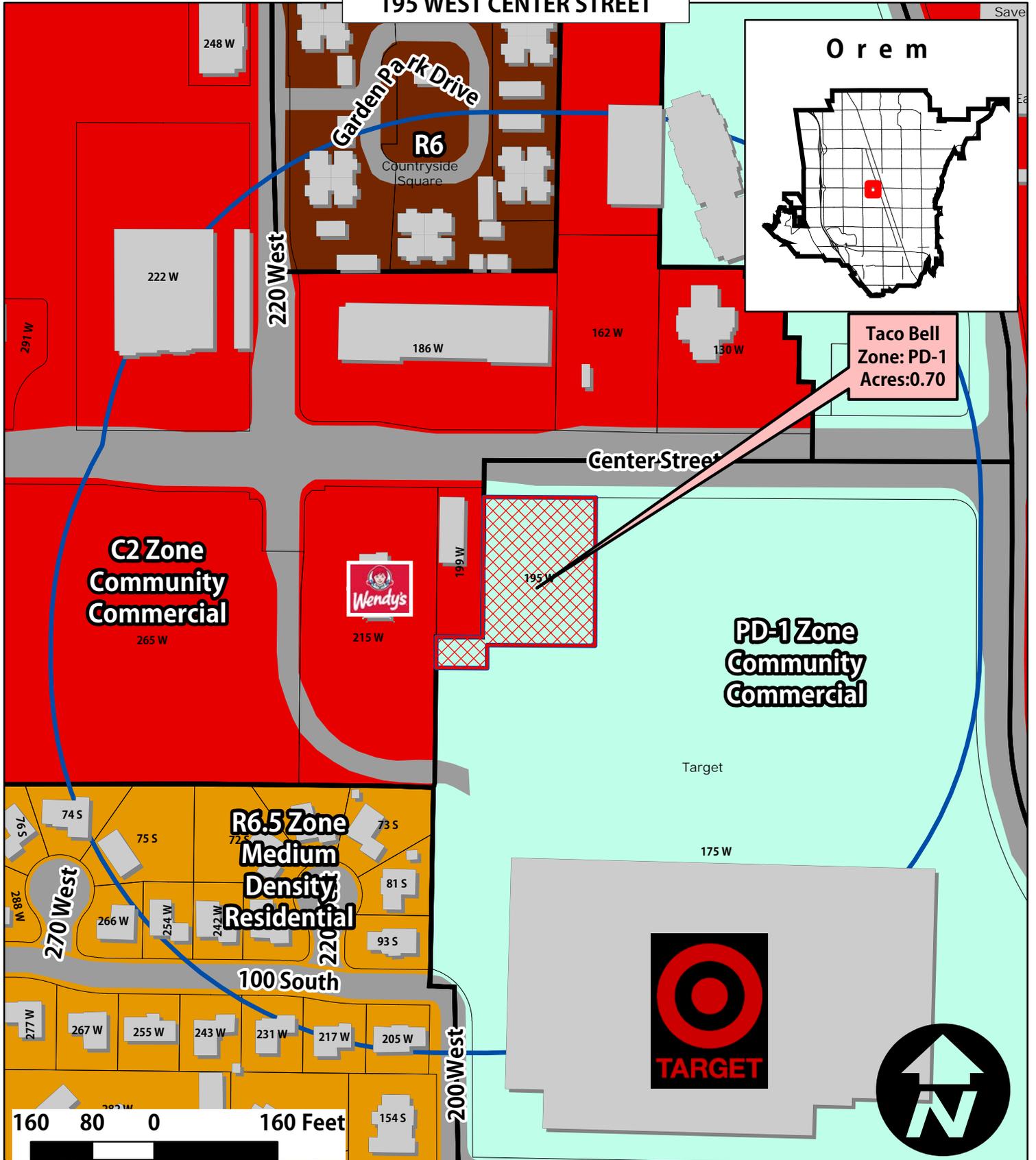
PLANTING PLAN AND DETAILS

LP101

PLANT DATE:

Taco Bell

195 WEST CENTER STREET



◆ Taco Bell Site:
PD-1 Zone; 0.70 Acres.

NIA CONTACT:
Orem Park
Tom and Georgia Pett

- Legend**
- Buildings
 - Taco Bell
 - Notification Boundary
 - Parcels

PLANNING COMMISSION MINUTES – MAY 5, 2014

AGENDA ITEM 3.4 is a request by Charlie Openshaw to recommend the City Council approve the site plan of **TACO BELL** at 195 West Center Street in the PD-1 zone.

Staff Presentation: Mr. Stroud said the applicant has proposed a new location for Taco Bell which is currently located at 97 West Center Street. Issues with the current lease have led the owner of Taco Bell to propose relocation farther west along Center Street. The proposed location is an approved lot in the Orem Retail Center Subdivision Plat A, located in front of Target.

The proposed building will be 1,960 square feet and 36 parking stalls will be provided. The size of the proposed building will be comparable to the existing building, if not slightly larger. Elevations will be constructed of EIFS, stone, and aluminum louvers. The PD-1 ordinance prohibits use of sheet metal or corrugated metal. The louvers are aluminum but staff does not include this material and architectural feature with the prohibited materials. The proposed height of the building is 22 feet.

There will be no formal cross-parking easements with Target but access easements will be provided on a plat which is in the process of staff review. Access to the site will be provided by current drive approaches on Center Street and Orem Boulevard.

Landscaping will be installed in the amount of 7,576 square feet and includes landscaping already located along Center Street. The enclosed trash enclosure will have similar materials as the building.

Section 22-11-4(E) of the Code (PD-1) requires any site plan in the PD-1 zone to be approved by the City Council. The Planning Commission must make a recommendation of approval or denial to the City Council.



Recommendation: Based on compliance with the City Code, staff recommends the Planning Commission forward a positive recommendation to the City Council of the request for site plan approval of Taco Bell at 195 West Center Street in the PD-1 zone.

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

Vice Chair Walker asked about signage for this project. Mr. Stroud said the monument sign is done through a separate permit. Mr. Whetten asked if there is the possibility of another pole sign for this site. Mr. Stroud said he was not sure, but because of the large frontage they may be able to have another sign. Each business is allowed a monument sign.

Ms. Larsen asked what the parking standard is. Mr. Stroud said one stall per 50 fixed seats. He noted there is more than enough parking and there is no cross parking easement though that will happen. Ms. Larsen stated there will be enough parking even with the other two lots build-out.

Ms. Buxton asked if there is any outdoor seating. Mr. Stroud said there is none on this site.

Chair Moulton invited the applicants to come forward. Mark Greenwood & Charlie Openshaw introduced themselves.

Vice Chair Walker asked when they want to open. Mr. Greenwood said as soon as possible, probably this fall.

Mr. Whetten asked about the building to the west being torn down, to make more parking. Mr. Openshaw indicated he has made an attempt, but has had no luck.

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.

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

Planning Commission Action: Mr. Whetten said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to approve the site plan of Taco Bell at 195 West Center Street. Ms. Buxton 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.



DRC APPLICATION

www.orem.org

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

APPLICANT INFORMATION		FORM EXPIRES: 06-30-2014
Name:	CJo Holdings, LLC	Phone: 801 367-1444
Address:	2230 N. University Hwy Bldg 6C	FAX: 801 852-0589
City:	Provo	e-mail: Charlie & Charlie Openshaw Conn.
State:	UT	
Zip:	84604	

PROJECT INFORMATION	
Project Name:	Target / Taco Bell Center St.
Project Address:	175 W. Center St.

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 checked="" 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 + \$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:	Charlie Openshaw	Phone:	801 367-1444
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OFFICE USE ONLY		
Date Filed:	3-21-14	Received By:
Fees Paid:	1525 ⁰⁰	

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.

Orem City Public Hearing Notice

Planning Commission

Wednesday, May 7, 2014

4:30 PM, City Council Chambers

56 North State Street



City Council

Tuesday, May 27, 2014

6:20 PM, City Council Chambers

Charlie Openshaw requests the City approve a new site plan for Taco Bell at 195 West Center Street in the PD-1 zone. The site is platted as Lot 2 of Orem Retail Center Subdivision Plat A and currently used for parking at Target. The proposal consists of a new 1,900 square foot building with associated parking. As a comparison, the proposed building is similar in size to the existing Taco Bell at 97 West Center Street. The proposed site plan 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.

CENTER STREET

Orem Retail Center
Plat A, Block 1, Lot 2
30,609 sq.ft. / 0.70 acres

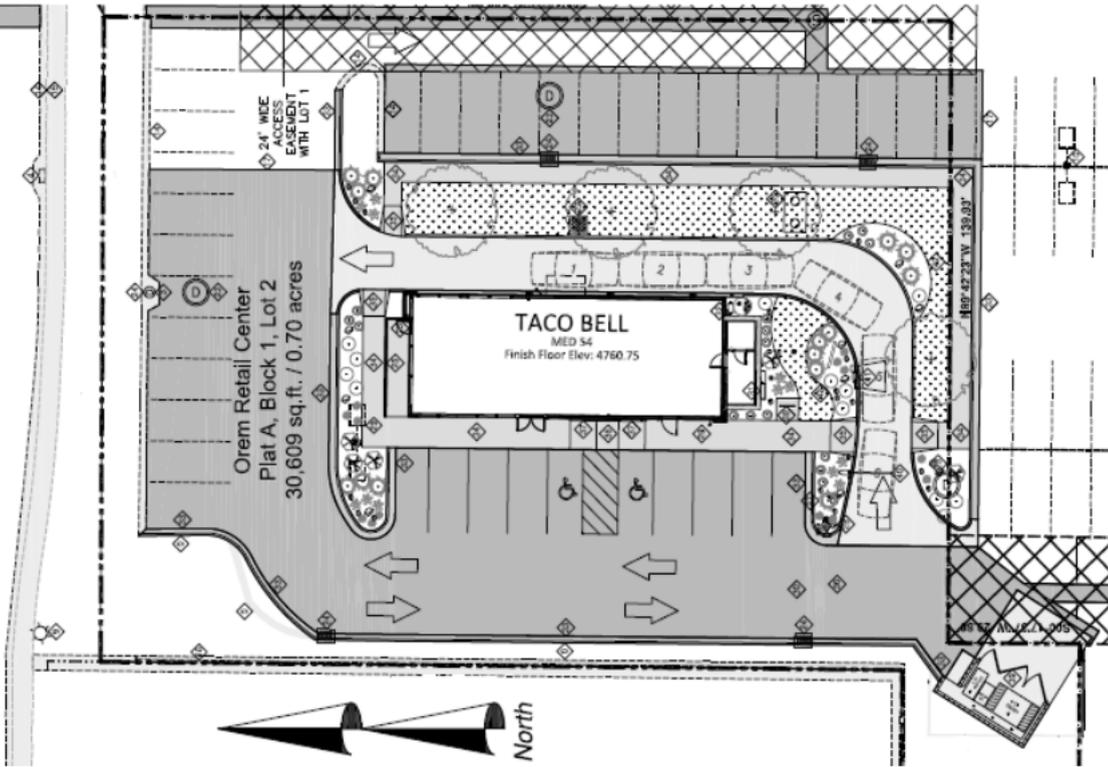
24' WIDE
ACCESS
EASEMENT
WITH LOT 1

TACO BELL

MED 54
Finish Floor Elev: 4760.75

169' 42 2/3" N. 139.03'

16' 12" N. 112.11' 0.05'



FIDELITY DEVELOPMENT INC
PO BOX 1904
PROVO, UT 84603

PANDA BEAR HOMES INC
PO BOX 1132
OREM, UT 84059

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

PETTY, LADD A & BARBARA P
44 GARDEN PARK APT 10
OREM, UT 84057

DAYTON HUDSON CORPORATION
%TARGET CORPORATION
PO BOX 9456
MINNEAPOLIS, MN 55440

GASSMAN, JASON & TAYTEN
44 N GARDEN PARK # 9
OREM, UT 84057

NEWELL, MINARETA IVANOVNA
44 N GARDEN PARK DR # 7
OREM, UT 84057

DAMRON, MICHAEL J
44 N 220 W # 11
OREM, UT 84057

FORD, RICHARD A & DERIN A
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 1
OREM, UT 84057

LISTON INVESTMENTS LC
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 2
OREM, UT 84057

SLAVENS, JOHNNY C
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 3
OREM, UT 84057

MURRI, BROOKE
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 4
OREM, UT 84057

GILLESPIE, ROGER S & JANIE M
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 5
OREM, UT 84057

BEERS, NATASHA A & JAMIE S
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 6
OREM, UT 84057

NEWELL, MINARETA IVANOVNA
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 7
OREM, UT 84057

SCHOENFELD, DORA C
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 8
OREM, UT 84057

GASSMAN, JASON & TAYTEN
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 9
OREM, UT 84057

PETTY, LADD A & BARBARA P
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 10
OREM, UT 84057

DAMRON, MICHAEL J
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 11
OREM, UT 84057

KJ FOX LC
--OR CURRENT RESIDENT--
44 N GARDEN PARK DR UNIT# 12
OREM, UT 84057

JOLLEY, MICHELLE
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 2
OREM, UT 84057

JONES, MOLLY ANNE
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 3
OREM, UT 84057

BEESTON, RUBY & WILLIAM H
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 1
OREM, UT 84057

GILES, BETTY A
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 5
OREM, UT 84057

BEEKHUIZEN, SCHEILA D
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 6
OREM, UT 84057

TAYLOR, MELISSA KAYE
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 4
OREM, UT 84057

KJ FOX LC
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 8
OREM, UT 84057

HAYNIE, REBBECA
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 3
OREM, UT 84057

GILLESPIE, ROGER S & JANIE M
--OR CURRENT RESIDENT--
56 N GARDEN PARK DR UNIT# 7
OREM, UT 84057

RYON, CAROL D
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 2
OREM, UT 84057

BUEHLER, BLAKE & HAILEY
--OR CURRENT RESIDENT--
62 N 220 WEST UNIT# 6
OREM, UT 84057

KLINDT, KYLE & ANGELICA
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 1
OREM, UT 84057

MOORE, ALLEN S & BECKY A
--OR CURRENT RESIDENT--
62 N 220 WEST UNIT# 5
OREM, UT 84057

BEAN, DEVIN J
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 9
OREM, UT 84057

AMERICAN PENSION SERVICES INC
--OR CURRENT RESIDENT--
62 N 220 WEST UNIT# 4
OREM, UT 84057

SPACKMAN, ANNETTE
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 8
OREM, UT 84057

NOTCH PEAK HOLDING LLC
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 12
OREM, UT 84057

THOMAS, BLAKE N & MEGAN L
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 7
OREM, UT 84057

BLUE HERON PARTNERS LTD
--OR CURRENT RESIDENT--
62 N GARDEN PARK DR UNIT# 11
OREM, UT 84057

MIYAZAWA, TAKAO K (ET AL)
--OR CURRENT RESIDENT--
72 S 220 WEST
OREM, UT 84058

BUCHANAN, CLAIR JAY & LINDA
--OR CURRENT RESIDENT--
62 N 220 WEST UNIT# 10
OREM, UT 84057

SEEGMILLER, JAYSON H & ANGELA
--OR CURRENT RESIDENT--
70 S 220 WEST
OREM, UT 84058

BUNNELL, DONNA S & STEPHEN
DWIGHT (ET AL)
--OR CURRENT RESIDENT--
74 S 270 WEST ST
OREM, UT 84058

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

BUNNELL, DONNA S & STEPHEN
DWIGHT (ET AL)
74 S 270 W
OREM, UT 84058

CROWTHER, TED J & SUZANNE M
--OR CURRENT RESIDENT--
75 S 270 WEST ST
OREM, UT 84058

NUTTALL, WINIFRED
73 S 220 W
OREM, UT 84058

CROWTHER, TED J & SUZANNE M
75 S 270 W
OREM, UT 84058

FCPL BUSINESS CENTER LLC
130 W CENTER ST
OREM, UT 84057

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

GRASS VALLEY HOLDINGS LP
--OR CURRENT RESIDENT--
162 W CENTER ST
OREM, UT 84057

DAYTON HUDSON CORPORATION
--OR CURRENT RESIDENT--
175 W CENTER ST
OREM, UT 84058

ROBERTS, KEITH L & PATRICIA S
--OR CURRENT RESIDENT--
81 S 220 WEST
OREM, UT 84058

BSB PROPERTIES LC
--OR CURRENT RESIDENT--
186 W CENTER
OREM, UT 84057

DAYTON HUDSON CORPORATION
--OR CURRENT RESIDENT--
195 W CENTER ST
OREM, UT 84058

GRASS VALLEY HOLDINGS LP
--OR CURRENT RESIDENT--
152 W CENTER ST
OREM, UT 84057

IVIE, RAY PHILLIPS
205 W 100 S
OREM, UT 84058

CASTANEDA, JOSE ALONSO
206 W 100 S
OREM, UT 84058

BEESTON, RUBY & WILLIAM H
180 E 4320 N
PROVO, UT 84604

CHRISTENSEN, RICHARD S &
SHARON W
--OR CURRENT RESIDENT--
215 W CENTER ST
OREM, UT 84058

COOK, BRANDON & JENNIFER
217 W 100 S
OREM, UT 84058

HAMMOND, CO
--OR CURRENT RESIDENT--
199 W CENTER ST
OREM, UT 84058

URIBE, ROSA
231 W 100 S
OREM, UT 84058

BLACKHAM, ALAN J & KIMBERLY J
232 W 100 S
OREM, UT 84058

TOM & GEORGIA PETT
OREM PARK NEIGHBORHOOD CHAIR
213 S 850 WEST
OREM, UT 84058

WINN, SCOTT D & REBECCA L
254 W 100 S
OREM, UT 84058

LARTEY, EMMANUEL L & BONNIE J
242 W 100 S
OREM, UT 84058

UNITED STATES POSTAL SERVICE
--OR CURRENT RESIDENT--
222 W CENTER
OREM, UT 84057

SMITH, WILLIAM ALAN & DARLA
KAY ADAMS
266 W 100 S
OREM, UT 84058

CHRISTENSEN, RICHARD S &
SHARON W
265 E 3450 N
PROVO, UT 84604

TAYLER, RANDALL S & REBECCA
243 W 100 S
OREM, UT 84058

MAG
586 EAST 800 NORTH
OREM, UT 84097

CYNTHIA MANIRE
SUNCREST NEIGHBORHOOD CHAIR
270 N 400 WEST #2
OREM, UT 84057

CHRISTENSEN, RICHARD S &
SHARON W
--OR CURRENT RESIDENT--
265 W CENTER ST
OREM, UT 84058

UNITED STATES POSTAL SERVICE
%HEADQUARTERS WESTERN
REGION
850 CHERRY AV
SAN BRUNO, CA 94099

OREM APRATMENTS LLC
500 N MARKETPLACE STE 250
CENTERVILLE, UT 84014

SEEGMILLER, JAYSON H & ANGELA
342 W COUNTRYSIDE DR
OREM, UT 84058

KJ FOX LC
928 N 1200 E
LEHI, UT 84043

CARYL SEASTRAND
OREM PARK NEIGHBORHOOD VICE
CHAIR
729 W 165 SOUTH
OREM, UT 84058

LISTON INVESTMENTS LC
841 S 920 E
OREM, UT 84097

GILES, BETTY A
%VERNON, SCOTT
1443 E 8085 S
SANDY, UT 84093

MAYOR RICHARD BRUNST
900 EAST COUNTRY DRIVE
OREM, UT 84097

CHRISTENSEN, RICHARD S &
SHARON W
%WENDY'S TAX DEPT #8262
1155 PERIMETER CENTER W
ATLANTA, GA 30338

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

GRASS VALLEY HOLDINGS LP
940 S 2000 W
SPRINGVILLE, UT 84663

BSB PROPERTIES LC
1862 N 1120 W
PROVO, UT 84604

SLAVENS, JOHNNY C
2005 ALYSSA CT
ALLEN, TX 75013

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

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

BLUE HERON PARTNERS LTD
3610 N UNIVERSITY AV # 350
PROVO, UT 84604

MIYAZAWA, TAKAO K (ET AL)
1981 MURRAY HOLLADAY RD
SALT LAKE CITY, UT 84117

ROBERTS, KEITH L & PATRICIA S
3001 E ASPENWOOD CT
GRAND JUNCTION, CO 81504

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

GILLESPIE, ROGER S & JANIE M
5290 N CANYON RD
PROVO, UT 84604

NOTCH PEAK HOLDING LLC
9882 WILDFLOWER CIR
CEDAR HILLS, UT 84062

HAMMOND, CO
3664 FOOTHILL DR
PROVO, UT 84604

Project Timeline

Taco Bell 195 West Center Street

1. DRC application date: 3/24/2014
2. Obtained Development Review Committee clearance on: 4/17/2014
3. Neighborhood notice for PC and CC meeting sent on : 4/30/2014
4. Planning Division Manager received notice on: 5/1/2014
5. Planning Commission recommended approval on: 5/7/2014
6. Notice sent to City Recorder for CC public hearing on: 5/20/2014
7. City Council approved/denied request on: 6/10/2014