



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

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

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

1. **DISCUSSION – UTOPIA/Milestone One – Discussion and Questions – 60 min**
2. **PRESENTATION – FY 2015 Budget – Part 3**
  - Public Works .....60 min
  - Solid Waste.....5 min
  - Recreation Facility and Outdoor Pool .....10 min
  - Comprehensive Financial Sustainability Plan .....10 min
  - Future Cost Saving Measures .....10 min

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

PREVIEW UPCOMING AGENDA ITEMS

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

AGENDA REVIEW

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

CITY COUNCIL - NEW BUSINESS

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

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

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: By Invitation

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

This agenda is also available on the City’s Internet webpage at [orem.org](http://orem.org)

APPROVAL OF MINUTES

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

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

- 8. **UPCOMING EVENTS**
- 9. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
  - CDBG Advisory Commission .....1 vacancy
  - Library Advisory Commission .....1 vacancy
  - Orem Arts Council.....2 vacancies
  - Summerfest Advisory Commission .....1 vacancy
  - Recreation Allocation Advisory Commission .....7 vacancies
- 10. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
- 11. **REPORT – Summerfest Advisory Commission**
- 12. **PRESENTATION – Pleasant Grove Royalty**

CITY MANAGER’S APPOINTMENTS

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

PERSONAL APPEARANCES – 15 MINUTES

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

CONSENT ITEMS

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

SCHEDULED ITEMS

- 6:20 P.M. PUBLIC HEARING**
- 16. **ORDINANCE – Amending 22-11-35(D), and 22-11-35(L)(9) of the Orem City Code pertaining to development requirements in the PD-22 (Urban Village) zone**

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

*PRESENTER: Jason Bench*

POTENTIALLY AFFECTED AREA: Timpview

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

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

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

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

The proposed amendments are outlined below:

**22-11-35(D):**

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

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

**9. Outside Storage:**

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

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

#### Advantages

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

#### Disadvantages

- None determined.

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

#### **6:20 P.M. PUBLIC HEARING**

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

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

*PRESENTERS: Jason Bench*

POTENTIALLY AFFECTED AREA: Lakeview

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Advantages:

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

Disadvantages:

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

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

COMMUNICATION ITEMS

**18. April 2014 Financial Summary**

CITY MANAGER INFORMATION ITEMS

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

ADJOURNMENT

1 CITY OF OREM  
2 CITY COUNCIL MEETING  
3 56 North State Street Orem, Utah  
4 May 13, 2014  
5

6 **2:00 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM**  
7

8 CONDUCTING Mayor Richard F. Brunst, Jr.  
9

10 ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Tom  
11 Macdonald, Mark E. Seastrand, David Spencer, and Brent  
12 Sumner  
13

14 APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant  
15 City Manager; Richard Manning, Administrative Services  
16 Director, Greg Stephens, City Attorney; Bill Bell,  
17 Development Services Director; Karl Hirst, Recreation  
18 Director; Scott Gurney, Interim Public Safety Director;  
19 Keith Larsen, Traffic Operations Section Manager;  
20 Charlene Crozier, Library Director; Steven Downs,  
21 Assistant to the City Manager; Brandon Nelson,  
22 Accounting Division Manager; and Taraleigh Gray, Deputy  
23 City Recorder  
24

25 **DISCUSSION – UTOPIA/Milestone One Report Review**  
26

27 The City Council discussed the UTOPIA/Macquarie PPP Milestone One report.  
28

29 Mayor Brunst indicated he had sent a request for extension to Macquarie so the cities could have  
30 more time to consider Macquarie's Milestone One report. He expressed interest in holding one or  
31 two open-house meetings to get information to the public, as well as planning to provide  
32 information at Summerfest and carrying out a citizen survey.  
33

34 Mr. Davidson said conversations had been held with Y2Analytics regarding a citizen survey.  
35 Orem could execute that survey at any time, but a ten-day time frame would be needed for  
36 receiving survey responses.  
37

38 Mr. Bybee added that Y2Analytics wanted two weeks to get perspective and would need time to  
39 create a focus group as well.  
40

41 Mr. Davidson explained there were concerns with surveys and instruments gauging interest.  
42 Prior to the survey the City wanted to ensure there would be adequate time for the distribution of  
43 information regarding Macquarie's proposal. He said it did not make sense to seek response from  
44 residents if the residents were not informed on Macquarie's proposal.  
45

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Mayor Brunst asked if there was a question limit for the cost. Mr. Davidson said the cost was  
2 determined by the number of questions on the survey.  
3  
4 Mr. Bybee said one thing to keep in mind was the need to keep the respondent interested. If the  
5 survey was too long, people were less likely to complete the survey.  
6  
7 Mayor Brunst suggested the Council take a look at the questions to ensure the Council was  
8 comfortable with the survey.  
9  
10 Mr. Andersen asked if it was too late to allow the citizens to vote on the Macquarie proposal in  
11 June.  
12  
13 Mr. Stephens said there were no provisions in State law regarding opinion questions; these  
14 would be no different than a Dan Jones survey. One concern was that there was not a lot of time  
15 available to carry out a citizen vote.  
16  
17 Mr. Davidson noted the City Council had a sixty-day window to decide whether or not to move  
18 one with Milestone Two, and that the City Council could possibly convene a special meeting to  
19 make the decision.  
20  
21 Mr. Davidson said there was a lot of information being disseminated. He again suggested the  
22 Council members employ some kind of decision-making mechanism whereby they could  
23 objectively consider the Macquarie proposal and gauge how important each point was to each of  
24 them. Mr. Davidson provided the Council with a possible decision-making matrix. The matrix  
25 was not an exhaustive list, but rather put into list-format important things to consider in making  
26 the Macquarie decision.  
27  
28 Mr. Davidson suggested that as the Council moved forward it should determine a basis of  
29 decision making for the future, regardless of what decision was being made. By employing an  
30 overlaying matrix, it would provide the Council with a consistent tool to be used in the overall  
31 decision-making process.  
32  
33 Mayor Brunst asked each Council member to make comments about the decision matrix  
34 distributed by Mr. Davidson over the next few days.  
35  
36 Mr. Davidson said staff could assimilate feedback in a matter of hours. He acknowledged that  
37 each Council member had specific opinions and concerns, but that staff would do its best to  
38 accommodate the Council.  
39  
40 Mr. Macdonald said Orem had a losing project. The City liked to think there was someone else  
41 out there that was willing to buy it. He said the proposal should be analyzed with the tough face.  
42 The City should not dig a pit worse than it was already in.  
43  
44 Mayor Brunst said West Valley City Mayor Bigelow suggested an outside attorney and CPA  
45 evaluate the proposal from an impartial point of view.  
46

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

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

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

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

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

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

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

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

27  
28 CONDUCTING

Mayor Richard F. Brunst, Jr.

29  
30 ELECTED OFFICIALS

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

31  
32  
33  
34 APPOINTED STAFF

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

1 UPDATE – Slack Lining in Orem

2  
3 Mr. Hirst provided brief information on the slack lining sport. He said a slack line was a strap  
4 between two mature trees that people would walk along, similar to a tight rope.

5  
6 Mr. Stephens said the City Council had three options for taking action with slack lining in Orem:

- 7
- 8 • Prohibit slack linking in Orem altogether
  - 9 • Allow slack lining in Orem with restrictions – location, times of use, set-up, requiring a  
10 signed waiver
  - 11 • Allow slack lining in Orem with no restrictions

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

15  
16 Mr. Stephens said the City could sit back and not allow it in the city, but in so doing the City  
17 would have to be willing to accept the associated risks.

18  
19 Mr. Macdonald and Mr. Andersen suggested that the City determine specific places for people to  
20 go and enjoy the sport.

21  
22 Mr. Stephens said if slack lining was allowed in Orem, the City could have to designate areas,  
23 establish signage, and ensure regulations were enforced. If the City did not enforce the  
24 regulations and specific areas, then the City was setting itself up for a lawsuit. The safest thing  
25 was to prohibit the activity and take a “wait and see” approach.

26  
27 Mayor Brunst said that, when he had suggested discussing the slack lining issue, he had been  
28 unaware others could get hurt.

29  
30 Mr. Seastrand asked if the City had any liability issues associated with the skate park. Mr.  
31 Stephens said there were none to that point because there was a designated place for people to go  
32 and skate.

33  
34 Mr. Stephens said the Orem City Code could be amended to specifically prohibit slack lining,  
35 should the Council decide to do so.

36  
37 Mr. Spencer asked about policing. Mr. Stephens said if slack lining was allowed, the Orem  
38 police would have to monitor the activity going on in Orem.

39  
40 Mayor Brunst suggested the slack lining areas be marked with cones and that the slack liners be  
41 required to sign a liability waiver.

42  
43 UPDATE – Panhandling Ordinance

44  
45 Greg Stephens provided updates to the panhandling ordinance for the City Council’s  
46 consideration. He suggested the Council consider changing the conduct, types of roads,  
47 aggressive solicitation, and penalty parameters in the existing panhandling ordinance. He said he

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

3  
4 DISCUSSION – Economic Development Tools and Resources

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

10  
11 DISCUSSION – CARE Allocations

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

16  
17 PRESENTATION – FY 2015 Budget – Part II

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

22  
23 *Library*

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

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

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

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

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

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

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

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

15  
16 *Recreation*

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

- 19 • Senior Friendship Center Grammy’s Event
- 20 • Outdoor Programs

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

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

31  
32 *Development Services*

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

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

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

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

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

13  
14 *Public Safety*

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

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

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

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

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

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

- Aging Apparatus
  - Police Patrol Units
  - Fire Engine 35- 2000
  - Ladder Truck - 2004
- Radios
  - Portables for Fire Department
  - Portables for Police Department
  - Radios for patrol vehicles
- Fire Station #4 Estimates
  - Station (including FF&E) - \$4,000,000
  - Fire Apparatus (Ladder Truck) - \$1,200,000
  - Equipment for Fire Truck - \$90,000
  - Rescue Unit (Ambulance) - \$150,000
  - Equipment for Ambulance - \$75,000
  - Personnel & Equipment - \$1,500,000 per year

*Public Works*

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

- Parks
  - New Shade Structures, Backstops, and Bleachers – *City Facilities*
- Streets

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

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

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

11  
12 *Administrative Services*

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

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

26  
27  
28  
29  
30 *Legal Services*

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

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

42  
43 *City Manager*

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

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



1           Preview of Upcoming Agenda Items

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

3  
4           Review Agenda Items

5 The Council and staff reviewed the agenda items.

6  
7           City Council New Business

8 There was no new City Council new business.

9  
10 The Council adjourned at 5:53 p.m. to the City Council Chambers for the regular meeting.

11  
12 **6:00 P.M. REGULAR SESSION**

13  
14 CONDUCTING

Mayor Richard F. Brunst, Jr.

15  
16 ELECTED OFFICIALS

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

17  
18  
19  
20 APPOINTED STAFF

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

21  
22  
23  
24  
25  
26  
27  
28  
29  
30 **INVOCATION /**  
31 **INSPIRATIONAL THOUGHT**  
32 **PLEDGE OF ALLEGIANCE**

33  
34 **APPROVAL OF MINUTES**

35  
36 Mr. Macdonald **moved** to approve the minutes from the following meetings:

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

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

42  
43 **MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL**

44  
45           Upcoming Events

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

1           Appointments to Boards and Commissions

2 No new appointments to Boards and Commissions were made.

3  
4           Recognition of New Neighborhoods in Action Officers

5 No new Neighborhood in Action officers were recognized.

6  
7           Report – Heritage Advisory Commission

8  
9 Nathan Coe, Heritage Advisory Commission member, reported on the Heritage Advisory  
10 Commission. Mr. Coe invited the public to the Memorial Day program at the Orem City  
11 Cemetery. Mr. Coe said it was a great privilege to be a part of the event and ceremony.

12  
13 **CITY MANAGER APPOINTMENTS**

14  
15 There were no City Manager appointments.

16  
17 **PERSONAL APPEARANCES**

18  
19 Time was allotted for the public to express their ideas, concerns, and comments on items not on  
20 the agenda. Those wishing to speak should have signed in prior to the meeting, and comments  
21 were limited to three minutes or less.

22  
23 Sarah Bateman informed the Council and public about a community free swap event. Ms.  
24 Bateman said she had begun her “free yard sale” event nine years ago.  
25 The program allowed a means for meeting the needs of many citizens. Ms. Bateman said she  
26 would appreciate any effort to pass along the word for the event.

27  
28 James Fawcett, resident, said he understood the UTOPIA deal was a big deal, and that the City  
29 Council was doing its best to make the proper decision. His opinion was to allow UTOPIA to go  
30 bankrupt. Mr. Fawcett questioned the refinancing of a UTOPIA bond in 2008 and said that  
31 transaction seemed suspicious. He suggested the City Council look over the refinance of the  
32 bond to ensure everything was legitimate.

33  
34 John Reinhard, resident, said he appreciated the town hall meeting held in April. Mr. Reinhard  
35 asked what the term “challenges” referred to in the tentative budget. He drew attention to the  
36 statements such as “improving our neighborhoods” and said that term seemed ambiguous. He  
37 asked for that information to contain more detail.

38  
39 Wayne Burr, resident, voiced concern for the proposed utility fee and said he didn’t think it was  
40 right for citizens to give future generations a bill or utility fee. Mr. Burr also expressed concern  
41 that the utility tax would be expanded at a later time. Mr. Burr asked the Council to not go any  
42 further with UTOPIA.

43  
44 **CONSENT ITEMS**

45  
46 There were no consent times.

1 **SCHEDULED ITEMS**

2  
3 6:20 P.M. PUBLIC HEARING

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

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

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

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

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

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

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

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

2 Advantages

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

8

9 Disadvantages

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

14

15 Mr. Bench went over the proposed amendments that would be made to the Orem City code if the

16 Council chose to approve the request. The proposed amendments are outlined below:

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

18

19 **H. Building Heights.**

- 20 1. Residential dwellings shall not exceed forty-three feet (43') in height above the average
- 21 grade of earth at the foundation wall.
- 22 2. Accessory buildings/structures other than guest homes shall not exceed twenty-four feet
- 23 (24') in height.

24

25 **K. Guest House.** A guest house is a particular type of accessory building and shall be placed on the same

26 lot as the primary structure. One guest house per lot may be permitted, and each of the following shall

27 apply:

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

38

39 **M. Additional Requirements.**

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

44

45 Mrs. Black said she read over the notes from the Planning Commission and the letters of

46 approval from neighbors. She gathered that neighbors were generally in favor of the request.

47

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

49 required, a neighborhood meeting was held.

50

51 Mr. Burningham indicated that he represented the applicant and said the existing building would

52 not be able to be remodeled due to the existing structural integrity. That was why it would be

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

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

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

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

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

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

24  
25 6:20 P.M. PUBLIC HEARING

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

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

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

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

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

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

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

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

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

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

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

22 **Advantages:**

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

1 Disadvantages:

- 2 • Some private/charter schools in the City have had negative traffic impacts. However,  
3 the proposed development agreement will help mitigate potential traffic-related  
4 issues.
- 5 • Schools in general may generate more noise than a typical office use.  
6

7 Mr. Seastrand asked what zones schools were allowed in. Mr. Bench said public schools could  
8 go in any zone, but private and charter schools were limited to certain zones.  
9

10 Mr. Seastrand then asked where the sidewalk would connect to. Mr. Bench said when the initial  
11 development went in, sidewalks were only required on one side of the street. The sidewalk on the  
12 site plan eventually could be connected to the development on the vacant lot, which would  
13 connect to the neighborhood and then would to 1200 North.  
14

15 Mrs. Black said there was concern from the adjacent neighborhood about a possible entryway on  
16 Research Park Drive. Mr. Bench said that, ultimately, the plan was to build phase two on the  
17 vacant lot. Staff thought requiring a possible entryway on Research Park Drive through means of  
18 a development agreement would create better circulation. They had since rescinded that  
19 requirement knowing it could be reconsidered when lot two was built.  
20

21 Mrs. Black said another access would come out on Timpanogos Way.  
22

23 Mr. Spencer asked what the plans were for the second lot. Mr. Bench said he understood the  
24 applicant would contract with the current owner to buy the property. The second phase would be  
25 a future build out, but there could be a possibility the applicant may not complete a second  
26 phase.  
27

28 Mr. Spencer asked about the applicant meeting with neighbors. Mr. Bench said between the  
29 Planning Commission meeting and the City Council meeting, the neighbors did meet. The HOA  
30 was present as well as City staff. The meeting discussion focused on traffic options for the  
31 school.  
32

33 Both Mr. Sumner and Mr. Spencer asked for elaboration on what occurred with the  
34 neighborhood meeting. Mr. Bench said, to his knowledge, no neighbors attended the meeting.  
35 The applicant was responsible for mailing the notice to the neighbors surrounding the project. As  
36 a matter of practice the City did not take to verifying that the notices were mailed.  
37

38 Mrs. Warnick, applicant, said future plans for the vacant lot would be for Arches Academy to  
39 utilize the space for a future playground and green space for the children to run and play. The  
40 school also looked forward to building its own auditorium, but that would not happen for at least  
41 three years. She said Joseph Walker, HOA president, agreed to act as a mediator at a second  
42 meeting planned by the applicant. Neighbors declined a second meeting knowing Mr. Walker  
43 was on board as a mediator. Mrs. Warnick said she mailed the notification letters herself, and  
44 was unaware of why several of the neighbors were claiming they had not received the notice.  
45 She speculated that the notices were mistaken as junk mail and therefore were unintentionally  
46 thrown in the trash.  
47

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

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

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

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

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

20  
21 Mayor Brunst opened the public hearing.

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

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

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

43  
44 Mayor Brunst closed the public hearing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3  
4 Steven Downs, Assistant to the City Manager, presented to the City Council the proposed  
5 amounts to be awarded to CARE Grant recipients for the 2013-14 CARE year. On November 8,  
6 2005, a majority of City of Orem voters voted in favor of enacting a local sales and use tax of 0.1  
7 percent as a means of enhancing financial support for recreational and cultural facilities, and  
8 cultural organizations within the City of Orem. Known as the Cultural Arts and Recreation  
9 Enrichment tax (CARE), the Orem City Council enacted the tax by ordinance on November 22,  
10 2005. The tax went into effect April 1, 2006, and was authorized for a period of eight years. On  
11 November 5, 2013, a majority of City of Orem voters voted to continue collecting the CARE tax  
12 for an additional 10 years.

13  
14 On December 9, 2008, the City Council amended the CARE Program policies and procedures,  
15 establishing eligibility requirements and an application process for the competitive granting  
16 program. Three categories of grants were established, including Recreational and Cultural  
17 Facilities, available for publicly-owned or operated facilities; Cultural Arts Major Grants, of  
18 \$5,000 or more for operating costs of nonprofit cultural arts organizations; and, Cultural Arts  
19 Mini Grants, of up to \$4,999 for operating costs of nonprofit cultural arts organizations.

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

24  
25 Utah law requires that the entire amount of revenues and interest collected as a result of the  
26 imposition of the tax be distributed in a manner consistent with Utah Code Ann. 59-12-1403,  
27 which allows for granting to one or more facilities or organizations. Utah law also requires the  
28 City to provide for that distribution by ordinance.

29  
30 Mr. Downs appreciated the CARE committee members who served by listening to CARE  
31 application presentations.

32  
33 Mr. Downs detailed the proposed CARE major grant and City facility awards for 2014.

34  
35           Major Grant Applicants

- |                                       |           |
|---------------------------------------|-----------|
| 36           • Utah Valley Symphony   | \$7,500   |
| 37           • Hale Center Foundation | \$340,088 |
| 38           • Utah Lyric Opera       | \$7,500   |
| 39           • Utah Regional Ballet   | \$35,000  |
| 40           • SCERA                  | \$535,000 |

41  
42           City Facilities

- |                                 |           |
|---------------------------------|-----------|
| 43           • Recreation       | \$598,000 |
| 44           • Center for Story | \$300,000 |
| 45           • Administration   | \$24,751  |

46  
47 Mr. Downs detailed the proposed CARE mini grant awards for 2014.

1 Mini Grant Applicants

- |    |                                       |         |
|----|---------------------------------------|---------|
| 2  | • Colonial Heritage Foundation        | \$4,999 |
| 3  | • The Orem Chorale                    | \$4,500 |
| 4  | • Latinos in Action                   | \$4,500 |
| 5  | • Flix for Charity                    | -       |
| 6  | • Wasatch Chorale                     | \$4,500 |
| 7  | • Utah Valley Young Voices            | -       |
| 8  | • Utah Storytelling Guild             | \$4,000 |
| 9  | • Roots of Freedom Foundation         | \$4,999 |
| 10 | • Utah Baroque Ensemble               | \$4,500 |
| 11 | • Chauntenette Women’s Chorus         | \$4,500 |
| 12 | • Utah Film Center                    | \$1,000 |
| 13 | • Center State Performing Arts Studio | \$4,000 |
| 14 | • UVU Noorda Theater                  | -       |
| 15 | • Utah Valley Civic Ballet Company    | \$4,500 |
| 16 | • Resonance Story Theater             | \$4,000 |

17  
18 Mr. Downs reported the total 2013/14 CARE allocation amounted to \$1,897,837.

19  
20 Mayor Brunst said the CARE grant proposals had been discussed over the course of several work  
21 sessions.

22  
23 Mr. Macdonald thanked Councilmembers Black, Spencer, and Seastrand for serving on the  
24 committee that oversaw the CARE mini grant applicant presentations. Mr. Macdonald  
25 acknowledged there were differing opinions within the Council on how much should be  
26 allocated to the different groups.

27  
28 Mr. Macdonald **moved** to accept the CARE allocation dollar amounts as presented.

29  
30 Mr. Sumner said it was a great experience listening to the grant applicants. Mr. Sumner then  
31 proposed a change to the major grants and suggested allocating the following:

- |    |                          |           |
|----|--------------------------|-----------|
| 32 | • Utah Valley Symphony   | \$7,500   |
| 33 | • Hale Center Foundation | \$330,088 |
| 34 | • Utah Lyric Opera       | \$7,500   |
| 35 | • Utah Regional Ballet   | \$30,000  |
| 36 | • SCERA                  | \$550,000 |

37  
38 Mr. Sumner explained that he wanted to see the SCERA receive more grant money due to the  
39 SCERA reaching so many Orem citizens.

40  
41 Mr. Andersen said he supported Mr. Sumner’s proposal.

42  
43 Mr. Seastrand drew attention to Mr. Macdonald’s original motion and said his motion had not  
44 had the opportunity for a second.

45  
46 Mayor Brunst asked Mr. Macdonald to clarify his motion.

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

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

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

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

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

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

24  
25 **Areas of Focus**

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

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

35  
36 **Budget Guiding Principles**

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

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

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

### 25           **Stewardship Report**

26           Mr. Bybee presented the following stewardship report from the FY 2013-2014 budget year and

27           attributed specific accomplishments to the City Council's Areas of Focus:

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

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

23  
24 **Revenues**

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

26

Revenues: Forecast by Fund				
Fund	Revenues	Interfund Transfers In	Appropriation of Surplus	Total
General	\$43,491,963	\$5,712,022	\$0	\$49,203,985
Road	\$2,305,000	\$0	\$0	\$2,305,000
CARE	\$1,710,000	\$0	\$0	\$1,710,000
Debt Service	\$2,626,826	\$4,714,290	\$0	\$7,341,116
Capital	\$240,000	\$0	\$0	\$240,000
Water	\$11,419,000	\$892,377	\$0	\$12,311,377
Water Reclamation	\$7,017,851	\$10,000	\$0	\$7,027,851
Storm Sewer	\$3,010,500	\$100,000	\$0	\$3,110,500
Recreation	\$1,543,000	\$125,000	\$158,088	\$1,826,088
Solid Waste	\$3,010,500	\$100,000	\$0	\$3,397,000
Fleet	\$0	\$652,000	\$0	\$652,000
Purchasing	\$0	\$363,000	\$0	\$363,000
Self-Insurance	\$500,000	\$1,175,000	\$0	\$1,675,000
StoryTelling	\$285,000	\$10,000	\$0	\$295,000
Orem Foundation	\$10,000	\$0	\$0	\$10,000
CNS	\$734,500	\$47,048	\$0	\$781,548
Sr. Citizens	\$51,250	\$0	\$0	\$51,250

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1  
2 Mr. Manning gave comparisons for each department which highlighted number of employees,  
3 personnel cost, operations cost, capital cost and total costs for FY 2015, which information was  
4 available in the Tentative Budget booklet.  
5

6 Mr. Manning covered Capital Improvement Funds, explaining the revenue descriptions fund  
7 totals for FY 2011-12, FY 2012-13, FY 2013-14, and the tentative budget for FY 2014-15.  
8

9 Mr. Seastrand asked if surplus would go to the Capital Improvement Fund. Mr. Manning said  
10 yes; the City forecasted revenues from a conservative standpoint, and any excess would filter  
11 into the Capital Improvement Fund.  
12

13 Mr. Manning said the City would be wise to pull excess aside and only spend those funds on  
14 one-time expenditures.  
15

16 Mr. Manning explained proposed compensation changes to the FY 2015 budget. A 2 percent  
17 market increase was built into the base, with an additional 1 percent merit increase totaling  
18 \$120,000 for January, 2015. Mr. Manning said a health insurance premium increase totaling  
19 \$185,000 was forecasted for 2015, as well as the Utah Retirement System increases totaling  
20 \$295,600.  
21

22 Mr. Manning went over the changes in fees and charges and said fees were aimed to cover cost.  
23

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22  
23 Mayor Brunst allowed time for public comment.

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

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

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

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

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

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

4

5 **COMMUNICATION ITEMS**

6

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

9

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

13

14 **CITY MANAGER INFORMATION ITEMS**

15

16 There were no city manager information items.

17

18 **ADJOURNMENT**

19

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

23

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

1 CITY OF OREM  
2 SPECIAL MEETING  
3 SCERA Center for the Arts, Room 201  
4 745 South State, Orem, UT 84058  
5 May 14, 2014  
6

7 *This meeting was for discussion purposes only. No action was taken.*  
8

9 CONDUCTING Mayor Richard F. Brunst, Jr.

10  
11 OREM ELECTED OFFICIALS Mayor Richard F. Brunst, Jr. and Councilmembers Hans  
12 Andersen, Mark E. Seastrand, David Spencer, and Brent  
13 Sumner

14  
15 OREM STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant  
16 City Manager; Steven Downs, Assistant to the City  
17 Manager; Scott Gurney, Interim Public Safety Director;  
18 Karl Hirst, Recreation Director; Richard Manning,  
19 Administrative Services Director; Jason Bench, Planning  
20 Division Manager; Jennifer Sisoutham, Administrative  
21 Secretary; and Taraleigh Gray, Deputy City Recorder  
22

23 EXCUSED Orem Councilmembers Margaret Black and Tom  
24 Macdonald  
25

26  
27 **Welcome**

28  
29 Val Hale welcomed those in attendance at the meeting.  
30

31 **Introductions and Agenda Review**

32  
33 Mayor Brunst introduced Treeo. He asked Don Potter, GM of Treeo, to come forward and give a  
34 brief overview of what Treeo was.  
35

36 Mr. Potter said Treeo was a smart retirement community. Treeo was changing the stereotype of  
37 what a retirement community must look like. Treeo would teach the senior population what  
38 technology could do for them. Each member of Treeo had an iPad. The building was very  
39 modern, bright and open. A large part of Treeo's mission was to connect with community.  
40

41 Mayor Brunst reviewed the items listed on the agenda.  
42

43 **Utah Valley Chamber Introduction**

44  
45 Val Hale provided an introduction and brief history of the Utah Valley Chamber. He said the  
46 Chamber wanted to be more active and visible within the community. Mr. Hale said he  
47 appreciated the meeting that was being held and spoke about the possibility of putting together a  
48 quarterly forum, similar in structure to the Orem Forum.

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

### 5 6 **Economic Development Division Introduction**

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

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

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

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

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

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

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

29  
30 The program was offered on a 100 percent free scholarship and was valued between \$18,000 to  
31 \$20,000. Mr. Longenecker said the program was like a miniature MBA for the individual  
32 business owners.

33  
34 Mr. Longenecker said the program was very competitive. A prominent program goal was to  
35 encourage businesses to grow so they could grow economic development within each  
36 community.

37  
38 The program encouraged training and evaluated people on business performance. Through the  
39 program businesses worked closely with local banks and other resources so businesses could  
40 grow when they were ready to scale.

41  
42 The program suited a variety of business owners ranging in age from twenty five years old to  
43 seventy years old. The past cohort was comprised of 50 percent women participants.

44  
45 Mr. Longenecker said the program was not about who had the best business, but rather it was  
46 about what businesses were the best fit for the group.

### 47 48 **Sign Ordinance Introduction**

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

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

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

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

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

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

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

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

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

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

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

#### 45 46 **Adjournment**

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

**CITY OF OREM**  
**CITY COUNCIL MEETING**  
MAY 27, 2014



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

**NOTICES:**

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

**SITE INFORMATION:**

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

<b>PREPARED BY:</b> Clinton A. Spencer Planner
--

<b>PLANNING  COMMISSION  RECOMMENDATION:</b> 6-0 for approval
--

**REQUEST:**

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

**BACKGROUND:**

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

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

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

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

facing 1200 West.

The proposed amendments are outlined below:

**22-11-35(D):**

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

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

**9. Outside Storage:**

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

Advantages:

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

Disadvantages:

- None determined

**RECOMMENDATION:**

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

ORDINANCE NO. \_\_\_\_\_

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

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

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

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

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

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

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

1. The City Council finds that this request is in the best interest of the City because it will allow greater flexibility in the development and improvement of property in the PD-22 zone.
2. The City Council hereby amends a portion of Section 22-11-35(D) by adding Standard Land Use Code 6413 as a permitted use in the PD-22 zone to read as follows:

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

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

**9. Outside Storage:**

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

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

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

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

PASSED and APPROVED this 27<sup>th</sup> day of **May** 2014.

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Richard F. Brunst, Jr., Mayor

ATTEST:

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Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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**22-11-35(D):**

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

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

**9. Outside Storage:**

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

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

Standard Land Use Code   Category

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

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

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





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

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

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

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

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

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

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

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

90  
91

## **Orem City Public Hearing Notice**



### **Planning Commission**

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

### **City Council**

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

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

**For more information, special assistance or to submit comments, contact Clinton Spencer at [caspencer@orem.org](mailto:caspencer@orem.org) or 801-229-7267.**

**22-11-35(D):**

Standard Land Use Code  
6413

Category  
Automobile Repair (inside only)

---

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

**9. Outside Storage:**

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

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

HAYNIE, BRIAN  
PO BOX 10  
TETON, ID 83451

NORTHGATE VILLAGE  
DEVELOPMENT LC  
PO BOX 1234  
OREM, UT 84059

NORTHGATE VILLAGE  
DEVELOPMENT LC  
PO BOX 1239  
OREM, UT 84059

ZEBRA ASSET MANAGEMENT LLC  
PO BOX 1481  
OREM, UT 84057

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

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

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

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

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

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

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

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

HART, ROLAND J  
20 TIMBERLINE TRL  
LANDER, WY 82520

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

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

TLB2 LLC  
51 W CENTER # 420  
OREM, UT 84057

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

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

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

CENTURY LINK  
75 EAST 100 NORTH  
PROVO, UT 84606

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

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

COMMON AREA  
100 CENTER ST  
PROVO, UT 84606

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

COMMON AREA  
100 E CENTER ST  
PROVO, UT 84606

WILLIAMSON RENTALS LC  
168 N 1200 E  
OREM, UT 84097

WILLIAMSON RENTALS LC  
195 S GENEVA RD  
LINDON, UT 84042

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

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

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

SANFORD, BRIAN  
197 COURTNEY ANN DR  
HENDERSON, NV 89074

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

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

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

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

JEEMA V LLC  
470 S 200 W  
SALEM, UT 84653

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

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

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

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

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

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

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

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

MAG  
586 EAST 800 NORTH  
OREM, UT 84097

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

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

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

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

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

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

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

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

CRUMP PROPERTY LLC  
811 N 900 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NORTHGATE HOTEL LLC  
873 N 1200 W  
OREM, UT 84057

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

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

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

GODFREY, NADENE  
894 N 960 W  
OREM, UT 84057

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

OPENSHAW, ROBYN  
893 N 900 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

PETERSON, MADISON  
904 N 960 W  
OREM, UT 84057

MAYOR RICHARD BRUNST  
900 EAST COUNTRY DRIVE  
OREM, UT 84097

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

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

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

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

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

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

WATTS, EMMELINE  
909 N 940 W  
OREM, UT 84057

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

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

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

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

WHEELER, MICHAEL  
914 N 940 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

FAERBER, ALMA  
924 N 980 W  
OREM, UT 84057

IAM, ADHIS  
925 N 900 W  
OREM, UT 84057

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

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

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

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

SYCAMORE FAMILY LLC  
928 N 960 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

STUBALZABUL LLC  
935 N 1200 W  
OREM, UT 84057

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

BAMBL, MATT  
934 W 880 N  
OREM, UT 84057

AMADOR, MICHELLE  
937 N 940 W  
OREM, UT 84057

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

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

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

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

WILKINS, ELIZABETH  
938 N 960 W  
OREM, UT 84057

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

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

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

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

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

GRAVES, HOPE  
942 N 940 W  
OREM, UT 84057

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

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

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

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

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

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

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

PHILLIPS, ANDREA  
945 N 940 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ENGLE, KOZETTE  
958 N 940 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

GIBBS, GAYE  
973 N 920 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

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

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

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

SWH LTD  
982 W 960 N  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

DUNN, CARRIE  
1023 N 900 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

988 PROPERTIES LLC  
1058 N 500 W  
OREM, UT 84057

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PALICA, TRACY  
1229 S 1100 E  
OREM, UT 84097

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

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

ASPEN VENTURES LLC  
1270 E 2000 N  
PROVO, UT 84604

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

VEIBELL MARKETING LLC  
1218 GRANDVIEW DR  
PROVIDENCE, UT 84332

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

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

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

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

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

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

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057

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

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

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

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

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

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

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

UTOPIA  
2175 S REDWOOD ROAD  
WEST VALLEY CITY, UT 84119

THE HAMMOND COMPANY  
3664 FOOTHILL DR  
PROVO, UT 84604

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

BANK OF UTAH  
2605 WASHINGTON BLVD  
OGDEN, UT 84401

SYCAMORE FAMILY LLC  
4302 N SHEFFIELD DR  
PROVO, UT 84604

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

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

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

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

SYCAMORE FAMILY LLC  
4302 SHEFFIELD DR  
PROVO, UT 84604

COMCAST  
9602 SOUTH 300 WEST  
SANDY, UT 84070

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

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

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

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

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

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

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

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

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





# OREM DRC APPLICATION

Development Review Committee, 100 South Main Street, Room 1100, P.O. Box 2296, Orem, UT 84059-2296

www.orem.gov

### APPLICANT INFORMATION

FORM EXPIRES: 06-30-2014

Name: ROSS ADMIN ASSOCIATES Phone: 801-765-4700  
 Address: 535 N. 100 W FAX:  
 City: Orem State: UT Zip: 84057 e-mail: ross@rossadmin.com

### PROJECT INFORMATION

Project Name: - D - 2d Zone  
 Project Address: 1100 W 500 N

### Nature of Request (Check all that apply) and Filing Fee Amount

SUBDIVISION PLANS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
Preliminary PRD \$1000.00	Sign	Land Use Map Change \$1000.00	Site Plan Admin. Approval \$1000.00	To City Council \$1000.00
Preliminary deep lot split fee \$1000.00	Subdivision \$1000.00	Text Change \$1000.00	Site Plan \$1000.00	To Planning Commission \$1000.00
Final \$1000.00	X Zoning, Text \$1000.00		Concrete Masonry Fence \$1000.00	Street Vacation \$1000.00
Vacation Amendment \$1000.00	New PD Zone, Text \$1000.00		Daycare Fence Approval \$1000.00	Annexation \$1000.00
Final PRD \$1000.00	Rezone \$1000.00		Temporary Site Plan Approval \$1000.00	Driveway Entrance Modification \$1000.00
Lot Line Adjustment \$1000.00	New PD Zone, Rezone \$1000.00		Conditional Use Permit \$1000.00	Resubmittal Fee \$1000.00
			Fence Modification/Waiver \$1000.00	
			Condominium Conversion \$1000.00	Other \$1000.00

### 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 8 1/2" by 11" shall be submitted with each application for Subdivision Plans, Conditional Use Permits, Site Plans, and Condominium Conversions. <http://www.orem.gov/development-review-committee>

### APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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.

The applicant shall hold a neighborhood meeting in accordance with the City Code for the following requests: 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.

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

Applications filed after July 1 are subject to fee changes.

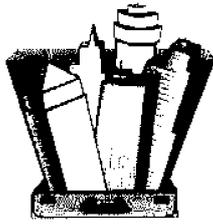
Applicant's Signature: [Signature] Contact Person Name: Paula Cochran Phone: 801-765-4700

### OFFICE USE ONLY

Date Filed: 7/28/14 Fees Paid: 500 Received By: [Signature]

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

**WASHBURN & ASSOCIATES**  
*Developers & Consultants*



March 26, 2014

Text Amendment

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

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

## Project Timeline

Project: PD-22 ZOA Outside Storage

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

**CITY OF OREM**  
**CITY COUNCIL MEETING**  
MAY 27, 2014



<b>REQUEST:</b>	<b>6:20 PUBLIC HEARING</b> <b>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</b>
<b>APPLICANT:</b>	Young Electric Sign Company
<b>FISCAL IMPACT:</b>	None

**NOTICES:**

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

**SITE INFORMATION:**

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

<b>PLANNING COMMISSION RECOMMENDATION</b>
<b>Approve: 7-0</b>

<b>PREPARED BY:</b> David Stroud, AICP Planner
--

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Advantages**

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

#### **Disadvantages**

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

face.

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

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

ORDINANCE NO. \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PASSED, APPROVED, and ORDERED PUBLISHED THIS 27<sup>th</sup> day of **May** 2014

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Richard F. Brunst, Jr., Mayor

ATTEST:

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Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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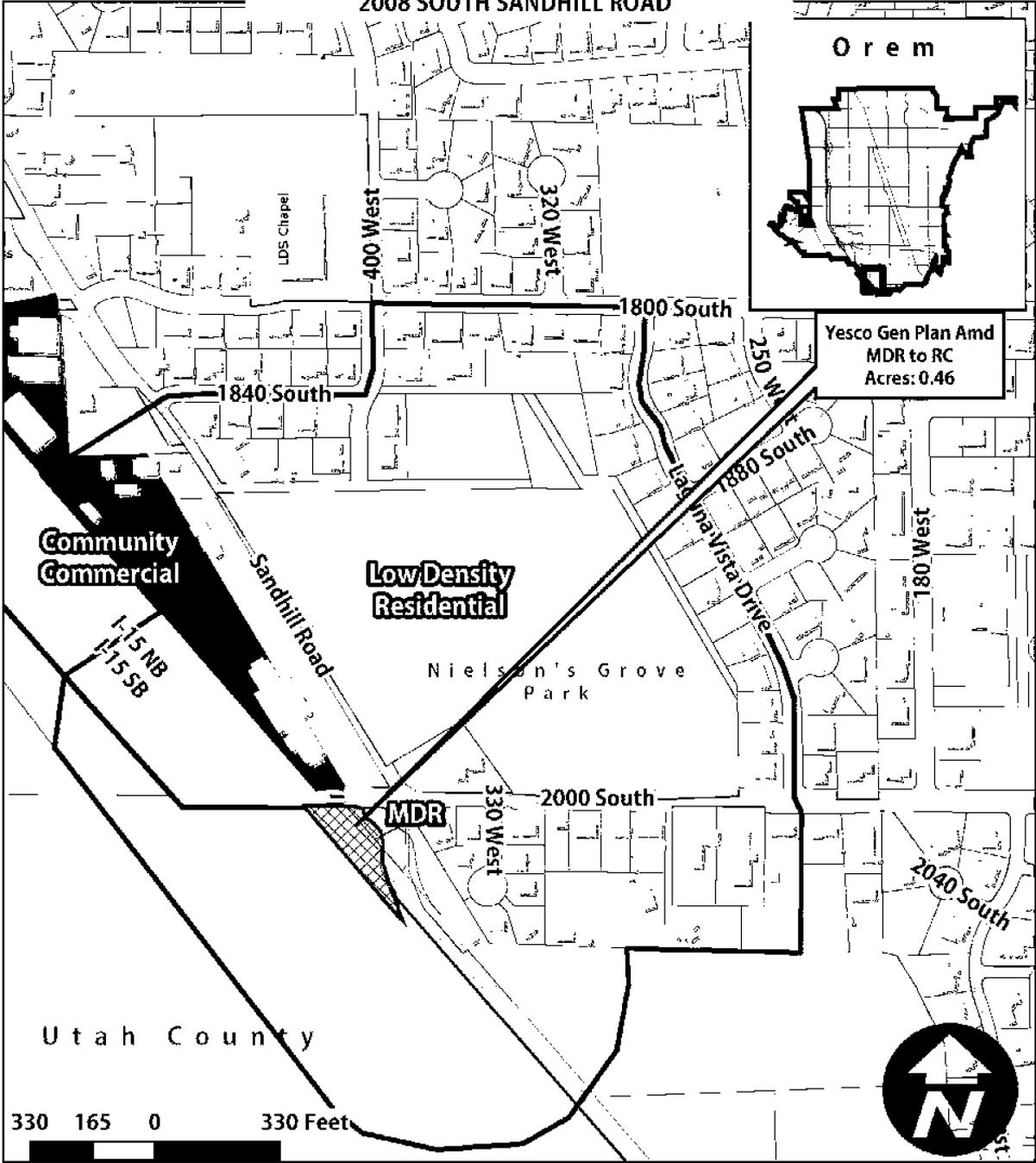
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# Yesco GP Amendment - MDR to CC or RC

2008 SOUTH SANDHILL ROAD



Orem

Yesco Gen Plan Amd  
MDR to RC  
Acres: 0.46

Community  
Commercial

Low Density  
Residential

Nielsen's Grove  
Park

MDR

Utah County

330 165 0 330 Feet

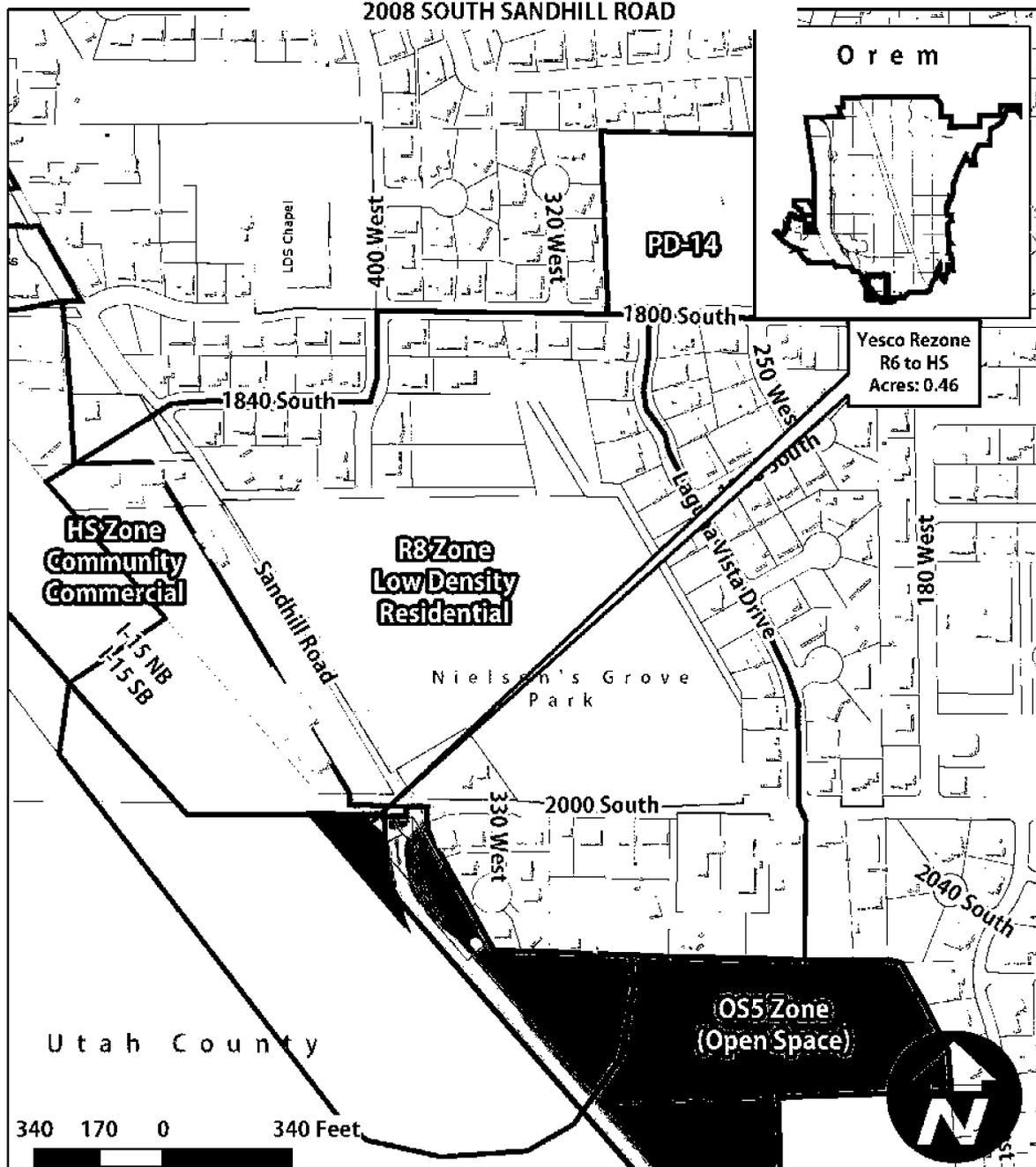
◆ Yesco General Plan Amendment:  
MDR to RC; 0.46 Acres.

NIA CONTACT:  
Lakeview Neighborhood  
Garr Judd  
Page 4 of 5

Legend

- Parcel
- Neighboring Boundary
- Parcel

# Yesco Rezone - R6 to HS



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

**NIA CONTACT:**  
Lakeview Neighborhood  
Garr Judd

**Legend**  
Building  
Neighborhood Boundary  
Topography

RESOLUTION NO. \_\_\_\_\_

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

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

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

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

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

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

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

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

1. The City Council hereby finds this request:
  - A. Is not in the best interest of the City because it will have a negative effect on adjacent residential property.
  - B. Is not in harmony with the Orem General Plan.

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

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

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

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

6. This resolution shall take effect immediately upon passage.

PASSED, APPROVED, and ORDERED PUBLISHED THIS 27<sup>th</sup> day of **May** 2014.

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Richard F. Brunst, Jr., Mayor

ATTEST:

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Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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**DRAFT PLANNING COMMISSION MINUTES – APRIL 23, 2014**

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

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



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

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

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

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

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

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

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

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

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

**Advantages**

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

**Disadvantages**

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

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

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

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

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

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

The test was run from 8:30 p.m. to 10:00 p.m., so they could get a reading with some sunlight and then in the dark. They found that the street lights and the lighting on the freeway is far more intrusive than the billboard. He then showed them pictures of ads that have run on the billboard. He noted that a couple had an off-white background, noting that YESCCO does not allow any white backgrounds on digital because they are too bright. They use off-white or gray.

In discussing the different measurements with the Planning Commission, Mr. Helm said there is a gun called a NIT gun that can be aimed at the sign and measures the actual light coming out of the LED itself. It does not measure how it affects the surrounding area. A Foot Candle Meter takes in all light around it and gives a more true measurement on how the digital display affects the area around it.

Vice Chair Walker asked how would the light from a regular billboard compare to the digital. Mr. Helm said the best way to measure is to use the NIT gun and shoot each face. This will give the actual light on the face and the digital display at night are measuring typically 100 nits lower than a typical static face with the light turned on. Vice Chair Walker noted that this light emits less light than a flooded sign.

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

Mikaela Dufur, Orem, said she lived in the cul-de-sac that is across from the sign. She is sympathetic to the desire to put right mistakes in the past. There was a meeting and there were several compromises proposed that included issues like fading between the ads instead of a sharp turn to new add, or a possible static image late at night from midnight to 6 a.m. She is disappointed that those have not been included in the previous statements. She noted that Mr. Earl was aware of those compromises and she hoped they would be conditions of approval. Next she asked the Planning Commission to make as conservative a change as possible so that with reasonable prudence the neighbors could be assured that as technology changes come in the future they will not be back in this situation.

Mike Whippey, Lakeview neighborhood co-chair, Orem, said he is a civil engineer and has some experience with sight/light design. He noted that staff has been great to meet with him and some of the neighbors to address their concerns. He understands that when the property annexed the best decision was made to minimize the impacts to the billboard company, create a detention basin property, bring the property into the City and designate a land use that would not infringe on the adjoining neighborhood. At that time the neighbors understanding was the continued use of YESCO of the property would not infringe upon the neighborhood. The expansion allowed the sign to be raised and it went from a parallel back to a split or angle billboard. That makes a larger footprint in the sky, but that was within their right because of the freeway expansion. Mr. Whippey said that the upgrade to the LED is an expansion of their commercial use, they are fully entitled to continue the use of the property with an improved and upgraded sign without the LED upgrade. The UDOT permit that was issued was issued erroneously making the current billboard illegal. There is good reason UDOT does not permit LED displays in residential areas, because it is a detriment to the neighborhoods. Rezoning the parcel would allow the LED display to remain, but there is no indication that the LED would have been permitted had the property never been annexed into the City. He noted that approving the zone change invalidates representations that were made to area residents in 2005 that the neighborhood would not be negatively impacted by the annexation and allowing the LED display to remain would have a severe detriment to the character and integrity of the neighborhood. This would set precedence to upgrading to LED in other parts of the City, also nothing would prevent them for applying for a LED on the opposite face of the sign, which would impact Nielsen's Grove Park and more neighbors. He canvassed the neighborhood to find out how the neighbors feel. Those that are heavily impacted by the billboard, living to the south, were against the sign and said the sign is bright in their home. He has found studies that exist that counter the assertion that the flood lit billboards are brighter than the LED display. The studies say that LED is brighter than traditionally lit billboards. He invited the Planning Commissioners to come down to the area at night and see which sign would be better in their neighborhood.

Mr. Earl said that staff has discussions with YESCO and the neighbors in order to come to an agreement; YESCO has indicated they would sign a development agreement stating that they would not put an LED sign on the north face. If the development agreement is not required, then they could put one on the other side.

Vice Chair Walker said that opening the flat faced sign would be an advantage to the neighborhood, so more of the light is going towards the freeway and away from the neighborhood. He also added that YESCO did the change in good faith and was not trying to beat the system. If the annexation had not occurred YESCO would be in the County and could do the sign and have on both sides.

Mr. Whimpey agreed YESCO was not trying to beat the system or be deceitful. His opinion was that even had the annexation not occurred, no one could say that the sign would be changed to LED. The billboard is very valuable to YESCO even without the LED.

Vice Chair Walker asked when was the cul-de-sac built. Mr. Whimpey said it is after the annexation of the static sign.

Vice Chair Walker said he is not a fan of billboards, but they are there and must be treated fairly.

Mr. Earl said this was originally zoned industrial in the County. The neighbors were the first to make complaint to the City about the LED in March of 2013. He was assigned to look into it and find out if it was illegal. He looked at state regulations that govern billboards and based on that research he concluded that YESCO should not have put the LED on the sign. He was the one to call UDOT and let them know of the issue. After researching the permit, UDOT realized they should not have issued the permit. He talked to the attorney for UDOT and he noted that in order to have an upgrade to an existing billboard; it can only be done if it is located in a commercial, highway services or industrial zone. If it would still be industrial, it would be an automatic upgrade. At the time of application YESCO believed they were zoned commercial. It was an automatic approval, because of the assumption the land was zoned commercial. Staff has been trying to find some compromise solution. Mr. Earl then suggested that the compromises be considered. He suggested that if the Planning Commission and the City Council approve the request that they enter into some development agreement for that action. Some of the things that could be included are:

1. No LED on the north face,
2. Reverting to a static sign during certain hours of the night; and
3. Changing the time the sign rotates ads.

YESCO has agreed to these conditions and this will help mitigate some of the concerns of the neighbors. When YESCO was first annexing into the City, the only reason the City chose the R6 zone was because it was the zone that allowed for the smallest possible parcel. There was no thought that this would ever have a residential use. If there had been a commercial zone that was smaller than 6,000 square feet that would have been the chosen zone.

Ms. Jeffreys said that YESCO said it was commercial without checking. Mr. Earl said that the people who filed the application were different than who staff worked with in 2005. There was an incorrect assumption.

Ms. Jeffreys asked if the static sign during the night would still be LED and not moving. Mr. Earl said yes.

Mr. Whimpey said the neighbors had presented compromises with YESCO. One compromise was to address the operations of the billboard, the brightness, sign changes and have the sign lowered ten feet. There was no serious attempt to try and mitigate this on YESCO's part before coming before the City.

Mr. Earl said he cannot agree with Mr. Whimpey's characterization, the City had a lot of back and forth with YESCO and the neighborhood representatives trying to set up additional meetings. YESCO has been acting in good faith. They met with the neighbors a couple of weeks ago and there was a good discussion, nothing was resolved as of yet. His impression is that YESCO is willing to compromise.

Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Helm said that if the property were still in the County and zoned industrial the only way there would be some kind of regulation on proximity to residential is if the County ordinance is changed to address digital signage in proximity to residential. The State does not regulate that. He cannot speak to Mr. Whimpey's "studies." He is willing to meet with anyone to measure ambient light levels. When measuring light for this meeting, he put his back to the sign, to try and catch the sign rotating a face against one of the houses. He only caught it one time and that

was a brighter ad. One evening he was down there and made a map with Google Street map and he pinpointed 24 different lights consisting of:

- a. street lights,
- b. lights in the park, and
- c. the lights on the freeway that are twice as bright as anything on the road.

Mr. Helm added that he represents the YESCO real estate division, and the other side of the billboard is not a location they would consider installing digital. As you travel the left hand reads are not ideal. These signs are expensive and there is a lot of effort and cost put into the installation, therefore they try to keep them on the right hand side of the road. Most digital signs are theirs and they have a light monitoring sensor that works 24/7. As a cloud rolls in front of the sun, the sign will dim down and will brighten up as the sun returns. As the ambient light changes the sign adjusts to preset levels, that should not change ambient light more than 0.3 foot candles. This is an industry standard.

Mr. Iglesias asked if the monitoring system can be adjusted. Mr. Helm said yes. He said their office in Logan has a section, employing 30 people that specifically watch digital faces all day long, about 8,800 faces. They make sure, via a camera pointed at the sign that nothing is off. As he drives to Salt Lake daily to work he notes the signs. One time he noticed a sign that was brighter than it needed to be, he contacted the office and he was notified by email within two minutes that it had been adjusted. Their computer is set so that if the light monitoring ever fails it will go back to the default settings.

Ms. Jeffreys asked how many ads run and how often do they change. Mr. Helm said there are six ads and they change every six seconds. Mr. Earl indicated that State law also says the digital face cannot change more than every eight seconds also.

Vice Chair Walker said it is to YESCO's advantage to keep the display at the dimmest possible as far as reading, because it must chew up a lot of energy. Mr. Helm said five years ago they changed out an old unit and put in the latest greatest at that time. That unit ran on 200 amp service by itself, which is like a large home. Two years later with more digital units, that was down to 100 amp service and now they are running on a 60 amp breaker, which can only be loaded at 80%. They keep getting more efficient. He noted that YESCO runs the Amber Alert on their billboards.

Mr. Stroud said this request has two components; General Plan and the land use zone. The rezone can be C1 or HS; they both require 7,000 square feet. Highway Services allows more intensive uses than the C1, which is generally office space. This property cannot have any commercial access from the roundabout. The HS will match the property across the street to the north. The C1 would be by itself. If the Commission chooses C1 the General Plan would be Community Commercial for the General Plan, HS would be Regional Commercial.

Ms. Jeffreys suggested continuing the item in order to go out and see the light.

Mr. Whetten said he lived there when the light first came in. It was quite bright, especially the red light. He has not lived there for a year. He would like to see the light measurements. He would like the dimming of the lights to start earlier than midnight. The freeway is super well lit. He noted there is something about the changing of colors that is very different from the static white light.

Mr. Bell said if the Planning Commission is going to continue the item, the Planning Commission could suggest that YESCO work with the neighbors now and not wait until the next meeting.

Ms. Larsen asked if the City had any ordinance regulating LED display. Mr. Earl said the new sign ordinance states that no LED signs are permitted in residential zones, but are okay in commercial and industrial zones. Ms. Larsen asked if there are any restrictions on how far the light can go out, especially if it borders a residential zone. Mr. Earl said the signs cannot be flashing signs; the brightness cannot exceed 0.3 lumens above ambient light. Mr. Stroud said that some cities have restrictions on distances to residential properties. Ms. Larsen said she would be in favor of putting in something about having ads fade and going static from 11:00 p.m. to 6:00 a.m. Vice Chair Walker agreed and thought that the neighbors should compromise also. He said the Planning Commission should encourage the neighbors and YESCO to meet and come to a compromise.

Chair Moulton called for a motion on this item.

**Planning Commission Action:** Mr. Whetten moved to continue this item until May 5, 2014 meeting. He encouraged the neighbors and YESCO to meet together and reach a compromise prior to the next meeting and have Planning Commission meet with YESCO and observe the light and how light is measured. Ms. Jeffreys seconded the motion. Those voting aye: Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael Walker and Derek Whetten. The motion passed unanimously.

1 **DRAFT PLANNING COMMISSION MINUTES – MAY 7, 2013**

2 **AGENDA ITEM 4.1** is a request by YESCO to amend the **GENERAL PLAN LAND USE MAP BY CHANGING THE LAND**  
3 **USE FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL OR REGIONAL COMMERCIAL AND**  
4 **AMENDING ARTICLE 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY CHANGING THE ZONE ON 0.36 ACRES AT**  
5 **2008 AND 2018 SOUTH SANDHILL ROAD FROM R6 TO C1 OR HS.**

6  
7 **Staff Presentation:** Mr. Stroud said this request was continued from the April 23, 2014, Planning Commission  
8 meeting. The public hearing was opened and then closed.

9  
10 The request also involves amending the General Plan land use map from medium density residential to community  
11 commercial or regional commercial. The General Plan is a guide for development. As a guide, the City is not  
12 required to follow the plan but to maintain orderly development; rezone requests should be in harmony with the land  
13 use plan. If a rezone does not comply with the land use map, the map should be amended, which is the case in this  
14 request. Property to the west is I-15; to the east is zoned R8; and to the north is zoned R8 and HS.

15  
16 The applicant requests a rezone of 0.36 acres comprised of two lots; one owned by YESCO at 6,430 square feet and  
17 the other owned by Orem City at 9,013 square feet. The Orem City parcel is the location of a storm drainage  
18 detention basin. The YESCO parcel is the location of a billboard structure and also two storm drainage easements in  
19 favor of Orem City which encumber the entire YESCO parcel.

20  
21 The requested zone of HS or C1 requires a minimum lot size of 7,000 square feet. However, the City can approve a  
22 zone that contains less than required because the lots were created prior the  
23 zone change. However, a new lot could not be created that is less than the  
24 minimum of the zone in which the lot is located. When the City changed  
25 zoning designations throughout the City several years ago, many residential  
26 lots were made legal non-confirming because the size did not meet the new  
27 zone requirements. The smaller lot of YESCO becomes legal non-confirming,  
28 much like when the property was annexed with a commercial billboard but  
29 given a residential (R6) zone designation. The billboard became legal non-  
30 conforming because billboards are not permitted in a residential zone.



31  
32 In September 2005, Orem City acquired property from YESCO for the  
33 purpose of road improvements at the intersection of 2000 South and Sandhill  
34 Road. YESCO's original parcel was 0.56 acres or 24,393 square feet. The City  
35 purchased property in order for the roundabout to be constructed and to  
36 construct a storm drainage detention basin. From the annexation City Council minutes of September 27, 2005: *"In*  
37 *order to maximize the area that the City can purchase and use for storm water detention, the City and YESCO*  
38 *desire that the parcel that YESCO will retain ownership of be as small as possible."* At the time of purchase, the  
39 property was located in Utah County and zoned Industrial-1. The annexation of the property was officially approved  
40 when accepted by then Lt. Governor Gary Herbert in February 2006.

41  
42 YESCO kept 6,430 square feet of their original 24,393 square feet with the City purchasing the remainder. The  
43 property was annexed in as the R6 zone as this was the only zone that permitted a lot less than 7,000 square feet.  
44 The R6 zone is a residential zone which does not permit billboards. Since the billboard was located on the property  
45 at the time of annexation, the use became legal non-confirming. The YESCO subdivision was then recorded on  
46 February 28, 2006.

47  
48 The existing billboard was recently reconstructed and an LED panel installed on the south face as well as an increase  
49 in height because of the sound wall installed by UDOT as part of the I-CORE I-15 project. The wall blocked the  
50 billboard from I-15 traffic. State Code permits a billboard to be increased in height to make it "clearly visible" to the  
51 traveling public on I-15 if highway improvements blocked visibility. To raise the billboard, UDOT granted a permit  
52 but did so without the knowledge the billboard was in a residential zone. Because of the zone, UDOT does not  
53 permit an LED billboard in a residential zone and asks YESCO to remove the LED panel. A static billboard is  
54 permitted, however, and at the existing height. The billboard will remain regardless of whether the display is LED or  
55 static.

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

60  
61 The height of the sign is not an issue as State Law allows the sign to be at the current height. Staff drove I-15 and  
62 made a video of the view of a passenger while in the right lane. The sound wall drops just below the lower left  
63 corner of the sign when traveling northbound. This appears to make the sign “clearly visible” as State Code permits.  
64

65 There may be some consensus between the neighbors and YESCO on what may be done with the LED. There was  
66 talk of a static message between midnight and 5:30AM, for example. YESCO and UDOT were both under the  
67 assumption that the property was zoned commercial. If YESCO kept a few hundred more square feet and sold less to  
68 the City, a commercial zone may have been applied instead of a residential zone.  
69

70 The worst case scenario is that the City Council does not rezone the property and UDOT requires the LED panel to  
71 be removed. Because the height is already permitted, the sign will not be lowered as it will then be obscured by the  
72 sound wall. If the LED is removed, the face will then be changed to a static element with illumination from standard  
73 lights.  
74

75 **Advantages**

- 76 • Brings the billboard into compliance with UDOT standards
  - 77 • LED is generally less bright than standard lighting causing less light pollution
  - 78 • Easements prevent any commercial use other than the billboard
- 79

80 **Disadvantages**

- 81 • Height cannot be reduced for neighbors as the current height is permitted
  - 82 • If the rezone is not granted, a static billboard may cause a greater amount of light pollution than the LED  
83 display
- 84

85 **Recommendation:** Staff recommends the Planning Commission forward a positive recommendation to the City  
86 Council to amend the General Plan land use map by changing the land use from medium density residential to  
87 community commercial or regional commercial and amending Article 22-5-3(A) and the zoning map of Orem City  
88 by changing the zone on 0.36 acres at 2008 and 2018 South Sandhill Road from R6 to C1 or HS.  
89

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

91  
92 Chair Moulton invited the applicant to come forward. Mike Helm introduced himself.

93  
94 Mr. Helm indicated he had met with some the Commission member to measure light levels and the neighbor, Mikala  
95 also invited them into her home to see what it is like in her home at night. Mr. Helm indicated that YESCO is  
96 willing to freeze the lights from midnight to 5:30 a.m.  
97

98 Chair Moulton thanked Mr. Helm and Mikala for assisting the Planning Commission in becoming more informed.  
99

100 Vice Chair Walker said that if YESCO had not made the effort to help the City they would not have this problem.  
101 He noted that the street light was brighter than the sign.  
102

103 Mr. Whetten said that when the sign was first installed it was brighter. When he went the other night it was much  
104 dimmer. He suggested staff consider adding to the sign ordinance measurements on how much light is reflected into  
105 a home, especially into bedroom windows.  
106

107 Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to  
108 come forward to the microphone.  
109

110 When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had  
111 any more questions for the applicant or staff.  
112

113 Ms. Jeffreys said it was interesting that no one had come to the meeting this evening. Vice Chair Walker said since  
114 this item will go to the City Council, they may show up their  
115  
116 Ms. Larsen noted that she had originally suggested the sign goes static at night, but after viewing the sign she does  
117 not think that is important anymore.  
118  
119 Chair Moulton suggested as an alternative for stagnant, maybe only use dark backgrounds at night. Ms. Buxton said  
120 she hated to limit the design of the ads. She thought maybe fading out would be better instead changing the design.  
121 Mr. Helm was not sure what the standards were, but would consider it.  
122  
123 Ms. Buxton said that if she lived there she would plant trees and shrubs, put up an awning or dark curtains as ways  
124 to mitigate some of the light.  
125  
126 Chair Moulton suggested the Planning Commission recommend as the General Plan recommendation – Regional  
127 Commercial and for the zone – HS.  
128  
129 Mr. Iglesias said it sounded like YESCO was willing to compromise with the neighbors. Mr. Helm agreed and said  
130 they want to work with the neighbors. Mr. Iglesias encouraged Mr. Helms to continue to work with the neighbors.  
131 He noted that the street light was by far the brightest light.  
132  
133 Chair Moulton called for a motion on this item.  
134  
135 **Planning Commission Action:** Vice Chair Walker said he is satisfied that the Planning Commission has found this  
136 request complies with all applicable City codes. He then moved to recommend the City Council amend the Orem  
137 General Plan land use map by changing the land use map from Medium Density Residential (MDR) to Regional  
138 Commercial (RC) and amend Article 22-5-3(A) and the zoning map of Orem City by changing the zone at 2008 and  
139 2018 South Sandhill Road from the R6 to the HS (Highway Services) zone. Ms. Jeffreys seconded the motion.  
140 Those voting aye: Becky Buxton, Carlos Iglesias, Karen Jeffreys, Lynnette Larsen, David Moulton, Michael  
141 Walker and Derek Whetten. The motion passed unanimously.  
142

## Orem City Public Hearing Notice



Planning Commission  
Wednesday, April 23, 2014  
5:00 PM, City Council Chambers  
56 North State Street

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

Mike Helm of YESCO requests the City amend the general plan land use map for property at 2008 and 2018 South Sandhill Road from Medium Density Residential (MDR) to Regional Commercial (RC) or Community Commercial (CC) and change the zone map concerning the same property from the R6 zone to the Highway Services (HS) zone or Commercial 1 (C1) zone. The purpose of the change is to meet UDOT requirements of which zone LED billboards are permitted. A location map is on the reverse of this notice.

**For more information, special assistance or to submit comments, contact David Stroud at [drstroud@orem.org](mailto:drstroud@orem.org) or 801-229-7095.**

Sandhill Road

Nielsen's Grove Park

15

15



W. 2000 South

2000 South

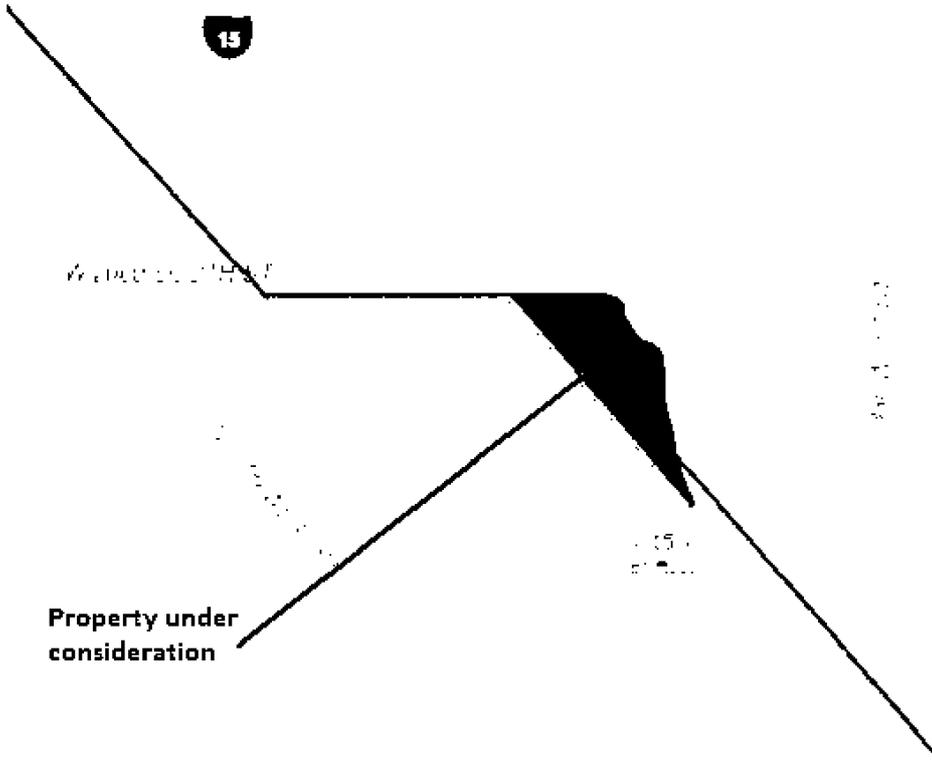
2000 South

2000 South

15

Property under consideration

1984-11-15  
1984-11-15  
1984-11-15



CENTURY LINK  
75 EAST 100 NORTH  
PROVO, UT 84606

CHRISTENSEN, RICHARD S &  
SHARON W (ET AL)  
265 E 3450 N  
PROVO, UT 84604

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

WILLIAMSON INVESTMENTS LLC  
%URRY, BRIAN  
195 S GENEVA RD  
LINDON, UT 84042

BOWDEN, MARK R & BONNIE G  
277 W 2000 S  
OREM, UT 84058

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

BROWN, JAMES H & LORRAINE ANN  
255 W 2000 S  
OREM, UT 84058

WILLIAMSON INVESTMENTS LLC  
--OR CURRENT RESIDENT--  
293 W 2000 SOUTH  
OREM, UT 84058

GARR JUDD  
LAKEVIEW NEIGHBORHOOD CHAIR  
273 W 2000 SOUTH  
OREM, UT 84058

RHA COMMUNITY SERVICES OF  
UTAH INC  
--OR CURRENT RESIDENT--  
275 W 2000 SOUTH  
OREM, UT 84058

PITTARD, BRIAN M & LAURA  
321 W 1800 S  
OREM, UT 84058

WESTWOOD, RYAN  
279 W 2000 S  
OREM, UT 84058

WADLEY, ESTELLA RAE  
281 W 2000 S  
OREM, UT 84058

RTW INVESTMENTS LLC  
--OR CURRENT RESIDENT--  
335 W 2000 SOUTH  
OREM, UT 84058

FOSTER, CHRISTOPHER  
305 W 2000 S  
OREM, UT 84058

LEUE, PHILLIP A & EMILY P  
--OR CURRENT RESIDENT--  
319 W 2000 SOUTH  
OREM, UT 84058

REAMS, JAMES A & SUSAN H  
355 W 1800 S  
OREM, UT 84058

LEAVITT, BRIAN R & CINDY M  
331 S 950 W  
OREM, UT 84058

MAY, LEVI E & ALYSSA N  
333 W 1800 S  
OREM, UT 84058

DAYTON, JESSICA WANG & DAVID  
ALBERT  
387 W 1800 S  
OREM, UT 84058

KELLING, HANS W  
--OR CURRENT RESIDENT--  
341 W 2000 SOUTH  
OREM, UT 84058

WHITING, RALPH M & M CHRISTINE  
345 W 1800 S  
OREM, UT 84058

BRYAN, WILLIAM H JR & SHANNON J  
447 W 1840 S  
OREM, UT 84058

SWANSON, SHANE D & LEANN  
--OR CURRENT RESIDENT--  
423 W 1840 SOUTH  
OREM, UT 84058

CROWE, CHRIS & LOUISE M  
371 W 1800 S  
OREM, UT 84058

RHA COMMUNITY SERVICES OF  
UTAH INC  
468 HALLE PARK DR  
COLLIERVILLE, TN 38017

ALL AMERICAN VINYL LLC  
450 S 1100 W  
PROVO, UT 84601

BAUER, JOHN LEE  
435 W 1840 S  
OREM, UT 84058

LEUE, PHILLIP A & EMILY P  
676 W 1800 N  
PROVO, UT 84604

MAYOR RICHARD BRUNST  
900 EAST COUNTRY DRIVE  
OREM, UT 84097

PETERSON, JEREMY & AMANDA E  
459 W 1840 S  
OREM, UT 84058

PILLAR, BOBBIE W & HEATH C  
1094 OSAGE CIR  
IVINS, UT 84738

JORGENSEN, DOUGLAS L &  
MAERENE B  
1254 N 1270 W  
PROVO, UT 84604

MAG  
586 EAST 800 NORTH  
OREM, UT 84097

GORNICHEC, DEE ANN C  
1468 N 2040 W  
PROVO, UT 84604

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

HALES, MARGARET J (ET AL)  
1306 JORDAN AV  
PROVO, UT 84604

SWANSON, SHANE D & LEANN  
1756 SANDHILL RD  
OREM, UT 84058

ALL AMERICAN VINYL LLC  
--OR CURRENT RESIDENT--  
1822 N 2700 WEST  
PROVO, UT 84601

JARRETT CONSTRUCTION INC  
1731 S 400 W  
OREM, UT 84058

ZUNDEL, DALLYN M & TAMMY  
--OR CURRENT RESIDENT--  
1826 S LAGUNA VISTA DR  
OREM, UT 84058

PULVER, DAN E & LISA  
1827 S 400 W  
OREM, UT 84058

BLUEMEL, GAYE E & ROBERT L  
%WILKINSON, KENNEY R  
1828 LAGUNA VISTA DR  
OREM, UT 84058

LORD, MICHAEL R & DEBRA K  
1833 S 400 W  
OREM, UT 84058

WHIMPEY, MICHAEL JAY &  
ANNETTE  
--OR CURRENT RESIDENT--  
1839 S 400 WEST  
OREM, UT 84058

PILLAR, BOBBIE W & HEATH C  
--OR CURRENT RESIDENT--  
1834 N 2700 WEST  
PROVO, UT 84601

IVY ACADEMY HOLDINGS LC  
--OR CURRENT RESIDENT--  
1834 S SANDHILL RD  
OREM, UT 84058

OLSEN, REED LEWIS & YOKO OHIRA  
--OR CURRENT RESIDENT--  
1861 S SANDHILL  
OREM, UT 84058

BARNEY, CRAIG T & JODIE  
--OR CURRENT RESIDENT--  
1843 S SANDHILL RD  
OREM, UT 84058

JOHNSON, PATRICIA B  
--OR CURRENT RESIDENT--  
1842 S LAGUNA VISTA DR  
OREM, UT 84058

JORGENSEN, BRAD WAYNE &  
APRYLL L  
1865 S 400 W  
OREM, UT 84058

MOLLNER, CINDY  
1868 S LAGUNA VISTA DR  
OREM, UT 84058

BOWLER, M (ET AL)  
1847 S 400 W  
OREM, UT 84058

MERRELL, KEN D  
--OR CURRENT RESIDENT--  
1876 N 2700 WEST  
PROVO, UT 84601

RMH FAMILY LC  
--OR CURRENT RESIDENT--  
1880 S LAGUNA VISTA DR  
OREM, UT 84058

WILKINSON, KENNEY R & TERRY L  
--OR CURRENT RESIDENT--  
1856 S LAGUNA VISTA DR  
OREM, UT 84058

ROWLEY, STEPHEN L & MARY J  
--OR CURRENT RESIDENT--  
1892 S 240 WEST  
OREM, UT 84058

CHESNEL, KARINE  
1904 S LAGUNA VISTA DR  
OREM, UT 84058

WHIMPEY, MICHAEL J & ANNETTE  
1862 S 400 W  
OREM, UT 84058

FEDERAL HOME LOAN MORTGAGE  
CORPORATION  
--OR CURRENT RESIDENT--  
1918 S LAGUNA VISTA DR  
OREM, UT 84058

CHEN, JAU-FEI & JAU-FEI  
1929 S 180 W  
OREM, UT 84058

OLSEN, REED LEWIS & YOKO OHIRA  
--OR CURRENT RESIDENT--  
1872 S 400 WEST  
OREM, UT 84058

CHRISTENSEN, MICHEAL J & LINDA  
ALLEN  
--OR CURRENT RESIDENT--  
1954 S LAGUNA VISTA DR  
OREM, UT 84058

PETRUCKA, PAUL M & MARBETH K  
--OR CURRENT RESIDENT--  
1942 S LAGUNA VISTA DR  
OREM, UT 84058

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057

CROPPER, EARL B & ANNA F  
1978 S LAGUNA VISTA DR  
OREM, UT 84058

CHEN, JAU-FEI & JAU-FEI  
--OR CURRENT RESIDENT--  
1966 S LAGUNA VISTA DR  
OREM, UT 84058

CHEN, JAU-FEI  
--OR CURRENT RESIDENT--  
1930 S LAGUNA VISTA DR  
OREM, UT 84058

R MELVILLE LLC  
2000 SANDHILL RD  
OREM, UT 84058

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

MERRELL, KEN D  
1971 S 180 W  
OREM, UT 84058

MARSHALL, EUGENE & RACHELLE  
2034 S 330 W  
OREM, UT 84058

COOK, JUDY P  
2013 S 330 W  
OREM, UT 84058

SNARR, BLAINE KENNETH & LELA  
GWEN  
--OR CURRENT RESIDENT--  
1990 S LAGUNA VISTA DR  
OREM, UT 84058

GORNICHEC, DEE ANN C  
--OR CURRENT RESIDENT--  
2685 W 2000 NORTH  
PROVO, UT 84601

SERNA, HUVER & JAQUELINE  
2023 S 330 W  
OREM, UT 84058

DUFUR, MIKAELA  
2016 S 330 W  
OREM, UT 84058

COMCAST  
9602 SOUTH 300 WEST  
SANDY, UT 84070

UTOPIA  
2175 S REDWOOD ROAD  
WEST VALLEY CITY, UT 84119

LEAVITT, BRIAN R & CINDY M  
--OR CURRENT RESIDENT--  
2029 S 330 WEST  
OREM, UT 84058

FEDERAL HOME LOAN MORTGAGE  
CORPORATION  
5000 PLANO PKY  
CARROLLTON, TX 75010

KELLING, HANS W  
2840 APACHE LA  
PROVO, UT 84604

YOUNG ELECTRIC SIGN COMPANY  
2401 FOOTHILL DR  
SALT LAKE CITY, UT 84109

RTW INVESTMENTS LLC  
10447 DORAL DR  
CEDAR HILLS, UT 84062

## Orem City Neighborhood Meeting regarding property rezone

In attendance:

Dave Stroud: Orem City Planner

Steve Earl: Orem City Attorney

Mike Helm: YESCO Outdoor Media / mhelm@yesco.com

Rich Melville: 1890 Sandhill Rd. / melvillerich@yahoo.com

Garr Judd: 273 W. 2000 So. / selltous@aol.com

Brian Leavitt: 2029 So. 380 W. / bcleavitt@gmail.com

Mikaela Dufur: 2016 So. 330 W. / mikaela\_dufur@byu.edu

Sven Kelling: 341 W. 2000 So. / sven@powervision.net

Concerns per resident:

Rich Melville:

1. Over all height of sign. Rich believes it is 12-15' too tall.
2. Digital sign too close to residential properties.
3. Wants a curfew on the rotating ads at night.
4. Turn on lights on north face
5. Slower ad change time

Garr Judd:

1. Over all height of sign
2. Sees ad changes mainly in the morning and evening

Brian Leavitt:

1. Has renter in house, but hasn't heard anything negative from them.
2. Doesn't see any real negative impact from the sign.

Mikaela Dufur:

1. If sign is lowered her house will be more impacted by lowering the viewing angle of the sign.
2. Brightness of sign. The color red is very noticeable inside her home.
3. Fade: change the speed at which the ads change
4. Static/curfew at night

Sven Kelling:

1. Doesn't want sign lowered. If it's lowered it will negatively impact his home due to viewing angle.
2. Not concerned with overall height.
3. More noticeable with LED.

Steve Earl, City Attorney summarized main points of concern.

1. Curfew for digital face. Static from midnight to 5:30 am.
2. Fade between ad changes at a slower rate than currently being used.
3. Brightness of red on ads
4. Brightness of lights on north face.
5. No future digital sign on north face.

4'24" W.

North 1/4 Corner Section 34  
T. 6 S. R. 2 E. S. 1 B. & M.

N. 89°34'24" W.  
73.83'

POB

South  
27.55'

East 87.79'

Lot 1

6,430 Sq. Ft. or 0.15 Acres

Note:  Lot 1 is encumbered with a Storm Water Detention Easement granted to the City of Orem. Containing 4,379 Sq. Ft.

Note:  Lot 1 is encumbered with a Storm Water Pipe Easement granted to the City of Orem. Containing 2,051 Sq. Ft.

Storm Water Det. Easement Area  
1.82 Acres W. 13.28'

S. 89°33'36" W.  
89.61'

N. 40°49'30" W.  
87.70'

2016 South

Lot 2

9,013 Sq. Ft. or 0.21 Acres

B. 5°02'29" E. 15.00'

S. 47°01'43" E. 5.98'

S. 5°02'29" E. 23.91'

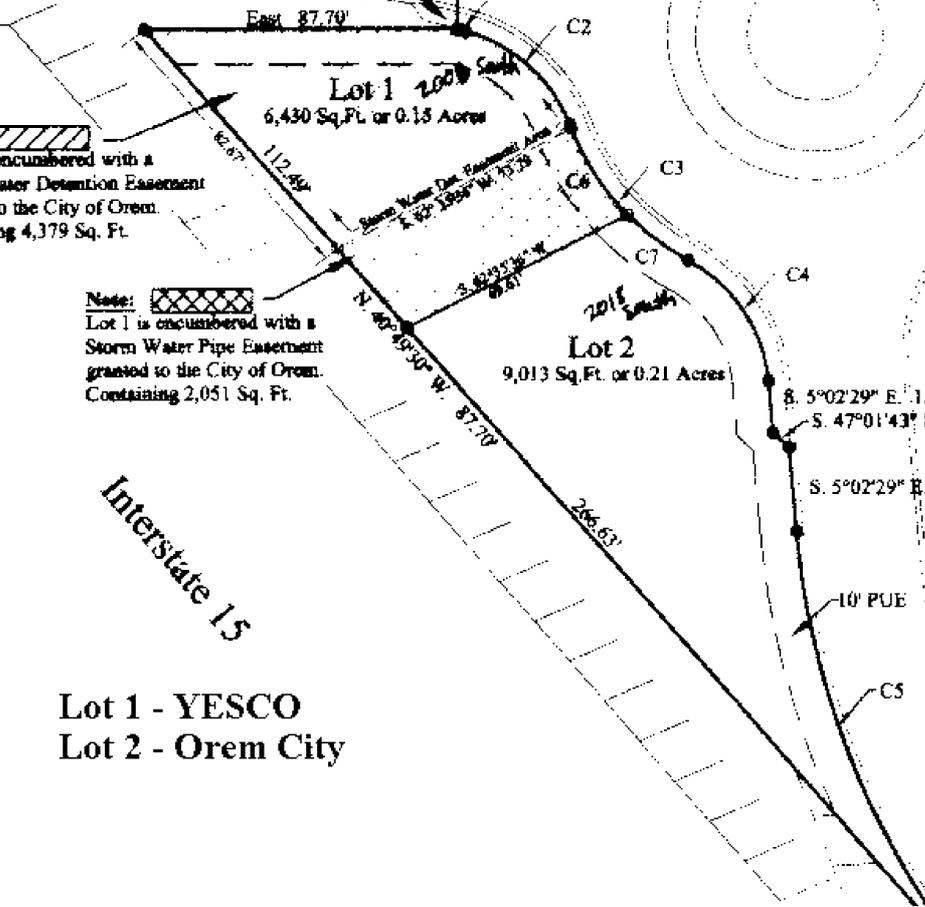
10' PUE

C5

Interstate 15

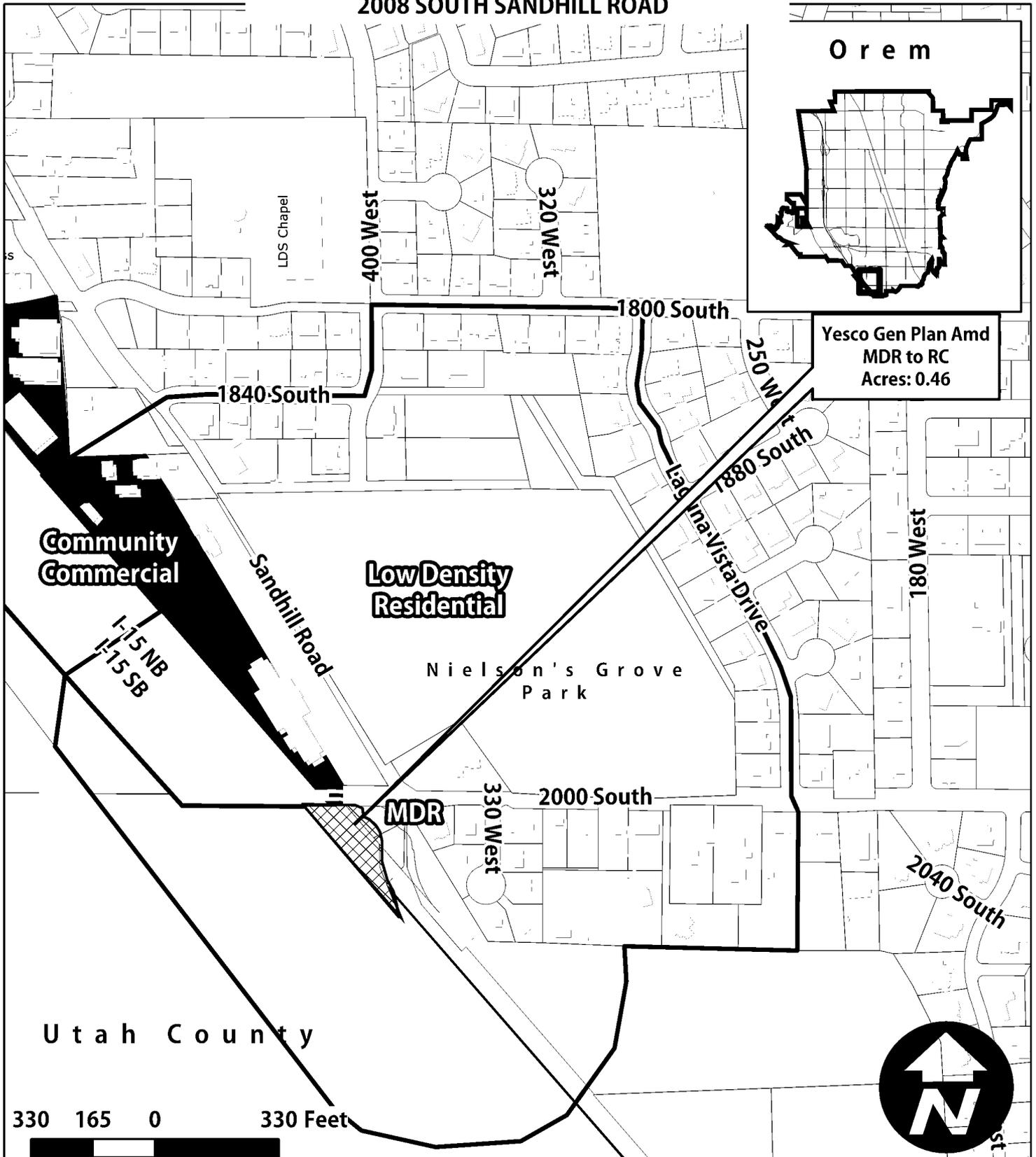
Lot 1 - YESCO  
Lot 2 - Orem City

City of Orem



# Yesco GP Amendment - MDR to CC or RC

2008 SOUTH SANDHILL ROAD



Yesco Gen Plan Amd  
MDR to RC  
Acres: 0.46

Community  
Commercial

Low Density  
Residential

Nielson's Grove  
Park

MDR

Utah County



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

**NIA CONTACT:**  
Lakeview Neighborhood  
Garr Judd

**Legend**  
 Buildings  
 Notification Boundary  
 Parcels

# Yesco Rezone - R6 to HS

2008 SOUTH SANDHILL ROAD



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

**NIA CONTACT:**  
Lakeview Neighborhood  
Garr Judd

**Legend**  
Buildings  
Notification Boundary  
Parcels



# DRC APPLICATION

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

www.orem.org

### APPLICANT INFORMATION

FORM EXPIRES: 06-30-2014

Name: YESCO Outdoor Media Phone: 801.464.6400  
 Address: 1605 So. Gramercy Rd. FAX:  
 City: Salt Lake City State: UT Zip: 84104 e-mail: mhelm@yesco.com

### PROJECT INFORMATION

Project Name: YESCO Rezone  
 Project Address: 2008 So. Sandhill Rd.

#### Nature of Request (Check all that apply) and Filing Fee Amount

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

### 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 8 1/2" 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](mailto: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: [Signature] Contact Person Name: MIKE HELM Phone: 801.464.6400

### OFFICE USE ONLY

Date Filed: 7/1/13 Fees Paid: 1,825 Received By: [Signature]

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

## **Project Timeline**

### **YESCO GPA/Rezone 2008 South Sandhill Road**

1. DRC application date: 2/28/2014
2. Obtained Development Review Committee clearance on: 3/6/2014
3. Publication notice for PC sent to Records office on: 4/10/2014
4. Applicant held neighborhood meeting on: 4/9/2014
5. Neighborhood notice for PC/CC mailed on: 4/11/2014
6. Planning Division Manager received neighborhood notice on: 4/12/2014
7. Planning Commission recommended approval on: 5/7/2014
8. Publication notice for CC sent to Records office on: 5/1/2014
9. Property posted for PC and CC on: 4/17/2014
10. City Council approved/denied request on: 5/27/2014

**CITY OF OREM**  
**BUDGET REPORT FOR THE MONTH ENDED APRIL 2014**

Percent of Year Expired: 83%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	%		Notes
						To Date FY 2014	To Date FY 2013	
<b>10 GENERAL FUND</b>								
Revenues	42,222,384	4,023,897	34,274,351			81%		
Appr. Surplus - Current	972,180		972,180			100%		
Appr. Surplus - Prior Year	1,040,867		1,040,867			100%		
Std. Interfund Transactions	4,623,406		4,623,406			100%		
<b>Total Resources</b>	<b>48,858,837</b>	<b>4,023,897</b>	<b>40,910,804</b>		<b>7,948,033</b>	<b>84%</b>	<b>85%</b>	
Expenditures	48,858,837	3,922,198	36,825,447	836,196	11,197,194	77%	80%	
<b>20 ROAD FUND</b>								
Revenues	2,260,000	1,160	1,477,473			65%		
Appr. Surplus - Prior Year	1,554,240		1,554,240			100%		
<b>Total Resources</b>	<b>3,814,240</b>	<b>1,160</b>	<b>3,031,713</b>		<b>782,527</b>	<b>79%</b>	<b>72%</b>	
Expenditures	3,814,240	171,588	2,375,248	230,616	1,208,376	68%	68%	
<b>21 CARE TAX FUND</b>								
Revenues	1,700,000	130,438	1,213,879			71%		
Appr. Surplus - Current	133,035		133,035			100%		
Appr. Surplus - Prior Year	4,946,793		4,946,793			100%		
<b>Total Resources</b>	<b>6,779,828</b>	<b>130,438</b>	<b>6,293,707</b>		<b>486,121</b>	<b>93%</b>	<b>92%</b>	
Expenditures	6,779,828	674,802	3,109,372	601,913	3,068,543	55%	19%	1
<b>30 DEBT SERVICE FUND</b>								
Revenues	7,331,861	970,707	5,914,665			81%		
Appr. Surplus - Current	574,999		574,999			100%		
Appr. Surplus - Prior Year	4,820		4,820			100%		
<b>Total Resources</b>	<b>7,911,680</b>	<b>970,707</b>	<b>6,494,484</b>		<b>1,417,196</b>	<b>82%</b>	<b>86%</b>	
Expenditures	7,911,680	993,329	4,787,523		3,124,157	61%	45%	
<b>45 CIP FUND</b>								
Revenues	246,571		287,511			117%		
Appr. Surplus - Prior Year	869,126		869,126			100%		
<b>Total Resources</b>	<b>1,115,697</b>		<b>1,156,637</b>		<b>-40,940</b>	<b>104%</b>	<b>105%</b>	
Expenditures	1,115,697	66,071	206,341	65,855	843,501	24%	24%	
<b>51 WATER FUND</b>								
Revenues	11,215,044	1,306,015	9,862,231			88%		
Appr. Surplus - Current	5,096		5,096			100%		
Appr. Surplus - Prior Year	2,913,995		2,913,995			100%		
<b>Total Resources</b>	<b>14,134,135</b>	<b>1,306,015</b>	<b>12,781,322</b>		<b>1,352,813</b>	<b>90%</b>	<b>91%</b>	
Expenditures	14,134,135	309,052	7,666,044	775,108	5,692,983	60%	62%	
<b>52 WATER RECLAMATION FUND</b>								
Revenues	6,954,851	704,143	6,278,753			90%		
Appr. Surplus - Current	312,453		312,453			100%		
Appr. Surplus - Prior Year	1,496,982		1,496,982			100%		
<b>Total Resources</b>	<b>8,764,286</b>	<b>704,143</b>	<b>8,088,188</b>		<b>676,098</b>	<b>92%</b>	<b>87%</b>	
Expenditures	8,764,286	397,887	4,910,772	960,411	2,893,103	67%	61%	
<b>55 STORM SEWER FUND</b>								
Revenues	2,880,300	261,519	2,537,819			88%		
Appr. Surplus - Current	2,677		2,677			100%		
Appr. Surplus - Prior Year	977,969		977,969			100%		
<b>Total Resources</b>	<b>3,860,946</b>	<b>261,519</b>	<b>3,518,465</b>		<b>342,481</b>	<b>91%</b>	<b>93%</b>	
Expenditures	3,860,946	87,206	2,769,666	304,533	786,747	80%	62%	2
<b>56 RECREATION FUND</b>								
Revenues	1,694,500	85,422	962,028			57%		
Appr. Surplus - Current	1,458		1,458			100%		
Appr. Surplus - Prior Year	18,255		18,255			100%		
<b>Total Resources</b>	<b>1,714,213</b>	<b>85,422</b>	<b>981,741</b>		<b>732,472</b>	<b>57%</b>	<b>76%</b>	
Expenditures	1,714,213	97,725	1,225,814	59,852	428,547	75%	81%	3

**CITY OF OREM**  
**BUDGET REPORT FOR THE MONTH ENDED APRIL 2014**

Percent of Year Expired: 83%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2014	% To Date FY 2013	Notes
<b>57 SOLID WASTE FUND</b>								
Revenues	3,379,600	286,780	2,800,429			83%		
Appr. Surplus - Prior Year	10,094		10,094			100%		
Total Resources	<u>3,389,694</u>	<u>286,780</u>	<u>2,810,523</u>		579,171	83%	86%	
Expenditures	<u>3,389,694</u>	<u>215,928</u>	<u>2,476,586</u>		913,108	73%	76%	
<b>58 STREET LIGHTING FUND</b>								
Revenues	1,313,000	73,859	1,188,255			90%		
Appr. Surplus - Prior Year	250,898		250,898			100%		
Total Resources	<u>1,563,898</u>	<u>73,859</u>	<u>1,439,153</u>		124,745	92%	87%	
Expenditures	<u>1,563,898</u>	<u>32,755</u>	<u>489,707</u>	23,995	1,050,196	33%	41%	
<b>61 FLEET MAINTENANCE FUND</b>								
Appr. Surplus - Current	12,180		12,180			100%		
Appr. Surplus - Prior Year	595		595			100%		
Std. Interfund Transactions	585,000		585,000			100%		
Total Resources	<u>597,775</u>		<u>597,775</u>			100%	100%	
Expenditures	<u>597,775</u>	<u>37,011</u>	<u>464,300</u>	10,509	122,966	79%	89%	
<b>62 PURCHASING/WAREHOUSING FUND</b>								
Revenues		15	150			100%		
Appr. Surplus - Current Year	842		842			100%		
Std. Interfund Transactions	340,000		340,000			100%		
Total Resources	<u>340,842</u>	15	<u>340,992</u>		-150	100%	100%	
Expenditures	<u>340,842</u>	<u>18,357</u>	<u>267,666</u>	2,959	70,217	79%	70%	
<b>63 SELF INSURANCE FUND</b>								
Revenues	490,000	36,465	394,352			80%		
Appr. Surplus - Current Year	215		215			100%		
Std. Interfund Transactions	1,175,000		1,175,000			100%		
Total Resources	<u>1,665,215</u>	<u>36,465</u>	<u>1,569,567</u>		95,648	94%	91%	
Expenditures	<u>1,665,215</u>	<u>42,141</u>	<u>1,158,283</u>	286	506,646	70%	86%	
<b>74 CDBG FUND</b>								
Revenues	1,132,583	8,313	290,175			26%		
Appr. Surplus - Prior Year	241,343		241,343			100%		
Total Resources	<u>1,373,926</u>	<u>8,313</u>	<u>531,518</u>			39%	70%	
Expenditures	<u>1,373,926</u>	<u>30,994</u>	<u>484,743</u>	7,584	881,599	36%	58%	
<b>CITY TOTAL RESOURCES</b>	<u>105,885,212</u>	<u>7,888,733</u>	<u>90,546,589</u>		14,496,215	86%	87%	
<b>CITY TOTAL EXPENDITURES</b>	<u>105,885,212</u>	<u>7,097,044</u>	<u>69,217,512</u>	3,879,817	32,787,883	69%	67%	

**NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED APRIL 2014:**

- 1) The current year expenditures are higher in comparison to the prior year due to the current year encumbrances (\$601,913) being significantly more than in the prior fiscal year (\$306) at this date in time. This is due to the Fitness Center Pool Remodel project.
- 2) The current year expenditures are higher in comparison to the prior year due to the current year encumbrances (\$304,533) being significantly more than in the prior fiscal year (\$45,200) at this date in time. This is due to purchasing a replacement dump truck and vac truck which we did not have last year.
- 3) The current year revenue is significantly lower than the prior year primarily due to lower use of the fitness center because of the pool renovation project. This trend will probably continue through the remainder of the fiscal year.

Note: In earlier parts of a fiscal year, expenditures may be greater than the collected revenues in a fund. The City has accumulated sufficient reserves to service all obligations during such periods and does not need to issue tax anticipation notes or obtain funds in any similar manner. If you have questions about this report, please contact Richard Manning (229-7037) or Brandon Nelson (229-7010).

**OREM  
GENERAL FUND CFSP**



LEWIS YOUNG ROBERTSON & BURNINGHAM, INC. SALT LAKE CITY, UTAH 84101 OFFICE 801.596.0700

# Revenue Mix



- The primary sources of income for Utah Municipalities include:

**Property Tax** – Most stable source, rate controlled by City Council

**Sales Tax** – Fluctuates with economy, State Legislature controls the distribution formula

**Franchise Fees** – Stable but limited, 6% on gas and electric, 3.5% on telecommunications

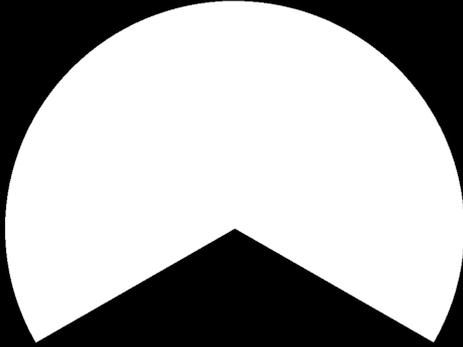
**Building and Development Fees** – Unpredictable and decrease near buildout, usually cover reimbursement of actual staff time and processing expense

# Ideal Revenue Mix

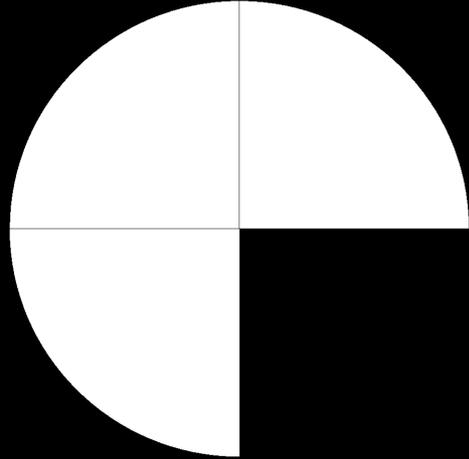


- Cities are the most financially stable over the long-term when they maintain a 3- or 4-legged stool approach to their revenue mix.

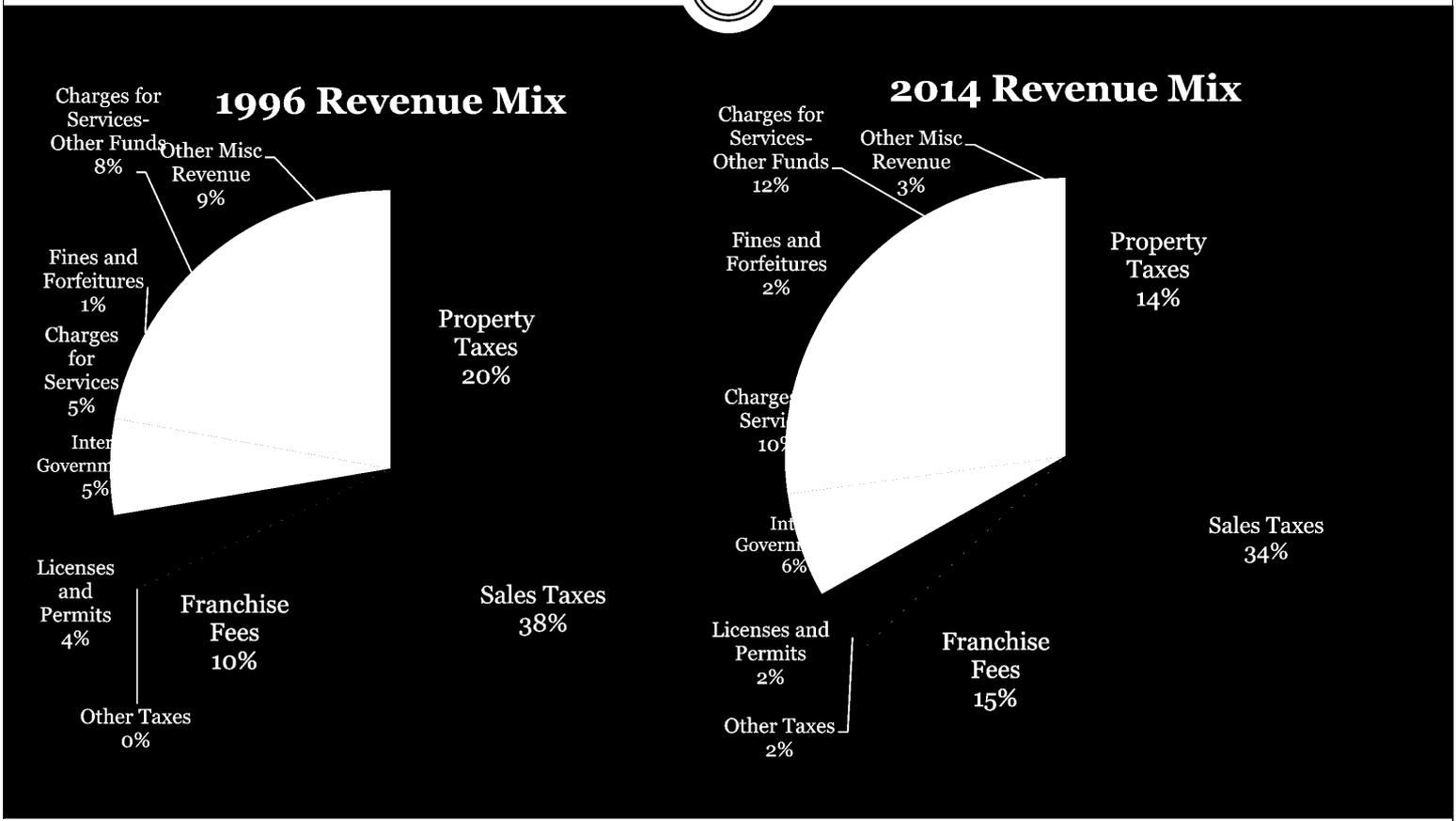
**3-Legged Ideal**



**4-Legged Ideal**



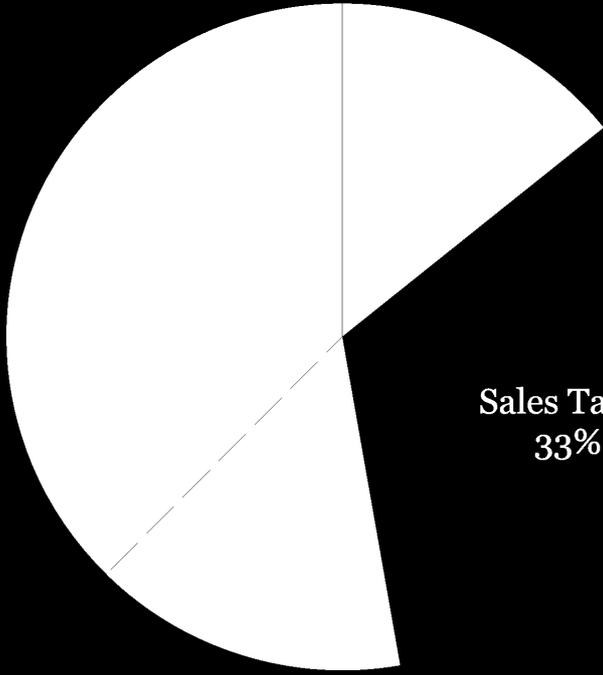
# Orem Revenue Mix Over Time



# Revenue Mix Comparison

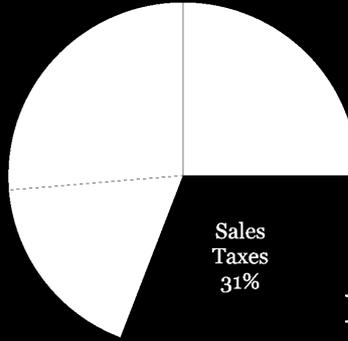


## Orem



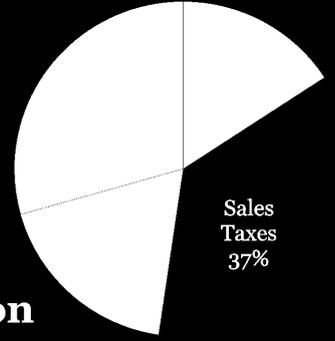
Sales Taxes  
33%

## Provo



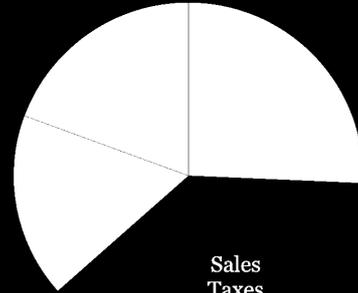
Sales Taxes  
31%

## Sandy



Sales Taxes  
37%

## Layton

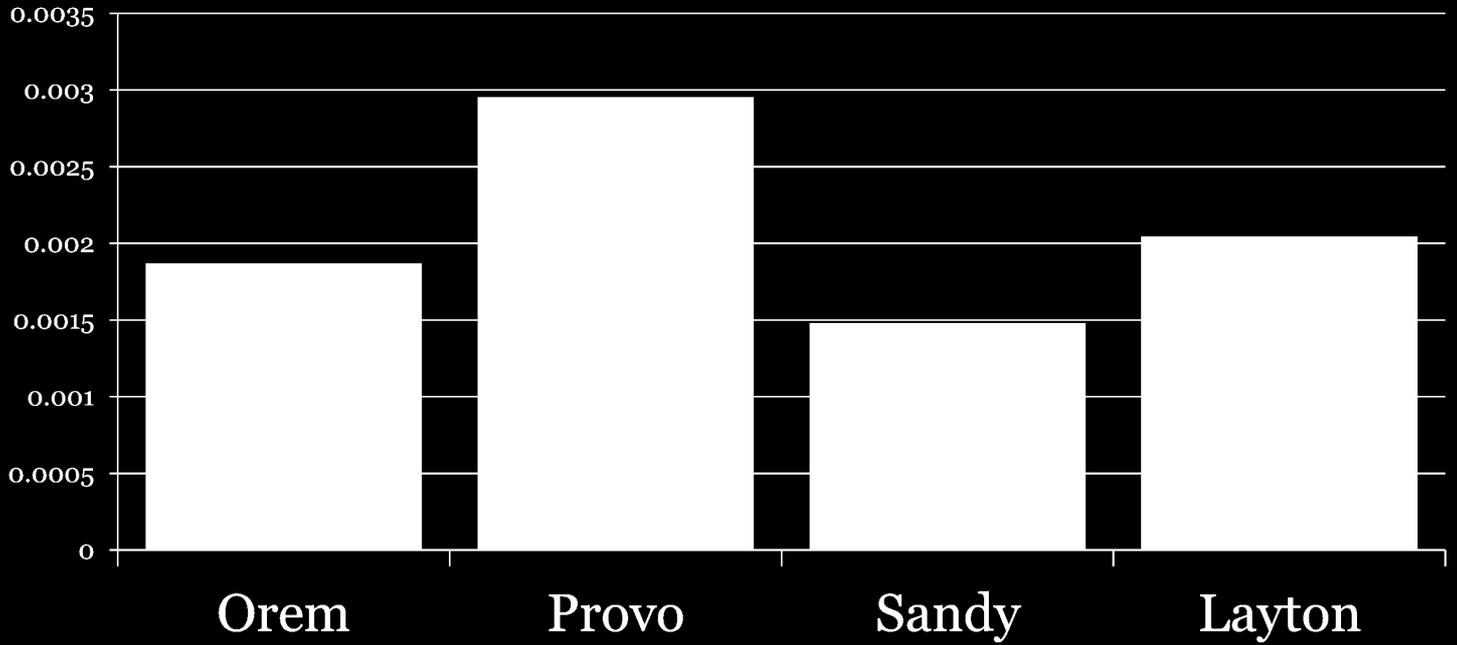


Sales Taxes  
38%

# Property Tax Rate Comparison



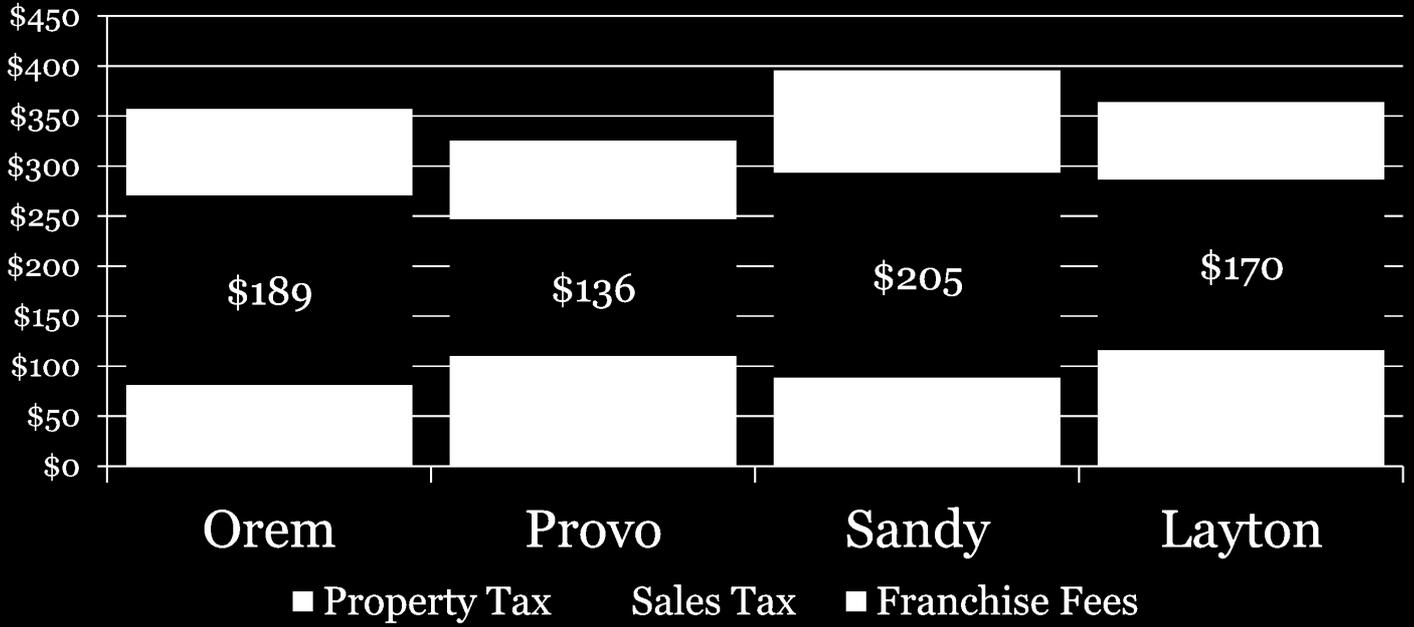
## 2013 Tax Rates



# Revenue Comparison Per Capita



## Revenues Per Capita

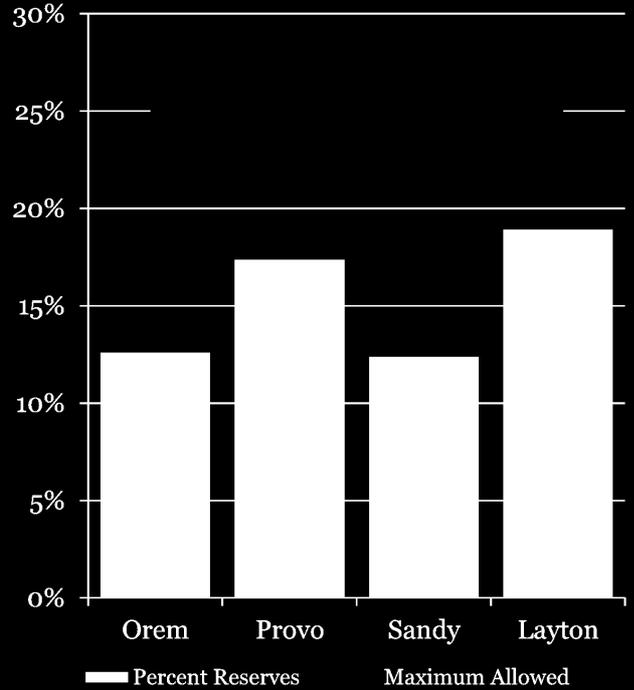


# Rainy Day Funds



- In 2013, S.B. 158 increased the allowed unallocated (rainy day) funds from 18% to 25% of General Fund revenues.
- Maintaining high reserves not only protects the City against unforeseen events, but also helps the City achieve higher bond ratings (and thus savings on ongoing interest payments).

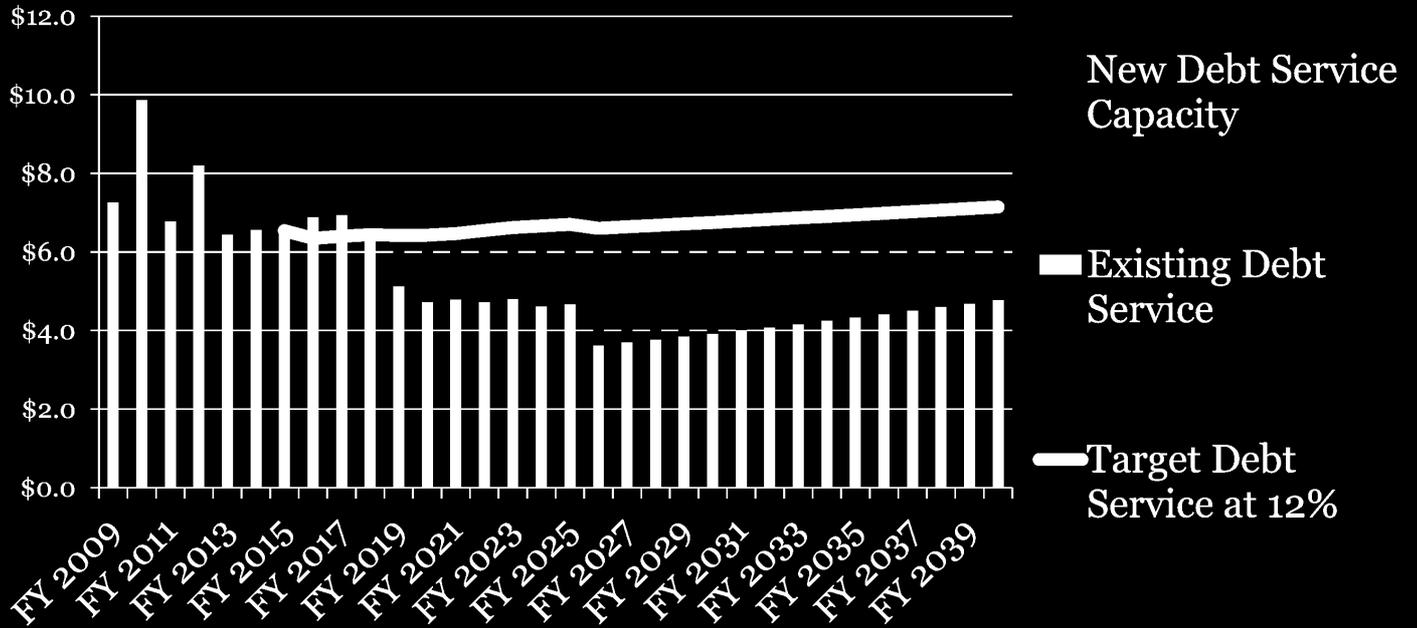
**General Fund Reserves (Rainy Day Funds) 2013**



# Orem Long-Term General Fund Debt



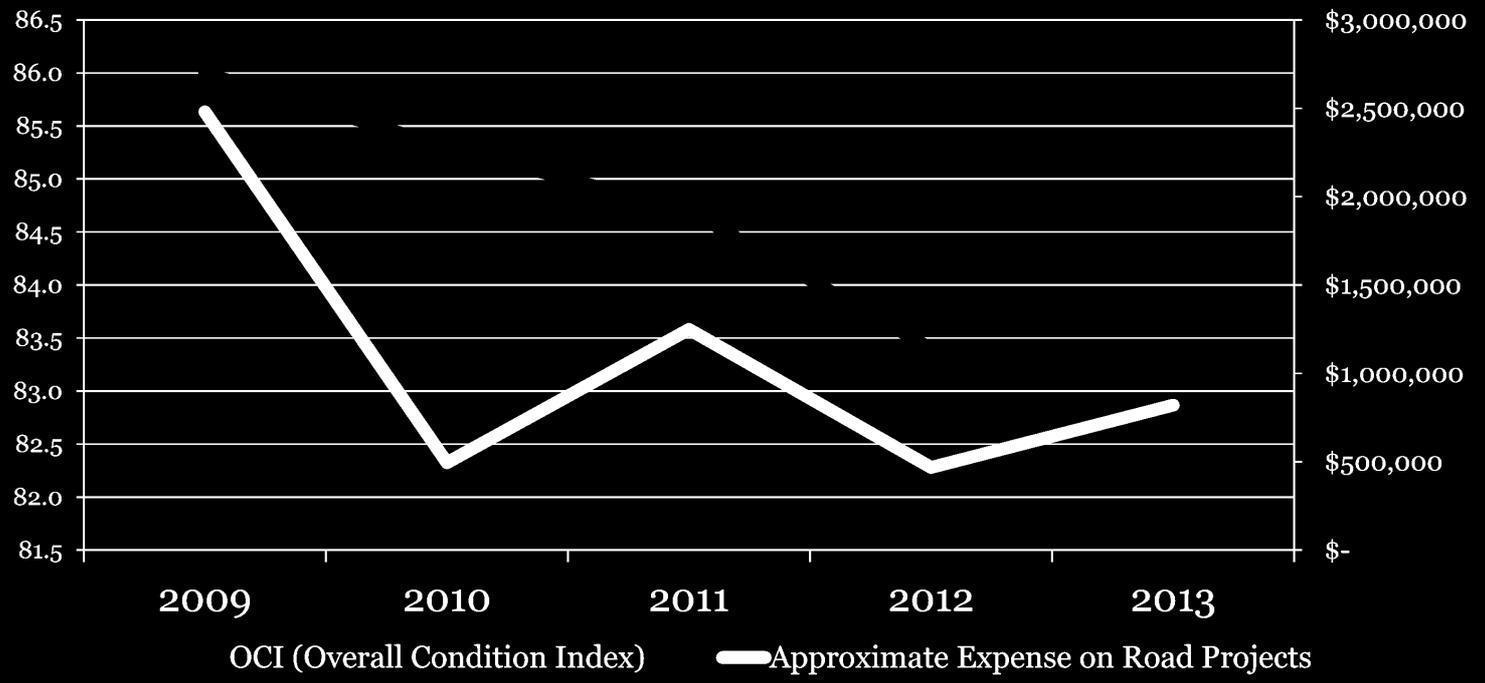
## General Fund Debt Service (In Millions)



# Levels of Service in Orem have Changed



## Road Condition Correlation with Expense



# Questions?





# City of Orem

## FY 2015 Budget



# Department of Public Works

## » Enterprise Fund Departmental Budgets:

- > Water
- > Water Reclamation (Sewer)
- > Storm Water
- > Street Lighting
- > Streets (State Road Fund)
- > Fleet

Agenda

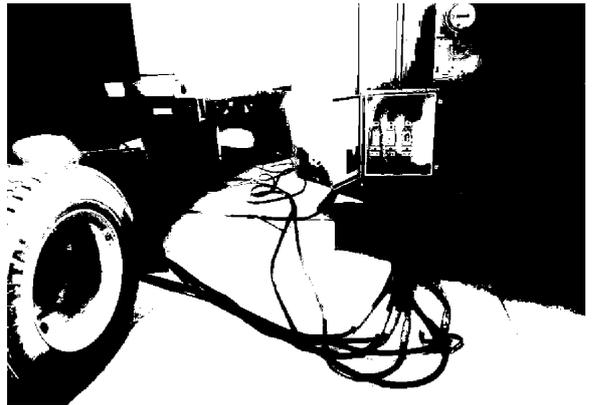


Fund 51  
Water



» Public Works - Fund 51 -  
Water

- > 400 kW Generator can Power  
Four Wells, Canyon Springs  
Pumps, Lower Tanks Pumps
- > \$150k
- > Used



Stewardship Report



» Public Works - Fund 51 - Water

> 4" Water Main Replacement - \$500,000, 1 Mile

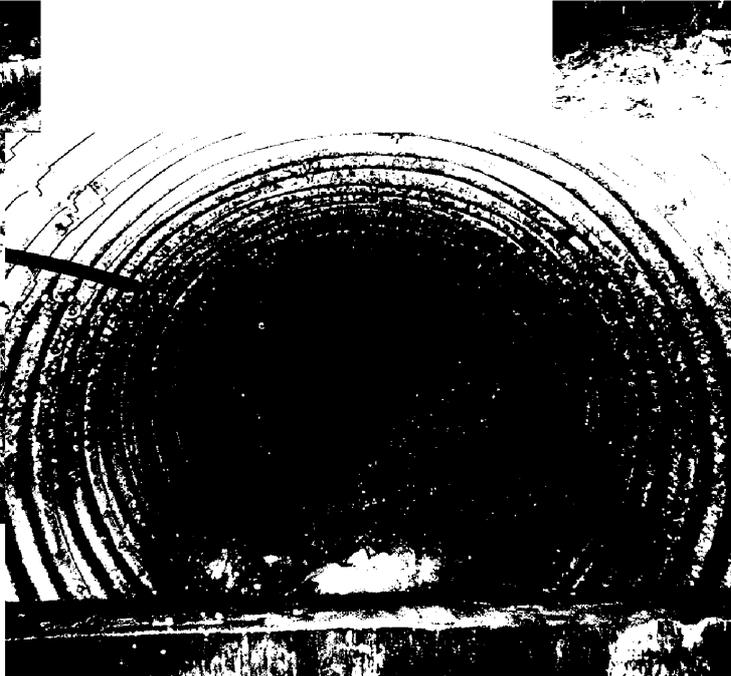


Stewardship Report



» Public Works - Fund 51 - Water

> Bid and Awarded Alta Spring Pipeline Project – \$2.5 Million



## Stewardship Report



» Public Works - Fund 51 - Water

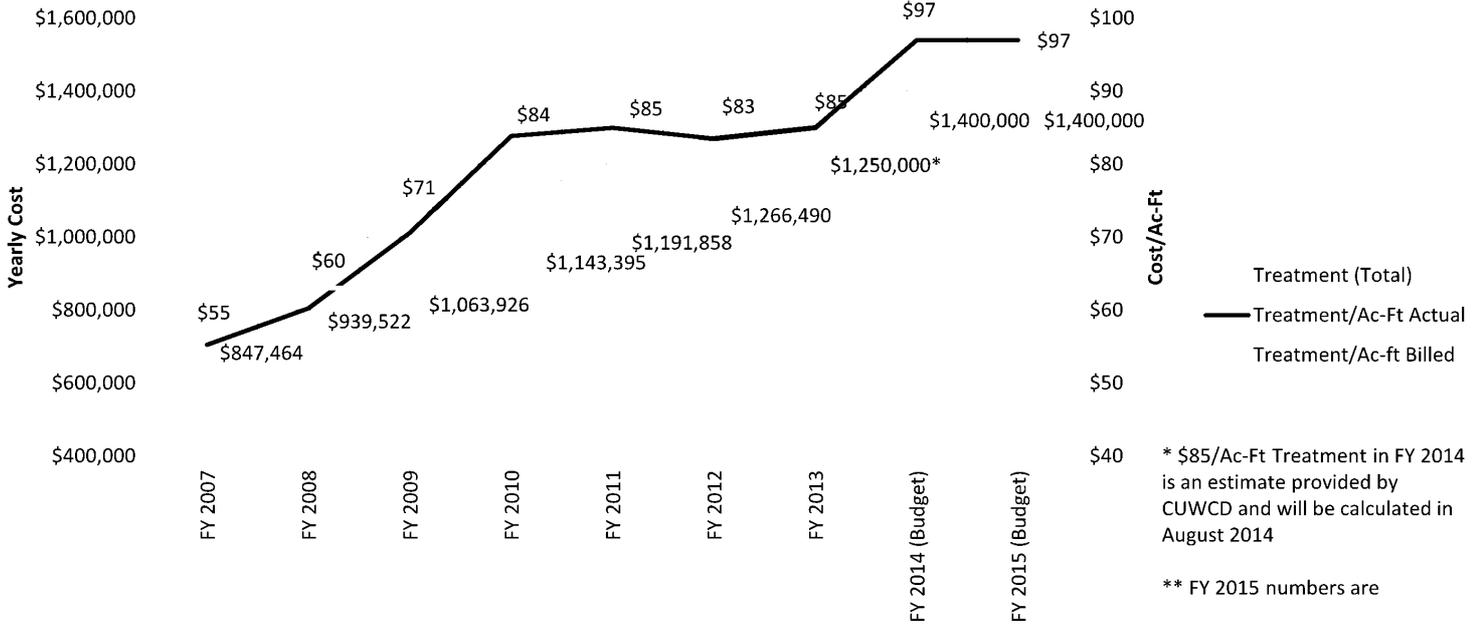
> Master Plan

1. Create a water Model to evaluate current piping and storage and predict future needs.
2. Evaluate Alta Springs Power Generation Possibilities.
3. Study Automatic Meter Reading (AMR).
4. Study Water Reuse.
5. Develop Water System Capital Facilities Plan.
6. Analyze current impact fees and connection fees.
7. Develop a Financial Plan with a rate study to support the proposed plans.

## Stewardship Report



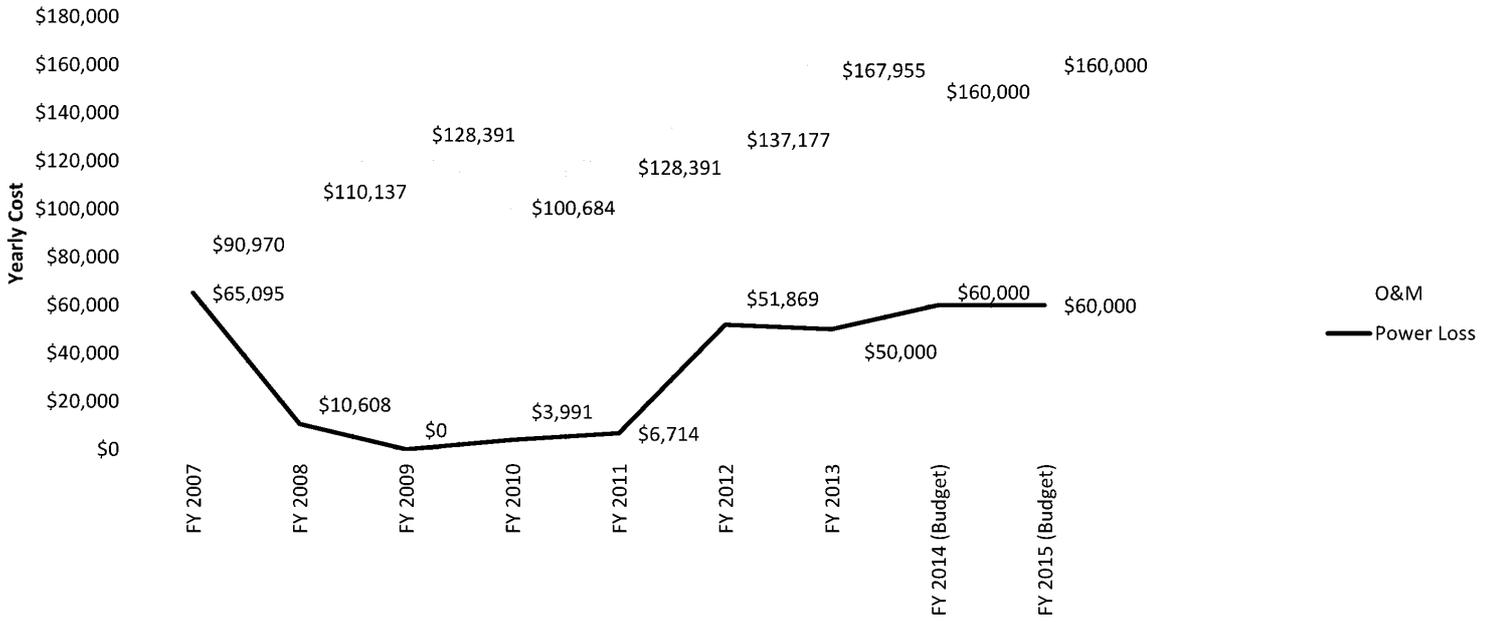
### Treatment Costs 2007-2015



Rising Costs



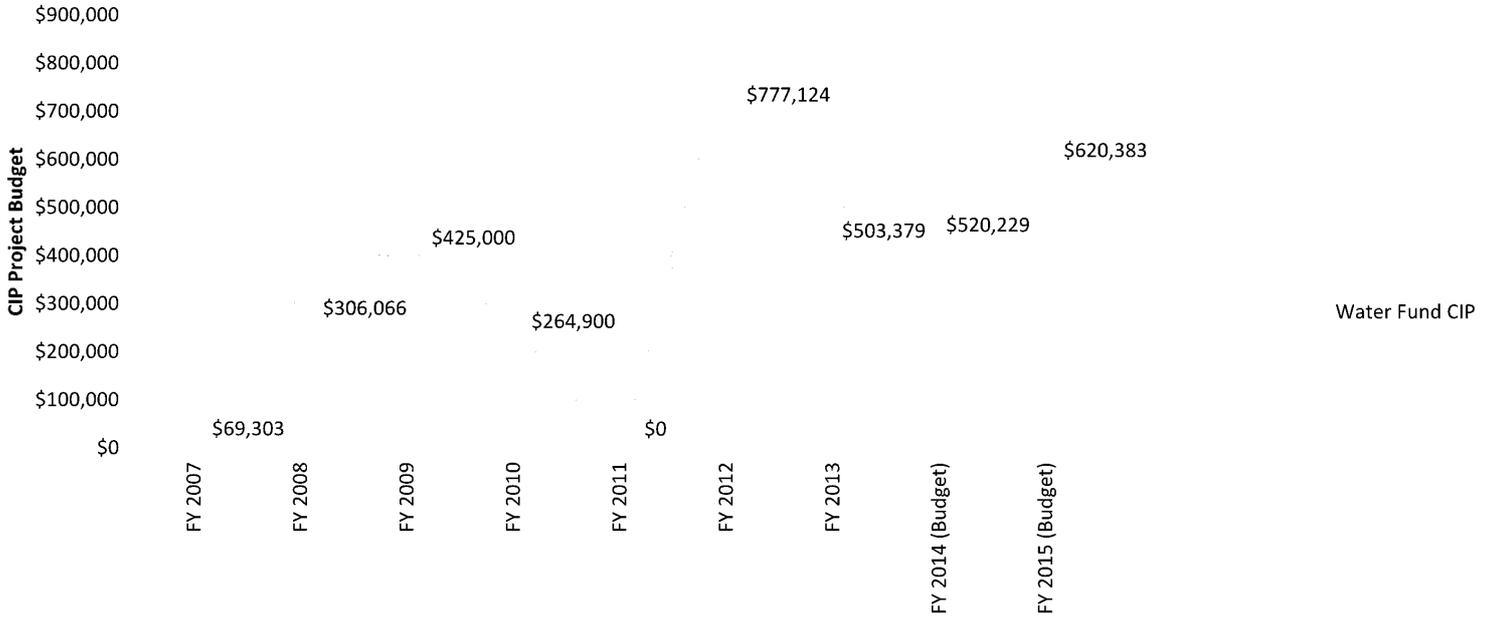
### O & M and Power Loss Costs 2007-2015



Rising Costs



### Water Fund CIP 2007-2015

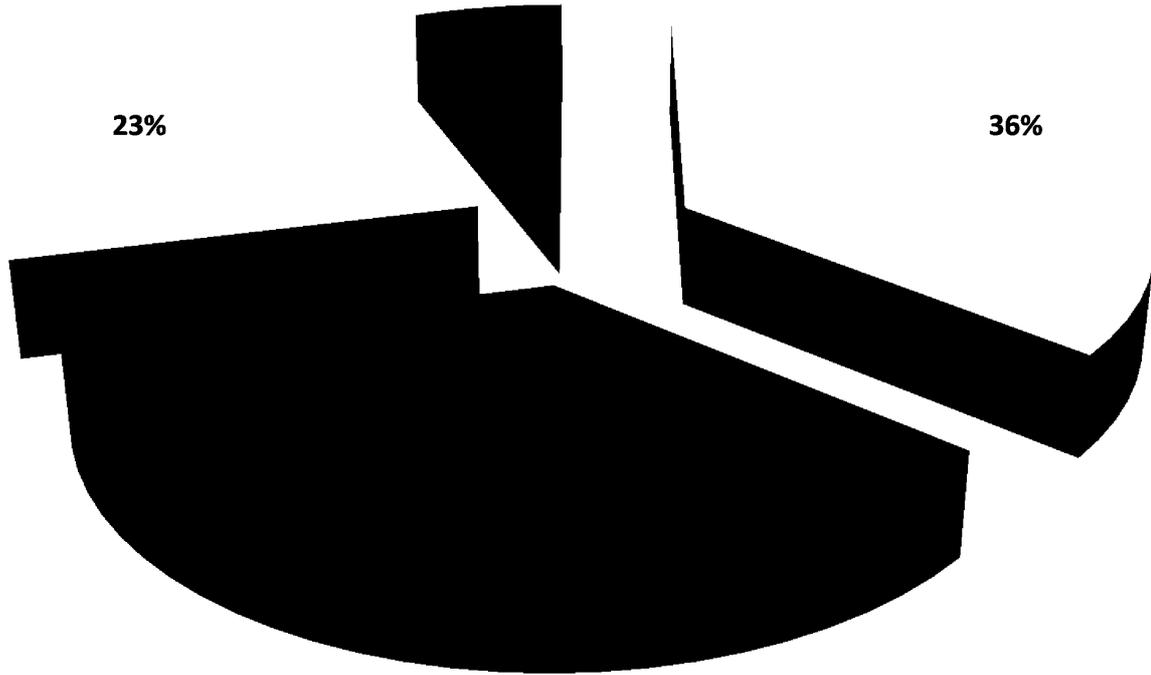


CIP Funds - Water



### Water Line Age (years)

40 + ■ 30-40 20-30 ■ Less than 20



Pipe Age- Water



- » \$50,000 Misc Construction
- » \$250,000 4" Waterline Replacements
- » \$250,000 Canyon Springs (3 Year Sinking)
- » \$75,000 Vehicle 5150 (Maintainer)
- » \$180,000 Vehicle 545 (Dump Truck)
- » \$75,000 Vehicle 5152 (Service Truck)
- » \$50,000 Asphalt Paver Contribution (\$160k)
- » \$930,000 TOTAL

Fund 51 FY 2015 Budget



**AVERAGE MONTHLY UTILITY FEES**

---

<u>WATER *</u>		<u>SEWER **</u>		<u>STORM SEWER</u>	
South Jordan	\$82.24	American Fork	\$48.15	Pleasant Grove	\$12.47
American Fork <sup>1</sup>	\$73.57	Pleasant Grove	\$43.65	South Jordan	\$8.50
Ogden	\$71.18	Lindon	\$42.69	Ogden	\$7.26
Sandy	\$66.71	Lehi	\$40.00	Spanish Fork	\$6.42
Pleasant Grove <sup>1</sup>	\$59.83	Springville	\$29.17	American Fork	\$6.00
West Jordan	\$58.77	AVERAGE CITY	\$27.54	Sandy	\$6.00
West Valley	\$52.60	West Jordan	\$26.88	AVERAGE CITY	\$5.87
AVERAGE CITY	\$51.74	Payson	\$26.76	Payson	\$5.35
Spanish Fork <sup>1</sup>	\$50.73	South Jordan	\$25.00	OREM	\$5.00
Lindon <sup>1</sup>	\$46.62	Spanish Fork	\$23.70	Springville	\$4.97
Lehi <sup>1</sup>	\$39.36	OREM	\$22.10	Lindon	\$4.84
Payson <sup>1</sup>	\$39.16	West Valley	\$18.00	Provo	\$4.63
Layton	\$36.79	Sandy	\$17.68	Layton	\$4.60
Springville	\$36.25	Layton	\$17.45	West Jordan	\$4.02
Provo	\$32.43	Provo	\$17.00	West Valley	\$4.00
OREM	\$29.93	Ogden	\$14.92	Lehi	\$4.00

Revenues: Average Monthly  
Utility Rates



?

Questions?



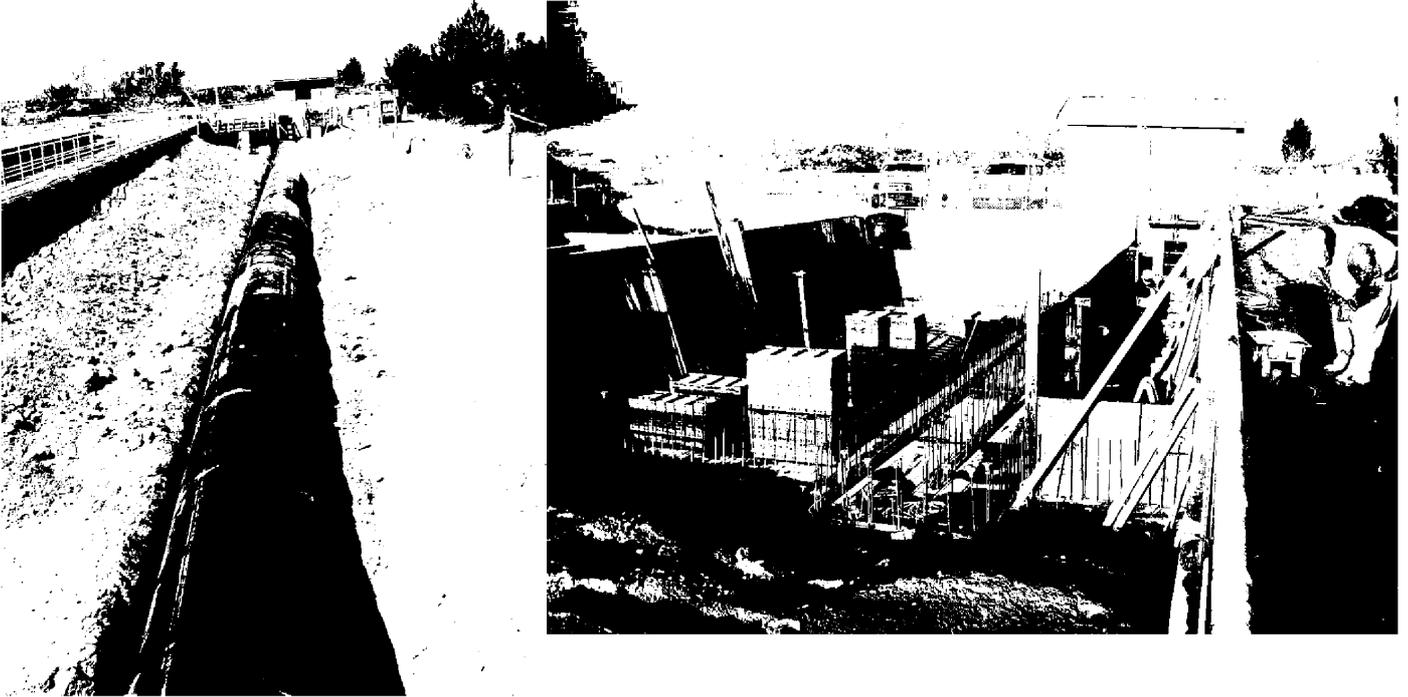
Fund 52

Water Reclamation (Sewer)



» Public Works - Fund 52 – Water Reclamation

> UV Disinfection - \$1.0M



Stewardship Report



- » Public Works - Fund 52 – Water Reclamation
  - > New Jet/Vac Truck - \$350,000



Stewardship Report



- » Public Works - Fund 52 – Water Reclamation
  - > Pipe Liners



## Stewardship Report



» Public Works - Fund 52 – Water Reclamation

> Master Plan

1. Create a sewer model to evaluate current piping and storage and predict future needs.
2. Analyze existing struvite problem and recommend solutions.
3. Connection fees and base rate analysis.
4. Evaluate maintenance and manpower needs.
5. Develop a sewer capital facilities plan.
6. Develop a financial plan with a rate study to support the proposed plans.

Stewardship Report



» Public Works - Fund 52 – Water Reclamation

> Master Plan

Connection Fees and Base Rate Analysis.

Does this....



Stewardship Report



» Public Works - Fund 52 – Water Reclamation

> Master Plan

Connection Fees and Base Rate Analysis.

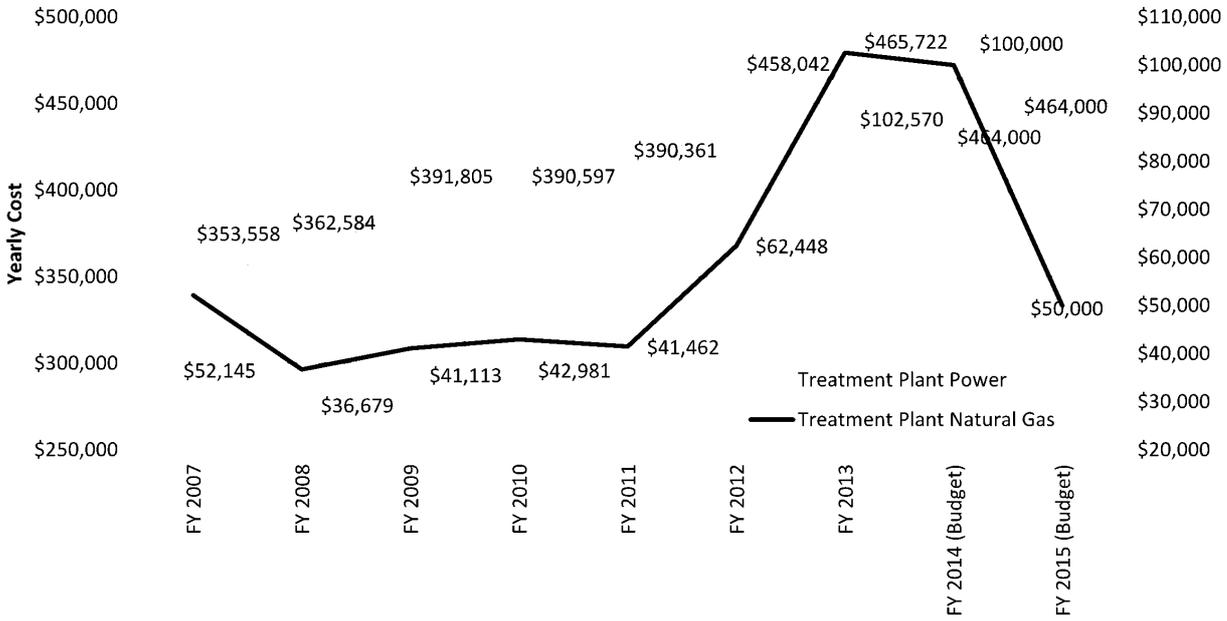
= this?



Stewardship Report



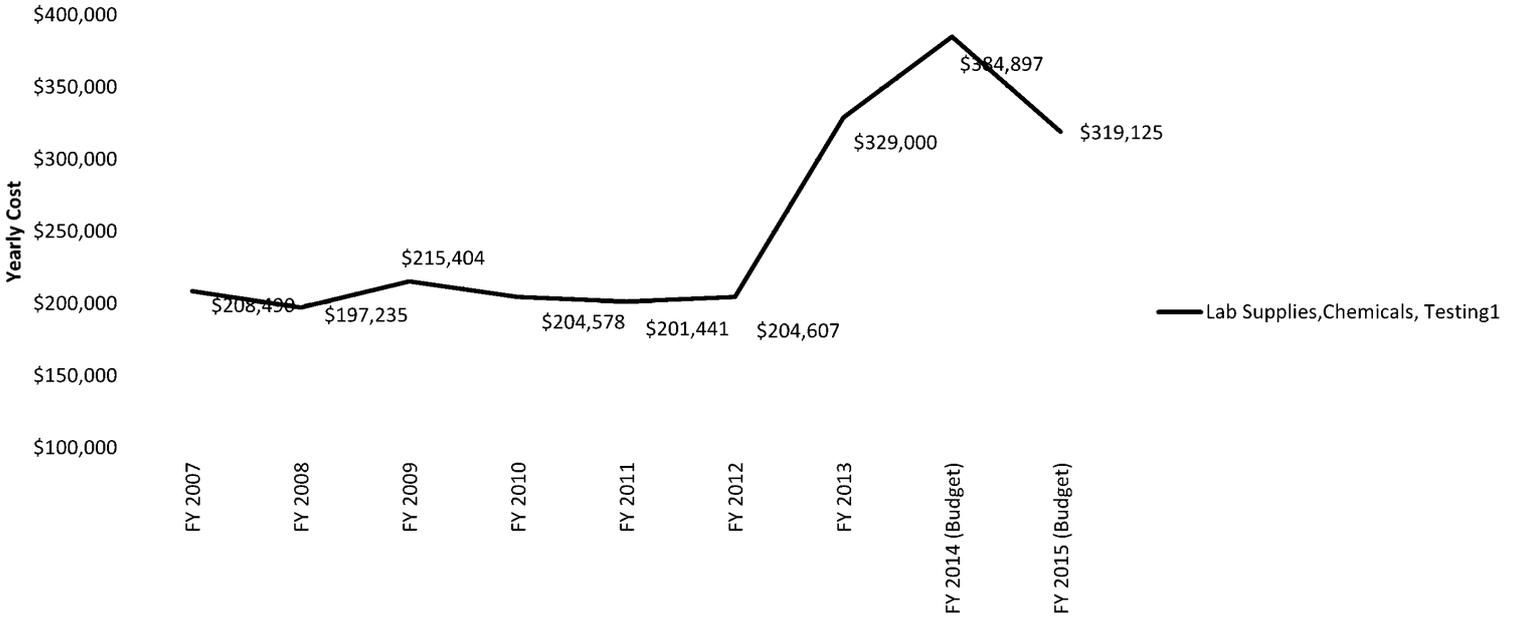
### Treatment Plant Power and Natural Gas Costs 2007-2015



Rising Costs



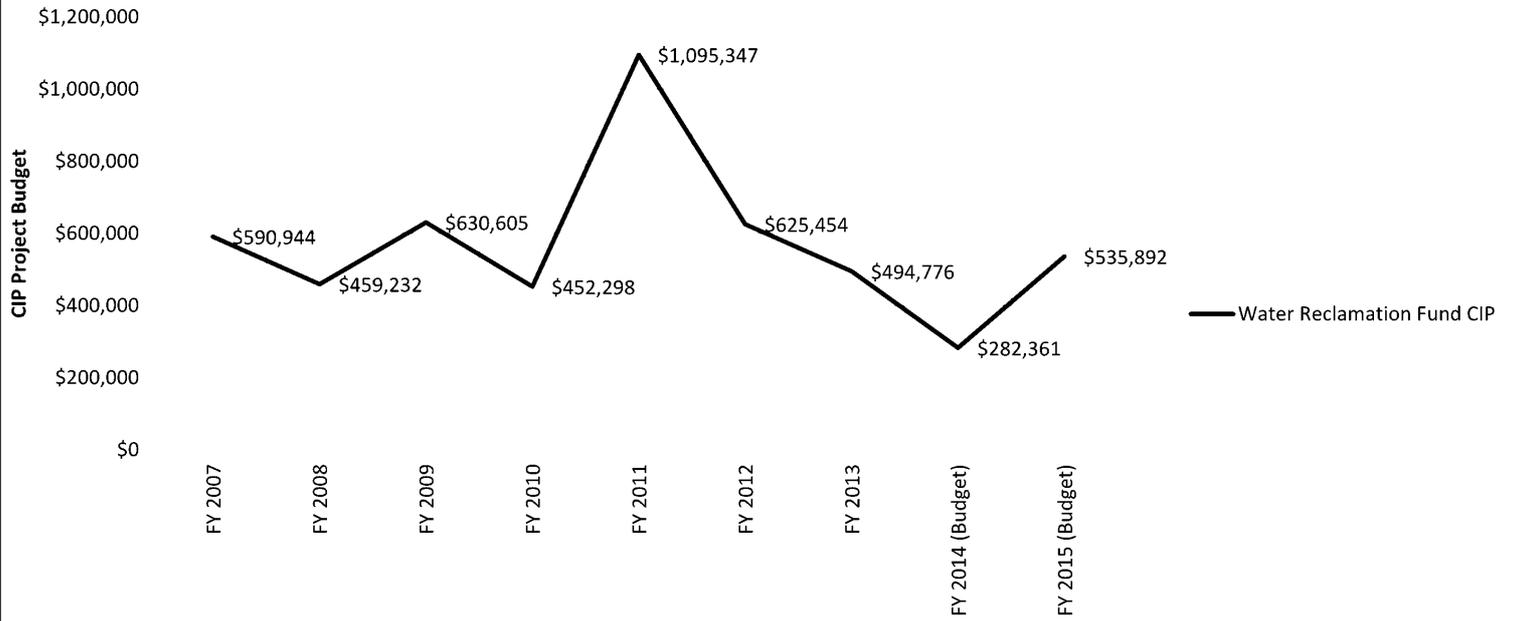
### Treatment Plant Lab Supplies, Chemicals, and Testing 2007-2014



Rising Costs



### Water Reclamation Fund CIP 2007-2015

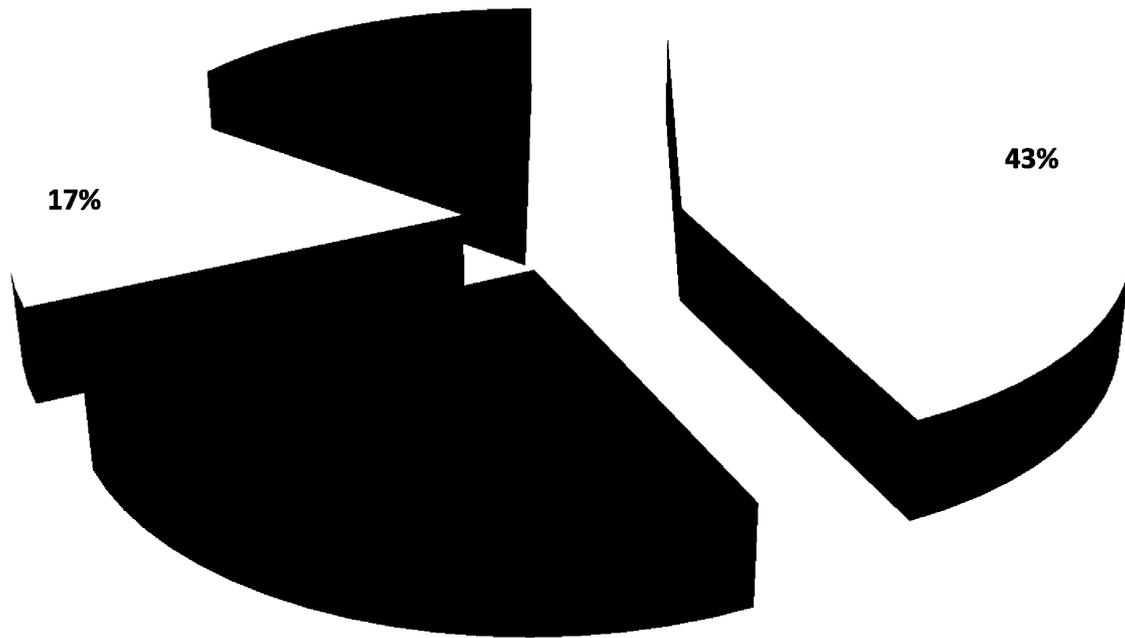


CIP Funds – Water Reclamation



## Sewer Line Installation Year

< 1970 ■ 1970-1980 ■ 1980-1990 ■ > 1990



Pipe Age– Water Reclamation



- » \$25,000 Misc Construction
- » \$150,000 Beverly Neighborhood Replacement
- » \$100,000 Pipe Liners (Yearly)
- » \$15,000 Mini-scout Camera Replacement
- » \$200,000 Vehicle 6201 (Jet/Vac Truck, 2<sup>nd</sup> year)
- » \$70,000 Vehicle 6100 (Service Truck)
- » \$80,000 Treatment Monitoring Equipment
- » \$29,000 GPS Rover
- » \$669,000 TOTAL

Fund 52 FY 2015 Budget



**AVERAGE MONTHLY UTILITY FEES**

<u>WATER *</u>		<u>SEWER **</u>		<u>STORM SEWER</u>	
South Jordan	\$82.24	American Fork	\$48.15	Pleasant Grove	\$12.47
American Fork <sup>1</sup>	\$73.57	Pleasant Grove	\$43.65	South Jordan	\$8.50
Ogden	\$71.18	Lindon	\$42.69	Ogden	\$7.26
Sandy	\$66.71	Lehi	\$40.00	Spanish Fork	\$6.42
Pleasant Grove <sup>1</sup>	\$59.83	Springville	\$29.17	American Fork	\$6.00
West Jordan	\$58.77	AVERAGE CITY	\$27.54	Sandy	\$6.00
West Valley	\$52.60	West Jordan	\$26.88	AVERAGE CITY	\$5.87
AVERAGE CITY	\$51.74	Payson	\$26.76	Payson	\$5.35
Spanish Fork <sup>1</sup>	\$50.73	South Jordan	\$25.00	OREM	\$5.00
Lindon <sup>1</sup>	\$46.62	Spanish Fork	\$23.70	Springville	\$4.97
Lehi <sup>1</sup>	\$39.36	OREM	\$22.10	Lindon	\$4.84
Payson <sup>1</sup>	\$39.16	West Valley	\$18.00	Provo	\$4.63
Layton	\$36.79	Sandy	\$17.68	Layton	\$4.60
Springville	\$36.25	Layton	\$17.45	West Jordan	\$4.02
Provo	\$32.43	Provo	\$17.00	West Valley	\$4.00
OREM	\$29.93	Ogden	\$14.92	Lehi	\$4.00

Revenues: Average Monthly  
Utility Rates

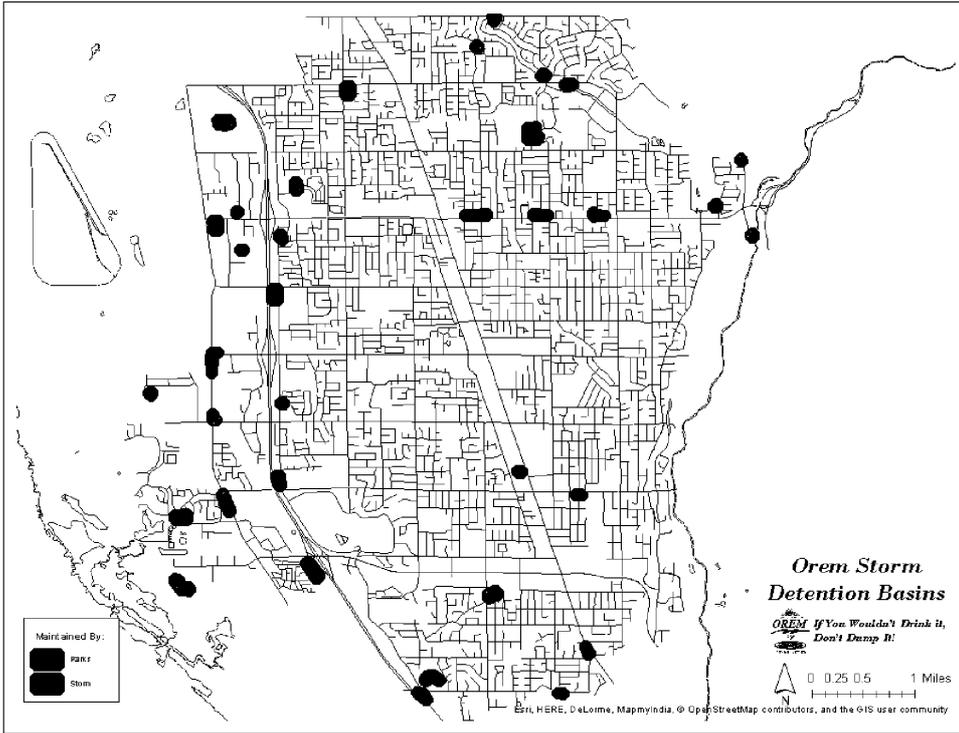


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Questions?



Fund 55  
Storm Water



### Detention Basins

- 47 Basins
- 33.8 Acres
- 4.5 Acres in mowed turf



# Storm Water Stewardship



## » Sweeping

### > Annual Averages

- + 2,098 Machine Hours
- + 7,871 Miles Swept
- + 14,249 Miles Traveled
- + 2,878 Cubic Yards of Debris Removed
- + Each City Street Swept 13 Times

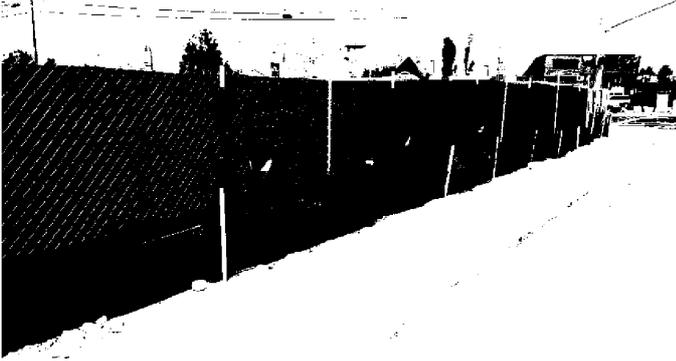
Storm Water Stewardship



Construction BMP: 1. Street/gutters swepted.  
2. Housekeeping is current, site is clear from trash and construction debris.



Construction BMP: Silt fence is installed correctly



## » SWPPP Inspections (Annual Averages)

- > 86 SWPPP Permits Issued
- > 219 Construction Site Inspections
- > 135 Construction Sites in Compliance
- > 68 Construction Sites in Compliance with Conditions
- > 28 Construction Sites out of Compliance
- > 3 Citations Issued
- > \$880 in Fines Collected

# Storm Water Stewardship



If you wouldn't drink it, don't dump it!

Volume 17, Issue 1

# WaterWatch OREM

## Green Waste

Spring cleaning may be over, but there is still a lot of work to be done. For the next week, we have a special program with garbage collection on Wednesdays and Saturdays.

through November 30, we have the extra 15-20 minutes during the week to collect. Pick up your trash on the same day as the regular garbage collection day.

## Other Green Waste Options

If you are not participating in the curbside program or if you have more green waste than you can take home, you can take it to the South Pointe Transfer Station at 2200 West 225 South, Suite 800. The next visit of Green's 2020 is next.

The City of Orem provides curbside with a curbside landfill pass for regular garbage loads on the regular day. The pass is included in your utility bill. This is a pass for a single load only.

The fee for green waste is \$17 for a pickup load, \$14 for a pickup load, and \$27 per ton for large loads.

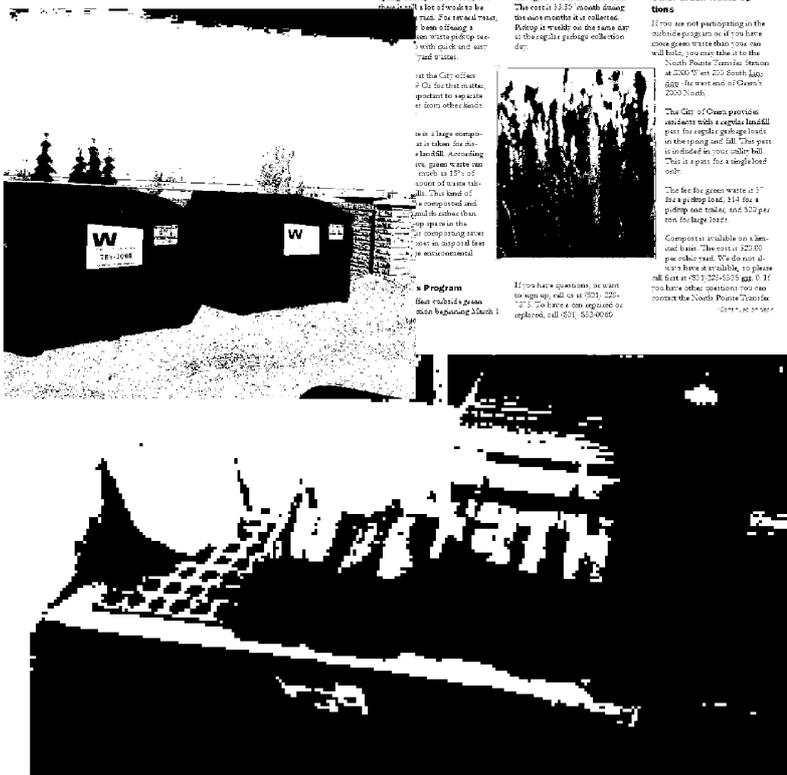
Composts available on a limited basis. The cost is \$25.00 per cubic yard. We do not currently have it available, so please call 801-225-5535 ext. 0. If you have other questions, you can contact the South Pointe Transfer Station at 801-225-5535.

at the City offices. If you have questions, please call 801-225-5535.

is a large component of the city's waste management program. According to the city, green waste can make up to 15% of the volume of waste taken to the landfill. This kind of waste is not compacted and can take up a lot of space in the landfill. Participating in the curbside program can help reduce the amount of green waste that ends up in the landfill.

**Program**  
has ended. Please call 801-225-5535 for more information.

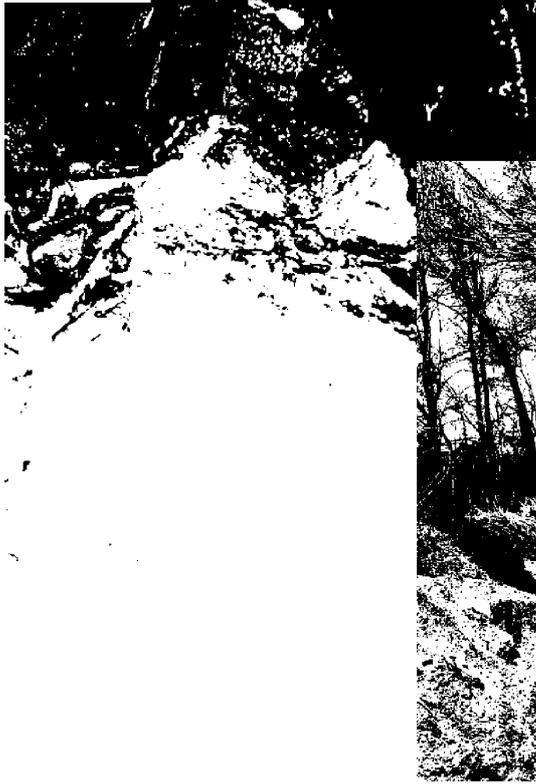
If you have questions, we want to help you. Call us at 801-225-5535. We have a lot of information on our website, too. Visit us at [www.orem.gov](http://www.orem.gov).



## Storm Water Stewardship

## » Compliance with EPA and State Regulations

- > 2010 Stormwater Management Plan
- > NPDES Minimum Control Measures
  - + Public Education
  - + Public Involvement
  - + Illicit Discharge Detection and Elimination
  - + Construction
  - + Post-Construction
  - + Good Housekeeping
- > Coordination with
  - + Utah County Storm Water Coalition
  - + Utah Storm Water Advisory Committee
- > Quarterly Inspections of City Facilities



## » Infrastructure

### > Inlets

- + 3175 Stormwater Inlets
- + 26 Groundwater Inlets
- + 754 Irrigation Inlets
- + 3210 Private Stormwater Inlets
- + 333 Inlets Inspected Annually

### > Manholes

- + 1561 Stormwater Manholes
- + 154 Groundwater Manholes
- + 631 Irrigation Manholes
- + 444 Private Stormwater Manholes
- + 68 Manholes inspected Annually

### > Sumps

- + 1753 Stormwater Sumps
- + 1818 Private Stormwater Sumps
- + 337 Sumps Inspected Annually

### > Pipes

- + 82.9 Miles Stormwater Pipe
- + 6.8 Miles Groundwater Pipe
- + 59.1 Miles Irrigation Pipe
- + 34.1 Miles Private Stormwater Pipe
- + 13.9 Miles of Pipe Inspected Annually

# Storm Water Stewardship



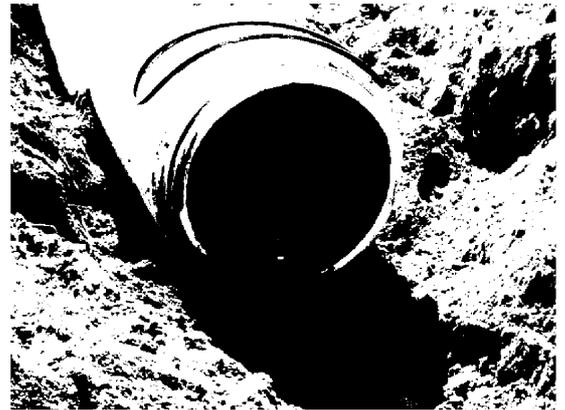
## » New Infrastructure

- > Williams Farm Detention Basin
- > Pipe installation on Industrial Park Drive north of 800 North
- > Pipe installation on 1330 West north of Center St.
- > Lindon Hollow detention basin and conveyance



## » UDOT Partnership improvements

- > I-15 Storm Drain crossings in multiple locations
- > Drain installation on 1200 West in multiple locations
- > Drain installation in 800 North from 400 West to 1550 West
- > Drain pipe extension in Center St. from I-15 to 1000 West
- > Drain installation in Geneva Road from University Parkway to 1200 North
- > Six additional detention basins, including one regional basin located at 1550 West 800 North



# Storm Water Accomplishments



- » 21,581 Utility Accounts
- » 52,977 ESUs
- » \$2,995,776.73 Annual Revenue (Adjusted for Credits)

**FY 2014 Budget – \$2,850,000**

- » Personnel – \$834,424
- » Operations and Maintenance – \$528,940
- » Administrative Fees and Charges – \$483,972
- » 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
- » Generates approximately \$145,000 annually

## Storm Water Current Budget Status



Taylor/Cherry Hill Farm Wetland Property Purchase	\$500,000	\$500,000
Pipe the Lake Bottom Canal, 2000 South	\$100,000	\$600,000
Lakeside Park drainage thru Vineyard	\$300,000	\$900,000
400 North, Main Street to 400 East	\$500,000	\$1,400,000
400 North, 400 East to 800 East	\$500,000	\$1,900,000
400 North, 800 East to 1000 East	\$300,000	\$2,200,000
1200 North, 400 East to 1200 West	\$1,500,000	\$3,700,000
400 East to State Street, Scera Park	\$500,000	\$4,200,000
600 North, 200 East to 800 East	\$600,000	\$4,800,000
Construct Detention Basin at Sharon Park	\$350,000	\$5,150,000
Southwest Annexation Work (Engineering Est.)	\$2,500,000	\$7,650,000
Lakeridge detention basin	\$500,000	\$8,150,000
Lakeridge Piping Projects	\$1,000,000	\$9,150,000

## Storm Water - Capital Improvement Needs



Business	# of ESU's	Current		Proposed		Annual Increase Difference	
		Monthly Cost \$5.00	Annual Cost	Monthly Cost \$5.25	Annual Cost \$5.25		
Alpine School District	2,409	\$ 9,154	\$ 109,850	\$ 9,612	\$ 115,343	\$ 5,493	Earn 24% WQ Credits
Timpanogos High School	309	\$ 1,174	\$ 14,090	\$ 1,622	\$ 14,795	\$ 705	
Typical Elementary School	75	\$ 285	\$ 3,420	\$ 394	\$ 3,591	\$ 171	
RC Willey	98	\$ 490	\$ 5,880	\$ 515	\$ 6,174	\$ 294	
Typical LDS Chapel (30-50 ESU's)	35	\$ 175	\$ 2,100	\$ 184	\$ 2,205	\$ 105	
Watchmen Storage	164	\$ 820	\$ 9,840	\$ 861	\$ 10,332	\$ 492	
Wendy's	17	\$ 85	\$ 1,020	\$ 89	\$ 1,071	\$ 51	
Holiday Oil Station	7	\$ 35	\$ 420	\$ 37	\$ 441	\$ 21	
Orem Comm. Hospital	151	\$ 755	\$ 9,060	\$ 793	\$ 9,513	\$ 453	
Canyon Park (1600 North)	808	\$ 4,040	\$ 48,480	\$ 4,242	\$ 50,904	\$ 2,424	
US Synthetics	66	\$ 330	\$ 3,960	\$ 347	\$ 4,158	\$ 198	
The Mending Shed	2	\$ 10	\$ 120	\$ 11	\$ 126	\$ 6	
Typical Homeowner	1	\$ 5	\$ 60	\$ 5.25	\$ 63	\$ 3	
UVU	1,996	\$ 9,980	\$ 119,760	\$ 10,479	\$ 125,748	\$ 5,988	
Monarch Honda	20	\$ 100	\$ 1,200	\$ 105	\$ 1,260	\$ 60	
<b>Totals</b>	<b>52,376</b>	<b>\$243,548</b>	<b>\$ 2,922,581</b>	<b>\$ 255,726</b>	<b>\$3,068,710</b>	<b>\$ 146,129</b>	<b>WQ Credit 7%</b>

Revenue per 25¢ increases the overall budget around \$145,000 annually.

# Stormwater – Fee Impact - 25¢/ESU/mo.



# Fund 58

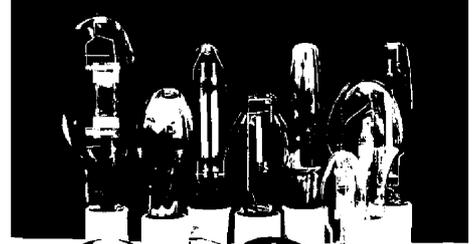
## Street Lighting



# Street Lights

## Accomplishments

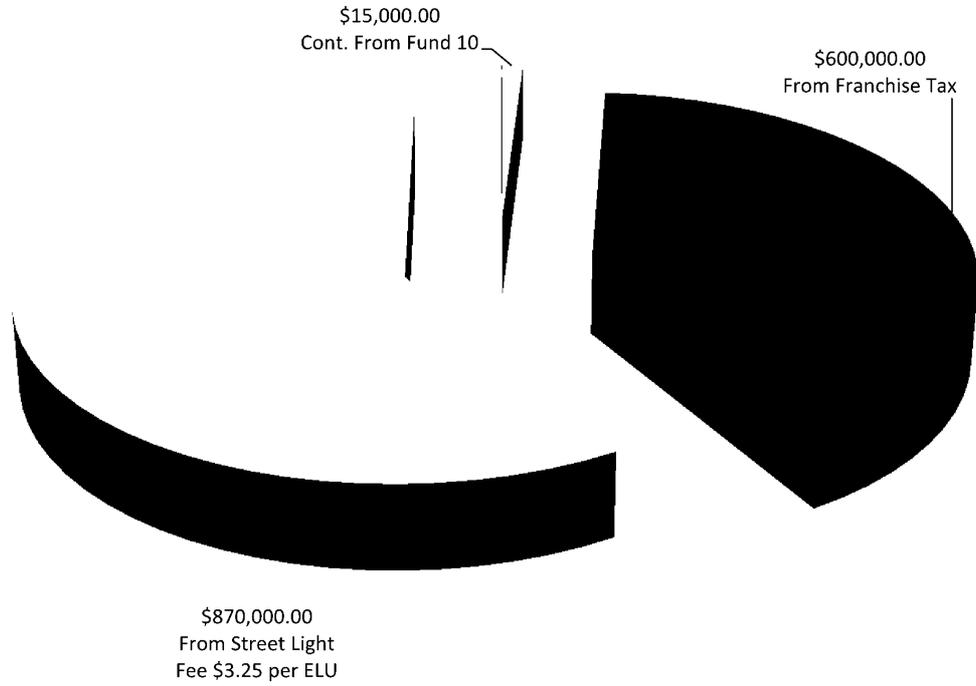
- > Testing LED Street Lights For *Financial Sustainability*
  - + *Estimated that By Changing to LED Lights The City Would Save \$295,000 Annually For Power.*
- > Maintained 5,248 Street Lights
- > Replaced Retired Street Light Specialist
- > Work Orders Completed 1,194
  - + 895 Light Bulbs Changed out
  - + 566 Capacitors Replaced
  - + 126 Fuses Replaced
  - + 83 Photo Cells Replaced
  - + 29 Ballasts Replaced
  - + 8 Dig Ins Repaired Requiring
    - 1,600 Feet of Wire
    - 210 Feet of Conduit
  - + 7 Street Lights Hit by Vehicles.





# Street Lights

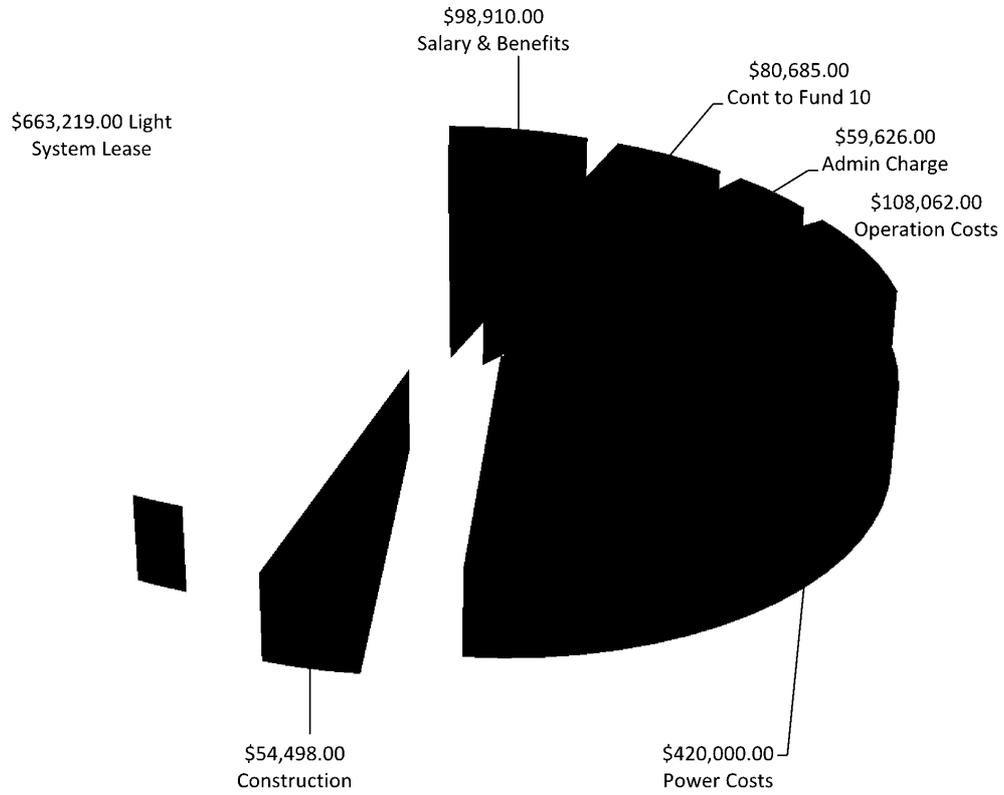
Street Light FY- 15 Estimated Revenue \$1.485 M





# Street Lights

Street Light FY- 15 Budget \$1.485 M





# Street Lights

## City Owned and Maintained Street Lights Schedule 12E

Residential Washington	4,303
Commercial	173
Corridor Memphis	569 (29 LED)
Miscellaneous Residential	31
Cobra Head Street Lights Above Traffic Signal	172 (13 LED)
Total	5,248



Residential



Street Light



Corridor



Street Light



Street Light



# Street Lights

» RMP Owned and Maintained Street Lights Schedule 11 Power and RMP Maintenance Paid By Orem.

Expired Lighting Districts Residential Cobra Head	295
Corridor Cobra Head State Street South of Center Street	100
Miscellaneous Cobra Head Street / Area Light	11



Light District  
Cobra Head



Corridor Cobra Head  
State Street South



Misc. Cobra Head  
Street/ Area





# Street Lights

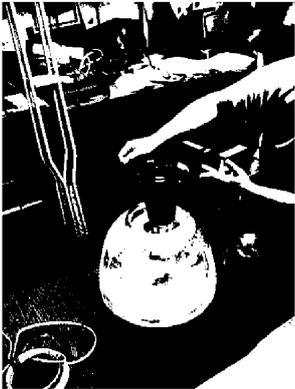
## Street Light FY- 15 Budget

<u>Staff Retrofit</u>	<u>Contracted Installation</u>	<u>3rd Party Lease</u>
\$2,547,797.00	\$2,547,797.00	\$0.00
\$550,620.03	\$704,184.00	\$0.00
\$3,098,417.03	\$3,251,981.00	\$0.00
-\$577,200.00	-\$577,200.00	\$0.00
\$142,100.00	\$142,100.00	\$203,000.00
\$2,663,317.03	\$2,816,881.00	\$203,000.00
\$295,304.12	\$295,304.12	\$26,380.00
\$83,000.00	\$83,000.00	\$83,000.00
\$378,304.12	\$378,304.12	\$109,380.00
\$8,636,683.13	\$8,636,683.13	\$2,497,145.40

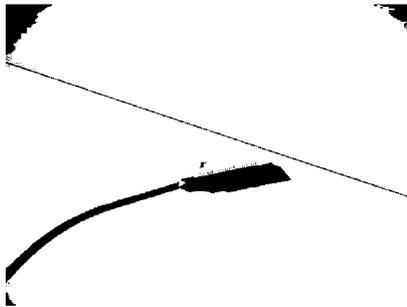


# Street Lights

## Street Light LEDs



Residential Street Light Washington Fixture LED Replacement for 150w Mh Bulb



150w Cobra Head LED Replacement  
Fixture for a 400w Hps Cobra Head  
Street Light



# Street Lights

## Future Challenges

- > Funding LED Change Out of City-owned Street Lights [\$2.8M]
- > Convert RMP-owned Street Lights in Expired Light Districts to City-owned Standard Green Washington Poles w/LEDs [\$1.4M]
- > Convert RMP-owned Street Lights Along South State Street to City-owned Standard Green Memphis Corridor Poles w/LEDs [\$600k]
- > OR: Purchase the RMP Lights Above and Leave the Existing Poles and only Convert to LEDs [\$264k]
- > Financial Sustainability
- > Continued Increase in Power Costs
- > Operational and Maintenance Funding After Street Light Fee Expires
- > Long-term Operations, Maintenance, Repair, and Replacement Plan (Develop a 50-year Sinking Fund?)





# Fund 20 / Fund 10 Streets



## Streets

- » 241 Centerline Miles
  - > Local – 187 Miles
  - > Collector – 37.5 Miles
  - > Arterial – 16.5 Miles
- » 529 Lane Miles
- » 47 Million SF
- » Estimated Value of \$135M
- » 34 City Owned Parking Lots

## Sidewalks

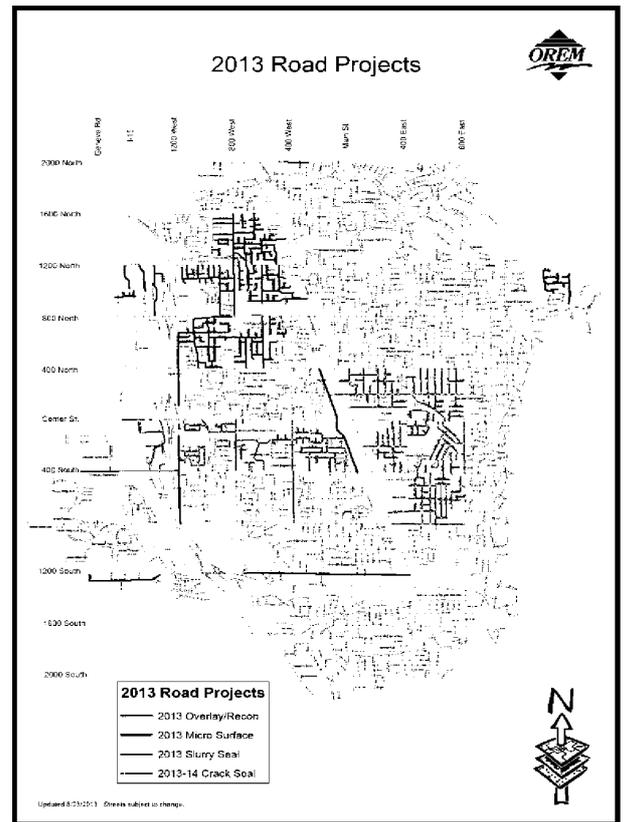
- » 500 +/- Miles
  - > Standard Combination – 362 Miles
  - > Rollback Combination – 18.5 Miles
  - > Planter Strip – 30 Miles
- » 4,278 ADA Ramps
- » 745 Locations without an ADA Ramp
- » Approximately 13 Miles of the City Does Not Have Sidewalk or Gutter
- » Estimated Value of \$132M

# Streets Stewardship



## Accomplishments in 2013:

- » Overlays & Reconstructs
  - > 1200 North Murdock Canal Reconstruction
  - > 2000 North 400 West Reconstruction
  - > 1200 West Overlay
- » Slurry Seal – 23 miles of City Streets
- » Crack Seal – 36 miles of City Streets
- » Micro Surface
  - > Orem Boulevard 400 North to 400 South
  - > 1200 South State Street to Sandhill Road



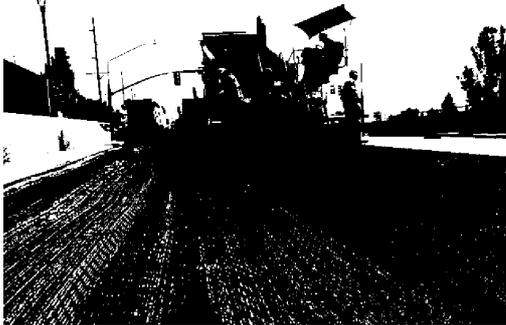
# Streets Accomplishments



## Street Maintenance: Previous Five Years

133 Centerline Miles of Crack Seal

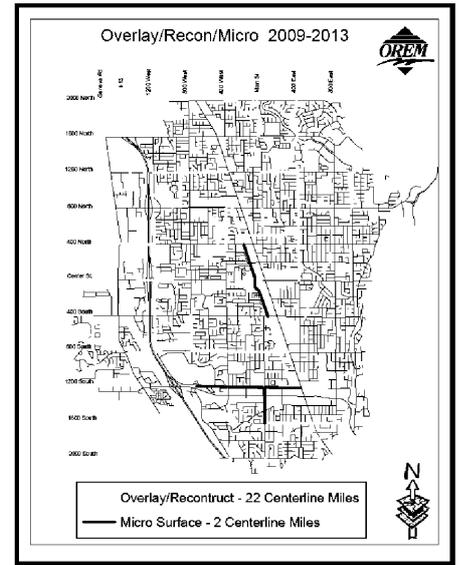
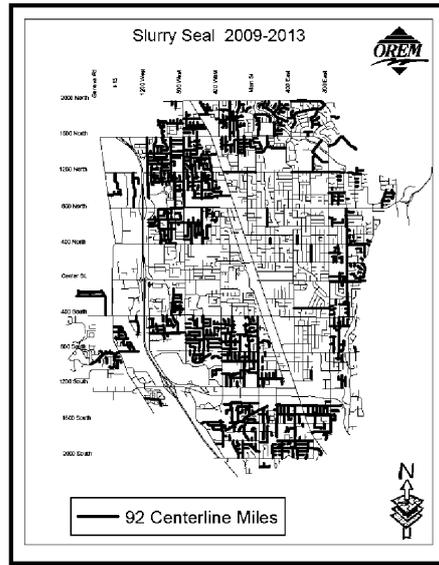
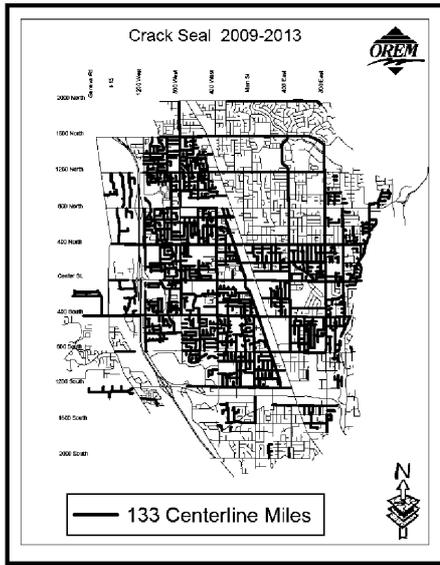
- » 92 Centerline Miles of Slurry Seal
- » 22 Centerline Miles Reconstruct/Overlay
- » 2 Centerline Miles Micro Surfacing
- » 26,990 Asphalt Tons Placed by City Crews (equal to 12 miles of new road).



## Streets Accomplishments



# Street Maintenance: Previous Five Years



## Streets Accomplishments



## Sidewalk Maintenance: Previous Five Years

- » 5,070 cubic yards of concrete placed by City Crews (equal to 9.5 miles of sidewalk)
- » Over one mile of curb, gutter, and sidewalk was installed
- » Over 400 ramps have been installed or updated to meet current ADA requirements.
- » Over 1,500 sidewalk hazards have been milled.



## Streets Accomplishments



## Snow Removal (Five year average)

- » 1,500 man hours
- » 1,600 lane miles treated
- » 2,000 tons of salt used



Streets Accomplishments



# Pavement and Sidewalk Management: Previous Five Years

- » Over 2,500 Street Inspections
- » Over 4,000 Sidewalk Inspections
- » Asphalt Cored all Rehabilitated Roads

Excellent	Good	Poor	Failed
OCI 100-90	OCI 89-70	OCI 55-40	OCI 39-0
New or almost new pavement. Pavement is structurally sound with little surface wear.	Pavement structure is good. Minor cracking and surface wear.	Major cracking and surface wear. Pavement is structurally deficient. Base may be unstable.	Major distresses. Pavement is structurally unsound. Base may be unstable.

The screenshot displays a software interface for pavement inspection. The main window is titled 'Defect Inspection Form' and contains the following sections:

- Needs to be scheduled for replacement:** A checkbox that is currently checked.
- Defect Information:** A table with columns for 'Defect ID', 'Defect Type', 'Severity', and 'Status'. The table contains one row with the following data:
 

1	14453	2	High
---	-------	---	------
- Inspection Details:** A section for recording inspection information, including 'Inspector', 'Date', 'Time', and 'Location'. The date is set to 03/12/2012 and the time is 4:20:15 PM.
- Map View:** A small map showing the location of the inspection site.
- Photo:** A photograph of a road surface, showing a concrete curb and asphalt pavement.

## Streets Accomplishments



Current funding enables the City to perform the needed crack and slurry seal each year. It allows for only 60% of the needed overlays to be completed. Within ten years the City’s average **OCI would likely decrease below 80**, with approximately 12 centerline miles of Arterial and Collector streets rated as “Poor” or “Failed.”

Type	Annual Budget
Crack Seal	\$300,000
Slurry Seal	\$500,000
Overlay/Reconstruction	\$500,000
Total	\$1,300,000

The following chart illustrates the street OCI (overall condition index) over the last 10 Years. The Road Bond started in 2005 and ended in 2009. The OCI has decreased each year since.

OCI Comparison - 2005 to 2014 (10 Years)										
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<b>Overall OCI (241 Centerline Miles)</b>	81	82.2	83.8	85.3	86	85.3	84.7	83.4	83.1	82.7
<b>Local (187 Centerline Miles)</b>	81.2	82.5	84.3	85.8	86.7	85.9	85	83.6	83.2	82.9
<b>Collectors (37.5 Centerline Miles)</b>	80.1	78.3	78.9	79.2	79.4	80	83	83.3	82.8	82.1
<b>Arterials (16.5 Centerline Miles)</b>	77.4	86	84.7	85.2	84.7	83.5	82.1	81	80.4	79.8

## Streets – Current Budget Status



## General Fund

- » \$1.34M budget
- » Personnel, \$1.02M
- » Equipment Maintenance
  - > Fuel
  - > Equipment Repairs
  - > Equipment Rental
- » Materials
- » Other
  - > Landfill
  - > Tools
  - > Office Needs
  - > Phones/Communications & Supplies

## State Road Fund

- » \$2.4M Budget
- » Capital Projects - \$1.4M
  - > Overlays - \$500k
  - > Crack Sealing - \$300k
  - > Slurry Seals - \$500k
  - > Street Striping - \$100k
- » Materials - \$511k
  - > Asphalt, Concrete, Salt (Snow Removal)
- » Equipment - \$100k
  - > Maintenance
  - > Purchase/Replace
  - > Lease/Rental
- » Other – \$400k
  - > Administration Charge
  - > Professional & Technical Services
  - > Supplies

Streets – Current Budget Status



## General Fund

- » \$2.3M budget
- » Personnel – \$1.09M
- » Operations & Maintenance – \$50k
- » Equipment Maintenance – \$162k
  - > Fuel
  - > Equipment Repairs
  - > Equipment Rental
- » Materials – \$511k
- » Equipment – \$410k
  - > Purchase/Replace
  - > Lease/Rental
- » Miscellaneous Projects – \$81k

## 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

Streets – Capital Improvement Needs



## Increased Funding:

The following chart illustrates 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

## Streets – Capital Improvement Needs



**Increased Funding:**

The following chart illustrates the prioritized City streets needing an asphalt overlay or reconstruction within the next five years.

Prioritized Capital Improvement Projects								
Street	Location	Rehabilitation Type	Design	SF	Cost SF	Total	Mobilization, Traffic, Striping, etc. @25%	Total
800 East	800 North to 1200 North	Reconstruction	5" over 6" over 12" PG 64-34	130,000	\$3.10	\$403,000.00	\$100,750.00	\$503,750.00
800 West	800 North to 1200 North	Overlay	2" PG 64-34	124,000	\$1.00	\$124,000.00	\$31,000.00	\$155,000.00
1330 West	Center St. to 200 North	Reconstruction	5" over 6" over 12" PG 64-34	59,660	\$3.10	\$184,946.00	\$46,236.50	\$231,182.50
Center St	400 West to 990 West	Overlay	3" PG 64-34	231,380	\$1.25	\$289,225.00	\$72,306.25	\$361,531.25
400 South	800 East to Carterville Rd	Overlay	2" PG 64-34	98,280	\$1.00	\$98,280.00	\$24,570.00	\$122,850.00
400 South	Geneva Rd to 1200 West	Overlay	2" PG 64-34	66,000	\$1.00	\$66,000.00	\$16,500.00	\$82,500.00
1200 West	950 North to 1600 North	Reconstruction	5" over 6" over 12" PG 64-34	194,900	\$3.10	\$604,190.00	\$151,047.50	\$755,237.50
1200 West	950 North to 1600 North	Sidewalk/Gutter		4,000	\$100.00	\$400,000.00		\$400,000.00
1200 West	950 North to 1600 North	Misc	Property/Walls/Utilities/etc					\$550,000.00
400 West	Center St. to 400 South	Overlay	2" PG 64-34	126,144	\$1.00	\$126,144.00	\$31,536.00	\$157,680.00
400 West	400 South to 800 South	Overlay	2" PG 64-34	134,500	\$1.00	\$134,500.00	\$33,625.00	\$168,125.00
400 North	Main St to 400 East	Overlay	2" PG 64-34	121,965	\$1.00	\$121,965.00	\$30,491.25	\$152,456.25
400 East	400 South to 800 South	Overlay	2" PG 64-34	116,600	\$1.00	\$116,600.00	\$29,150.00	\$145,750.00
400 West	1600 North to 2000 North	Overlay	2" PG 64-34	115,456	\$1.00	\$115,456.00	\$28,864.00	\$144,320.00
Center St	State St to 400 West	Overlay	3" PG 64-34	191,751	\$1.25	\$239,688.75	\$59,922.19	\$299,610.94
2000 South	Sandhill Rd to Main St	Overlay	2" PG 64-34	73,052	\$1.00	\$73,052.00	\$18,263.00	\$91,315.00
2000 South	Main St to 250 East	Overlay	2" PG 64-34	53,408	\$1.00	\$53,408.00	\$13,352.00	\$66,760.00
2000 South	250 East to 424 East	Reconstruction	4" over 12" PG 64-34	32,900	\$2.50	\$82,250.00	\$20,562.50	\$102,812.50
Main St	University Parkway to 1600 South	Overlay	2" PG 64-34	86,108	\$1.00	\$86,108.00	\$21,527.00	\$107,635.00
Main St	1880 North to 2000 North	Overlay	2" PG 64-34	45,486	\$1.00	\$45,486.00	\$11,371.50	\$56,857.50
Palisades Dr	Center St to 400 North	Overlay	1.5" PG 64-34	66,780	\$0.80	\$53,424.00	\$13,356.00	\$66,780.00
1170 East	1040 North to 1200 North	Reconstruction	4" over 12" PG 64-34	57,000	\$2.50	\$142,500.00	\$35,625.00	\$178,125.00
1240 East	950 North to 1040 North	Overlay	1.5" PG 64-34	50,000	\$0.80	\$40,000.00	\$10,000.00	\$50,000.00
							<b>TOTAL</b>	<b>\$4,950,278.44</b>

# Streets – Capital Improvement Needs



# Fund 61

## Fleet



- ❑ The Fleet Maintenance Fund is an internal service fund that receives all of its operating revenues through transfers from City General Fund and Enterprise Funds.
- ❑ Annual Operating Fund of approximately \$585k 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 are 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
- ❑ Perform 500 Vehicle Inspections and 260 Emission Tests Conducted Annually
- ❑ \$600k General Fund in Annual Vehicle Replacement

## Fleet Stewardship



## Completed State of the Fleet Report:

### » Needs Identified:

- > General Funds needs \$1.7M in annual equipment replacement.
- > Enterprise Funds need \$1.3M in annual equipment replacement.

### » Identified 34 Surplus Pieces of Equipment

- > Will save \$72,000 annually in equipment expenditures

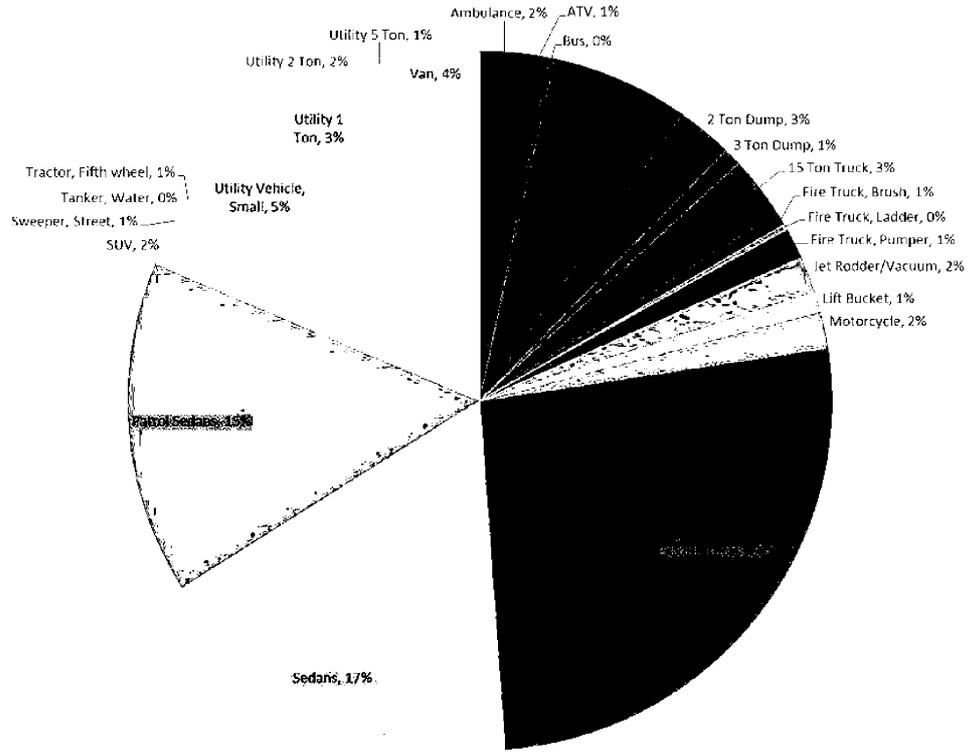
### » Average age of the fleet has increased from 6.5 years in 1985 to 10.5 years today.

### » Moving to standardizing the fleet wherever practical.

Fleet Stewardship



# VEHICLES



## Fleet Stewardship



# Analysis Completed May 2014

## » Results:

- > 139 Potential Vehicles (Sedans & Pickup Trucks) – General Fund
- > 176 Potential Vehicles City Wide

Funds/Section	INV	LIC	PLV	SUR	Section Account	Fleet Value	2013 Sinking Fund Year													Total		
							Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13			
<b>GENERAL FUND TOTALS</b>	<b>280</b>	<b>188</b>	<b>139</b>			\$ 12,350,982	\$2,414,961	\$2,277,910	\$1,867,276	\$1,667,227	\$1,558,451	\$1,489,920	\$1,470,144	\$1,416,532	\$1,399,037	\$1,394,992	\$1,377,047	\$1,421,367	\$1,381,907	\$ 21,136,771		
						Residual	\$ 44,265	\$ 89,203	\$ 71,878	\$ 77,120	\$ 70,916	\$ 56,448	\$ 137,769	\$ 43,151	\$ 72,360	\$ 105,566	\$ 47,995	\$ 183,221	\$ 82,659			
						Net Replacement Fund	\$2,370,696	\$2,188,707	\$1,795,398	\$1,590,107	\$1,487,535	\$1,433,472	\$1,332,374	\$1,373,380	\$1,326,677	\$1,289,425	\$1,329,053	\$1,238,146	\$1,299,447	\$ 19,985,317		
						Surplus Vehicles	\$ 69,102															
							\$2,301,594													Difference	\$ 1,151,454	
						139 Vehicles Leasing Totals	\$ 508,158	\$ 508,454	\$ 681,019	\$ 712,394	\$ 734,215	\$ 734,548	\$ 790,523	\$ 790,876	\$ 816,309	\$ 853,773	\$ 876,629	\$ 877,027	\$ 943,930	\$ 9,827,855		
						139 Vehicles Replacement Fund Totals (Includes Residuals Values)	\$1,094,864	\$1,089,086	\$ 771,712	\$ 635,386	\$ 559,561	\$ 517,041	\$ 464,338	\$ 469,028	\$ 488,111	\$ 480,078	\$ 499,661	\$ 510,126	\$ 526,273	\$ 8,105,265		
																				Difference	\$ 1,722,590	
						Replacement Fund Maintenance Cost	\$ 34,301	\$ 35,890	\$ 44,539	\$ 63,674	\$ 73,908	\$ 83,113	\$ 99,395	\$ 101,913	\$ 53,662	\$ 107,769	\$ 42,443	\$ 49,284	\$ 73,975	\$ 863,867		
						Leasing Maintenance Cost	\$ 34,301	\$ 35,890	\$ 44,539	\$ 57,383	\$ 26,202	\$ 46,086	\$ 42,443	\$ 49,284	\$ 36,397	\$ 43,989	\$ 34,344	\$ 59,480	\$ 34,301	\$ 544,638		
																				Difference	\$ 319,229	
						PS Police Fuel Consumption	Replace	\$ 124,971	\$ 124,971	\$ 124,971	\$ 124,971	\$ 124,971	\$ 124,971	\$ 124,971	\$ 124,971	\$ 88,372	\$ 88,372	\$ 88,372	\$ 88,372	\$ 88,372	\$ -	\$ 1,441,628
						4 Year Lease	\$ 124,971	\$ 124,971	\$ 124,971	\$ 124,971	\$ 106,856	\$ 106,856	\$ 106,856	\$ 106,856	\$ 88,372	\$ 88,372	\$ 88,372	\$ 88,372	\$ 88,372	\$ 80,338	\$ -	\$ 1,360,335
						Difference	\$ -	\$ -	\$ -	\$ -	\$ 18,315	\$ 18,315	\$ 18,315	\$ 18,315	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,034	Difference	\$ 81,293
NET DIFFERENCE BETWEEN A SINKING FUND VS LEASING																						
NET DIFFERENCE BETWEEN A SINKING FUND VS LEASING with PS FUEL CONSUMPTION																						
Annual Difference																						
\$ 1,403,362																						
\$ 1,322,068																						
\$ 101,698																						
<b>GRAND TOTAL - All Funds</b>	<b>397</b>	<b>282</b>	<b>176</b>	<b>36</b>		\$ 21,716,854	\$5,281,310	\$4,333,857	\$3,630,628	\$3,154,627	\$2,860,568	\$2,703,804	\$2,696,611	\$2,651,672	\$2,644,251	\$2,676,681	\$2,688,431	\$2,766,054	\$2,779,908	\$ 40,868,401		
						ANNUAL LEASE	\$ 686,910	\$ 687,347	\$ 859,912	\$ 907,277	\$ 929,097	\$ 929,430	\$1,002,859	\$1,003,212	\$1,028,645	\$1,085,163	\$1,108,019	\$1,108,417	\$1,196,122	\$ 12,532,411		
						REPLACEMENT FUND	\$1,194,629	\$1,324,550	\$ 957,796	\$ 798,009	\$ 695,686	\$ 651,158	\$ 594,634	\$ 606,323	\$ 624,936	\$ 624,393	\$ 645,886	\$ 646,775	\$ 669,023	\$ 10,043,797		
						Complete Inventory INV																
						Licensed Vehicles LIC																
						Potential Lease Vehicle PLV 176																
						Replacement Fund Maintenance Cost	\$ 46,321	\$ 43,028	\$ 57,124	\$ 81,415	\$ 83,480	\$ 98,556	\$ 113,514	\$ 117,146	\$ 73,296	\$ 134,106	\$ 54,463	\$ 56,422	\$ 86,560	\$ 1,045,431		
						Lease Maintenance Cost	\$ 46,646	\$ 43,220	\$ 57,464	\$ 69,729	\$ 33,532	\$ 59,010	\$ 54,788	\$ 56,615	\$ 49,322	\$ 56,334	\$ 41,674	\$ 72,405	\$ 46,646	\$ 687,386		
																				Difference	\$ 358,045	
						PS Police Fuel Consumption	\$ -	\$ -	\$ -	\$ -	\$ 18,315	\$ 18,315	\$ 18,315	\$ 18,315	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,034	Difference	\$ 81,293
NET DIFFERENCE																						
All Funds																						
Annual Difference																						
\$ 2,049,276																						
\$ 157,637																						

## Fleet – Leasing vs Replacement



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Questions?



CITY	AVERAGE WATER*	AVERAGE SEWER*	AVERAGE STORM SEWER	AVERAGE GARBAGE	TOTAL UTILITIES	AVG. HOME PROPERTY TAX PER MO.***	AVG. TOTAL TAX & FEE PER MO.
American Fork <sup>1</sup>	\$73.57	\$48.15	\$6.00	\$10.00	<b>\$137.72</b>	\$25.21	<b>\$162.93</b>
South Jordan <sup>1</sup>	\$82.24	\$25.00	\$8.50	\$9.70	<b>\$125.44</b>	\$22.37	<b>\$147.80</b>
Pleasant Grove <sup>1</sup>	\$59.83	\$43.65	\$12.47	\$10.61	<b>\$126.56</b>	\$20.51	<b>\$147.07</b>
Ogden <sup>1</sup>	\$71.18	\$14.92	\$7.26	\$18.71	<b>\$112.07</b>	\$31.30	<b>\$143.37</b>
West Valley	\$52.60	\$18.00	\$4.00	\$13.30	<b>\$87.90</b>	\$42.81	<b>\$130.71</b>
West Jordan	\$58.77	\$26.88	\$4.02	\$12.23	<b>\$101.90</b>	\$23.49	<b>\$125.39</b>
Lindon <sup>1</sup>	\$46.62	\$42.69	\$4.84	\$9.90	<b>\$104.05</b>	\$18.73	<b>\$122.78</b>
AVERAGE CITY	<b>\$51.74</b>	<b>\$27.54</b>	<b>\$5.87</b>	<b>\$11.53</b>	<b>\$96.69</b>	<b>\$21.78</b>	<b>\$118.47</b>
Sandy	\$66.71	\$17.68	\$6.00	\$13.45	<b>\$103.84</b>	\$13.59	<b>\$117.43</b>
Lehi <sup>1</sup>	\$39.36	\$40.00	\$4.00	\$10.50	<b>\$93.86</b>	\$22.29	<b>\$116.15</b>
Spanish Fork <sup>1</sup>	\$50.73	\$23.70	\$6.42	\$9.93	<b>\$90.78</b>	\$11.19	<b>\$101.97</b>
Springville	\$36.25	\$29.17	\$4.97	\$11.75	<b>\$82.14</b>	\$19.79	<b>\$101.93</b>
Payson <sup>1</sup>	\$39.16	\$26.76	\$5.35	\$10.70	<b>\$81.97</b>	\$12.40	<b>\$94.37</b>
Provo	\$32.43	\$17.00	\$4.63	\$11.00	<b>\$65.05</b>	\$27.10	<b>\$92.15</b>
Layton	\$36.79	\$17.45	\$4.60	\$10.70	<b>\$69.54</b>	\$18.76	<b>\$88.30</b>
OREM <sup>2</sup>	\$29.93	\$22.10	\$5.00	\$10.50	<b>\$67.53</b>	\$17.15	<b>\$84.68</b>

## Revenues: Estimated Fee & Tax Impact on Avg. Home



**AVERAGE MONTHLY UTILITY FEES/AVERAGE TAX RATES**

<u>GARBAGE</u>		<u>PROPERTY TAX</u>		<u>FRANCHISE TAX ***</u>	
Ogden	\$18.71	West Valley	0.004670	American Fork	6.00%
Sandy	\$13.45	Ogden	0.003415	Layton	6.00%
West Valley	\$13.30	Provo	0.002956	Lehi	6.00%
West Jordan	\$12.23	American Fork	0.002750	Lindon	6.00%
Springville	\$11.75	West Jordan	0.002562	Ogden	6.00%
AVERAGE CITY	\$11.53	South Jordan	0.002440	Payson	6.00%
Provo	\$11.00	Lehi	0.002432	Provo	6.00%
Layton	\$10.70	AVERAGE CITY	0.002376	Sandy	6.00%
Payson	\$10.70	Pleasant Grove	0.002237	South Jordan	6.00%
Pleasant Grove	\$10.61	Springville	0.002159	Spanish Fork	6.00%
Lehi	\$10.50	Layton	0.002046	Springville	6.00%
OREM <sup>2</sup>	\$10.50	Lindon	0.002043	West Jordan	6.00%
American Fork	\$10.00	OREM	0.001871	West Valley	6.00%
Spanish Fork	\$9.93	Sandy	0.001483	OREM	6.00%
Lindon	\$9.90	Payson	0.001353	AVERAGE CITY	5.94%
South Jordan	\$9.70	Spanish Fork	0.001221	Pleasant Grove	5.10%

Revenues: Average Utility Fees &  
Tax Rates



City of Orem  
FY 2015 Budget



- » Enterprise Fund Budgets:
  - > Public Works
    - + Water
    - + Sewer
    - + Storm Drain
    - + Street Lighting
    - + Fleet
    - + B&C Roads
  - > Solid Waste
  - > Recreation
    - + Fitness Center
    - + Outdoor Pool
- » Comprehensive Financial Sustainability Plan
- » Recommendations for Future Cost Savings

## Agenda



- » FY 2014 Accomplishments:
  - > Diverted \$176,000 in disposal costs through recycling program
  - > 11% increase in subscribers of green waste program
- » FY 2015 Budget Recommendations:
  - > All solid waste, recycling, and green waste fees stay the same
  - > Recycling to remain “opt out” program
  - > Green Waste to remain “opt in” program

Solid Waste Fund

- » Fitness Center & SCERA Park Pool
  - > All point-of-sale charges
  - > Pre-2008 Budget Trend and Market
  - > 2008-Present Market Changes



## Recreation: Background



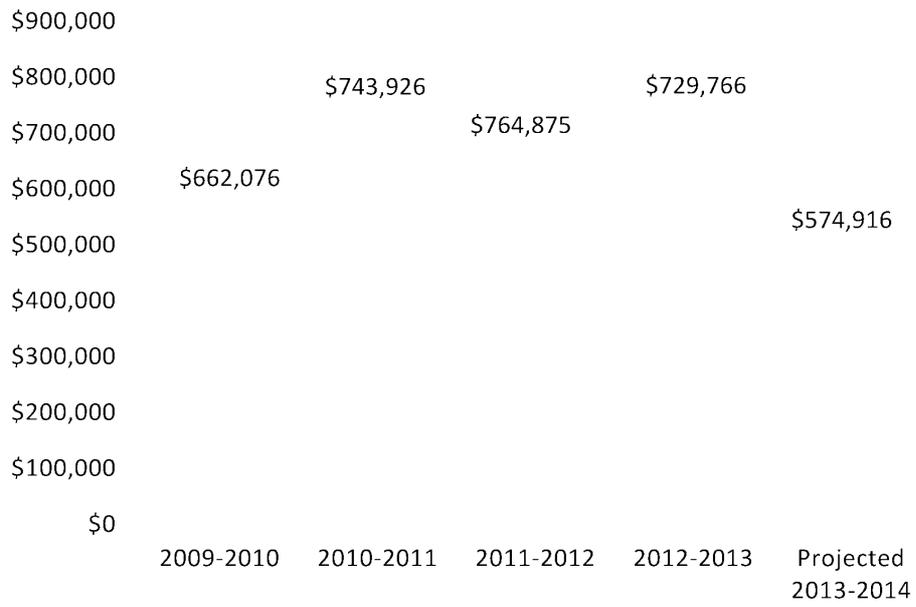
### OFC Daily Admissions



## Recreation: Trends



## OFC Passes



## Recreation: Trends



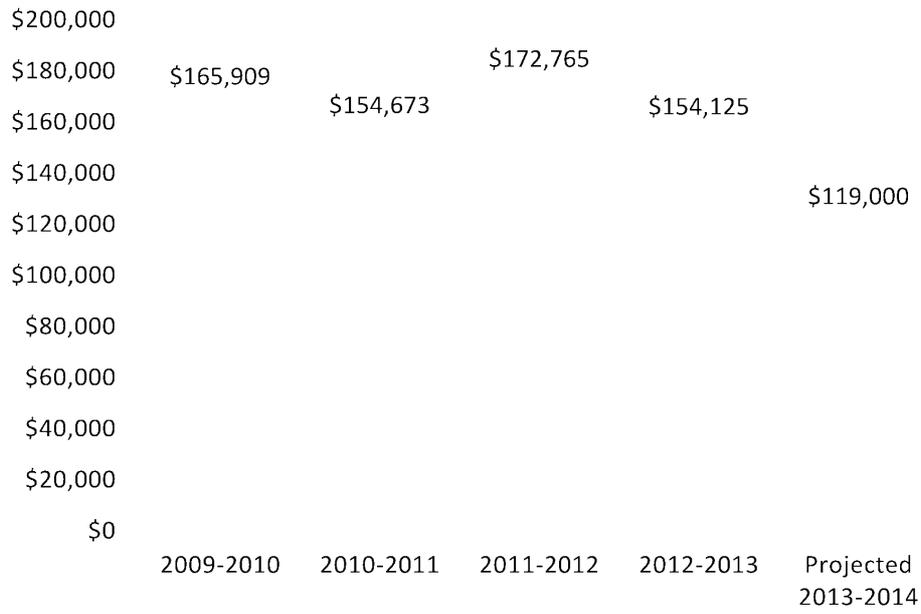
### OFC Classes



## Recreation: Trends



## Scera Daily Admissions



## Recreation: Trends



CITY OF OREM SCERA PARK POOLS 2013 SEASON		
	Oct 2011-Sept 2012	Oct 2012-Sept 2013
REVENUE TOTALS	2012 Season Actual	2013 Season Actual
TOTAL REVENUE	\$386,048.00	\$339,698.00
EXPENSES TOTALS	2012 Season Actual	2013 Season Actual
TOTAL EXPENSES	\$326,801.39	\$294,995.00
ACTUAL NET INCOME/LOSS	\$59,246.61	\$44,703.00



Recreation: Net Revenue



- » Try to regain patronage of our local Orem citizens (especially daily-rate payers)
  - > Heavily market and promote the grand opening of the new pool
    - + E.g. pass sale, website and social media, elementary school flyers, emphasis on business pass sales, coupons for current participants in youth sports and the fitness center, and other miscellaneous promotions
  - > Try 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

Recreation: Marketing



- » Continue to carefully and conservatively adjust spending as needed based on revenues
  - > E.g. switch out all current lighting to LED for energy cost savings
- » Continue to carefully and conservatively adjust charges as needed to cover expenses
  - > E.g. increase in OTAC charge per lane

Recreation: Budget Adjustments



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

Recreation: Concerns into the Future



» Status update on the CFSP by Laura Lewis with LYRB...

## Comprehensive Financial Sustainability Plan



» A Dynamic Process:

- > Not a finite listing of suggested service level changes, but merely suggest considerations that could lead to significant short and long-term savings.
- > These changes would be adopted over time.
- > Changes could result in up-front costs in order to realize savings over time.
- > Changes could also result in off-setting net increases in future expenditures.

Suggested 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
Admin Services	Modifications to Warehouse operations	45,800
Admin Services	Contracted security process service in Court	(Out to RFP)
Dev. Services	Eliminate PRD Subsidy	9,400
Library	Close Internet Desk	25,000
Library	Open 10:00 AM M - F	18,000
Library	Library open Noon Sat	6,750
Library	Scale back Flex Positions throughout Library	7,500

## Suggested Service Level Changes



<b>Department</b>	<b>Description</b>	<b>Savings</b>
Comm Promos	Eliminate support for Utah Lake Commission	17,750
Comm Promos	Miss Orem Pageant and City Float	18,000
Comm Promos	Summerfest Public Safety extra expenses	17,775
Comm Promos	Summerfest Fireworks	12,000
Comm Promos	Eliminate support for Utah Lake Festival	1,000
Comm Promos	Eliminate Lights On Program	1,000
Comm Promos	Changes in Beautification Commission funding	2,000
Comm Promos	Changes in Arts Commission funding	1,500
Comm Promos	Changes in Planning Commission funding	1,000
Comm Promos	Discontinue Volunteer Appreciation Event	2,700
Comm Promos	Changes in Historic Preservation funding	250

## Suggested Service Level Changes



Department	Description	Savings
Police & Fire	Reduced PS Front Counter hours	5,750
Police & Fire	Cut PS Safety Fair	8,855
Police & Fire	Public Safety extra Storytelling Festival costs	6,125
Police	Online Traffic School	16,300
Police	Changes in Milestones of Freedom funding	10,000
Police	Divert NOVA officer to patrol/investigations	-
Fire	Efficient use of apparatus	12,000
Fire	Modifications to staffing of shifts	350,000
Legal Services	Divert Youth Council support to case load	-

## Suggested Service Level Changes



Department	Description	Savings
Recreation	Sr. Center close 2 hours earlier	6,750
Recreation	Close FC on select City holidays	5,000
Recreation	Close FC 9:00 PM	16,000
Recreation	Close FC Sat 7:00 PM	6,500
Public Works	Changes in Park Maintenance operations	53,000
Public Works	Changes to beautification programs funding	3,500
Public Works	Changes in Fleet services	(Under eval.)
<b>Grand Total</b>		<b>\$748,625</b>

## Suggested Service Level Changes



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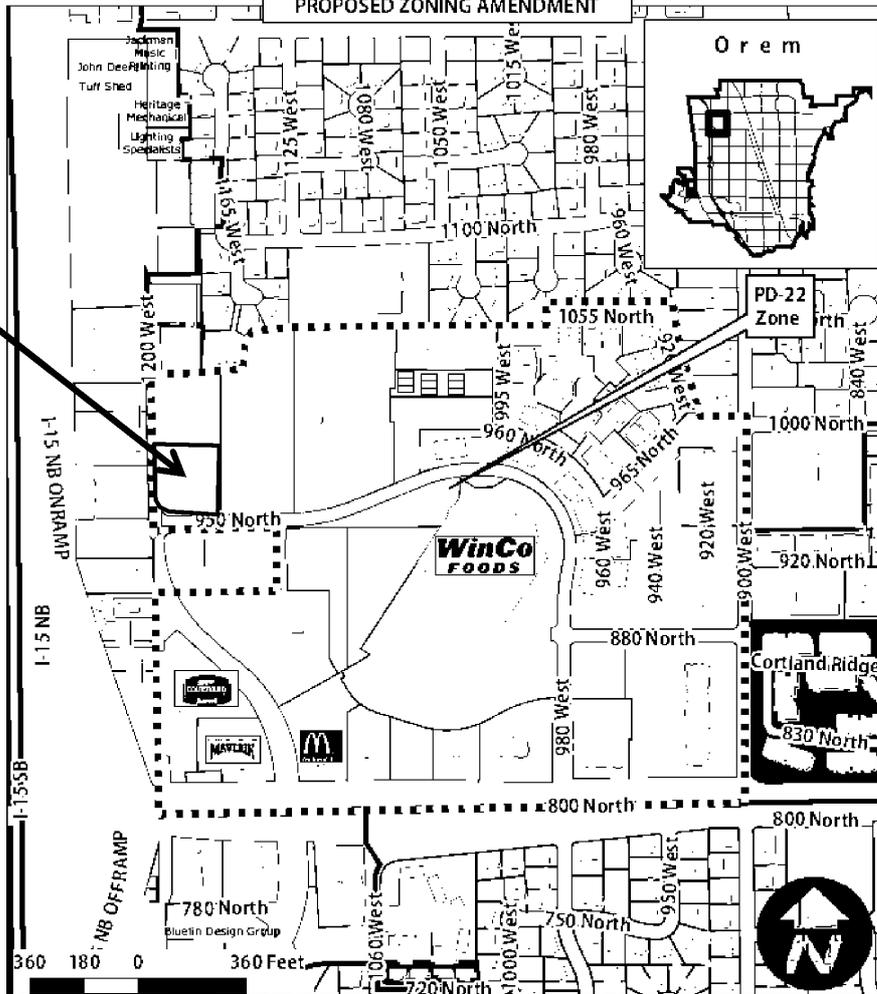
Questions?

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

# PD-22 Zone

PROPOSED ZONING AMENDMENT

BJ's Plumbing Site



◆ PD-22 Zone:  
Proposed Zoning Amendment

Legend  
◆ PD-22 Zone  
■ Existing  
□ Future

## **1. Standard Land Use (SLU) Code**

- SLU Code **6413 Automobile Repair** (inside only and only along and facing 1200 West)

### Other similar uses:

- *6411 Automobile Wash* (only along and facing 1200 West)
- *6412 Auto Lube & Tune Up* (inside only)(only along and facing 1200 West)

## **2. Outside Storage**

- Currently outside storage is not allowed for any nonresidential use.
- The applicant requests that outside storage be allowed with the following limitations:
  1. Be limited to parcels located on 1200 West;
  2. All allowed outdoor storage shall be screened by a sight obscuring fence at least six feet (6') in height;
  3. Be constructed of masonry, or SimTek fence with granite-textured panels; and
  4. No outdoor storage materials may not exceed the height of the fence.

# Ordinance Amendments

## 22-11-35(D):

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

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

### **9. Outside Storage:**

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

### Advantages:

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

### Disadvantages:

- None determined

### **RECOMMENDATION:**

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

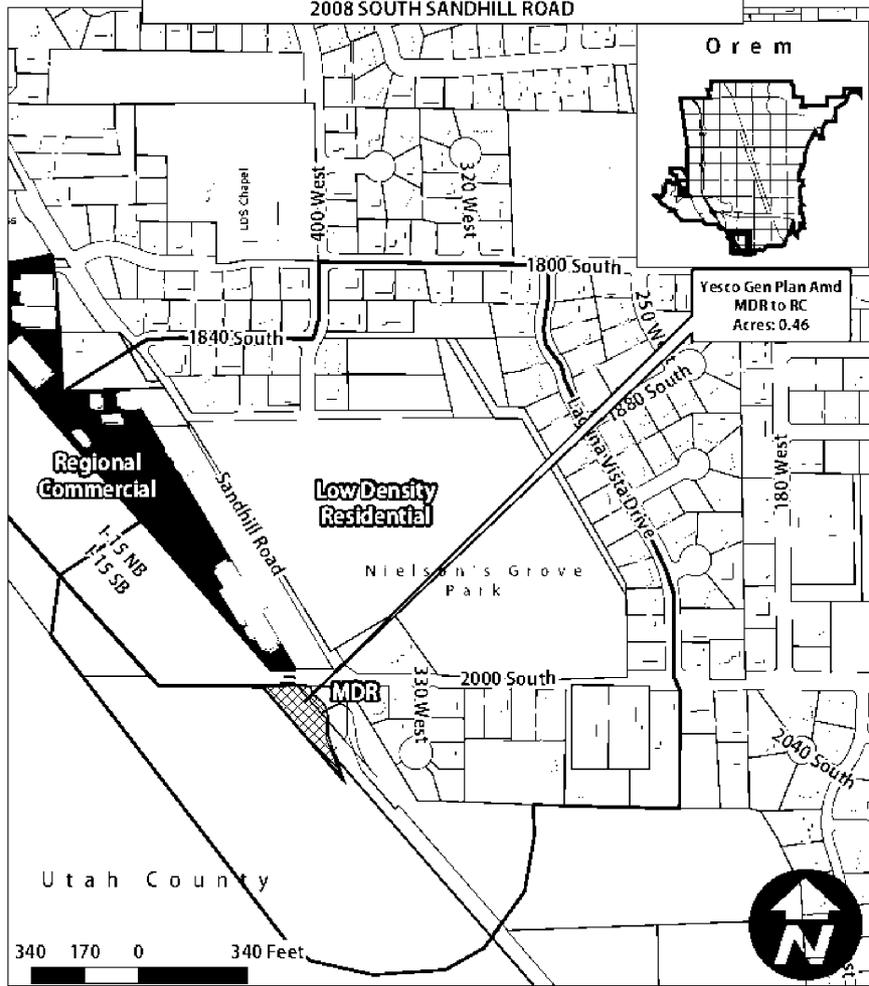
**RECOMMENDATION:**

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

**PUBLIC HEARING – Amending the General Plan land use map by changing 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 on 0.36 acres at 2008 and 2018 South Sandhill Road from R6 to HS**

# Yesco General Plan Amendment

2008 SOUTH SANDHILL ROAD



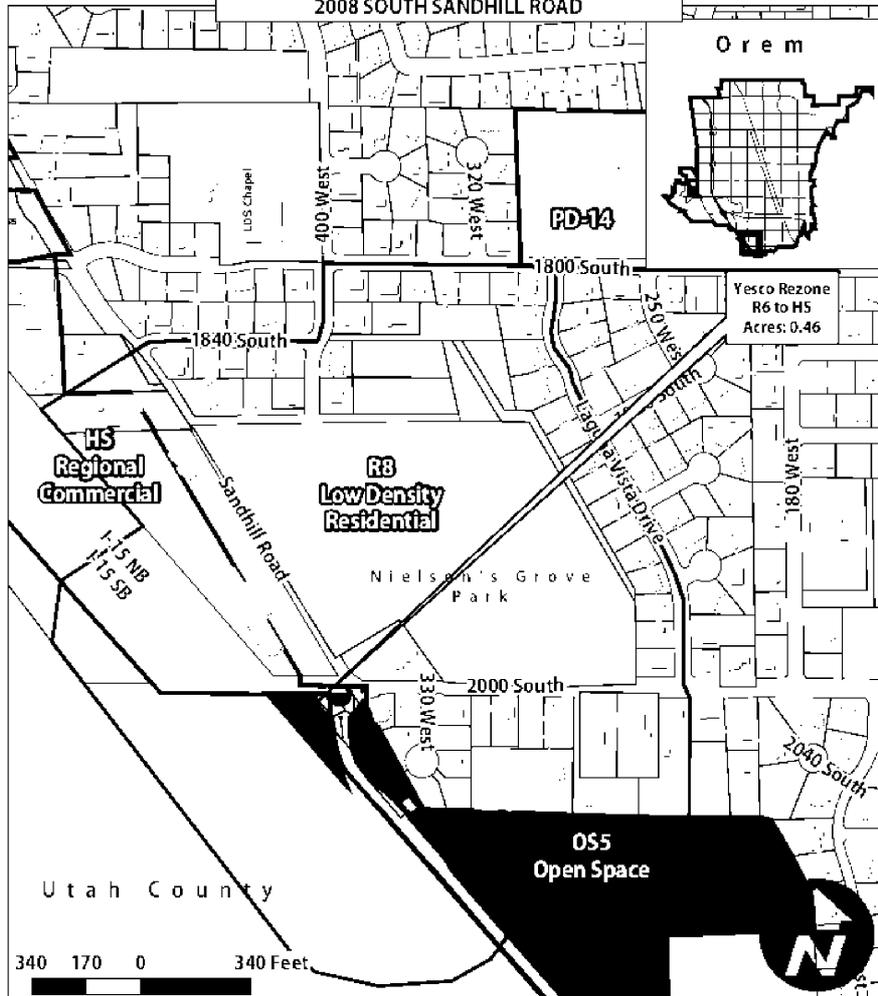
◆ Yesco General Plan Amendment:  
MDR to RC; 0.46 Acres.

NIA CONTACT:  
Lakeview Neighborhood  
Garr Judd

Legend  
Buildings  
Notation Boundary  
Parcel

# Yesco Rezone - R6 to HS

2008 SOUTH SANDHILL ROAD



◆ Yesco Rezone:  
R6 to HS; 0.46 Acres.

**NIA CONTACT:**  
Lakeview Neighborhood  
Garr Judd

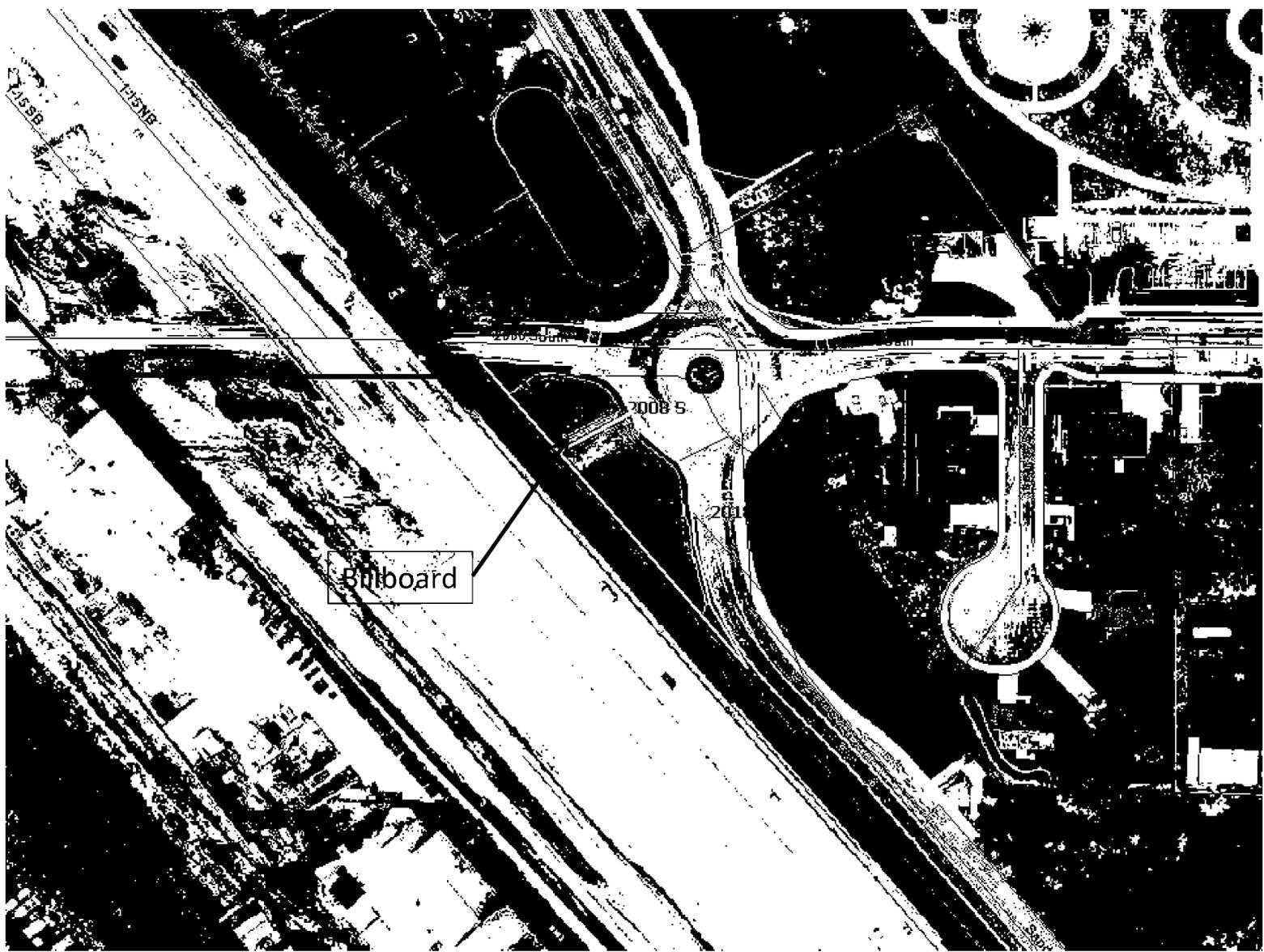
Legend  
Buildings  
Notations Boundary  
Parcel

# History

- The Billboard first erected in 1998 in Utah County and was originally zoned Industrial-1 – (0.56 acre parcel – 24,393 square feet)
- YESCO was willing to work with the City to accomplish the goal and sold as much as possible. YESCO's only interest at the time was to retain enough property to allow it to continue operating a billboard on the property.
- From the City Council minutes from the 2005 annexation hearing both parties agrees to *"maximize the area 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" ... "As a result, applying the R6 zone to the property will not negatively affect either the current or the anticipated future uses of the property."*
- Fall 2005 - Orem City purchases 17,963 for storm detention and roundabout improvements and YESCO keeps 6,430 square feet
- Annexation approved and the subdivision was recorded in February 2006
- Lot size corresponds to zone (R6) but made the billboard legal non-conforming

# History

- UDOT constructs sound walls as part of the I-Core project.
- YESCO applied for and received a permit from UDOT in January 2013 to increase the height of the billboard in order to make it “clearly visible” over the sound walls. (Utah Code Section 72-7-510.5)
- YESCO also requested and received a permit to install a new LED sign on the south face of the billboard
- Following installation of the LED sign (around March 2013) the City received complaints from residential neighbors about the LED sign
- The City contacted UDOT concerning the issue and discovered that YESCO had inadvertently indicated that the sign was located in a commercial zone. Since the property is in the residential zone (R6) UDOT informed YESCO that it would not have issued the LED portion of the permit, but the right to raise the height of the billboard is not an issue.
- The City informed YESCO that they need to remove the LED sign or rezone the property to a commercial or industrial zone



North 1/4 Corner Section 34  
T 6 S. R. 2 E. S.L.B. & M.

N. 89°34'24" W.  
73.83'

POB

South  
27.55'

East 87.70'

C1

C2

Storm Water Detention Easement

Lot 1  
6,430 Sq. Ft. or 0.15 Acres

Note:  Lot 1 is encumbered with a Storm Water Detention Easement granted to the City of Orem. Containing 4,379 Sq. Ft.

Storm Water Pipe Easement

Storm Water Det. Easement Area  
4' 42" 1588' W. 12' 23"

Note:  Lot 1 is encumbered with a Storm Water Pipe Easement granted to the City of Orem. Containing 2,051 Sq. Ft.

Lot 2  
9,013 Sq. Ft. or 0.21 Acres

C3

C7

C4

Interstate 15

Billboard location

City of Orem

B. 5°02'29" E. 15.00'  
S. 47°01'43" E. 5.98'  
S. 5°02'29" E. 23.91'

10' PUE

C5

N. 40°19'30" W. 87.70'  
S. 63°32'32" W. 76.51'

2016 South

246.63'

EXPRESS  
TOLL TO  
University  
Parkway 0.25  
HOV 2+ NO TOLL

FOOD - EXIT 269  
McDonald's  
DEL TACO  
7-Eleven

03.11.2013

269  
University  
Parkway  
1 MILE

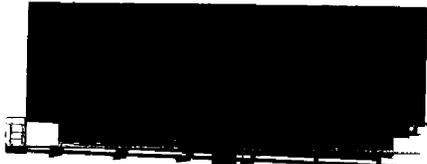


03-14-2013

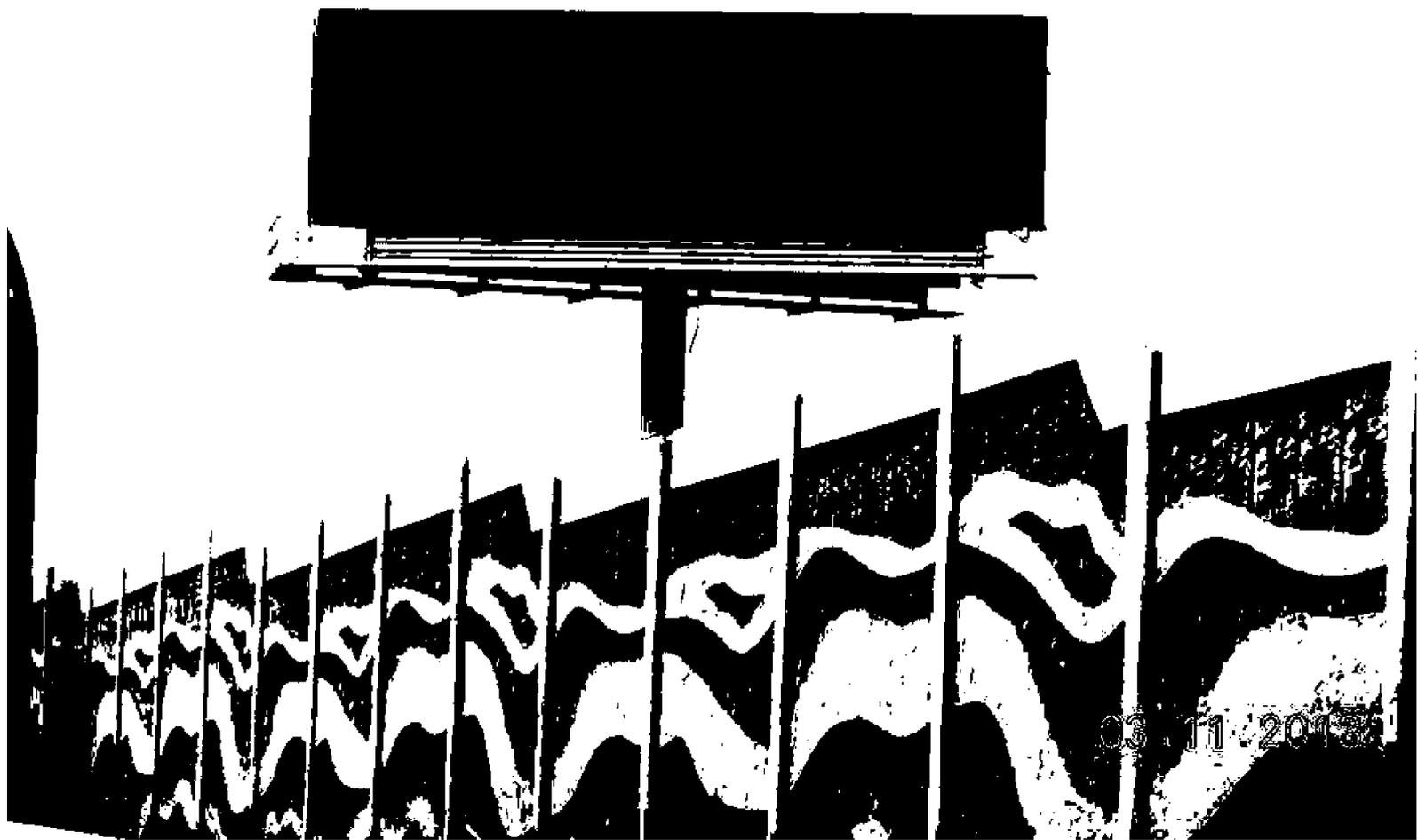


EST 269

269  
University  
Parkway  
1 MILE



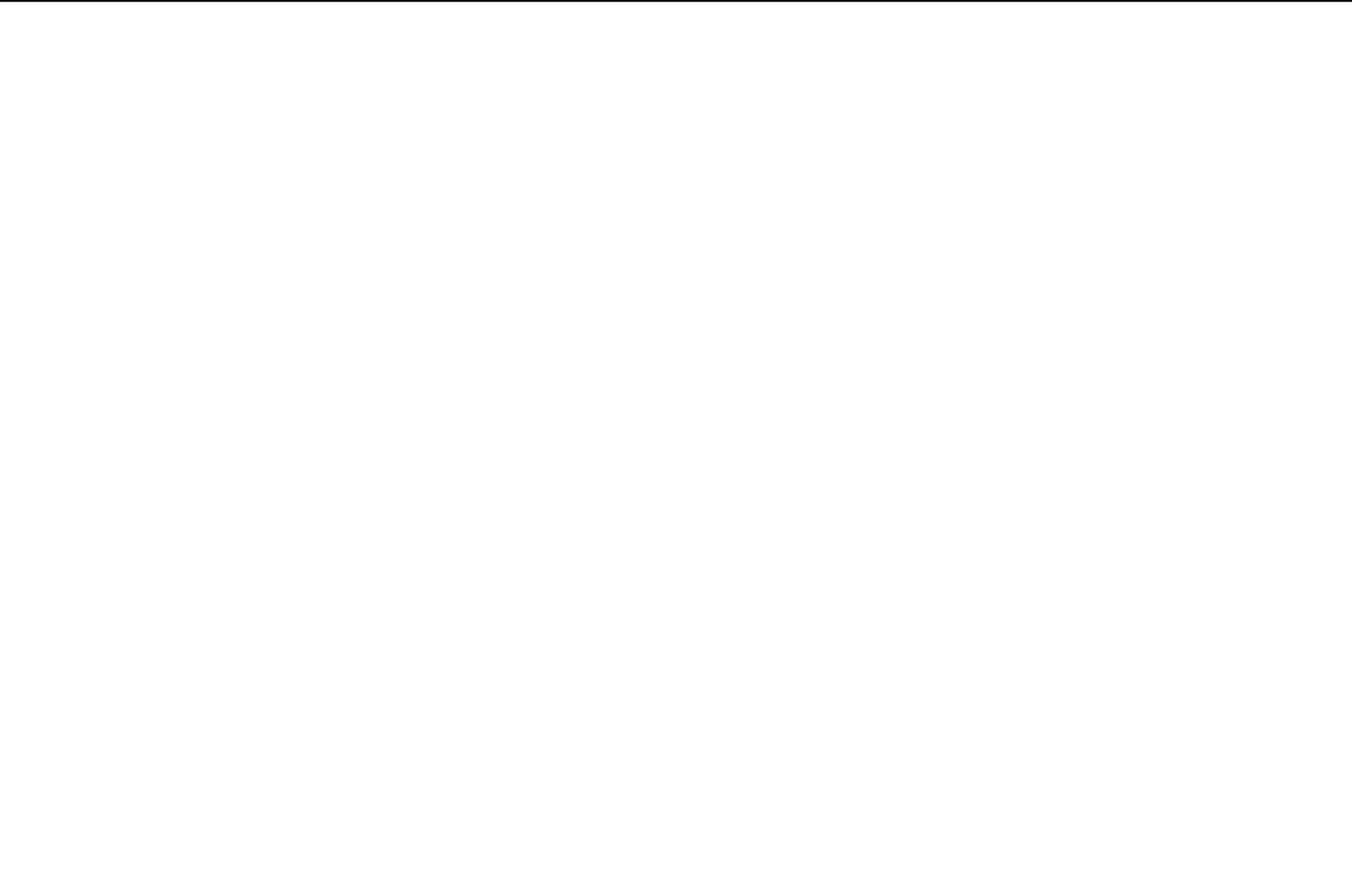
03.11.2012



EXIT 200  
University  
Parkway  
1 MILE







## **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, staff also recommends the City Council approve this request.



## OREM CITY MACQUARIE 2014 CITIZEN INPUT

MAY 23, 2014

CONFIDENTIAL

Contact:  
Y<sup>2</sup> Analytics  
Attn: Scott Riding  
60 South 600 East Suite #150  
Salt Lake City, UT 84102  
Mobile: 801-556-3204

# RESEARCH OBJECTIVES

Considering the timing of the Macquarie due-diligence for the UTOPIA network in Orem, and in response to the request from the Mayor, we can accommodate a large-scale citizen input study.

The main objective for this study is to allow the Orem citizenry to register its opinion on the pending Macquarie proposal. A secondary purpose is to educate citizens about the details of the UTOPIA project up to now and the decisions facing the city over the next few months.

## METHODOLOGY

- We will send an invitation to the entire city email list to participate in an Orem City survey about technology. Our team will work with the administration at UVU to also send this email to students who live within city boundaries. This email should go out under an email address and signature of city officials to maximize participation.
- The email invitation will lead to an online-administered survey not to exceed twenty minutes in average time for each respondent. Our team will work closely with city staff and officials to ensure the questionnaire covers the basics of UTOPIA, city obligations, citizen participation, internet needs, and details about the Macquarie proposal.
- We caution against considering this an attempt at a full city census. Our team can work to maximize participation by sending multiple invitations, maintaining an official brand, and by ensuring the survey is not too burdensome for respondents. But only a fraction of the city will participate despite our best efforts. And by running this survey online, we save the city the significant cost of a multi-mode census methodology (for example, mailed invitations to every address in the city or door-to-door interviewing like that done for the U.S. Census). Sampling, done correctly, can represent the opinions of residents nearly as accurately as a census without the cost. For example, a representative sample of 1,000 residents has a margin of error of plus or minus 3 percentage points. The margin of error for a sample of 3,000 residents is plus or minus 1.76 percentage points, but the cost is significantly higher. In both surveys, the topline result will be the same. But for the extra cost we gain a slightly more precise result. Much more important to the survey accuracy is how representative of the city the respondents are.

## PRICE

Longer surveys with more respondents require additional time for survey coding, administration, and analysis and increases survey hosting fees. We recommend a sample of 500-1,000. But recognizing the goal of maximizing participation, we provide a few options for sample size below.

The city file has about 20,000 household email addresses. Our experience suggests that a 10% response rate for a municipal survey is high, but achievable. If interest and novelty are particularly high, 3,000 interviews is within the realm of possibility. Based on our prior experience with response rates to email invitations, more than 3,000 interviews is extremely unlikely.

Option	Mode	Target Population	Size	Length	Price
A	Online self-administered interviews	Orem City residents	600-1,000 interviews	50 questions	\$5,500
B	Online self-administered interviews	Orem City residents	2,000 interviews	50 questions	\$8,800
C	Online self-administered interviews	Orem City residents	3,000 interviews (if possible)	50 questions	\$11,600

## DELIVERABLES

Following successful interviewing for each wave, Y<sup>2</sup> will deliver topline results, documentation and an SPSS data file, and time series comparisons with past waves, and a deep-dive statistical analysis to fulfill the study objectives as outlined above.

## PAYMENT SCHEDULE

We generally require 50% of the agreed project price to start data collection and a full balance settlement for data and analysis delivery. If Orem City would prefer to bill by wave, we are open to that arrangement.

## CONTACT AND FOLLOW-UP

Our team is excited at the prospect of working with the staff at Orem City, and we are eager to answer any questions this proposal prompts. Please contact Scott Riding at [scott@y2analytics.com](mailto:scott@y2analytics.com) or call his cell phone at 801-556-3204.

## Y<sup>2</sup> ANALYTICS EXECUTIVE TEAM

Y<sup>2</sup> Analytics is a market research and data analysis group with extensive experience measuring and analyzing public opinion in Utah and across the country. Our team includes seasoned researchers, capable analysts, veteran consultants, and database specialists.

### **QUIN MONSON, PH.D.**

Quin is a recognized survey researcher and a partner at Y<sup>2</sup>. Though he has extensive experience polling nationally and in a dozen states, Quin has developed a specialty for Utah public opinion. He has particular expertise with sampling, weighting, and online modes.

He has fielded countless political, academic, and professional surveys via traditional phone techniques, novel internet modes, and increasingly rare in-person interviews. His publications appear in a variety of academic journals including *Political Analysis*, *Public Opinion Quarterly*, and *Political Research Quarterly*.

Quin received his Ph.D. from the Ohio State University where he focused on public opinion, and survey research methods. He is the Director of the Center for the Study of Elections and Democracy and an Associate Professor of Political Science at Brigham Young University.

### **KELLY PATTERSON, PH.D.**

Kelly is a partner at Y<sup>2</sup>, a survey specialist and a political scientist. He has directed the Utah Colleges Exit Poll, a poll that has surveyed voters in the state of Utah for over 30 years. Kelly's expertise in questionnaire development includes experience with numerous randomized survey experiments and A/B testing.

He worked on Capitol Hill in Washington D.C. as a Congressional Fellow with the American Political Science Association. His publications appear in a variety of academic journals including *Public Opinion Quarterly*, *Political Behavior*, the *Journal of Politics*, and the *Journal of Political Marketing*.

Kelly received his Ph.D. from Columbia University where he researched political parties, public opinion and voting behavior. He is also the former Director of the Center for the Study of Elections and Democracy at BYU and is currently a senior research fellow.

### **SCOTT RIDING**

Scott has led the execution of polling, microtargeting, focus groups, and custom analytics for dozens of companies, ranging from energy companies to professional hockey teams. From 2010 to 2013, he worked as the Director of Data Strategy for TargetPoint Consulting, a national market research and data mining firm.

Scott specializes in custom market segmentation, data cleansing, and survey research.

Scott is a graduate of Brigham Young University.

**Orem Internet Citizens Input  
Draft Questionnaire  
May 2014**

Note to reviewers: This document is for finalizing survey question wording and available response options. For the final survey instrument these questions will be formatted for online survey administration, including HTML interactive sliders and buttons for recording opinions.

QQUALIFY1. Do you currently live in Orem City?

- 1 Yes
  - 2 No
  - 3 DK [TERMINATE]
- 

QQUALIFY2. Do you own or manage a business located in Orem City?

- 1 Yes
  - 2 No [IF BOTH QQUALIFY1 & QQUALIFY2 = NO THEN TERMINATE]
  - 3 DK [TERMINATE]
- 

QDIRECTION. Overall, would you say the city of Orem is headed in the right direction or the wrong direction?

- 1 Right direction
  - 2 Wrong direction
  - 3 Don't know/Unsure
- 

QINFRASTRUCTURE. Below is a list of Orem infrastructure funding options. Please select and drag the items into priority order where the top item is the MOST URGENT and the bottom item is the LEAST URGENT.

[RANDOMIZE ORDER]

- 1 Roads
  - 2 Water lines
  - 3 Sewer lines
  - 4 Police officers
  - 5 Police equipment
  - 6 Firefighters
  - 7 Fire fighting equipment
  - 8 Internet network
-

[IF QQUALIFY1 = YES]

QNEEDONLINE1. Do you agree or disagree with the following statement: I need to have access to the internet every day.

- 1 Strongly agree
- 2 Agree
- 3 Neither agree nor disagree
- 4 Disagree
- 5 Strongly disagree

[IF QQUALIFY2 = YES]

QNEEDONLINE2. Do you agree or disagree with the following statement: My business needs to have access to the internet every day.

- 1 Strongly agree
- 2 Agree
- 3 Neither agree nor disagree
- 4 Disagree
- 5 Strongly disagree

---

[IF QQUALIFY1 = YES]

QUTOPIA1. At home, do you connect to the internet through the UTOPIA network?

- 1 Yes
- 2 No
- 3 I'm not sure

[IF QQUALIFY2 = YES]

QUTOPIA2. At your business, do you connect to the internet through the UTOPIA network?

- 1 Yes
- 2 No
- 3 I'm not sure

---

[IF QQUALIFY1 = YES & QISP = 1, ASK QFIBERISP]

QFIBERISP. At home, through which UTOPIA service provider do you connect to the internet?

- 1 XMission
- 2 InfoWest
- 3 Veracity
- 4 Webwave
- 5 Sumo
- 6 Fibernet
- 7 Brigham.net
- 8 Beehive Broadband
- 9 Other (SPECIFY)

[IF QQUALIFY1 = YES & QISP = 2, ASK QOTHERISP]

**QOTHERISP.** At home, through which service provider do you connect to the internet?

- 1 Comcast
  - 2 CenturyLink
  - 3 Digis
  - 4 Other (SPECIFY)
- 

[IF QQUALIFY1 = YES & QISP = 3, ASK QALLISPS]

**QALLISPS.** At home, through which service provider do you connect to the internet?

- 1 Comcast
  - 2 CenturyLink
  - 3 Digis
  - 4 XMission
  - 5 InfoWest
  - 6 Veracity
  - 7 Webwave
  - 8 Sumo
  - 9 Fibernet
  - 10 Brigham.net
  - 11 Beehive Broadband
  - 12 Other (SPECIFY)
- 

[IF QQUALIFY2 = YES & QISP = 1, ASK QFIBERISP]

**QFIBERISP.** At your business, through which UTOPIA service provider do you connect to the internet?

- 1 XMission
  - 2 InfoWest
  - 3 Veracity
  - 4 Webwave
  - 5 Sumo
  - 6 Fibernet
  - 7 Brigham.net
  - 8 Beehive Broadband
  - 9 Other (SPECIFY)
-

[IF QQUALIFY2 = YES & QISP = 2, ASK QOTHERISP]

**QOTHERISP.** At your business, through which service provider do you connect to the internet?

- 1 Comcast
  - 2 CenturyLink
  - 3 Digis
  - 4 Other (SPECIFY)
- 

[IF QQUALIFY2 = YES & QISP = 3, ASK QALLISPS]

**QALLISPS.** At your business, through which service provider do you connect to the internet?

- 1 Comcast
  - 2 CenturyLink
  - 3 Digis
  - 4 XMission
  - 5 InfoWest
  - 6 Veracity
  - 7 Webwave
  - 8 Sumo
  - 9 Fibernet
  - 10 Brigham.net
  - 11 Beehive Broadband
  - 12 Other (SPECIFY)
- 

[IF QQUALIFY1 = YES, ASK QWHYISP1]

**QWHYISP1.** What would you say is the main reason you chose this internet provider for your home? (OPEN-ENDED)

[IF QQUALIFY2 = YES, ASK QWHYISP1]

**QWHYISP2.** What would you say is the main reason you chose this internet provider for your business? (OPEN-ENDED)

---

[IF QQUALIFY1 = YES, ASK QISPSATISFACTION1]

**QISPSATISFACTION1.** How satisfied are you with your current home internet provider?

- 1 Very satisfied
  - 2 Satisfied
  - 3 Neutral
  - 4 Dissatisfied
  - 5 Very dissatisfied
-

[IF QQUALIFY1 = YES, ASK QISPSATISFACTION2]

QISPSATISFACTION2. How satisfied are you with your current business internet provider?

- 1 Very satisfied
  - 2 Satisfied
  - 3 Neutral
  - 4 Dissatisfied
  - 5 Very dissatisfied
- 

QINTERNETFEAT. When thinking about access to the internet, what do you think is the most important feature?

- 1 Connection speed
  - 2 Reliability
  - 3 Affordability
  - 4 Other
- 

[IF QQUALIFY1 = YES, ASK QCURRENTSPEED1]

QCURRENTSPEED1. At home, around what download speed do you get from your internet provider?

- 1 Less than 5 Mbps
- 2 5-25 Mbps
- 3 26-50 Mbps
- 4 51-99 Mbps
- 5 100-999 Mbps
- 6 1 Gbps or higher
- 7 I don't know

[IF QCURRENTSPEED1 = 7, ASK QCURRENTSPEED2]

QCURRENTSPEED2. Please do the following to determine your current internet speed. On a desktop or laptop computer at home, open a new tab or browser window and navigate to [www.speedtest.net](http://www.speedtest.net) and follow the instructions. It will measure your current internet speed. Then choose the appropriate speed range below.

- 1 Less than 5 Mbps
  - 2 5-25 Mbps
  - 3 26-50 Mbps
  - 4 51-99 Mbps
  - 5 100-999 Mbps
  - 6 1 Gbps or higher
  - 7 I can't test it right now
-

[IF QQUALIFY1 = YES, ASK QCURRENTSPEED3]

QCURRENTSPEED3. At your business, around what download speed do you get from your internet provider?

- 1 Less than 5 Mbps
- 2 5-25 Mbps
- 3 26-50 Mbps
- 4 51-99 Mbps
- 5 100-999 Mbps
- 6 1 Gbps or higher
- 7 I don't know

[IF QCURRENTSPEED3 = 7, ASK QCURRENTSPEED4]

QCURRENTSPEED4. Please do the following to determine your current internet speed. On a desktop or laptop computer at your business, open a new tab or browser window and navigate to [www.speedtest.net](http://www.speedtest.net) and follow the instructions. It will measure your current internet speed. Then choose the appropriate speed range below.

- 1 Less than 5 Mbps
- 2 5-25 Mbps
- 3 26-50 Mbps
- 4 51-99 Mbps
- 5 100-999 Mbps
- 6 1 Gbps or higher
- 7 I can't test it right now

---

In 2002 Orem City joined with 10 other Utah cities to install a high-speed fiber optic network called UTOPIA. Many private-sector service providers use the UTOPIA infrastructure to offer internet, voice, and other services to Orem residents. About XX% of city residents are UTOPIA customers, but XX% of addresses in the city are not connected to the network.

Orem City owes an inflation-adjusted \$2.9 million per year to pay off construction of the network plus an additional \$400,000 in yearly operating expenses.

QUTOPIAOPEN. If you have any comments about UTOPIA or internet service in Orem in general, please enter them here:

---

QLUXURY. Which of the following statements is closest to your view? (ROTATE)

- 1 High-speed internet is a luxury. Orem should focus on roads, fire, and police and not worry about broadband access.
- 2 High-speed internet is a basic need for the economic success of any business or community and should be considered vital infrastructure like roads or electricity.

**QOPENACCESS.** Which of the following statements is closest to your view? (ROTATE)

- 1 Providers like Comcast provide good service and decent prices and more competition would make no difference to me.
- 2 An open UTOPIA network will mean many different service providers can compete for customers, leading to better service and lower prices.

---

**QMACQUARIE.** One proposal that is being considered for the future of UTOPIA is an agreement with a private company called Macquarie Capital to build out and manage the network. Macquarie Capital would use its own funds to connect every address in Orem to UTOPIA. Orem City would maintain ownership of the UTOPIA system, but would share revenues with Macquarie for the duration of the agreement.

As part of the agreement, there would be an added utility fee of \$18-20 per month for all Orem addresses. This fee includes a basic internet package that would be sufficient for essential tasks, like email and web surfing. Residents could choose to upgrade their internet to higher speed service for an additional cost from the service provider of their choice.

Do you favor or oppose Orem City entering into this agreement with Macquarie Capital?

- 1 Strongly favor
- 2 Somewhat favor
- 3 Somewhat oppose
- 4 Strongly oppose
- 5 Don't know

---

[IF QMACQUART <= 2, ASK QMACQUARIEOPEN1]

QMACQUARIEOPEN1. Please write your reasons for favoring the Macquarie Capital proposal.

[IF QMACQUART = 3 or 4, ASK QMACQUARIEOPEN2]

QMACQUARIEOPEN2. Please write your reasons for opposing the Macquarie Capital proposal.

---

**QPREMIUM** If the city provided a basic internet package for a monthly utility fee of \$18-20, how likely would you be to buy faster premium service above the basic package?

- 1 Very likely
- 2 Somewhat likely
- 3 Not very likely
- 4 Not at all likely

**QFAIRNESS.** Which of the following is closest to your view?

- 1 It is fair that every home and business in Orem pays a monthly utility fee for internet because it will ensure the long-term viability of the network and help pay down existing city obligations.
- 2 It is unfair that every home and business in Orem pays a monthly fee for internet service that they did not choose to purchase.

---

Orem may consider other proposals for the future of UTOPIA. Below is a list of things that may be important to you in any future UTOPIA plans. Please indicate how important each item is as you think about the future of the UTOPIA network. (SHOW IN GROUPS OF 5, SHOWN IN RANDOM ORDER)

- 1 Extremely important
- 2 Somewhat important
- 3 Neither important nor unimportant
- 4 Somewhat unimportant
- 5 Not at all important

- QCRIT1. There are clear deadlines for any construction work.
- QCRIT2. The UTOPIA network is expanded to include every address in Orem.
- QCRIT3. No one company has exclusive access to the UTOPIA network.
- QCRIT4. The network receives technology upgrades on a regular cycle.
- QCRIT5. The proposal allows the city to pay down part or its entire original \$185 million investment.
- QCRIT6. There is a utility fee assessed for every address that includes a basic internet package.
- QCRIT7. If there is a utility fee, the fee is waived for city residents in poverty.
- QCRIT8. The network build out price is guaranteed.
- QCRIT9. Trusted internet service companies will offer service on the network.
- QCRIT10. Orem will continue to maintain ownership over UTOPIA.
- QCRIT11. A private company will assume operation and maintenance costs.
- QCRIT12. Internet service provider access to the UTOPIA infrastructure will be handled by a wholesaler.
- QCRIT13. Any private-sector partner has experience and technical capabilities to manage a fiber network.
- QCRIT14. There are tiered service offerings allowing for varying internet speeds at different prices.
- QCRIT15. Revenue collected on premium services will be shared with Orem City.
- QCRIT16. Future Orem tax revenue is pledged for UTOPIA.
- QCRIT17. UTOPIA network will have speeds of no less than 1 Gbps for both downloads and uploads.
- QCRIT18. Both network partners and internet service providers will market UTOPIA to ensure success.
- QCRIT19. Current UTOPIA customers will not have to pay again for network build out.
- QCRIT20. Network will be built out in a uniform way across the city.
- QCRIT21. Any private network partner will evaluate and assist Orem City in refinancing existing debt.
- QCRIT22. Any private network partner will have a strong reputation for honoring commitments to municipalities.
- QCRIT23. Any private network partner will have a good reputation for customer service.
- QCRIT24. Any private operations partner will operate the network long-term.
- QCRIT25. Any deal with a private company will be based on performance.
-

And now just a few more questions that will help us categorize responses.

QSEX. What is your gender?

- 1 Male
  - 2 Female
- 

QYEARBORN. Please select the year you were born:

---

QTIMELIVED. How long have you lived in Orem?

- 1 Less than 2 years
  - 2 3-5 years
  - 3 6-10 years
  - 4 11-20 years
  - 5 21 or more years
- 

QOWNRENT. Which of the following best describes where you are currently living?

- 1 Own or buying my own home
  - 2 Rent my home or apartment
  - 3 College or university housing
  - 4 Live with parents
  - 5 Other
- 

QIDEOLOGY. On most political matters do you consider yourself:

- 1 Strongly conservative
  - 2 Moderately conservative
  - 3 Neither, middle of the road
  - 4 Moderately liberal
  - 5 Strongly liberal
- 

QEDOFR. What is the last year of school you completed?

- 1 Some high school or less
  - 2 High school graduate
  - 3 Some college
  - 4 College graduate
  - 5 Post graduate degree (e.g. MA, MBA, LLD, PhD)
  - 6 Vocational school or technical school
-

QEMPLOY. What is your employment status?

- 1 Self-employed
  - 2 Employed by someone else
  - 3 Unemployed
  - 4 Homemaker
  - 5 Retired
  - 6 Student
- 

QSTUDENT. Are you currently enrolled at a college or university?

- 1 Yes
  - 2 No
- 

[IF QSTUDENT = 1]

QCOLLEGE. At which college or university are you currently enrolled?

- 1 Utah Valley University
  - 2 Brigham Young University
  - 3 University of Utah
  - 4 Other
- 

[IF QSTUDENT = 1]

QSTUDENTTIME. Are you enrolled as a:

- 3 Full-time student
  - 4 Part-time student
- 

QMARRIAGE. Are you currently...

- 1 Married
  - 2 Divorced
  - 3 Widowed
  - 4 Living with partner
  - 5 Single
-

- QRACE. Are you:
- 1 American Indian / Native American
  - 2 Asian
  - 3 Black / African American
  - 4 Hispanic / Latino
  - 5 White / Caucasian
  - 6 Pacific Islander
  - 7 Other (SPECIFY)

---

QINCOME. What do you expect your 2014 family income to be? Just stop me when I read the correct category.

- 1 Under \$25,000
- 2 \$25,000 – 39,999
- 3 \$40,000 – 49,999
- 4 \$50,000 – 74,999
- 5 \$75,000 – 99,999
- 6 \$100,000 – 124,999
- 7 \$125,000 – 149,999
- 8 Over \$150,000

---

QPANEL. Now that you have completed this Orem Citizens Survey, we would like to invite you to join the Orem Citizens Panel.

As a participant in the Orem Citizens Panel, you will be contacted occasionally by email during the coming months with a request to fill out a brief internet survey on topics related to government and city policy. Your responses will remain completely confidential and your participation will help city elected officials and staff be more informed about public opinion on issues important to you. All surveys will be conducted through the internet. We will never use your email address for commercial purposes and you can withdraw from the Orem Citizens Panel at anytime.

Would you like to participate in future Orem Citizens Surveys?

- 1 Yes
- 2 No

---

[IF QPANEL = 1, ASK QEMAIL]

QEMAIL. Thank you for your willingness to participate in future Orem Citizens Surveys.

Please enter your email address here: \_\_\_\_\_

---

**QUALITY.** Finally, for quality control purposes, please rate your experience taking this poll. Would you consider the experience:

- |   |            |
|---|------------|
| 1 | Excellent  |
| 2 | Good       |
| 3 | Fair       |
| 4 | Poor       |
| 5 | Don't know |

---

**QCOMMENTS.** Thank you for completing the survey. If you have any comments about this survey or Orem City in general, please enter them here:

**DRAFT**

**BACKPAGE**

Thank you for your time and opinions. Good bye.

---

**DRAFT**