



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
February 10, 2015

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

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

1. **DISCUSSION – Economic Development Strategic Plan**
2. **DISCUSSION – CARE Survey**
3. **BUDGET DISCUSSION/PREVIEW – FY 2015/2016 Revenues**

PREVIEW UPCOMING AGENDA ITEMS

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

AGENDA REVIEW

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

CITY COUNCIL - NEW BUSINESS

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

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

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: By Invitation

APPROVAL OF MINUTES

7. **MINUTES of City Council Meeting – January 13, 2015**
8. **MINUTES of Joint City Council Meeting with Alpine School District – January 14, 2015**
9. **MINUTES of City Council Meeting – January 27, 2015**

**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

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

- 10. **UPCOMING EVENTS**
- 11. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
- 12. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**

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 – Vasa General Plan & Rezone**
- 16. **RESOLUTION - General Plan Amendment – Amending the Orem General Plan by changing the land use designation from low density residential (LDR) to community commercial (CC) on approximately 0.25 acres located generally at 556 West 1830 North**
ORDINANCE - Rezone – Amending Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from the R8 zone to the C2 zone on approximately 0.25 acres located generally at 556 West 1830 North

REQUEST: The applicant requests the City Council amend the General Plan by changing the land use designation from low density residential (LDR) to community commercial (CC) and amend Section 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from the R8 zone to the C2 zone on approximately 0.25 acres located generally at 556 West 1830 North.

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Northridge Neighborhood

BACKGROUND: The applicant owns a parcel of property located directly south of the new Kneaders restaurant and consisting of approximately .25 acres. The applicant would

like to combine the subject property with adjoining parcels (which are already zoned C2) for the construction of a new Vasa fitness center and other retail pads. It is anticipated that the subject property would be used primarily as parking area for these uses.

In 2012, the City Council denied a rezone request for a multifamily development on this property. The land is currently vacant.

The property is designated as low density residential on the General Plan and is zoned R8. In order to use the property for the proposed development, the General Plan designation needs to be changed from low density residential to community commercial and the zone from R8 to C2.

A neighborhood meeting regarding the proposal was held on December 15, 2014, and five neighbors attended. Concern was expressed regarding fencing materials, dumpster location, traffic and accesses for the proposed development.

The proposed General Plan amendment and rezone request was heard by the Planning Commission on Wednesday, February 4, 2015, and the Planning Commission recommended approval of the request.

Advantages of the proposal:

- The property is directly adjacent to the C2 zone and it is reasonable to combine the property with the adjacent commercial (C2) zone;
- Rezoning the subject property would allow for the development of a long-standing vacant property along State Street;

Disadvantages of the proposal:

- None identified

RECOMMENDATION: The Planning Commission and staff recommend the City Council amend the General Plan by changing the land use designation from low density residential (LDR) to community commercial (CC) and amend Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8 to C2 on approximately 0.25 acres located generally at 556 West 1830 North.

6:20 P.M. PUBLIC HEARING – Quarterly Budget Amendments

17. ORDINANCE - Amending the Current Fiscal Year 2014-2015 Budget

RECOMMENDATION: The City Manager recommends the City Council hold a public hearing to discuss amending the current Fiscal Year 2014-2015 Budget and, by ordinance, amend Fiscal Year 2014-2015 Budget.

PRESENTER: Richard Manning

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: The Fiscal Year 2014-2015 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants received from

Federal, State, and other governmental or private entities/organizations; refunding of the Series 2005 & 2006 General Obligation bonds and transferring the savings from this refunding to the CIP Projects Fund in order to reconstruct Center Street from State Street to approximately 1000 West; transferring funds to the CIP Projects Fund due to maximum fund balance limitations; and various other smaller technical corrections or minor budget adjustments that need to be made.

18. RESOLUTION - Review and Update the Moderate Income Housing Element of the City of Orem

RECOMMENDATION: The Planning Commission and City Staff recommend the City Council, by resolution, update the proposed 2014 Moderate Income Housing element of the Orem General Plan as required by State law

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: State law requires that the City Council biennially review the Moderate Income Housing element of the General Plan. According to Section 10-9a-408 of the Utah Code, each report must include a description of:

- efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;
- actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing;
- progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing; and
- efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

State Code defines moderate income housing as housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

As an example, a family of four living in the Orem/Provo metropolitan statistical area would have to earn \$51,350 or less to be considered a moderate income household. Housing stock for households with moderate incomes is usually limited to attached apartment units, accessory apartments, townhomes, and condominiums as the rent/cost is usually less than the monthly mortgage payment on a single-family dwelling.

The City provides several mechanisms for creating moderate income housing. The PRD zone and many PD zones allow for high density development. Since March 2013, the City has approved over 1,331 attached units (as shown below) within various PD zones and in the PRD zone. All but 120 of these units are currently under construction. Accessory apartments, multifamily exceptions, and the assisted senior housing overlay zone also provide opportunities for creating moderate income housing.

According to 2010 Census figures, Orem’s housing stock consists of 30.4% “housing units in multiunit structures.” The statewide average is 21.4 percent. Staff estimates that the percentage of multifamily units is closer to 35% of the existing housing stock in the City.

Since March 2013, the following multifamily projects have been approved:

- Residences at Monte Vista at 920 North State Street will provide 132 apartment units. This project was approved as the PD-39 zone on property which previously was zoned C2 and was undeveloped.
- Sun Canyon Villas at 460 South State Street will provide 84 apartment units. This project was approved as the PD-40 zone on property that was previously zoned C2 and was undeveloped.
- Legacy at Orem at 1500 South State Street with 180 apartment units. This project was approved as the PD-37 zone on property that was partially vacant and partially occupied by several old commercial buildings that have been removed.
- Summit Ridge Apartments at 1750 South 400 East with 74 new units. This property was developed in the early 1970s with 96 multifamily units. It was recently rezoned to the PD-38 zone to facilitate construction of additional units. The previous zone of R6.5 did not allow new high density construction.
- Center Street Marketplace at 100 North Orem Boulevard with 112 units. This property was approved as the PD-30 zone on property that was vacant.
- Promenade Place at 865 South Geneva Road with 120 units. This project was approved as the PD-33 zone and was designed as a transit oriented development to take advantage of the property’s proximity to UTA Frontrunner.
- Ivory Homes at University Mall at 900 South 800 East with 461 units in the PD-34 zone.
- Wasatch Orem Center Street at 1100 West Center Street with 168 units in the PD-41 zone.

The City is currently working on a State Street Master Plan which will identify additional possible housing options along State Street. Multiunit residential would be the only appropriate residential use along this corridor. The City is working with Mountainland Association of Governments, Provo City, UDOT, and UTA to develop this plan.

19. ORDINANCE – Amend Amplified Sound language addition to Chapter 13 of the Orem City Code

RECOMMENDATION: It is recommended that the City Council add the following language to Chapter 13 Parks and Recreation:

13-1-13. Sound Generating Activities - Restrictions in Recreation Areas and Parks.

A. It shall be unlawful for any person to conduct live bands, DJs, dance concerts, movies, or similar activities in any Recreation Area or Park.

1. Exemption: City-sponsored events and activities conducted in any Park or Recreation Area are exempt from this prohibition.

B. It shall be unlawful for any person to use sound systems, microphones, speakers, or any other sound amplification device in or on any Recreation Area or Park.

1. Exemption: The following are exempt from the prohibitions in subsection B:

a. City-sponsored events or activities;

b. Events and activities at one of the following locations subject to the conditions included in any rental agreement or use permit issued by the City:

- (1) The Stage at City Center Park;
- (2) The Large Pavilion at Scera Park;
- (3) The Bowery at Nielsen's Grove;
- (4) The Hosting Center at Timpanogos Park;
- (5) The Pavilion at Lakeside Park; or
- (6) The Scera Shell.

c. Personal sound amplification devices that are played or operated in such places and at such times so as not to disturb other persons in their use of any Park or Recreation Area.

2. The City shall take into consideration the following factors when determining whether to enter into a rental agreement or issue a use permit under subsection B.1.b:

- a. The impact of the event or activity on other Park or Recreation Area users;
- b. The impact of the event or activity on adjacent property owners;
- c. The benefit the event or activity provides to the residents of the City; and
- d. The general public's access to the event or activity.

PRESENTER: Karl Hirst

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: Activates in the parks are managed either by policy or ordinance. Policies are established by the Director of Recreation and work best for minor issues like gates, faucets, access, geocaching etc. Ordinances are adopted by the City Council and are better suited for the major park regulations: curfew, smoking, alcohol, animals etc.

The recommended language has been part of the park policies for decades, and has worked well for managing sound generating activities in the parks. Since sound generating activities in the parks are of major concern, moving the current policy language into ordinance form will help in the management of the parks. The proposed amendment makes clear that large, potentially disruptive events and activities will not be allowed in City parks and recreation areas. The amendment does, however, provide for the use of sound amplification devices at limited locations within certain City parks and recreation areas subject to a user entering into a rental agreement or being issued a use permit. These locations have been exempted from the sound amplification restriction because they have sufficient facilities to accommodate sound amplification use and have sufficient buffer zones to insulate adjacent property owners from possible disturbances. In determining whether to issue a user permit or enter into a rental agreement, the City is required to consider a number of objective factors to determine whether the proposed event or activity will cause disruption within the parks and recreation areas and surrounding areas and whether the public will benefit.

This amendment will also allow anyone that is researching our parks for an activity that will involve sound, the ability to search and locate the sound regulation.

It is recommended that the above language be added to Chapter 13 of the Orem City code and listed as ordinance 13-1-13.

COMMUNICATION ITEMS

20. There are no communication items.

CITY MANAGER INFORMATION ITEMS

21. **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.**

ADJOURN

DRAFT

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
January 13, 2015

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

CONDUCTING Mayor Richard F. Brunst, Jr.

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

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Scott Gurney, Fire Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Development Division Manager; Brandon Stocksedale, Long Range Planner; Steve Earl, Deputy City Attorney; Jason Bench, Planning Division Manager; Neal Winterton, Water Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

UPDATE

Mayor Brunst took some time to update the City Council and Staff on Bus Rapid Transit (BRT), UTOPIA, Midtown 360, and the University Place development.

UPDATE – Master Plans

Mr. Tschirki introduced Mike Collins and Keith Larsen with Bowen Collins & Associates, and Carol Walker from the Public Works Advisory Commission (PWAC). Mr. Collins presented on sewer, water, and storm drainage capital facility plans.

Mr. Collins said the number one economic development program a city needed was water and sewer services. Bowen Collins & Associates had worked with the PWAC since the early part of 2014 to develop long-term plans for capital facilities for water, sewer, and storm drain utilities.

Mr. Larsen presented a slideshow which covered the following:

- Water
 - Annual Water Use Projections With and Without Conservation
 - Peak Day Demand Without Conservation
 - Two additional sources for water supply
 - New wells
 - Additional capacity at the Utah Valley Water Purification plant

DRAFT

- 1 ○ Build-out Water System Pipe Improvements
- 2 ▪ A number of projects would be needed through build-out to move water
- 3 through the city
- 4 ▪ Only one project estimated to be built in the next ten years
- 5 ▪ Substantial demands in southwest area
- 6 ○ Proposed Reuse System and Capital Cost Estimates
- 7 ▪ Water Reclamation Facility improvements
- 8 ▪ 12 inch pipe to Lakeside Sports Complex
- 9 ▪ WRF Booster Station
- 10 ▪ Sleepy Ridge Golf Course Booster Station
- 11 ○ Existing System Available Fire Flow
- 12 ▪ Improvement projects to meet fire flow standards
- 13 ○ Existing Storage Deficiency
- 14 ▪ Currently 10 million gallons short; future projected 22 million gallons
- 15 short
- 16 ▪ Water treatment plant had excess of 30 million gallons of storage
- 17 • Orem had been primary user of water from plant
- 18 • Access to storage water would decrease, sooner rather than later
- 19 ○ Build-out for Storage Deficiency
- 20 ▪ Required storage improvement costs
- 21 • 10 million gallons added by 2018
- 22 • 12 million gallons added by 2030
- 23 ▪ All water CIPs in next 10 years
- 24 • Major conveyance
- 25 • Fire flow deficiencies
- 26 • Storage
- 27 • Wells
- 28 • WRF reuse projects
- 29 • Southwest annex conveyance
- 30 • Automated meter infrastructure
- 31 • Miscellaneous maintenance projects
- 32 • Other system replacement
- 33 ○ Water System Valuation and Replacement
- 34 ▪ System valued at \$300,000,000
- 35 ▪ Recommended system investment = 2.0 percent of replacement costs
- 36 ▪ Capital program needed for replacement = \$6,000,000
- 37 • Sewer
- 38 ○ Future System Proposed Improvements
- 39 ○ Table of Collection System Capacity Improvements
- 40 ○ Maintenance Related Projects
- 41 ▪ Routine maintenance related improvements
- 42 ▪ Hydrogen Sulfide (H₂S) related and other maintenance improvements
- 43 ○ Treatment Plant Projects
- 44 ▪ Replace screen washer, headworks, grit washer
- 45 ▪ Third press in solids handling
- 46 ▪ Struvite elimination
- 47 ▪ Concrete/membrane existing lagoons

DRAFT

- 1 ▪ Replace back-up generator
- 2 ▪ Upgrade/expansion of aeration/grit basin on the headworks facility
- 3 ▪ Sludge disposal options – solar, central county treatment disposal site
- 4 ▪ Co-generation technology
- 5 ▪ Replace existing presses
- 6 ○ Sewer System Valuation and Replacement
- 7 ▪ Collection system value
- 8 • Complete replacement/rehabilitation composite = \$235 million
- 9 • Recommended system investment = 1.5 percent of replacement
- 10 cost
- 11 • Recommended annual budget - \$3.6 million
- 12 ▪ Treatment plant value
- 13 • Plant replacement value = \$81 million
- 14 • Recommended system investment = 2.0 percent (50 year design
- 15 life)
- 16 • Recommended annual budget = \$1.6 million
- 17 ▪ Capital program needed for replacement = \$5,200,000 per year
- 18 • Storm Drain
- 19 ○ Sumps
- 20 ▪ Used to inject stormwater into groundwater
- 21 ▪ Reduces the need for large trunklines to convey runoff to rivers
- 22 ▪ Use potentially limited by soil conditions
- 23 ▪ Potential to introduce contaminants into groundwater aquifer
- 24 ○ Construction Cost Estimate Summary
- 25 ○ Storm Drainage System Valuation and Replacement
- 26 ▪ System replacement value = \$80 million
- 27 ▪ Recommended system investment = 2.0 percent (50 year life design)
- 28 ▪ Recommended annual budget = \$1.6 million

29

30 Mr. Macdonald asked if the statistics shown provided for the contract with Vineyard. Mr. Larsen

31 said they did, and Mr. Tschirki added that the contract with Vineyard was for fifty years.

32

33 Mrs. Black said contracting with Vineyard was beneficial for Orem, because they paid a

34 premium for water and sewer services.

35

36 Mayor Brunst asked if Orem had the supply to utilize additional capacity from the water

37 treatment plant.

38

39 Mr. Larsen said Orem had the supply, but being able to treat water at the peak rate was the

40 important thing. There had been discussions with Central Utah Water Conservancy District

41 relating to capacity expansion.

42

43 Mayor Brunst said it was his understanding there were connections in the southwest area where

44 the water treatment plant was. Mr. Tschirki said the water right was retained about ten years ago,

45 but the pipe currently in place at the water treatment plant did not extend as far as needed. Once

46 the pipe was built out as suggested, it would take peak demand off Orem's culinary water system

47 for irrigation.

DRAFT

1 Mr. Larsen said the biggest part of the costs would be upgrades at the treatment plant. Treatment
2 plant improvements would cost about \$1.2 million. Some additional costs to boost the system,
3 like stations and piping, would bring total costs to \$2.2 million. He added that other projects
4 could not be completed on the timeline if the initial project was not completed.

5
6 Mayor Brunst asked how many tanks were at the water treatment plant, and if there would be
7 room for additional ones. Mr. Tschirki said there were many tanks of various sizes, including
8 underground tanks. There was limited space to add tanks at the treatment plant, but there were
9 possible locations in a more central area of the city to more easily service other areas.

10
11 Mr. Larsen said a site study would need to be conducted to find the most optimal place for the
12 additional water storage. The study would look at geotechnical and seismic activity, property
13 availability, etc.

14
15 Mr. Larsen said the bottom line total for capital improvements for the next ten years was
16 \$59 million, not including costs associated with the water treatment plant. The suggestion was to
17 increase funds from where they stood currently to where they could reasonably sustain
18 infrastructure investment by 2019.

19
20 Mr. Tschirki added that, in the past, around half of the money available for capital improvements
21 had gone to vehicle replacement. There were both capital investment and capital improvement
22 projects that, while different, still competed for the same dollars.

23
24 Mayor Brunst asked how much the most recent improvements to the treatment plant had cost.

25
26 Mr. Larsen said the latest expansion had been around \$40 million. He said in the past the federal
27 government had paid for some treatment costs, which had kept rates low, but the federal funds
28 were diminishing. Mr. Larsen said the main concern with Orem's sewer system was the age and
29 condition of the system. Root intrusion, areas with cracked or broken pipes with infiltration
30 issues, and areas of Hydrogen Sulfide (H₂S) concentration required maintenance. The bottom
31 line on sewer improvement was \$48 million.

32
33 Mr. Tschirki said that about two years ago two major sewer lines in Orem failed where there was
34 an H₂S problem and the top of the pipe was corroded and gone. There was an active program
35 used through the camera system that identified areas with aggregate in the concrete piping in
36 danger of collapse. Mr. Larsen added that investing in maintenance of the existing infrastructure
37 would extend the life of the system substantially.

38
39 Mayor Brunst asked about the condition of the backup generator for the sewer system.

40
41 Neal Winterton, Water Division Manager, said the backup generator was currently in working
42 condition but would need to be replaced by 2021. He noted that a car had recently hit the main
43 power to the plant, and everything went as smoothly as it could. Staff responded and the backup
44 generator kicked on and operated as expected. The electrical access added five years ago allowed
45 an electrician to go in and fix things, which was convenient.

DRAFT

1 Mr. Andersen asked how long it would take for H₂S gas to burn out the pipe. Mr. Tschirki said it
2 was extended and variable, because things like turbulence from gases running downhill would
3 add to wear. Plastic pipes would usually last about ten years after they were built, but concrete
4 pipes lasted closer to twenty years. Improvements had been prioritized based on factors like pipe
5 materials and risks for turbulence and high levels of HS₂.

6
7 Mr. Davidson said they could not rely on fifty-year estimates for pipe life. Mr. Tschirki agreed
8 and said there were many variables that determined the life of a pipe.

9
10 Mr. Larsen said the goal was to eliminate the majority of storm drain sumps, which were
11 infiltration basins that collected storm water and allowed water to percolate into ground water.
12 Sumps could only be used in certain soil conditions, and there was increasing concern regarding
13 potential contaminates to groundwater.

14
15 Mr. Tschirki said it would be expensive to remove sumps and build-out infrastructure, but it
16 needed to be done. He said there was not a built-out system for storm water like there was for
17 other systems like water and sewer.

18
19 Mr. Tschirki distributed previously requested information for the sewer base rate distribution
20 comparisons. Due to time constraints, the discussion on sewer base rates would be continued to a
21 later meeting.

22
23 Mr. Winterton said Provo staff fully supported a change in sewer base rates, and though it had
24 not yet been formally introduced to Provo's City Council, the impression was that Provo would
25 move forward with the changes once Orem had made those changes.

26
27 Mr. Sumner expressed concern that businesses were not being made to pay a fair share under the
28 proposed changes.

29
30 Mr. Tschirki said the AWWA standard multiplier would balance the way businesses would be
31 charged to be equitable with residential, retail, etc.

32
33 Mr. Winterton explained the methodology used for charging businesses under the proposed
34 changes.

35
36 Mr. Davidson said it was important to give time for public input and education on the changes,
37 especially for apartment owners or anyone dealing with annual leases. The suggestion was for a
38 January 1, 2016, implementation to allow for adequate notice of changes.

40 UPDATE – Police Department

41 Chief Giles presented an update on the Police Department. He said there were two captains who
42 were over the three divisions within the department: Captain Ned Jackson and Captain Keldon
43 Brown.

44
45 Mayor Brunst asked about any changes in Orem's dispatch, as some dispatch centers in Utah
46 County were being consolidated.

DRAFT

1 Chief Giles said Orem had its own dispatch center, as did the cities of Springville, Provo, and
2 Pleasant Grove. Orem was working with those cities to consolidate between the four centers and
3 maintain them in the best way possible. Orem was looking at different possibilities to consolidate
4 equipment and house dispatch staff in two different locations to comply with State standards.
5

6 Mr. Davidson added that Orem's dispatch was already consolidated, covering dispatch for
7 Lindon, UVU, and Vineyard fire, and was used as a customer service tool to a greater degree
8 than in other cities.
9

10 Chief Giles said he enjoyed having the dispatch center in Orem as part of the community
11 policing plan he had for the city. He had directed his dispatchers to identify themselves by name
12 to allow people to reconnect with the same dispatcher if they needed to call back. Chief Giles
13 said Orem had seventeen Volunteers In Police Service (VIPS), some of whom had been VIPS for
14 around fourteen years. Mayor Brunst asked what the VIPS responsibilities were. Chief Giles said
15 the VIPS were a valuable asset for the department who filled many roles and handled a variety of
16 duties. Some advantages the VIPS gave to patrol officers was helping with traffic calls and
17 directing traffic, parking issues, animal control calls, Neighborhood Preservation Unit calls, and
18 calls for keys locked in cars. This allowed officers to respond to more patrol calls but still allow
19 the police to provide those services. Chief Giles said the VIPS dedication and contribution
20 allowed the police force to function well even though the officer to resident ratio was below the
21 state average. Chief Giles said the police department received a grant to update the police
22 badges, and an Orem officer designed the new badges. The badge included symbols of Orem's
23 law enforcement roots as a marshal's office and "the thin blue line", which stood for protecting
24 good from evil and had become an icon for fallen officers.
25

26 Chief Giles said officers were encouraged to proactively look for problems in the community,
27 and resolve them before they escalate. Officers were also expected to respect themselves, fellow
28 officers, and all residents – including those they needed to take action against. The goal was to
29 make Orem the safest community to live, work, and play.
30

31 Chief Giles said there was concern over recent national events involving police officers, and
32 what Orem could do to avoid similar problems. One difference Chief Giles saw was that Orem's
33 community was much more tight-knit than those communities. Orem followed a policy regarding
34 racial or bias based profiling. The policy stated:

35 "It shall therefore be the policy and practice of the Department to provide law
36 enforcement services and to enforce the law equally and fairly without discrimination
37 toward any individual(s) or group because of race, ethnicity or nationality, religion,
38 gender, sexual orientation or disability."
39

40 Chief Giles said officers served everyone equally. Officer profiled only behaviors, not persons.
41 Orem had use of force policies in place, so if an officer used physical force and/or used a baton,
42 Taser, or pepper spray, an investigation would automatically be opened. A report would be
43 written by the officer and turned in to their sergeant. From there it would move up the chain of
44 command to the lieutenant, and then to the watch commander was tasked with an internal affairs
45 investigation to ensure the use of force was within the bounds of the policy. The findings of the
46 investigation would go to the captain, and finally would be given to Chief Giles for decision.
47

DRAFT

1 Mr. Macdonald asked about standard procedure for officer involved shootings.

2
3 Chief Giles said they used the following to try to prevent those problems before they arise:

- 4 • Policies
- 5 • Work closely with community
- 6 • Bilingual officers (languages spoken – Spanish, Korean, Portuguese, German, and
- 7 French)
- 8 • Diversity training
- 9 • Track not only use of force but show of force (de-escalation skills)
- 10 • Less lethal tools (bean bag gun, Taser, baton, pepper spray)
- 11 • Crisis Intervention Team (CIT) training

12
13 Chief Giles said CIT training was a weeklong training with yearly recertifications. The training
14 focused on de-escalation techniques and ways to handle individuals dealing with mental health
15 issues. Orem was the host agency for CIT in the county, and many agencies requested classes
16 and trainings with Orem on CIT. 85 percent of Orem officers were CIT certified. He intended to
17 equip all his officers with CIT training in hopes of decreasing the likelihood of officer involved
18 shootings.

19
20 Chief Giles said Orem had officers assigned to the Utah County Officer Involved Shooting
21 Protocol Team, headed by the Utah County Attorney's Office. If an Orem officer was the one
22 involved in the shooting, Orem officers would not participate in the protocol team. Orem would
23 also have its own internal investigation in those situations.

24
25 Mrs. Black asked about body cameras for officers.

26
27 Chief Giles said they were currently reviewing the idea of body cams, to see how effective they
28 were, and looking into different companies that offered those services. Other local agencies were
29 jumping at cheaper cameras with no backend software to maintain the recorded footage, but
30 Orem was looking at the long run to facilitate storage for data and make sure the retention of that
31 data met standards. Mr. Davidson added that every decision made by officers should not be
32 legislated but should be made according to jurisdiction.

33
34 Chief Giles said he welcomed input on the department's community initiatives, which were used
35 as preventative tools with the goal of uniting and protecting the community. The Neighborhood
36 Preservation Unit (NPU) was one such initiative that dealt primarily with quality of life issues
37 that were considered nuisances under Chapter 11 of the City Code, including junky yards, illegal
38 accessory apartments, etc., but also drug and party houses. NPU officers were able to contact
39 landlords and hold them responsible for their properties and their tenants, in an effort to have
40 safer and cleaner neighborhoods. Also under NPU was a Special Enforcement Team (SET) that
41 handled neighborhood narcotics and drug houses specifically.

42
43 Chief Giles said he wanted his officers to be more involved in neighborhoods, and with that idea
44 officers were required to make two positive contacts per week that had nothing to do with law
45 enforcement. Officers had shoveled snow, handed out glow sticks for trick-or-treaters, helped
46 with cars that had pulled off the road, and many other services. He explained that officers had
47 accountability not only to him and their commanding officers, but also to the community.

DRAFT

1 Mr. Sumner asked about illegal accessory apartments and the police department policy for
2 dealing with them.

3
4 Chief Giles said when illegal apartments were reported, NPU officers were sent to explain the
5 requirements for the apartments to come into compliance. Landlords would work with NPU
6 officers to either bring the apartment into compliance or give renters time to vacate and help
7 them locate different housing. Chief Giles said if an illegal apartment was found before any
8 complaints were reported, compliance was enforced, but often the way officers learned about
9 illegal accessory apartments was when concerned neighbors reported them.

10
11 Mrs. Black asked how officer teams could work with Neighborhoods in Action (NIA) but there
12 were only three NPU officers. Chief Giles said they would also utilize officers from the seven
13 patrol crews to work with specific neighborhoods and become contacts for NPU issues in those
14 areas.

15 DISCUSSION – Amplified Sounds

16
17 Mr. Hirst reviewed the management of activities in the parks. He said activities were handled
18 through (1) policies, and (2) ordinances. Policies were used to manage gates, water faucets,
19 geocaches, etc. Ordinances were used to handle smoking and drinking in parks, park curfews,
20 rules for dogs and other animals in the parks, etc. Amplified sound issues were currently
21 managed under policy, but Mr. Hirst’s recommendation was to move them to ordinance.

22
23 The parks reservation agreement stated:

24 “It shall be unlawful for any person to conduct live bands, DJ’s, dances, concerts,
25 movies, sound systems, microphones, speakers, amplified sound, etc. in or on any city
26 owned property without the approval of the Recreation Director.”

27
28 Mr. Hirst said changing the sound issues from policy to ordinance would not change the way the
29 parks were managed but would solidify the policy and allow people to look up the requirements
30 in the City Code.

31
32 Mr. Hirst said he was frequently asked about using city parks for commercial, revenue-
33 generating events. In the code, it specified the following regarding commercial activity in city
34 parks:

35 “It shall be unlawful for any person to conduct any revenue-generating event in or on any
36 city-owned property without first having received permission from the Department of
37 Recreation.”

38
39 Mr. Hirst said there were pros and cons to using city parks for commercial events. An event that
40 often came up was the Princess Festival, which had typically been held at Thanksgiving Point.
41 The Princess Festival was interested in holding the event at the Scera Park, but they would be
42 charging admission. The current ordinance did not allow for private groups using the parks to
43 generate revenue.

44
45 Mr. Hirst said he believed the main reason businesses were interested in Orem parks was because
46 there was no competitive commercial rate in place for the rental of the park. The park rental rates

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1 were set for use by families, not large business groups. Mr. Davidson added that parks were
2 intended for public use, not as venues to stage private events.

3
4 Mr. Hirst said if the City Council decided to open the ordinance to include provisions for
5 businesses to use parks for revenue-generating events, the commercial rate for park rentals would
6 need to be revised to reflect a competitive rate.

7
8 Mr. Macdonald asked how renting the park to a group like the Princess Festival was different
9 from renting the park for soccer or baseball groups. Mr. Hirst said those sport programs were
10 city-sponsored.

11
12 Mayor Brunst said opening the parks for private events could potentially be “opening a can of
13 worms”.

14
15 Mr. Hirst said certain events could be held at a park like Timpanogos which could more easily be
16 closed for private events, if the group was being charged a competitive rate for the park rental.
17 However, opening that door could lose the effect of what city parks were for.

18
19 Mr. Spencer asked why the City did not allow events that would be limited to Timpanogos Park
20 and charge a competitive commercial rate. Mr. Hirst said having many commercial events would
21 cause additional wear on the park, which would make upkeep more costly and could leave the
22 park in poor condition for the Timpanogos Storytelling Festival. Mr. Spencer said a solution
23 could be to only allow one event other than the Timpanogos Storytelling Festival.

24
25 Mr. Hirst said the recommendation he would bring to the Council would have language to move
26 sound issues into ordinance, as well as provide competitive rate change suggestions and language
27 for narrowly opening park rentals for private groups.

28
29 Mr. Sumner asked about how other cities managed park rentals. Mr. Hirst said few, if any, cities
30 allowed park rentals for private events. He said some cities held farmer’s markets, but those were
31 specifically City sponsored.

32
33 Mrs. Crozier said the City currently had the ability to turn down events that could be problematic
34 for the neighborhood. Mr. Hirst said the window for park rental would be very narrow.

35
36 Mrs. Black said the parks were for the community. Mayor Brunst agreed.

37 38 **5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM**

39 40 CONDUCTING

Mayor Richard F. Brunst, Jr.

41 42 ELECTED OFFICIALS

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

45 46 APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant
47 City Manager; Greg Stephens, City Attorney; Richard

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1 Manning, Administrative Services Director; Bill Bell,
2 Development Services Director; Karl Hirst, Recreation
3 Director; Chris Tschirki, Public Works Director; Scott
4 Gurney, Fire Department Director; Charlene Crozier,
5 Library Director; Jason Bench, Planning Division Manager;
6 Ryan Clark, Economic Development Division Manager;
7 Brandon Stocksedale, Long Range Planner; Steve Earl,
8 Deputy City Attorney; Jason Bench, Planning Division
9 Manager; Neal Winterton, Water Division Manager; Sam
10 Kelly, City Engineer; Steven Downs, Assistant to the City
11 Manager; and Jackie Lambert, Deputy City Recorder
12

13 Preview Upcoming Agenda Items

14 Staff presented a preview of upcoming agenda items.
15

16 Agenda Review

17 The City Council and staff reviewed the items on the agenda.
18

19 City Council New Business

20 Mayor Brunst asked Mr. Seastrand for a brief update from the Utah Lake Commission. Mr.
21 Seastrand said the Utah Lake Commission involved most of the cities in the area. The main
22 objective was to improve the quality of the lake and make it more accessible. Two key projects
23 of the commission were (1) Carp removal, which allowed the lake to naturally regenerate, and
24 promoted June sucker breeding, and (2) Phragmites removal to have some shoreline. Many cities
25 were involved and invested in seeing Utah Lake improve. There was little or no funding from the
26 state, and the local cities were bearing the burden of funding a state resource.
27

28 Mayor Brunst and Mrs. Black gave a brief update from the IHC Community Outreach
29 Committee. Mayor Brunst said IHC was looking at having a community garden area and
30 farmer's markets. Mr. Spencer asked if the garden would impact playing fields there. Mrs. Black
31 said it would not. The garden was planned to be behind the one house on the IHC grounds, and
32 was scheduled to be open mid-May through October 2015. Volunteers would be used to plant
33 and weed and maintain the garden, including elementary school children from Suncrest. IHC
34 would be responsible for maintaining the garden and providing the volunteers.
35

36 Mayor Brunst thanked the City Council for their participation in the various assignments they
37 had been given.
38

39 The Council adjourned at 5:49 p.m. to the City Council Chambers for the regular meeting.
40

41 **6:00 P.M. REGULAR SESSION**

42
43 CONDUCTING

Mayor Richard F. Brunst, Jr.

44
45 ELECTED OFFICIALS

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

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APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Scott Gurney, Fire Department Director; Charlene Crozier, Library Director; Brandon Nelson, Finance Division Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Ryan Clark, Economic Development Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT **Jim Fawcett**

PLEDGE OF ALLEGIANCE **Brandon Hoffman**

APPROVAL OF MINUTES

Mr. Seastrand **moved** to approve the December 9, 2014, City Council Meeting minutes. Mr. Macdonald **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed** unanimously.

MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

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

Appointments to Boards and Commissions

Mrs. Black **moved** to appoint Phebe Hawkes to the Beautification Advisory Commission. Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

Mr. Seastrand **moved** to reappoint Colleen Ferguson and Jay Buckley to the Historic Preservation Advisory Commission. Mrs. Black **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

Recognition of New Neighborhoods in Action Officers

Mr. Macdonald **moved** to appoint Bruce and Bonnie Knowlton as Suncrest neighborhood chairs. Mrs. Black **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

1 **CITY MANAGER’S APPOINTMENTS**

2
3 Appointments to Boards and Commissions
4 There were no City Manager appointments.

5
6 **PERSONAL APPEARANCES**

7
8 Time was allotted for the public to express their ideas, concerns, and comments on items not on
9 the agenda. Those wishing to speak should have signed in prior to the meeting, and comments
10 were limited to three minutes or less.

11
12 There were no personal appearances.

13
14 **CONSENT ITEMS**

15
16 There were no Consent Items.

17
18 **CITY MANAGER INFORMATION ITEMS**

- 19
20 • January 28, 2015 – Local Officials Day at the Utah State Legislature
21 • January 26, 2015 – Utah Legislative Session opens
22 ○ Items of interest scheduled in the legislative session:
23 ■ Law enforcement issues (body cameras for officers, use of force, etc.)
24 ■ Transportation (gas tax, indexing, vehicle miles traveled, sales tax,
25 registration fees, etc.)
26 ■ Water issues
27 ■ Good landlord policies
28 ■ Tax issues (corporate tax, sales tax allocation, etc.)
29 ■ Development and land use bills
30 ○ Approximately 300-400 bills pass each legislative session. The forecast for 2015
31 was in excess of 1,000 bills would be filed.
32 • Parking concerns had grown at Lakeside Park, so the City was acquiring additional
33 property to provide more parking. A contract to purchase the property had moved
34 forward, and money would be placed in escrow. With the land being technically in
35 Vineyard, the Mayor of Vineyard was made aware of the agreement.
36 • City Council Retreat – Last year a day was set aside for a retreat, and Mr. Davidson
37 suggested the Council schedule a retreat for 2015.

38
39 **SCHEDULED ITEMS**

- 40
41 6:20 P.M. PUBLIC HEARING – Outdoor Advertising
42 ORDINANCE - Amending Sections 22-14-29 and 14-3-3 of the City of Orem pertaining to
43 electronic message sign requirements
44 ORDINANCE - Amending Sections 14-3-3 and 14-3-4 of the Orem City Code pertaining to
45 outdoor advertising requirements (billboards)
46

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1 Mr. Bench reviewed with the Council the Planning Commission's recommendation that the City
2 Council:

- 3 • By ordinance, amend Section 22-14-29 and 14-3-3 of the Orem City Code pertaining to
4 electronic message sign requirements
- 5 • By ordinance, amend Sections 14-3-3 and 14-3-4 of the City Code pertaining to outdoor
6 advertising requirements

7
8 This item was considered by the Council on November 11, 2014. A motion to approve the
9 ordinance amendments failed by a vote of 3-2. A City Council member who voted for the motion
10 requested the item be reconsidered on December 9, 2014 in order to have the full City Council
11 consider the requested amendments. The item was continued to January 13, 2015.

12
13 The application proposed amendments to three sections of the City Code pertaining to billboards.

14
15 Mr. Bench said the current ordinance allowed electronic message center (EMC) signs on any
16 billboard. The location of an EMC (LED) sign was an issue with the YESCO billboard at
17 2000 South Sandhill Road with the proximity of homes to that sign. There were other billboards
18 in the City that were also close to residences on the east side of I-15.

19
20 Due to the concerns the City Council had previously expressed about the negative impact
21 electronic signs may have on nearby residences, staff proposed to amend Section 22-14-29 to
22 prohibit electronic message center (LED) signs on the east side of I-15 and within 500 feet of
23 I-15. This would provide some protection to homes that were located near I-15.

24
25 Staff also recently became aware of a problem that could arise due to the application of Utah
26 Code Section 10-9a-513. That section allowed a billboard owner to relocate a billboard into any
27 commercial, industrial or manufacturing zone within 5,280 feet of its previous location.

28
29 Staff was concerned that billboard companies might use the above-cited section to get around the
30 City's prohibition of new billboards on the east side of I-15. Billboard companies with a
31 billboard on the west side of I-15 (where new billboards are allowed) might apply to relocate
32 their billboard to the east side of I-15 (where new billboards are not allowed but where Section
33 10-9a-513 would allow them to be relocated) and then turn around and apply for a new billboard
34 on the very same site where the original billboard was located.

35
36 If this were to occur, it would effectively circumvent the City's ban on east side I-15 billboards.
37 Staff therefore proposed to amend Chapter 14 to prohibit all new billboards in the City. It might
38 not stop the relocation of billboards to the east side of I-15, but it would prevent the relocated
39 billboards from being replaced since an owner who relocates a billboard would not be able to
40 construct a new billboard at the original site of the relocated billboard. There were nine potential
41 billboard locations on the east side of I-15 where relocations could occur.

42
43 Representatives of Reagan Outdoor Advertising and YESCO were not in favor of the proposed
44 changes and had offered alternative language that had been provided to the Council. The
45 Planning Commission did not wish to adopt the proposal of the billboard companies, but
46 encouraged staff to consider some of their proposed language in future amendments.

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1 Mayor Brunst asked how many billboards were located on the west side versus the east side of
2 I-15. Mr. Bench said approximately twenty-six signs were on the west side, with nine or ten
3 signs on the east side. Mayor Brunst said Orem had quite a few billboards, and he favored
4 limiting the number.

5
6 Mr. Seastrand asked if any existing electronic message signs were further than 500 feet from
7 I-15. Mr. Bench said there were a few along Geneva Road. He asked if those by Geneva Road
8 would be allowed to convert to electronic message signs. Mr. Bench said they could.

9
10 Mayor Brunst opened the public hearing.

11
12 Nate Seacrest, on behalf of Reagan Outdoor Advertising, said they opposed the ordinance
13 amendments. Mr. Seacrest said Reagan was concerned that this same City Council passed a
14 change in the ordinance language only to undo that change eighteen months later. Reagan had
15 adjusted their business accordingly for that change and would again need to adjust if the
16 amendments were approved. Reagan felt Orem policy was changing in a way that was difficult to
17 follow. Mr. Seacrest said he also thought the ordinance was brought back before the Council
18 rather quickly without going through the Planning Commission process again.

19
20 Mike Elm, on behalf of YESCO Outdoor Advertising, said he opposed the ordinance for the
21 same reasons Mr. Seacrest stated. Mr. Elm said he was also concerned that staff had not
22 contacted or met with YESCO or Reagan since the amendments were brought before the Council
23 in November, and he would like to see that happen before a decision was made.

24
25 Mike Whimpey, resident in close proximity to I-15, said the LED billboards were distracting and
26 had a big impact on the quality of life in the neighborhood. A new LED billboard had been
27 installed January 13, 2015, so the neighborhood was now surrounded on both sides with LED
28 signs. Mr. Whimpey said at the time the ordinance was changed a year and half ago, the
29 neighborhood was approached by the Williams Farm property, and were assured that the
30 ordinance change was being considered citywide. Mr. Whimpey provided Council assurances
31 from a September 2013 City Council meeting to neighbors that the change would be limited in
32 scope. Mr. Whimpey commended Mr. Bench and staff for trying to correct unanticipated
33 consequences of the State law's loophole and requested the Council approve the amendments.

34
35 Mark Bowden, resident, said living with a billboard outside his window was detrimental to his
36 quality of life. The bright lights made it difficult to sleep, especially in the winter when there was
37 no buffer of leaves on trees to block any of the light. Neighborhoods did not want these
38 billboards and if the issue was considered and taken care of tonight it would not be a problem for
39 any more Orem residents.

40
41 Mayor Brunst closed the public hearing.

42
43 Mr. Macdonald asked about the second billboard Mr. Whimpey had referred to. Mr. Bench said
44 the LED sign at that location was allowed to be raised because a wall had been installed. Mr.
45 Macdonald asked what kind of property the sign was on. Mr. Bench said it was a commercial
46 zone, and he believed the application had gone through before the amendments were presented.

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1 Mayor Brunst said the ordinance amendments had been considered at about three City Council
2 meetings. The issue had also come before the staff and the Planning Commission. He said he felt
3 there had been sufficient time for discussion between staff and representatives of Reagan and
4 YESCO, and contact could have been initiated by either side.

5
6 Mr. Bench said the Planning Commission requested the City work with the sign companies to
7 discuss lumens and other things that would go into the ordinance. That discussion had not yet
8 taken place.

9
10 Steve Earl, Deputy City Attorney, said the sign companies had met with staff and proposed some
11 additional language they wanted to see incorporated into the City's ordinance. They wanted to
12 see those changes made in lieu of the LED ban. The Planning Commission had the suggestions
13 of the sign companies, and upon staff's recommendation agreed that the items should be
14 considered separately and moved forward. Afterward, suggestions as to brightness, angling of
15 signs, etc. of existing LED signs where they are permitted could be considered.

16
17 Mrs. Black said the Council was trying to address a loophole which was created a year and half
18 ago that needed to be addressed. She said she was in favor of moving forward.

19
20 Mr. Macdonald said they tried to negotiate a deal between the neighbors and the sign companies
21 regarding having the LED lights off during certain hours and other compromises but were not
22 able to reach an agreement.

23
24 Mr. Seastrand **moved**, by ordinance, to amend Sections 22-14-29 and 14-3-3 of the Orem City
25 Code pertaining to electronic message sign requirements. Mrs. Black **seconded**. Those voting
26 aye: Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and
27 Brent Sumner. Those voting nay: Hans Andersen. The motion **passed** 6-1.

28
29 Mr. Seastrand **moved**, by ordinance, to amend Sections 14-3-3 and 14-3-4 of the City Code
30 pertaining to outdoor advertising requirements. Mayor Brunst **seconded**. Those voting aye:
31 Margaret Black, Richard Brunst, Mark E. Seastrand, David Spencer, and Brent Sumner. Those
32 voting nay: Hans Andersen, Tom Macdonald. The motion **passed** 5-2.

33
34 6:20 P.M. Public Hearing – Street Vacation

35 ORDINANCE – Vacating a portion of 1000 East Street located between 670 North and
36 800 North and a portion of 720 North Street between 1000 East and 980 East

37
38 Mr. Bench reviewed with the Council a request by Chad Stratton for the City to vacate a portion
39 of existing 1000 East right of way between 670 North and 800 North. The area proposed to be
40 vacated was area that the City did not need for current or future street improvements and was
41 shown in Exhibit "A."

42
43 He said 1000 East Street was a local street which for most of its length had approximately 46-48
44 feet of right of way consisting of 34 feet of asphalt and 6-7 feet of curb, gutter and sidewalk on
45 each side of the street. In the area between 670 North and 800 North, the City currently had
46 60 feet of street dedication which was granted with the recording of Knight Subdivision in 1921.
47 This was more right of way width than was needed to complete and maintain the same width of

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1 street improvements that the City had for the other portions of 1000 East. Most of the west side
2 of 1000 East in this area did not yet have curb, gutter and sidewalk and the excess right of way
3 area was located behind where the future curb, gutter and sidewalk would be installed.
4

5 Chad Stratton proposed to subdivide and develop the property along the west side of 1000 East
6 between approximately 670 North and 800 North. In conjunction with this new development, he
7 would be completing the curb, gutter and sidewalk improvements along the west side of
8 1000 East between 670 North and 800 North. Mr. Stratton proposed to vacate that portion of the
9 800 East dedication area that would be located behind the new sidewalk to be installed on the
10 west side of 1000 East. The excess right of way area varied in width, but ranged between 10-
11 12 feet. The unimproved area was not needed for street improvements and so staff supported this
12 proposal.
13

14 Chad Stratton also requested that the City vacate a portion of 720 North located west of
15 1000 East as also shown in Exhibit "A." This portion of 720 North was dedicated to the City in
16 1978 as part of the John Stratton Subdivision, Plat "A." The original dedication gave the City a
17 50 foot wide right of way. He said 720 North Street was proposed to be a thirty-two-foot wide
18 sublocal street right-of-way consisting of twenty-eight feet of asphalt and two feet of curb and
19 gutter on each side. There would also be an eight foot planter strip and a five foot wide sidewalk
20 on each side of the street, but these improvements would be outside the street right of way in a
21 separate sidewalk easement. There was thus eighteen feet of excess right of way that Mr. Stratton
22 was asking the City Council to vacate.
23

24 If vacated by the City Council, title to the vacated areas of 1000 East Street and 720 North Street
25 would automatically vest in the adjoining property owners. State law provided that the City
26 Council may vacate a public street if it determined (1) there was good cause for the vacation; and
27 (2) the vacation would not be detrimental to the public interest.
28

29 Mr. Macdonald asked if 720 North would become a full street instead of a partial street. Mr.
30 Bench said it would become a sublocal street, but would be a full street.
31

32 Mayor Brunst asked if the land could be used for anything other than the water ditch and trees
33 that were there. Mr. Bench said it could only be used for residential use. He added that sidewalks
34 would eventually be installed all the way up to 800 North.
35

36 Mayor Brunst opened the public hearing.
37

38 Sean Reinhart, resident, said a few months ago the Transportation Master Plan was redone and
39 showed all the streets the City had marked that needed to go through. Mr. Reinhart said he had
40 no issue with the City vacating the proposed area, so long as procedure was followed. His
41 understanding was that to get something removed from the street plan, it had to be taken to the
42 Transportation Advisory Commission, then to the Planning Commission, and finally to the City
43 Council. Mr. Reinhart wanted to make certain that all procedures were being properly followed
44 to avoid people trying to remove their streets without correctly going through the process.
45

46 Mr. Earl clarified that the vacation would be just a small portion of excess right of way. The
47 streets would still go through; there was just more dedication than was actually needed to

1 construct the street. Mr. Bench added that the streets would go through and connect both to 800
2 East and 1000 East.

3
4 Mr. Reinhart thanked Mr. Earl for the clarification.

5
6 Mayor Brunst closed the public hearing.

7
8 Mr. Seastrand asked if the street would essentially be the same, but the sidewalk would narrow.

9
10 Mr. Bench said that portion was a local street where the sidewalk butted right up to the street and
11 curb, and a sublocal street would separate the sidewalk with the landscape strip. Mr. Bench said
12 the road itself would narrow slightly with the vacation.

13
14 Mr. Macdonald asked if this was R8. Mr. Bench said it was.

15
16 Mrs. Black **moved**, by ordinance, to vacate approximately 0.34 acres of a portion of 1000 East
17 Street located between 670 North and 800 North and a portion of 720 North Street between
18 1000 East and 980 East with the requirement that the vacated areas be incorporated into the
19 Cascade Estates final plat. Mr. Macdonald **seconded**. Those voting aye: Hans Andersen,
20 Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent
21 Sumner. The motion **passed** unanimously.

22
23 **COMMUNICATION ITEMS**

24
25 BUDGET REPORT – November 2014

26 Mr. Davidson noted the Budget Report was included in the packets distributed to the City
27 Council.

28
29 Mayor Brunst identified the assignments to councils, boards, and commissions of the Mayor and
30 the City Council for the upcoming year.

31
32 Hans Andersen Senior Citizen Advisory Commission; Orem Youth Council; Heritage
33 Advisory Commission
34 Margaret Black SummerFest Committee; Utah League of Cities and Towns Legislative
35 Policy Committee; IHC Community Outreach Committee; Arts Council
36 Tom Macdonald Library Advisory Commission; Transportation Advisory Commission;
37 Public Works Advisory Commission
38 Mark Seastrand Utah Lake Commission; UVU Community Relations
39 David Spencer Recreation Advisory Commission; Planning Commission; UIA Board
40 Brent Sumner Historic Preservation Advisory Commission; Beautification Advisory
41 Commission
42 Richard Brunst UTOPIA Board; Mountain Area Government Executive Council;
43 Mountainland MPO Regional Planning (Transportation), Utah County
44 Council of Governments; Utah League of Cities and Towns Legislative
45 Policy Committee; Utah Valley Chamber of Commerce Government
46 Review Committee; Joint Policy Advisory Committee for Transportation;

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Mountainland MPO Finance Committee; Utah Valley Chamber of
Commerce Board of Directors

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Mayor Brunst thanked the Council for the service they gave in those capacities.

ADJOURNMENT

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

The meeting adjourned at 6:46 p.m.

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1 OREM CITY COUNCIL/ALPINE SCHOOL DISTRICT
2 SPECIAL JOINT MEETING
3 56 North State, Orem, Utah
4 January 14, 2015

5
6 *This meeting was for discussion purposes only. No official action was taken.*

7
8 CONDUCTING Mayor Richard F. Brunst, Jr.
9
10 OREM ELECTED OFFICIALS Councilmembers Margaret Black, Tom
11 Macdonald, Mark E. Seastrand, and Brent
12 Sumner
13
14 OREM STAFF Jamie Davison, City Manager; Brenn Bybee,
15 Assistant City Manager; Stephen Downs,
16 Assistant to the City Manager; Karl Hirst,
17 Recreation Director; Chris Tschirki, Public
18 Works Director; Keith Larsen, Traffic Operation
19 Engineer; Paul Goodrich, Transportation
20 Engineer; and Jackie Lambert, Deputy City
21 Recorder
22
23
24 ALPINE BOARD OF EDUCATION John Burton, Paula Hill, JoDee Sundberg, and
25 Deborah Taylor
26
27 ALPINE SCHOOL DISTRICT ADMIN. Vern Henshaw, Superintendent; Rob Smith,
28 Assistant Superintendent
29
30 ABSENT Councilmembers Hans Andersen and David
31 Spencer
32
33 INVOCATION Councilmember Mark E. Seastrand
34

35 Mayor Brunst called the meeting to order at 12:06 p.m. He gave a brief update of some of the
36 projects that were underway in Orem, and thanked the Alpine School District for working with
37 the City on the University Place CDA.
38

39 **Items of Common Interest**

40 DISCUSSION – Hawk Signal near Canyon View Jr. High and Orchard Elementary

41 Mayor Brunst invited Chris Tschirki, Public Works Director, to present information regarding a
42 proposed hawk signal near Canyon View Junior High and Orchard Elementary. Mr. Tschirki
43 introduced Keith Larsen, Traffic Operation Engineer, and Paul Goodrich, Transportation
44 Engineer.
45
46

47 Mr. Tschirki said that, since the last discussion on the hawk signal, a study had been conducted
48 at the crossings to evaluate if a hawk signal was warranted. There were currently three crossings,

1 one with a crossing guard present nearest the elementary school. Two studies were conducted in
2 the morning from 7:00 to 8:00 a.m. and from 8:00 to 9:00 a.m., and three studies were conducted
3 in the afternoon from 2:00 to 3:00 p.m., 3:00 p.m. to 4:00 p.m., and 4:00 p.m. to 5:00 p.m.
4 Warrant studies looked at factors like how many pedestrians were crossing that location at a
5 given time, the speed of the street, and width of the street.

6
7 Mr. Macdonald asked about speed used in the analysis, if it was at 35 or 20 miles an hour. Mr.
8 Larsen said the speed would need to be measured by the free flow speed of 35 miles an hour.

9
10 Mr. Tschirki said the afternoon studies showed the north crossing in front of Orchard Elementary
11 met warrants for a hawk signal. The crossing in front of Canyon View never met warrants for a
12 hawk signal during either the morning or afternoon. When crossings were combined they
13 warranted a hawk signal.

14
15 Ms. Sundberg asked for clarification of what a hawk signal was, and why it was being proposed.
16 Mr. Tschirki provided information on hawk signals and said the proposal was in response to
17 feedback from PTA that had requested hawk signals. Mr. Larsen noted that a hawk signal was a
18 dark signal until a pedestrian pushed the button and activated the crossing. Cars could ignore the
19 signal unless there were lights flashing.

20
21 Mayor Brunst asked how successful the hawk signals by UVU had been. Mr. Larsen said they
22 worked well, and that it worked toward the safety of both pedestrians and drivers.

23
24 Mr. Tschirki said that, based on the study results, the staff was recommending to remove
25 crosswalks and reduced speed school zones to install a hawk signal for a combined crossing at
26 1000 North 800 East. That was about halfway between both schools, and would consolidate
27 crossings for both. Reduced speed signs and the crossing guard would be moved to the location
28 of the hawk signal.

29
30 Mrs. Black asked if the crosswalk at 950 North would be removed. Mr. Tschirki said all
31 crosswalks on 800 East would be removed and consolidated at the proposed 1000 North 800 East
32 crossing, but the crossing at 950 North would stay in place. The drop-off zones in front of
33 Orchard Elementary would also stay in place.

34
35 Mr. Macdonald said it was unlikely that the students would cross the consolidated hawk crossing
36 but were more likely to jaywalk across the street at the points where the crosswalks were
37 currently placed.

38
39 Dr. Henshaw and other board members expressed concern that the students would not be willing
40 to walk down to the signal, and it would result in the hawk signal being underutilized. The study
41 showed what should happen, but more likely the students would continue to cross wherever they
42 wanted.

43
44 Mr. Goodrich said the principals and other administrators from the school would need to be part
45 of the discussion of where things should be and what would be the most effective in keeping
46 students safe.

DRAFT

1 Mayor Brunst said parents should also have input. Mr. Davidson said parent input was valuable,
2 but they would not know state requirements, traffic liability laws, etc. that the City would be
3 bound by.

4
5 Mr. Burton asked about the possibility of flashing yellow signals at both crosswalks.

6
7 Mr. Goodrich said the rapid flashing beacon was not a stop requirement, and therefore not as
8 compliant as a hawk signal would be. Mr. Larsen added there could not be two reduced speed
9 zones within 600 feet of each other.

10
11 Mr. Bybee clarified that the request for a hawk signal was from Canyon View Junior High PTA,
12 not the elementary school. Mr. Goodrich added that, if the hawk signal was installed, more
13 students might walk to school as parents would feel safer about the crossing which would
14 increase foot traffic.

15
16 Mr. Smith said he had reached out to the administration at both schools and would come back
17 with additional information.

18
19 Mayor Brunst said this was an important topic to be discussed.

20 DISCUSSION – Mass Transit and BRT

21
22 At the request of Mrs. Sundberg, Mayor Brunst provided information from a recent meeting of
23 the Utah County Commissioners on the subject of mass transit and BRT.

24 Thanks – Orem Administrators

25
26 Mrs. Sundberg said the administrators in the Orem area had done an outstanding job, several of
27 whom had received awards, such as Administrator of the Year. Peter Glahn, assistant principal at
28 Mountain View High School, was named Assistant Principal of the Year.

29 Set Date and Time for Next

30
31 The next meeting was scheduled for February 25, 2015, at noon in Orem.

32
33 The meeting adjourned at 1:04 p.m.

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CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
January 27, 2015

3:00 P.M. TOUR – CANYON PARK TECHNOLOGY CENTER

- CONDUCTING Mayor Richard F. Brunst, Jr.
- ELECTED OFFICIALS Councilmembers Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner
- APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Development Division Manager; Brandon Stocksdale, Long Range Planner; Jason Bench, Planning Division Manager; Neal Winterton, Water Division Manager; and Jackie Lambert, Deputy City Recorder
- EXCUSED Councilmember Hans Andersen

TOUR – Canyon Park Technology Center

Allen Finlinson, President and CEO of Canyon Park Technology Center (CPTC), welcomed the City Council and staff. Mr. Finlinson conducted a tour of CPTC buildings K, C, and G through the offices of Wayfair.com, Vivint Solar, Fishbowl Inventory, and the former Adobe building lobby. Mr. Finlinson said building L was given to UVU for a small amount for their culinary arts program. FamilySearch, a web-based family history company, was one of the newest tenants of CPTC and utilized approximately 84,000 square feet. Mr. Finlinson thanked Orem City for its support.

Mayor Brunst said he appreciated the efforts of the owners of CPTC in supporting business in Orem.

4:00 P.M. STUDY SESSION – CANYON PARK TECHNOLOGY CENTER

- CONDUCTING Mayor Richard F. Brunst, Jr.
- ELECTED OFFICIALS Councilmembers Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner

DRAFT

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Gary Giles, Police Department Director; Scott Gurney, Fire Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Development Division Manager; Brandon Stocksdale, Long Range Planner; Steve Earl, Deputy City Attorney; Jason Bench, Planning Division Manager; Sam Kelly, City Engineer; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

EXCUSED

Councilmember Hans Andersen

UPDATE – Master Plan – Cemetery

Mayor Brunst invited Chris Tschirki, Public Works Director, to present updates on the Master Plan for the cemetery. Mr. Tschirki said he gave a presentation December 2011 that clarified the usage of the fields near the cemetery. He reviewed the significant changes that had taken place in the three years since that presentation.

- Upper Cemetery (above the Murdock Canal Trail)
 - 22.5 acres
 - Approximately 14 acres of useable land for burial plots
 - 19,253 total useable burial plots
 - 4,080 useable burial plots available in January 2012
 - 2,178 useable burial plots available currently
 - 216 useable single burial plots available currently
 - 1,916 useable multi-burial plots available currently
- Orem Cemetery Future
 - 465 burial rights sold in 2014
 - Burial plots were not sold but were reserved after a burial right was purchased for the plot
 - 332 burials in 2014
 - The Orem upper cemetery would be sold out in or before 2019 at the current sales rate
- South Cemetery Expansion Property Purchase of 1993-1994
 - David J. Laird
 - John Lischak
 - Ruth Laird
 - Gail Billings (Trust Covering Three Properties)
 - B. Long
 - Fred Billings
 - Anne Billings
- Cemetery Expansion South of Murdock Canal Trail
 - 16.8 total acres owned by the Orem City Municipal Building Authority

DRAFT

- 1 ○ 7.8 grassed acres inside asphalt road currently used for three soccer fields
- 2 ○ Field 1 was 1.48 acres (195' x 331')
- 3 ○ Field 2 was 1.39 acres (191' x 315')
- 4 ○ Field 3 was 1.42 acres (190' x 327')

5
6 Mr. Tschirki said single burial plots were not as desirable generally, as people often wanted to
7 purchase the rights to plots for themselves, spouses, and even children to be in the same area.

8
9 Mr. Macdonald asked if caskets were buried multiple deep. Mr. Tschirki said that had been done
10 in the past but was no longer the case. The foundation was sandier in that area, and some plots
11 had caved in. For safety reasons they typically did not bury more than one casket per burial plot.
12 The cemetery allowed for multiple deep if a small casket for a child was buried on a family
13 member's plot.

14
15 Mayor Brunst asked about the areas that were not available.

16
17 Mr. Tschirki said plots considered unavailable were either paid for or had someone buried there.
18 Purchasing a plot was reserving the right to bury there, not purchasing the land. Mr. Tschirki said
19 the trend was up on annual burial rights sold with 465 burial rights sold in 2014. Annual funerals
20 performed had increased as well with 332 burials in 2014, the most done in the last thirty-five
21 years. He said the upper cemetery would be sold out in or before 2019.

22
23 Mayor Brunst asked when the cemetery had started. Mr. Stephens said the cemetery property
24 was purchased in 1941, and cemetery was built shortly after WWII.

25
26 Mr. Tschirki said some options for the future would be: (1) Cease operating the cemetery by no
27 longer selling future burial rights, (2) develop the lower cemetery below the Murdock Canal
28 Trail, (3) develop the cemetery addition above Cascade Road, or (4) develop satellite cemetery
29 operations. Mr. Tschirki said the history of the lower cemetery was in the years of 1993 and
30 1994, the City exercised friendly condemnation with property owners to purchase land for the
31 intent of developing the cemetery on the land. The concept design of the land from twenty years
32 ago allowed for an additional 10,000+ plots to be sold, which would generate around \$18.4
33 million at today's rates. It allowed for roads, a sprinkler system, and the installation of markers
34 for burial plots, which would cost approximately \$60,000. Mr. Tschirki said the lower cemetery
35 was being used for soccer and open space activities, until it would be needed for burials.

36
37 Mayor Brunst said the area was also used for walking and biking. He asked if the paths would
38 still be available for leisure use after the land was developed for a cemetery.

39
40 Mr. Tschirki said they anticipated that use of the walking and biking paths would continue. He
41 said soccer programming for Celtic Storm club soccer had been on the cemetery fields, but it was
42 anticipated those games could be held at the Palisade fields. They would need to have a plan in
43 place to address concerns.

44
45 Mr. Hirst said if the cemetery fields were to be developed as cemetery land, then programmed
46 sports would be moved. Once that change was made, he would be hesitant to return any
47 programmed sports to the field to avoid confusion.

DRAFT

1 Mr. Macdonald said he agreed that a plan would need to be decided upon, but he expected there
2 to be push back from recreation groups if they were moved from the fields before they really
3 needed to be moved.

4
5 Mr. Davidson said a suggestion would be not to program sports after a certain date, but to allow
6 the field to be used for open space and leisure activities. He noted that there could be
7 complications if people who owned burial rights in the upper section requested to move them to
8 the lower cemetery.

9
10 Mr. Macdonald suggested the lower cemetery plots have a premium price to keep people from
11 rushing the space.

12
13 Mr. Tschirki said the cost to develop the area above Cascade Road would be much more than
14 \$60,000 dollars. It was very steep, which would make access to the area difficult for elderly or
15 disabled persons. Mr. Tschirki said Orem had worked with the Central Utah Water Conservancy
16 District when developing the twenty million gallon water tank in that area. A series of expensive
17 retaining walls would need to be built in an attempt to terrace the area. In 2009, the cost
18 estimated for those developments was approximately \$2 million. The higher cost to develop
19 fewer plots would make the upper Cascade Road option less desirable. Mr. Tschirki said no
20 satellite location had been identified at that time, but there was that option.

21
22 Mr. Macdonald asked if there was a difference in price for Orem residents versus nonresidents.
23 Mr. Tschirki said that they no longer did that because it had caused problems in the past, such as
24 whether or not someone needed to be an Orem resident at the time of death. Mr. Macdonald
25 suggested some qualifications could be met to allow for burial in the Orem cemetery for those
26 circumstances.

27
28 Mr. Davidson said the purpose of the conversation was to present the issues of the cemetery, and
29 to curtail problems with transitioning competitive sport programs off the cemetery land to the
30 fields at Palisade if that was the direction the City Council went. The City would be happy to
31 welcome those looking to use the field for casual play or unorganized events but would not
32 anticipate increasing the level of service to schedule the fields. Mr. Hirst added that impromptu
33 sport usage would be fine, but there would be no guaranteed programming.

34
35 Mr. Seastrand said there was value in keeping the cemetery land together to minimize costs of
36 maintenance. The timing was fortunate, with the opening of the Palisade fields. The lower
37 cemetery land would not be lost as a leisure recreation area, and there were other options for
38 programmed sport use.

39
40 Mr. Tschirki said the plan was to begin construction on the roads and signage of the lower
41 cemetery by 2018.

42
43 Mayor Brunst it would be important to announce the changes so the public was aware.

44
45 Mrs. Black said adding benches and planting trees around the lower cemetery area would
46 indicate to the public the land would be transitioning to cemetery use. Mr. Bybee noted that

1 signage had been used in other parks to indicate the area would not be available for programmed
2 use but leisure use only, to eliminate expectation of using the area for programmed use.

3
4 UPDATE – Southwest Annexation

5 Jason Bench and Brandon Stocksdale presented an update on the proposed Southwest
6 Annexation area. Developers Jeff Mansell, Ryan McDougal, and Shawn Bunderson were present
7 to answer City Council questions.

8
9 Annexation Discussion Points:

- 10 • Orem-Provo Boundary Agreement
- 11 ○ Orem would have ownership of 2000 South east of railroad lines; Provo would
 - 12 have ownership west
 - 13 ○ Agreement allowed for Orem development access from north sides of 2000 South
 - 14 on the Provo side
 - 15 ○ Agreement and language approved by both City staffs, awaiting final road
 - 16 alignment cross sections
 - 17 ○ Estimated completion time: 4-5 weeks
- 18 • Southwest Area Master Plan
- 19 • Impact Fees
- 20 ○ Completed studies for sewer, storm water, and culinary water
 - 21 ○ Beginning studies for police, fire, and recreation (parks). Would need to notice
 - 22 public before study could begin
 - 23 ○ Developers would pay full cost of infrastructure improvements; the City would
 - 24 have no financial obligation for improvements in the annexation area
 - 25 ○ City staff would work with developers to reimburse costs of installing
 - 26 infrastructure by providing a credit against impact fees incurred on future
 - 27 development
- 28 • Infrastructure Improvements
- 29 ○ Developers would install:
 - 30 ■ Sewer line in Geneva Road with a lift station
 - 31 ■ Water line in Geneva Road
 - 32 ■ Storm drain system for initial developments would be designed and
 - 33 engineered as part of those particular projects
 - 34 ■ Initial utility installation could easily be expanded for future growth in the
 - 35 area
 - 36 ○ The installation would be a core installation allowing mostly all of those wanting
 - 37 to develop in the annexation are the ability to do so now or in the future
- 38 • Timeline for Annexation
- 39

40 Mr. Bench said the Southwest Area Master Plan suggested a medium density build, with
41 1,903 Equivalent Residential Units (ERUs), split between high density residential, medium
42 density residential, and light industrial developments. He said the study for impact fees for
43 sewer, storm water, and culinary was completed. A new study looking at impact fees for police,
44 fire, and recreation would need to be done, but they would only proceed with the study if the
45 Council was interested in moving forward with the annexation. Mr. Bench said the City would
46 be putting the burden of financing the initial infrastructure on the developers, and credit them
47 ERU credits back for improvement costs.

DRAFT

1 Mayor Brunst said that was a monumental shift, and wondered if the developers would be able to
2 do that. Mr. Bench said the developers would answer to that, but the density of the projects
3 would be a factor.

4
5 Jeff Mansell, applicant and developer, clarified that the proposal was for the applicants to build
6 the core infrastructure only, not all the improvements that were included in the impact fee study.
7 The core infrastructure, including the main water and sewer lines, would be installed by the
8 applicants to allow for further development in the future. As development continued, the impact
9 fees would cover the cost for enhancements to the core infrastructure.

10
11 Mayor Brunst asked the amount the applicants were budgeting for the core infrastructure
12 installation. Mr. Mansell said approximately \$2 million.

13
14 Mr. Davidson noted the Southwest Area Master Plan showed density blocks of high or medium
15 densities, but within those areas the density would vary. Some areas would have sixteen to
16 twenty-plus units to the acre in blended density areas, and it was likely the higher density areas
17 would develop more quickly than the low- or medium-density areas.

18
19 Mayor Brunst asked whether the indicated eight-inch sewer mainline would be sufficient. Sam
20 Kelly, City Engineer, said the sewer mainline would need to be larger than eight inches.

21
22 Mr. Seastrand asked if the density of the developments just north of the proposed annexation
23 area were similar or higher to what the applicants were looking to build. Mr. Bench said it would
24 be a similar density or higher, with capacity for 1900 ERUs.

25
26 Mr. Davidson said that, from a planning standpoint, the proposed plan to vary densities within
27 the area was consistent. An issue that could arise would be widely varying and differing opinions
28 on how the land should be used. He suggested the City Council anticipate the pushback that
29 could result in the annexation.

30
31 Mr. Bench gave a timeline for the annexation.

32 DISCUSSION – Fiscal Year 2016 Budget Timeline

33
34
35 Richard Manning, Director of Administrative Services, presented information on the Fiscal Year
36 2016 Budget Timeline. Mr. Manning said work sessions were proposed to look at upcoming
37 budget discussions to make sure the key points and values the City Council was looking for were
38 matched.

- 39 • January – Operations
 - 40 • February – Compensation; Finalize Capital Improvement Projects (CIP) program--CIP
41 team: Richard Manning, Chris Tschirki, Bill Bell, and Sam Kelly
 - 42 • March – Revenue Projection; Fees; General Fund
 - 43 • April – Enterprise Funds; CIP
 - 44 • April through June – work sessions as needed
- 45

DRAFT

1 Mr. Manning said the Tentative Budgets would be presented to the City Council for approval on
2 May 12, 2015. The Final Budgets would be presented to the City Council for adoption on June 9,
3 2015.

4
5 Mr. Sumner asked when discussion would take place about general fees. Mr. Davidson said
6 conversations on fees and other budget topics could be scheduled in advance in hopes that when
7 the Tentative Budgets were presented in May, there would be no surprises on either side of the
8 discussion.

9
10 Mr. Macdonald said it might be helpful to have smaller groups that would work closer on the
11 various budget topics and become subject-matter experts for the discussions. They could then be
12 resources for in-depth discussions on those topics, like long-term compensation and city fees.
13 Mr. Macdonald said he anticipated questions from the public about the budget items, and the
14 Council would like to be prepared for those questions.

15
16 Mr. Manning said it was the City Council's budget, and staff would do whatever worked best for
17 the Council so they would feel confident moving forward with the budget adoption. He would
18 continue to update the City Council as budget discussions developed.

19
20 Mr. Sumner said having a heads-up on what would be discussed allowed the Council to look into
21 the material beforehand and come prepared with questions. Mrs. Black agreed, and asked for
22 clarification on the timeline.

23
24 Mr. Davidson said the goal was for the discussions to be collaborative between staff and
25 Council. If Council members had particular questions or concerns, those should be scheduled
26 into the discussions. He said the idea of doing in-depth research beforehand and having subject-
27 matter experts was a good suggestion.

28 29 Preview Upcoming Agenda Items

30 Staff presented a preview of upcoming agenda items.

31 32 Agenda Review

33 The City Council and staff reviewed the items on the agenda.

34 35 City Council New Business

36 There was no new City Council business.

37
38 The Council adjourned at 5:45 p.m. to the City Council Chambers for the regular meeting.

39 40 **6:00 P.M. REGULAR SESSION**

41
42 CONDUCTING

Mayor Richard F. Brunst, Jr.

43
44 ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Tom
45 Macdonald, Mark E. Seastrand, David Spencer, and Brent
46 Sumner
47

1 APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Scott Gurney, Fire Department Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

11 INVOCATION /

12 INSPIRATIONAL THOUGHT

Carol Walker

13 PLEDGE OF ALLEGIANCE

Sam Lentz

15 APPROVAL OF MINUTES

17 There were no minutes to approve.

19 MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

21 Upcoming Events

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

24 Appointments to Boards and Commissions

25 Mayor Brunst **moved** to appoint Kathy Pranger to the SummerFest Committee. Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

29 Recognition of New Neighborhoods in Action Officers

30 There were no new Neighborhoods in Action Officers recognized.

32 PRESENTATION – Walter C. Orem Award – Eldred Sunset Manor Foundation

33 Karl Hirst, Recreation Director, presented the Walter C. Orem Award to the Eldred Sunset Manor Foundation. James Gilbert, Fred Johnson, Lee Francis, and Richard Sumsion of the Eldred Sunset Manor Foundation Board accepted the award.

34 Mr. Hirst said the Eldred Foundation had served Orem City seniors for decades. The generous donations of the Eldred Foundation had provided numerous upgrades at the Senior Center. The plaque presented to the Eldred Foundation was one-of-a-kind, and was made at the Senior Center woodshop.

35 Mayor Brunst gave a history of the life of L.J. Eldred and the charitable contributions he made through his life. L.J. Eldred moved to Utah in 1906 and lived in Provo until his passing in 1963. Mr. Eldred made large donations to the fraternal organizations he belonged to. He gave the first Iron Lung to the Provo Hospital, and gifted a dance hall to Provo City. Just prior to his passing,

1 Mr. and Mrs. Eldred donated \$75,000 which was used to build the Eldred Center in Provo. The
2 remainder of his estate in the amount of \$350,000 was left to the people of Utah County to
3 develop the Eldred Sunset Manor Foundation. In the hands of wise investors, the Foundation
4 continued to grow and offered annual grants to local senior centers as well as other non-profit
5 organizations. The Orem Senior Friendship Center had been a recipient of the Eldred grant for
6 many years, which had provided for transportation, updates to computers, exercise equipment,
7 electronics, and so much more to improve the activities and offerings for the seniors in the
8 community.

9
10 Mr. Gilbert thanked the City on behalf of the Board of Directors for the award. He said L.J.
11 Eldred would be very proud to see the exceptional job the City of Orem was doing to take care of
12 seniors and treat them so kindly and sensitively and respectfully.

13
14 Gena Bertelsen, program director at the Orem Senior Center, presented a preserved scrapbook to
15 the Eldred Foundation Board members. The scrapbook was an update of the Foundation's old
16 scrapbook, to ensure the preservation of the photos and early history of L.J. Eldred and the
17 Eldred Sunset Manor Foundation. Mr. Gilbert thanked Mrs. Bertelsen for her care in preserving
18 the scrapbook, and her commitment to seniors in the community.

19 20 **CITY MANAGER'S APPOINTMENTS**

21 Appointments to Boards and Commissions

22 There were no City Manager appointments.
23
24

25 **PERSONAL APPEARANCES**

26
27 Time was allotted for the public to express their ideas, concerns, and comments on items not on
28 the agenda. Those wishing to speak should have signed in prior to the meeting, and comments
29 were limited to three minutes or less.

30
31 David Gonzalez, resident, said he was attending his first City Council meeting. He came to the
32 United States as an immigrant and became a citizen and had previously been an Orem resident
33 for many years. Mr. Gonzalez said he was amazed at the service and the commitment civil
34 servants gave to their communities. He was grateful for the opportunity to come, experience, and
35 be part of the process.

36
37 Sam Lentz, resident, asked what needed to be done to move forward with UTOPIA. Murray City
38 had been working to fix UTOPIA outside of the constructs of the Macquarie negotiations. He
39 said the only action he had seen from Orem was inaction, which was not paying Orem's share of
40 the operating expenses. He said he was curious to hear the Council's plan to make progress with
41 UTOPIA and take the next steps. Mr. Lentz said Mayor Brunst had expressed concern about
42 having no vote with UTOPIA. Mr. Lentz said wanted to see Orem cover the debt on UTOPIA
43 and start using dedicated funds to fix the system and get it up and running. Mr. Lentz said he
44 understood the concern of a thirty-year utility fee, but he believed the fee would only be required
45 for five years to accomplish what it was supposed to accomplish.

1 **CONSENT ITEMS**

2
3 There were no Consent Items.

4
5 **SCHEDULED ITEMS**

6
7 6:20 P.M. CONTINUED PUBLIC HEARING – PD-34 Zone & Appendix BB
8 ORDINANCE - Amending pages 9 through 11 of Appendix ‘BB’ of the Orem City Code
9 (Conceptual Road Location and Types) Pertaining to the PD-34 Zone at 575 East
10 University Parkway

11
12 Mr. Bench, along with Kris Longson and Kathy Olson with Woodbury Corporation, reviewed
13 with the Council the Planning Commission’s recommendation to amend, by ordinance, pages 9
14 through 11 of Appendix BB of the Orem City Code (Conceptual Road Location and Types)
15 pertaining to the PD-34 zone at 575 East University Parkway. He indicated that PD-34 zone
16 (University Place) was established to allow for the development of a large, mixed-use
17 development including retail, office, residential, recreational and other uses. Appendix BB was
18 adopted as part of the PD-34 zone and contained the concept plan for the zone including several
19 pages that showed the conceptual locations and types of roads in the interior of the project.

20
21 After continuing to work on the design and layout of the project, Woodbury would like to make
22 certain changes to pages 9 through 11 of Appendix BB. Those pages showed the anticipated
23 locations of future streets in the development, the types of streets that were anticipated and
24 illustrations showing possible configurations for each type of street.

25
26 Although Appendix BB illustrated the conceptual locations and types of roads within the interior
27 of the zone including several possible configurations for each type of road (eight possible
28 configurations for Connector Streets), Section 22-11-47(H)(8)(a) still required that an updated
29 traffic study be provided with each new site plan (unless waived by the City Engineer) and the
30 updated traffic studies would help determine which of the potential configurations would
31 function best in a given area.

32
33 Mr. Longson said the reason they were applying for the amendments was that the original exhibit
34 was limiting and tying hands for more appropriate configuration of those streets. They wanted
35 more flexibility and creativity in how the streets would be configured and were coming to the
36 City Council to follow proper procedure to allow for those changes.

37
38 Mayor Brunst asked about the schedule for building the roads.

39
40 Mr. Longson said some roads were currently being built and modifications had been made for
41 utilities and for the new office building. The next major road would be the connector between
42 State Street and 800 East, which would not be built until the demolition of the former Mervyn’s
43 building. Mr. Longson said the build-out on the east side would likely begin later in 2015, once
44 the underground parking on University Parkway was in place. They could then start demolition
45 and move forward with the next phase. He said they wanted to maintain appropriate parking
46 ratios as the phases moved forward in sequence.

1 Mr. Sumner asked if there was an opening date for RC Willey. Mr. Longson said there was not
2 an officially announced date as of yet, but they anticipated that would be announced by RC
3 Willey soon.

4
5 Mayor Brunst opened the public hearing. When no one came forward to speak, he closed the
6 public hearing.

7
8 Mr. Seastrand **moved**, by ordinance, to amend pages 9 through 11 of Appendix BB of the Orem
9 City Code (Conceptual Road Location and Types) pertaining to the PD-34 zone at 575 East
10 University Parkway. Mrs. Black **seconded**. Those voting aye: Margaret Black, Richard F.
11 Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. Those voting nay:
12 Hans Andersen. The motion **passed**.

13
14 6:20 P.M. Public Hearing – Brighton Towers

15 ORDINANCE – Amending Section 22-11-35(K) of the Orem City Code pertaining to retail
16 use requirements in the PD-22 zone, Section 22 11-35(L)(4)(b) pertaining to parking
17 requirements in the PD-22 zone, Appendix ‘Q’ of the Orem City Code pertaining to the PD-
18 22 zone, and Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by
19 changing the zone on approximately 1.90 acres located generally at 958 North 1200 West
20 from the Highway Services (HS) zone to the PD 22 zone

21
22 The item was withdrawn by the applicant.

23
24
25 CITY COUNCIL APPEAL – Appeal of the Approved Amended Site Plan of Amiron
26 Village at 1360 North Amiron Way in the R6 Zone

27
28 Mr. Bench reviewed with the City Council the applicant’s request that the City Council reverse
29 the Planning Commission approval of the amended site plan of Amiron Village at 1360 North
30 Amiron Way in the R6 zone pertaining to pedestrian access to openings in the existing fence at
31 375 and 325 West.

32
33 The matter was before the City Council as an appeal of the Planning Commission decision on
34 December 3, 2014, to approve an amended site plan for the Amiron Village development. The
35 amended site plan allowed an opening in the fence surrounding the Amiron Village project at
36 two separate locations where 375 West and 325 West Streets dead end into the Amiron Village
37 development. The openings in the existing fence would provide access to sidewalks adjacent to
38 375 West and 325 West.

39
40 Mr. Bench said Kelly Liddiard filed the original application to amend the Amiron Village site
41 plan. He requested the two openings in the fence to provide greater convenience and access for
42 residents of the Amiron Village project to the adjoining neighborhoods. The Planning
43 Commission denied a similar request to allow openings in the Amiron Village fence in 2002.

44
45 Amiron Village was developed in 1981 as a Planned Residential Unit Development (PRUD) in
46 the R6 zone. The PRUD ordinance was the predecessor to the City’s current Planned Residential
47 Development (PRD) ordinance. In 1981, a PRUD was permitted in the R6 zone as well as certain

1 other residential zones. Since then, however, the ordinance had been amended and a similar
2 project could only be developed in the PRD or a Planned Development (PD) zone.

3
4 In 1981, a perimeter fence was not required for a PRUD. However, the PRD ordinance now
5 required a six foot perimeter fence to be constructed around the perimeter of a PRD. In other
6 words, Amiron was not required to construct a perimeter fence when it was built in 1981, but if it
7 were to be built today, a perimeter fence would be required.

8
9 The stated purpose of the City’s current fencing requirement for PRDs was “to buffer the
10 surrounding residential neighborhoods from the PRD and to buffer the PRD from surrounding
11 commercial and manufacturing uses.” An argument could therefore be made that allowing
12 openings in the fence would be contrary to the intent of the PRD fence requirement as it would
13 reduce the effectiveness of the fence as a buffer.

14
15 On the other hand, allowing openings in the fence would have some positive effects and would
16 further certain City objectives.

17
18 For example, in 2010 the City Council adopted a Bicycle and Trails Master Plan which had as
19 one of its purposes to make Orem “the most bicycle and pedestrian friendly city in the State of
20 Utah”. One of the objectives of this plan was to implement “an accessible network of pedestrian
21 supportive infrastructure, including sidewalks, curb ramps and trails in high-priority pedestrian
22 areas.” Allowing openings in the Amiron fence would make the area more pedestrian and bicycle
23 friendly and would therefore further the objectives of the Bicycle and Trails Master Plan.

24
25 Providing pedestrian access between the Amiron development and the neighboring residential
26 areas would also increase safety for children and all pedestrians and, through greater
27 interconnectedness, should foster community cohesiveness.

28
29 On December 3, 2014 the Planning Commission voted 7-0 to approve the amended site plan
30 allowing the two (2) fence openings for Amiron Village to provide access to the public sidewalks
31 on 325 West and 375 West. The application to appeal the decision was filed by Leah Pulver on
32 December 9, 2014.

33
34 Because the openings in the fence furthered the City’s objectives in promoting pedestrian and
35 bicycle circulation, staff recommended that the City Council uphold the decision of the Planning
36 Commission and that the appeal be denied.

37
38 Mr. Sumner asked about a measurement on the proposed fence opening. Mr. Bench said it would
39 be thirty inches across, just wide enough for a person to get through.

40
41 Mayor Brunst opened the discussion for public comment.

42
43 Leah Pulver, applicant and resident, said her mother’s home was located next to the fence where
44 the opening would be on 325 West, mere feet away from her driveway, which was a safety
45 concern with no gate. Ms. Pulver expressed concern about the (1) safety of children playing at
46 the playgrounds and crossing the streets; and (2) possibility of increased thefts—based upon
47 previous experiences—by some residents of Amiron Village. While an opening in the fence

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1 would make ward business somewhat easier to conduct, she said she did not believe it would
2 make much of a difference in that aspect.

3
4 Chris Tschirki, resident and Public Works Director, said he came before the City Council not as
5 an Orem employee, but a long-time Orem resident of the neighborhood. He said he had recused
6 himself from discussions and remained neutral on the issue with neighbors, coworkers, and
7 Council members. Mr. Tschirki said ultimately the decision was up to the City Council, and he
8 would support whatever decision they made. He said he hoped his neighborhood would remain
9 unified regardless of the outcome.

10
11 Charles Tanner, resident, said the fences were for the community's protection and should remain
12 closed. The issue had been dealt with fifteen years before, and wondered why it kept coming up
13 again. He had seen the value of putting a road through to help with public safety issues in the
14 area, but he did not see that opening the fence would be helpful.

15
16 Alan Knight, resident, said it was great to have the opportunity to speak to the City Council. He
17 said he enjoyed his neighbors and neighborhood but was in favor of keeping the fence closed. If
18 opened, it would only be a matter of time before a child was hit by a vehicle passing through.

19
20 Jovy Moss, resident, said her home was situated near the proposed opening, and she would be
21 directly affected by the outcome of the City Council's decision. Ms. Moss read an email she had
22 sent to the Council on the matter stating her desire to keep the fence closed. She said she had
23 once been a resident of Amiron Village and had no concerns with the residents there, but she was
24 concerned about the safety of the neighborhood children, added parked cars in the neighborhood,
25 and accessibility of snow plows. Ms. Moss expressed concern that the property value would be
26 adversely affected if the fence opening was approved.

27
28 Paul Judd, resident, said he favored keeping the fence closed. He believed when the fence was
29 opened years ago it became a public nuisance. During that time, parking in the neighborhood
30 was congested and posed safety issues. Mr. Judd said he believed it could cause good neighbors
31 to move out and less desirable neighbors to move in.

32
33 Kelly Liddiard, president of the home owners association (HOA) for Amiron Village, said the
34 main reason the openings were proposed was to reduce the damage caused by people climbing
35 the fence, and to eliminate further liability because of that. He said he sent the City Council and
36 the Mayor photos of other developments with similar fence openings that had locked gates.
37 Many of those developments had street frontage, which Amiron Village did not have. The HOA
38 wanted to maintain the fence and allow neighbors to be able to go through to either side without
39 always having to go around. Smoking had been a concern, so the HOA established a no-
40 smoking, zero-tolerance rule which had decreased the "less desirable" tenants significantly.

41
42 Joanie Kelly, resident of Amiron Village, said she would be excited to have the fence open. She
43 had two children and felt that Amiron Village was a safe neighborhood and a good place for
44 children to be. She walked through the neighborhood frequently and was excited at the prospect
45 of having an easier throughway to get into the neighborhood. It took her two years to get to know
46 her neighbors because the fence was a deterrent. Ms. Kelly saw the fence opening as an
47 opportunity to foster neighborhood unity.

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1 D.B. Long, vice president of the Amiron Village HOA, said he agreed with Mr. Liddiard about
2 wanting to maintain the fence and avoid liability issues with people climbing it. The more senior
3 neighbors were concerned over things that had happened fifteen to twenty years ago, and the
4 Amiron Board had worked very hard to remove the “less desirable” element that was present at
5 that time. They were attracting good, young families, and Mr. Long was concerned to see old
6 concerns coming up in a new setting. He said Amiron Village was not the place it used to be, and
7 he hoped to see Amiron Village be part of the community.

8
9 LaNae Millett, resident, presented information on the zoning history of the land Amiron Village
10 was built on. At the time Amiron Village was built, the developer and neighbors agreed that a
11 fence would be placed around the development. The agreement was written in the site plan, and
12 the fence was constructed. Section 22-14-20(A) of the Orem City Code stated that a site plan was
13 a binding document. Ms. Millett said Amiron Village required a fence under the Private
14 Residential Development (PRD) ordinance, the purpose of which was to provide a buffer for
15 surrounding neighborhoods. The ordinance said an exception could be made along street
16 frontage, but Amiron Village had no street frontage. The area where the openings were proposed
17 was to the back of Amiron Village, where pedestrians could walk by the bedroom windows of
18 Amiron residents. She favored keeping the fence closed. The fence served not only as a buffer
19 but to preserve and protect privacy. In 2002, the Planning Commission said Section 22-14-20(D)
20 was their reasoning for closing the openings, which stated factors to consider for amendments to
21 site plans included whether the proposal promoted the health, safety, and welfare of the
22 community.

23
24 David Gonzalez, board member of Amiron Village HOA, said his daughter and grandchildren
25 lived in Amiron Village and he felt the community was safe. He was grateful to live in a country
26 that valued freedom, and continued to evolve to protect those freedoms. Mr. Gonzalez said cities
27 change and often change for the better. He said was in favor of opening the fences even as he
28 understood the concerns. Mr. Gonzalez invited those concerned to embrace their neighbors.

29
30 Diane Knight, resident, said this was not a group of mean-spirited people, but a group of citizens
31 that had gone through difficult events they did not want to repeat. She favored keeping the fence
32 closed. Many in the neighborhood had bought their homes because the street was a dead end,
33 which offered security and privacy.

34
35 Georgia Omer, resident, said she favored keeping the fence closed because Amiron Village
36 residents would park in the neighborhood because it was closer than parking in the Amiron
37 Village. When the fence was opened years ago, the parking situation got so bad that garbage was
38 not picked up and mail was not delivered because the trucks could not get through the
39 neighborhood.

40
41 Shawna Campbell, resident, reiterated the sentiments already shared in her email to the City
42 Council and said she favored keeping the fence closed.

43
44 Craig Sheeney, resident, said that he and his wife preferred to live in a quiet, close-knit
45 neighborhood with little foot traffic, which was what led them to purchase a home in that
46 neighborhood. He said the dead-end street with a fence buffer seemed an ideal and safe place to

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1 raise children because there would be limited foot traffic through the neighborhood. He said he
2 favored keeping the fence closed.

3
4 Mayor Brunst closed public comments and brought the discussion back to the Council.

5
6 Mr. Seastrand said there had been a number of issues from Amiron Village that had come before
7 the City Council during his years of service. He complimented Mr. Liddiard and Mr. Long and
8 the HOA for their organization's hard work and efforts made to improve the neighborhood. Mr.
9 Seastrand said the reasons he had heard to open the fence were (1) to minimize damage to the
10 fence, and (2) allow greater accessibility through the neighborhood for residents. The reasons he
11 heard to keep the fence closed were (1) parking issues, and (2) safety concerns for neighborhood
12 children. In neighborhoods with similar fence issues, the openings were to connect to street
13 frontage or parks, whereas the proposed openings would open into private residences. Mr.
14 Seastrand wondered if the no-smoking policy at Amiron Village was causing smoking issues in
15 other neighborhoods. He said the nature of the PRD in the neighborhood raised some questions
16 in his mind as to why those decisions were made years ago, especially the lack of a cul-de-sac on
17 325 West, but there was no redo button they could push so they had to move forward with
18 improvements in the best way they could. Mr. Seastrand said his gut feeling was the fence should
19 remain closed to protect the security of children, and protect the playground and other amenities
20 the HOA paid for. He suggested there were other ways to secure the fence and deter people from
21 climbing over it. He said he hoped the neighborhood could come together regardless of the
22 decision that was made.

23
24 Mr. Spencer asked Mr. Liddiard if any HOA board members were residents of Amiron Village.
25 Mr. Liddiard said there were two board members who resided at Amiron Village. Mr. Spencer
26 asked who enforced the no-smoking rule. Mr. Liddiard said he, along with board members,
27 enforced the policy. He said he went through about three times a week, and the board members
28 who lived in Amiron Village reported violations to him and the vice president of the HOA. Mr.
29 Long added the fine for violating the no-smoking rule was \$25 the first time, and increased in
30 increments of \$25 for subsequent offenses up to \$100.

31
32 Mr. Macdonald said Mr. Seastrand had summarized many of his own thoughts, and he had
33 nothing more to add.

34
35 Mrs. Black said she appreciated the information she received from residents, and read everything
36 very carefully. She listened to the discussion on the issue from the Planning Commission
37 meeting, and went to the neighborhood both at daytime and at night. The reasons she heard for
38 opening the fence were:

- 39 • Increased access to the neighborhood to promote social and ecclesiastical relationships
- 40 • To make it easier to walk to areas in the north
- 41 • To prevent property damage to the fence
- 42 • Egress for residents for safety purposes
- 43 • The right to access the public street area
- 44 • Amiron Village had much improved in regulations and the general environment in the
45 years since the fence was last opened many years ago
- 46 • Many similar developments had gates or openings in their fences that led onto public
47 property, although the nature of the public street in this instance was different.

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- The staff had indicated the openings would support the City Bicycle and Trails Master Plan for more bicycle and pedestrian access throughout the city.

Mrs. Black said the reasons she heard for keeping the fence closed were:

- History of bad experiences from when the fence was opened many years ago
- Fear of the unknown – potential problems with:
 - Parking
 - Smoking
 - Trash
 - Criminal activities
 - Strangers in the neighborhood

Mrs. Black said her thoughts on the matter were also conflicting, but she thought that access could be a very good thing. Barriers like fences tended to discourage building those relationships, but an opening could allow neighbors to have increased friendship and comradery with one another. Mrs. Black said she felt the fence should not be considered much of a crime-prevention tool, especially as people were already crossing the fence without openings. Mrs. Black said conditions had improved and changed at Amiron since the last opening, and perhaps it was time to give it another try. The parking issue was the real concern. She suggested perhaps a permit situation for street parking in the neighborhood. She also suggested opening only one access on 375 West, and monitoring that for a probationary time period to see if old problems arose.

Mr. Andersen said he had visited the neighborhoods as well. He thought the idea of opening the fences to promote pedestrian and bicycle traffic was not ideal, because the paths would go by windows of residents and through backyards.

Mr. Sumner said he appreciated the process that allowed for residents to be heard. He said he had asked those who contacted him for solutions and had not heard any, other than allowing the fence to open or remain closed. Mr. Sumner said he did not believe fences kept neighbors from fostering friendships, or that openings would take away value from homes there, but he thought it could bring back old problems. The parking permit idea could work, but that would be a process that took time to establish.

Mayor Brunst said he appreciated how much time and effort each councilmember put into researching the issue. He had also visited the neighborhood, as well as similar neighborhoods with developments nearby. He thanked Mr. Liddiard and the HOA for their efforts to make Amiron Village a nicer neighborhood. There was an opening in the south fence of Amiron Village to street frontage and cars were parking on the road overnight, but the openings proposed would be different. Mayor Brunst reiterated many of the points Mr. Seastrand made, and said he was not in favor of an opening in the 325 West fence. He appreciated the compromise Mrs. Black had suggested.

Mayor Brunst **moved**, by resolution, to reverse the Planning Commission approval of the amended site plan of Amiron Village at 1360 North Amiron Way in the R6 zone, pertaining to pedestrian access to openings in the existing fence at 375 West and 325 West. Mr. Spencer **seconded**. Those voting aye: Hans Andersen, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. Those voting nay: Margaret Black. The motion **passed**.

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1 **COMMUNICATION ITEMS**

2
3 BUDGET REPORT – December 2014

4 The Budget Report was included in the packets distributed to the City Council.

5
6 **CITY MANAGER INFORMATION ITEMS**

7
8 Mr. Davidson had no information items.

9
10 **ADJOURNMENT**

11
12 Mr. Andersen **moved** to adjourn the meeting. Mr. Spencer **seconded** the motion. Those voting
13 aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand,
14 David Spencer, and Brent Sumner. The motion **passed** unanimously.

15
16 The meeting adjourned at 7:38 p.m.

CITY OF OREM
CITY COUNCIL MEETING
 FEBRUARY 10, 2015



REQUEST:	RESOLUTION - General Plan Amendment – Amending the Orem General Plan by changing the land use designation from low density residential (LDR) to community commercial (CC) on approximately 0.25 acres located generally at 556 West 1830 North ORDINANCE - Rezone – Amending Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from the R8 zone to the C2 zone on approximately 0.25 acres located generally at 556 West 1830 North
APPLICANT:	Kevin Hawkins
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- E-mailed to newspapers
- Mailed 100 notifications to properties within the 500' of the proposed rezoned property on January 21, 2015.

SITE INFORMATION:

General Plan Designation:
Low Density Residential
 Current Zone:
R8
 Acreage:
0.25
 Neighborhood:
Northridge
 Neighborhood Chair:

PLANNING COMMISSION RECOMMENDATION
6-0

PREPARED BY: Clinton A. Spencer Planner

REQUEST: The applicant requests the City Council amend the General Plan by changing the land use designation from low density residential (LDR) to community commercial (CC) and amend Section 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from the R8 zone to the C2 zone on approximately 0.25 acres located generally at 556 West 1830 North

BACKGROUND: The applicant owns a parcel of property located directly south of the new Kneaders restaurant and consisting of approximately .25 acres. The applicant would like to combine the subject property with adjoining parcels (which are already zoned C2) for the construction of a new Vasa fitness center and other retail pads. It is anticipated that the subject property would be used primarily as parking area for these uses.

In 2012, the City Council denied a rezone request for a multifamily development on this property. The land is currently vacant.

The property is designated as low density residential on the General Plan and is zoned R8. In order to use the property for the proposed development, the General Plan designation needs to be changed from low density residential to community commercial and the zone from R8 to C2.

A neighborhood meeting regarding the proposal was held on December 15, 2014, and five neighbors attended. Concern was expressed regarding fencing materials, dumpster location, traffic and accesses for the proposed development.

The proposed General Plan amendment and rezone request was heard by the Planning Commission on Wednesday, February 4, 2015 and the Planning Commission recommended approval of the request.

Advantages of the proposal:

- The property is directly adjacent to the C2 zone and it is reasonable to combine the property with the adjacent commercial (C2) zone;

- Rezoning the subject property would allow for the development of a long-standing vacant property along State Street;

Disadvantages of the proposal:

- None identified

RECOMMENDATION: The Planning Commission and staff recommend the City Council amend the General Plan by changing the land use designation from low density residential (LDR) to community commercial (CC) and amend Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8 to C2 on approximately 0.25 acres located generally at 556 West 1830 North.

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RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL AMENDING THE GENERAL PLAN BY CHANGING THE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMUNITY COMMERCIAL (CC) ON 0.25 ACRES LOCATED GENERALLY AT 556 WEST 1830 NORTH FROM R8 TO C2

WHEREAS on November 24, 2014, Kevin Hawkins filed an application with the City of Orem requesting that the City amend the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) on 0.25 acres located generally at 556 West 1830 North as shown on Exhibit "A" which is attached hereto and incorporated herein by reference; and

WHEREAS amending the General Plan from LDR to CC will allow the property to be rezoned to C2 as requested by the applicant; and

WHEREAS the City posted the City Council agenda, which includes the subject application, in the Orem Public Library, on the Orem City Webpage, and at the City Offices at 56 N State Street; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on February 4, 2015 and the Planning Commission recommended approval of the application; and

WHEREAS a public meeting considering the subject application was held by the City Council on February 10, 2015; 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 surrounding neighborhoods and the special conditions applicable to the request.

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

1. The City Council finds that this request is in the best interest of the City because it will allow the subject property to be combined with other adjacent parcels that are already zoned commercial and allow for the development of a new Vasa fitness center and other retail pads.
2. The City Council hereby amends the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) on 0.25 acres located generally at 556 West 1830 North as shown on Exhibit "A" which is attached hereto and incorporated herein by reference.

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

4. All resolutions or policies in conflict herewith are hereby repealed.

5. This resolution shall take effect immediately upon passage.

PASSED and APPROVED this 10th day of February 2015.

Richard F. Brunst, Jr., Mayor

ATTEST:

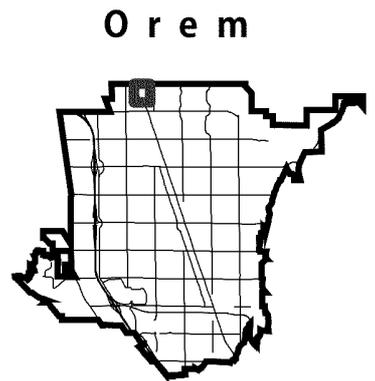
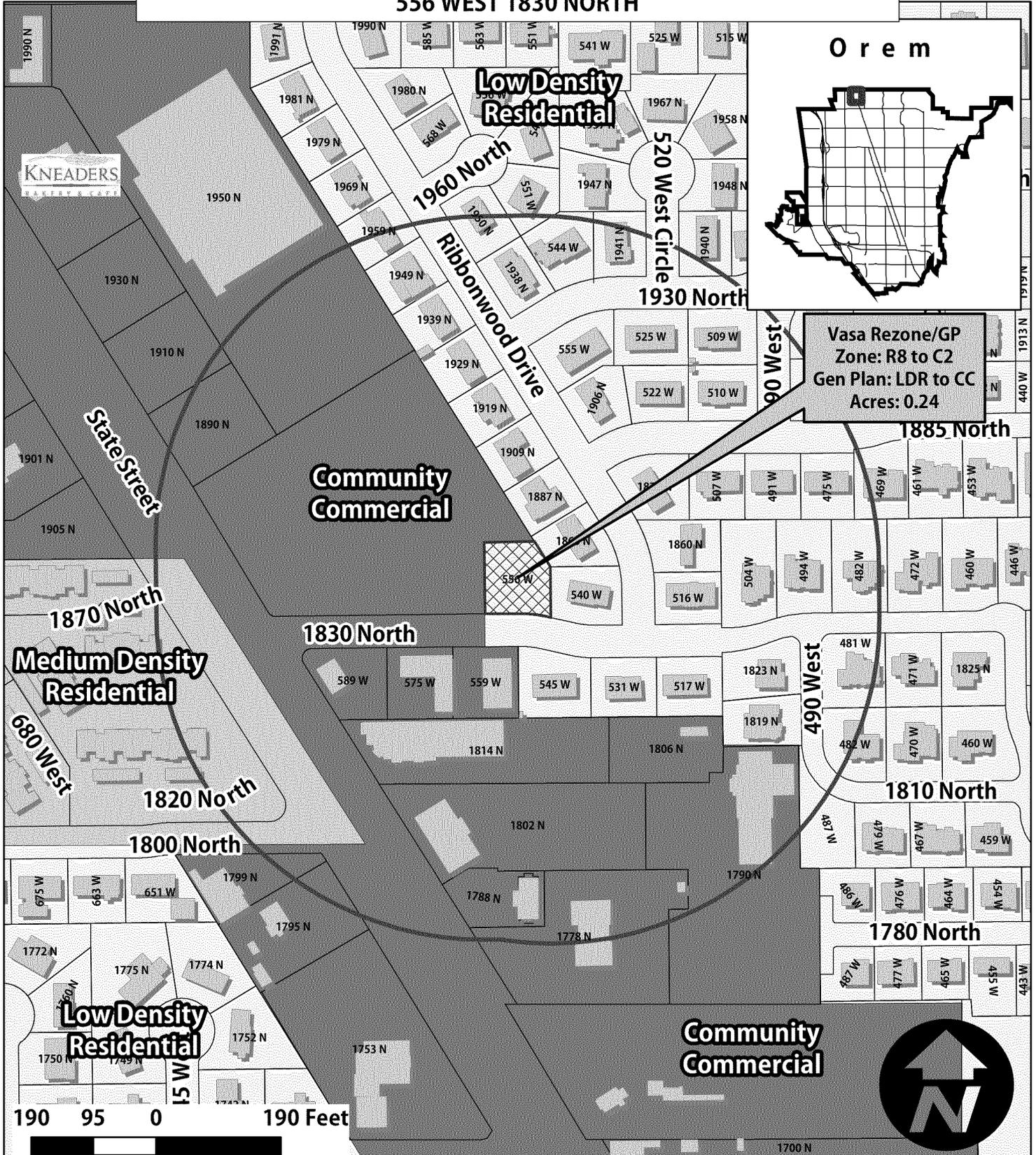
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

Vasa Rezone/ General Plan Change

556 WEST 1830 NORTH



Vasa Rezone/ GP
Zone: R8 to C2
Gen Plan: LDR to CC
Acres: 0.24

◆ Vasa Rezone/ GP Change:
R8 to C2; LDR to CC; 0.24 Acres

NIA CONTACT:
Northridge
Neighborhood

- Legend**
- Notification Boundary
 - Vasa Rezone
 - Buildings
 - Parcels

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ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING THE PROPERTY LOCATED GENERALLY AT 556 WEST 1830 NORTH FROM THE R8 ZONE TO THE C2 ZONE

WHEREAS on November 24, 2014, Kevin Hawkins filed an application with the City of Orem requesting that the City amend Article 22-5-3(A) of the Orem City Code and the zoning map of the City of Orem by changing the zone from the R8 zone to the C2 zone on approximately 0.25 acres located generally at 556 West 1830 North as shown on Exhibit "A" which is attached hereto and incorporated herein by reference; and

WHEREAS rezoning the subject property from R8 to C2 will allow it to be combined with other adjacent parcels that are already zoned C2 and will allow for the development of a new Vasa fitness center and other retail pads; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on February 4, 2015, and the Planning Commission recommended approval of the application; and

WHEREAS the City posted the City Council agenda in the Orem Public Library, on the Orem City Webpage, and at the City Offices at 56 N State Street; and

WHEREAS a public hearing considering the subject application was held by the City Council on February 10, 2015; 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 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:

The City Council finds that this request is in the best interest of the City because it will allow the subject property to be combined with other adjacent parcels that are already zoned commercial and allow for the development of a new Vasa fitness center and other retail pads.

2. The City Council hereby amends Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone on approximately 0.25 acres located generally at 556 West 1830 North as shown on Exhibit "A" from the R8 zone to the C2 zone.

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

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4. All ordinances in conflict herewith are hereby repealed.

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

PASSED, APPROVED and ORDERED PUBLISHED this 10th day of February 2015.

Richard F. Brunst, Jr., Mayor

ATTEST:

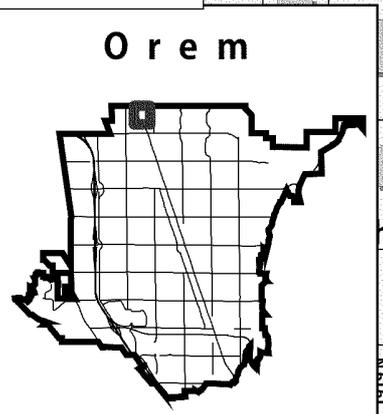
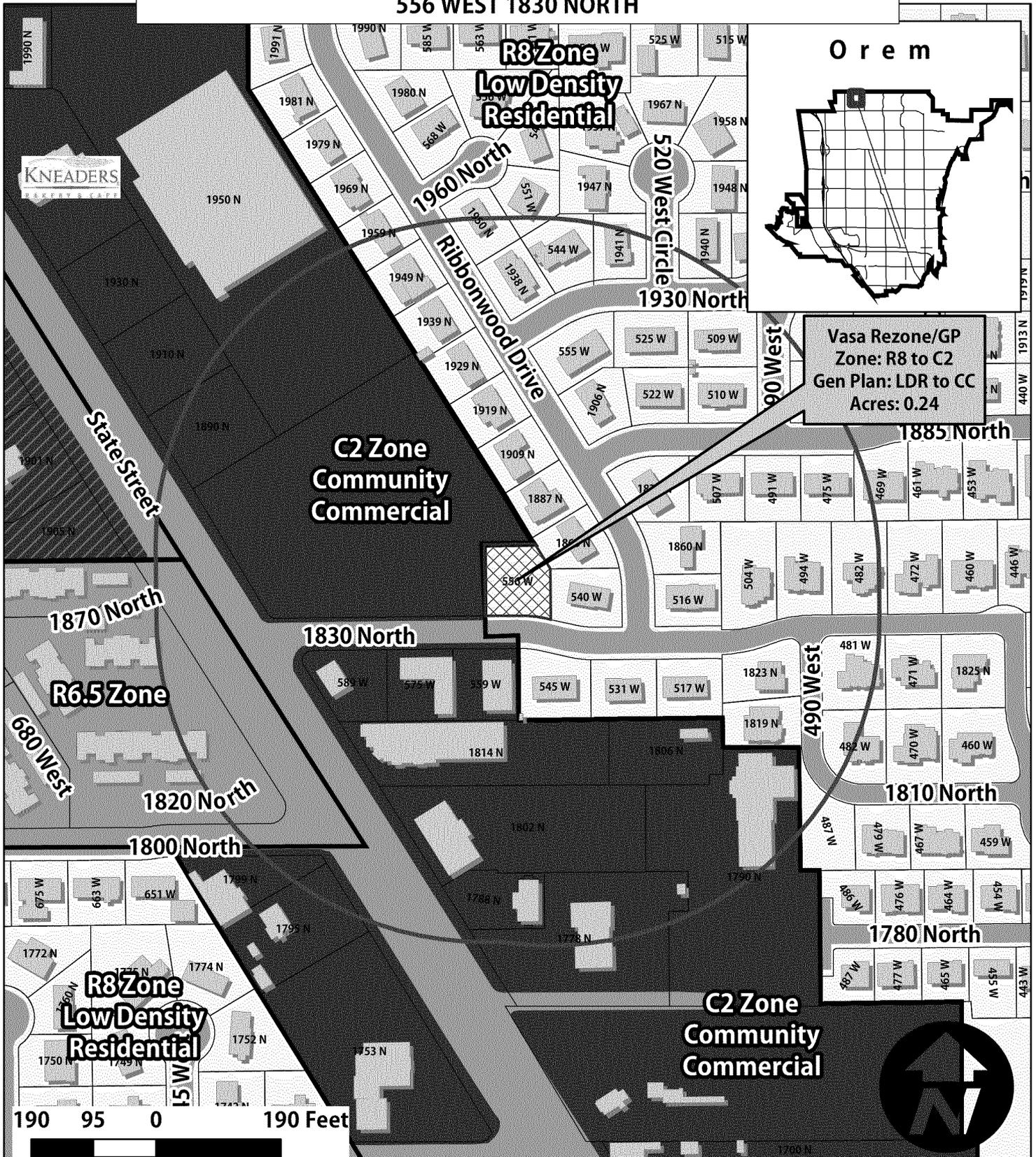
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

Vasa Rezone/ General Plan Change

556 WEST 1830 NORTH

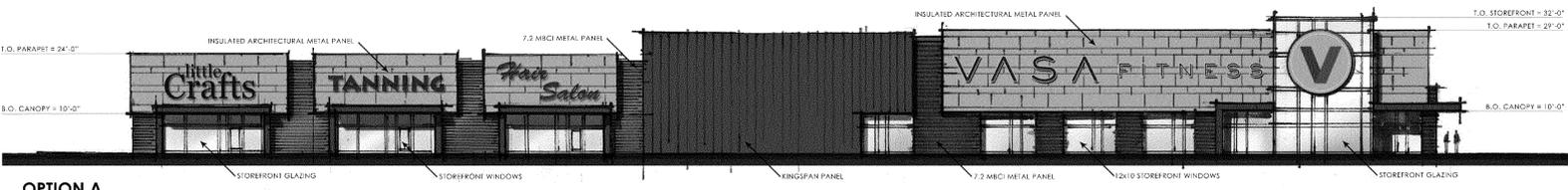


**Vasa Rezone/GP
Zone: R8 to C2
Gen Plan: LDR to CC
Acres: 0.24**

◆ **Vasa Rezone/ GP Change:
R8 to C2; LDR to CC; 0.24 Acres**

**NIA CONTACT:
Northridge
Neighborhood**

- Legend**
- Notification Boundary
 - Vasa Rezone
 - Buildings
 - Parcels



OPTION A

VASA FITNESS - CONCEPTUAL ELEVATIONS
 OREM, UTAH



1 **DRAFT PLANNING COMMISSION MINUTES – FEBRUARY 4, 2015**

2 **AGENDA ITEM 4.1** is a request by Kevin Hawkins to **AMEND THE GENERAL PLAN BY CHANGING THE LAND USE**
3 **DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMUNITY COMMERCIAL (CC) AND AMEND**
4 **ARTICLE 22-5-3(A) OF THE OREM CITY CODE AND THE ZONING MAP OF OREM CITY BY CHANGING THE ZONE**
5 **FROM R8 TO C2 ON APPROXIMATELY 0.25 ACRES** locate generally at 556 West 1830 North.

6
7 **Staff Presentation:** Mr. Spencer said the property proposed for rezone is located directly south of the new Kneaders
8 restaurant. In 2012, the City Council denied a rezone request for a multi-
9 family development on this property. Currently the land is vacant.



10 The applicant is proposing to construct a fitness center with additional retail
11 pads on the site. The fitness center business, Vasa Fitness, generally likes to
12 have as much parking as possible for their use. In order to utilize all of their
13 property, a General Plan and zone change are required on 0.25 acres of their
14 proposed site plan. The property is now zoned R8, which is does not allow
15 commercial uses, nor does the General Plan land use designation of Low
16 Density Residential (LDR). The C2 zone allows for this use as well as many other commercial uses.

17
18 If the rezone and General Plan land use changes are approved the applicant will then go through site plan approval
19 before constructing their building(s), which requires Planning Commission approval. The proposed rezone and
20 General Plan amendment will be heard by the City Council on Tuesday, February 10, 2015. No official application
21 has been made for the site plan.
22

23
24 **Traffic:** A traffic impact study has been required for this development and will be completed before the request
25 goes to the City Council for review. The City Traffic Engineer requires that the applicant complete an asphalt
26 connection between their site and the Kneaders site via the cross access easement shown on the Kneaders
27 Subdivision plat.
28

29 **General Plan:** The current General Plan designation for this portion of the property is Low Density Residential, and
30 is proposed to change to Community Commercial, similar to the surrounding property. The proposed use of a
31 fitness center meets the requirements of the General Plan which states that the CC classification satisfies the needs
32 of a community or group of neighbors.
33

34 **Neighborhood Meeting:** A neighborhood meeting for the proposed rezone was held on December 15, 2014. Five
35 neighbors were in attendance. The concerns regarding the project dealt with fencing materials, dumpster location,
36 traffic and accesses. An additional neighborhood meeting was held by staff to address the General Plan change on
37 Wednesday, January 28, 2015.
38

39 After reviewing the proposed rezone and ordinance amendment, staff has listed some advantages and disadvantages
40 in respect to the proposal.
41

42 **Advantages of the proposal:**

- 43 • The property is directly adjacent to the C2 zone into the zone and it makes sense to incorporate the property
44 into the commercial (C2) zone;
- 45 • Allows for the development of a long standing vacant property along State Street;
- 46 • Increases the amount of services available to Orem residents;

47
48 **Disadvantages of the proposal:**

- 49 • None identified

50
51 **Recommendation:** Based on the advantages outlined above staff recommends the Planning Commission forward a
52 positive recommendation to the City Council regarding the request to amend the General Plan by changing the land
53 use designation from Low Density Residential (LDR) to Community Commercial (CC) and amending Article 22-5-
54 3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8 to C2 on
55 approximately 0.25 acres located generally at 556 West 1830 North.
56

57 Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.
58
59 Chair Moulton asked about the easement. Mr. Spencer said there is a 24-foot easement that connects with the
60 Kneader's property.
61
62 Vice Chair Iglesias asked about the discussion in the neighborhood meeting about the dumpster. Mr. Spencer said
63 the dumpster is shown next to the residential. The location of the dumpster will be discussed with the site plan.
64
65 Mr. Whetten said the previous item dealt with the issue of having lots of asphalt and the buildings being set back off
66 the road. He wondered if the City wanted to start encouraging developers to move the building forward and avoid
67 the large asphalt parking lots. Mr. Spencer said they have talked to the applicant about having the buildings closer
68 to the street; however there is no formal requirement to do that. Mr. Whetten said the City may want to look to
69 make that change in the general planning for the future. Mr. Spencer said the parking seems excessive, but could be
70 converted to retail pad sites in the future.
71
72 Chair Moulton asked if there is a traffic study. Mr. Spencer said there was a traffic study submitted and the Traffic
73 Engineer has approved the study. He noted that it has two accesses and an additional one through the Kneader's
74 property there is good traffic flow.
75
76 Chair Moulton asked if they could have access directly to State Street. Mr. Spencer said that State Street is a UDOT
77 street. Mr. Goodrich said the applicant did not even consider having access to State Street. Over time the City
78 needs to do a better job of applying access management principles. This is a good plan because of the three different
79 access points.
80
81 Chair Moulton invited the applicant to come forward. Tom Hawkins introduced himself.
82
83 Kevin Hawkins, Hawkins Development said the neighborhood meeting was a very favorable meeting. The
84 dumpster was discussed; the neighbors wanted it to be put by a certain neighbor's backyard. This is not a use like a
85 grocery store or restaurant that has a lot of smelly trash. The dumpster needs to be located in a place where the truck
86 can back up in a drive isle. The Staff did suggest moving the building closer to the street. The problem is with the
87 easement and configuration of the lot, they would lose half the square footage of their building. This site is a
88 triangulated site, which makes it difficult.
89
90 Mr. Whetten asked if the clientele for the three additional units would be uses associated with the gym. Mr.
91 Hawkins said they will. The one right next to the gym is a physical therapist which will have direct access into the
92 building.
93 Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to
94 come forward to the microphone.
95
96 Rob Smith, Orem, said the neighborhood is in favor of this project. The owner will be putting in privacy fence. The
97 neighbors have a couple of concerns. The dumpster issue has already been discussed. There is already parking
98 issues in the neighborhood. The neighbors suggest painting the curb red from State Street to the corner of
99 Ribbonwood. This will alleviate some of the parking pressure and visibility issues they have at that corner. There
100 was a concern brought up by the veterinary clinic, which suggested moving the door away from the corner.
101
102 Dave DeGering, Orem, said he owns the Ribbonwood Veterinary clinic. He is not sure about putting the red curb all
103 along the road. His employees occasionally park along the street. People will try and park as close to the door as
104 possible. If the entryway could be moved to the center or more to the north it would move traffic away from the
105 street.
106
107 Mr. Smith asked if red curbing is a possibility. Mr. Goodrich said he would need to talk to the traffic engineer. He
108 will suggest that there be red curbing from the entrance to State Street.
109
110 Ms. Jeffreys said the current businesses would need adequate parking but many people park on the street. Mr.
111 Goodrich agreed that the majority of city streets are wide enough to accommodate parking on the street.
112

113 Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the
114 applicant or staff. When none did, he called for a motion on this item.

115
116 **Planning Commission Action:** Ms. Larsen said she is satisfied that the Planning Commission has found this
117 request complies with all applicable City codes. She then moved to recommend the City Council amend the Orem
118 City General Plan land use map from Low Density Residential to Community Commercial and amend Section 22-5-
119 3(A) and the zoning map of Orem City by changing the zone on 0.25 acres at 556 West 1830 North from the R8-
120 ASH zone to the C2 zone. Ms. Buxton seconded the motion. Those voting aye: Becky Buxton, Carlos Iglesias,
121 Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

122

DRAFT



NORTH
1" = 30'



DUDLEY AND ASSOCIATES
ENGINEERS PLANNERS SURVEYORS
353 EAST 1200 SOUTH, OREM, UTAH
801-224-1252

VASA FITNESS
Site Plan
Date: _____
Drawn: _____

REVISIONS

Date: 2-16-2015
Scale: 1" = 30'
By: TD
Tracing No.: L-1

Sheet No.
C - 2.0



- KEYED NOTES**
- ① Existing 24" curb and gutter to remain.
 - ② Existing sidewalk (with series).
 - ③ Const. 4" concrete sidewalk.
 - ④ Const. 5" concrete sidewalk.
 - ⑤ Const. 24" curb and gutter.
 - ⑥ Const. 5" thick base sidewalk.
 - ⑦ Const. ADA ramp with necessary signage.
 - ⑧ Const. ADA stairs and site (2% max. grade).
 - ⑨ Const. Asphalt paving (see paving section).
 - ⑩ Landscaped Area (refer to landscaping plan for details).
 - ⑪ Red Rock Block Wall with 6" fence (type undetermined) on top.
 - ⑫ Recycle parking rack.
 - ⑬ Masonry enclosed, side waste dumpster with sight obscuring gates. Materials to be consistent with building materials.
 - ⑭ Concrete Paving (see paving detail).

CUSTOMER'S REVIEW AND APPROVAL

The Contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the various utility companies and where possible from measurements taken in the field. The information is not to be considered exact or complete. The Contractor must verify the utility location under all final 48-hour prior to any excavation to ensure the exact location of the utilities in the field. It shall be the Contractor's responsibility to coordinate the location of existing utilities which conflict with the proposed improvements shown on the plan.

Know what's below.
Call 811 before you dig.

BLUE STAKES OF UTAH
UTILITY NOTIFICATION CENTERS, INC.
www.bluestakes.com
1-800-662-4111





Orem City Public Hearing Notice

Planning Commission - UPDATED

Wednesday, February 4, 2015

5:00 PM, City Council Chambers

56 North State Street

(This item will be continued from the Jan. 21 meeting)

City Council

Tuesday, February 10, 2015

6:20 PM, City Council Chambers

56 North State Street



Kevin Hawkins requests the City amend the General Plan by changing the Land Use designation from Low Density Residential to Community Commercial and amend the zoning map of Orem City by changing the zone from R8-ASH to C2 on 0.24 acres at 556 West 1830 North. The purpose of these amendments is part of the process to gain final site plan approval for a new fitness center. A location map is on the reverse of this notice.

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



HOYAL, JAMES C
--OR CURRENT RESIDENT--
UNKNOWN
OREM, UT 84057

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

IW INVESTMENTS LLC
PO BOX 571707
SALT LAKE CITY, UT 84157

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

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

WESTCO PROPERTIES LC
70 KINGS PEAK
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

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

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

MAZEIKA, PETER & ANGELA
250 N 1400 E
PLEASANT GROVE, UT 84062

BK REALTY HOLDINGS LLC
261 N UNIVERSITY AV
PROVO, UT 84601

DICKERSON FAMILY LLC
270 E 930 S
OREM, UT 84058

HUNSAKER, TREVOR GLADE &
ROBYN BODILY
469 W 1885 N
OREM, UT 84057

MORLEY, ROBERT & MELODY
475 W 1885 N
OREM, UT 84057

HERIFORD, JESSICA
--OR CURRENT RESIDENT--
481 W 1830 NORTH
OREM, UT 84057

GUYMON, CONRAD & MICHELLE
482 W 1810 N
OREM, UT 84057

DASTRUP, LINDA LEE
--OR CURRENT RESIDENT--
482 W 1830 NORTH
OREM, UT 84057

BRAITHWAITE, MARI L
494 W 1830 N
OREM, UT 84057

UHS OF TIMPANOGOS INC
--OR CURRENT RESIDENT--
487 W 1810 NORTH
OREM, UT 84057

BRERETON, ALAN D
491 W 1885 N
OREM, UT 84057

SENG, KAN HONG & HEYING LU-
SENG
507 W 1885 N
OREM, UT 84057

EVERETT, EUNA
--OR CURRENT RESIDENT--
504 W 1830 NORTH
OREM, UT 84057

ANDERSEN, BRADY
--OR CURRENT RESIDENT--
510 W 1885 NORTH
OREM, UT 84057

PIRIR, MIGUEL A & VIRGINIA
516 W 1830 N
OREM, UT 84057

HUTTON, GARY & RAQUEL
509 W 1930 N
OREM, UT 84057

WR CLYDE INVESTMENTS LLC
--OR CURRENT RESIDENT--
522 W 1885 NORTH
OREM, UT 84057

OAKS, JOHN L & KAIRLE A
525 W 1930 N
OREM, UT 84057

SANCHEZ, MARIA R & JORGE R
517 W 1830 N
OREM, UT 84057

PIRIR, MIGUEL A & VIRGINIA
--OR CURRENT RESIDENT--
540 W 1830 NORTH
OREM, UT 84057

CARTER, ELAINE ROHBOCK
544 W 1930 N
OREM, UT 84057

SNELSON, CHAD L & BRIAN K
--OR CURRENT RESIDENT--
531 W 1830 NORTH
OREM, UT 84057

RICHMAN, LESLIE J & BART H
551 W 1960 N
OREM, UT 84057

POWELL, KEVIN G & SANDRA L
555 W 1930 N
OREM, UT 84057

SMITH, JORDAN B & RACHEL A
--OR CURRENT RESIDENT--
545 W 1830 NORTH
OREM, UT 84057

SCJ ENTERPRISES LC
--OR CURRENT RESIDENT--
573 W 1830 NORTH
OREM, UT 84057

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

DEGERING, DAVID E & SUSAN
%RIBBONWOOD ANIMAL HOSPITAL
559 W 1830 N
OREM, UT 84057

REEDY, DARYL S
632 W 1820 N
OREM, UT 84057

SMITH, MICHAEL P & MARY JANE
634 W 1820 N
OREM, UT 84057

MAG
586 EAST 800 NORTH
OREM, UT 84097

SAAVEDRA, ALEJANDRA (ET AL)
--OR CURRENT RESIDENT--
638 W 1820 NORTH
OREM, UT 84057

DICKERSON, NANCY CAROL
647 W 1870 N
OREM, UT 84057

DICKERSON FAMILY LLC
--OR CURRENT RESIDENT--
636 W 1820 NORTH
OREM, UT 84057

WR CLYDE INVESTMENTS LLC
777 N 400 E
OREM, UT 84097

MAYOR RICHARD BRUNST
900 EAST HIGH COUNTRY DRIVE
OREM, UT 84097

BYBEE, KIRSTIN
649 W 1870 N
OREM, UT 84057

HOYAL, JAMES C
1161 E 350 N
OREM, UT 84097

SCJ ENTERPRISES LC
1388 COUNTRY CLUB DR
SAINT GEORGE, UT 84790

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

SAAVEDRA, ALEJANDRA (ET AL)
1680 N MOUNTAIN OAKS DR
OREM, UT 84097

ABA PROPERTIES LC
1776 N STATE ST # 200
OREM, UT 84057

ABA PROPERTIES LC
--OR CURRENT RESIDENT--
1778 N STATE
OREM, UT 84057

UHS OF TIMPANOGOS INC
--OR CURRENT RESIDENT--
1784 N STATE ST
OREM, UT 84057

WLHO #1 LC
--OR CURRENT RESIDENT--
1786 N STATE ST
OREM, UT 84057

UHS OF TIMPANOGOS INC
--OR CURRENT RESIDENT--
1790 N STATE
OREM, UT 84057

IW INVESTMENTS LLC
--OR CURRENT RESIDENT--
1795 N STATE
OREM, UT 84057

WLHO #1 LC
1797 N 120 E
OREM, UT 84057

BK REALTY HOLDINGS LLC
--OR CURRENT RESIDENT--
1799 N STATE
OREM, UT 84057

HOYAL PROPERTIES LLC
--OR CURRENT RESIDENT--
1802 N STATE ST
OREM, UT 84057

UHS OF TIMPANOGOS INC
--OR CURRENT RESIDENT--
1806 N STATE ST
OREM, UT 84057

WESTCO PROPERTIES LC
--OR CURRENT RESIDENT--
1810 N STATE ST
OREM, UT 84057

PIERCE, JASON & SHELLEY
1819 N 490 W
OREM, UT 84057

RAINER, HOWARD (ET AL)
1823 N 490 W
OREM, UT 84057

MAZEIKA, PETER & ANGELA
--OR CURRENT RESIDENT--
1824 N STATE
OREM, UT 84057

ASPEN NEIGHBORHOOD CHAIR
1833 N 760 WEST
OREM, UT 84057

JOHNSON, BETH D
1860 N 600 W
OREM, UT 84057

SNELSON, CHAD L & BRIAN K
1862 N 1120 W
PROVO, UT 84604

JUDSON, RYAN & CHERIE
1865 N 600 W
OREM, UT 84057

NELSON, DANIEL
1874 N 600 W
OREM, UT 84057

ANDERSEN, BRADY
1879 N 430 W
OREM, UT 84057

BOYER, JACOB & JENNIFER
1887 RIBBONWOOD DR
OREM, UT 84057

BOYER, JACOB & JENNIFER
--OR CURRENT RESIDENT--
1887 N 600 WEST
OREM, UT 84057

LASSITER, JANET N
1906 N 600 W
OREM, UT 84057

BIRD, HEIDI S & KENNETH A
1908 N 490 W
OREM, UT 84057

ALDER, RULON J
1909 N 600 W
OREM, UT 84057

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

KANAVEL, VIOLET E
1919 N 600 W
OREM, UT 84057

HARWARD, HERBERT VAL & FERN K
1922 N 490 W
OREM, UT 84057

FAWSON, SHARON LEE
1929 RIBBONWOOD RD
OREM, UT 84057

FAWSON, SHARON LEE
--OR CURRENT RESIDENT--
1929 N 600 WEST
OREM, UT 84057

KEYES, STERLING G & AMY J
1938 RIBBONWOOD RD
OREM, UT 84057

KEYES, STERLING G & AMY J
--OR CURRENT RESIDENT--
1938 N 600 WEST
OREM, UT 84057

SORENSEN, DEBRA LYN
1939 RIBBONWOOD DR
OREM, UT 84057

SORENSEN, DEBRA LYN
--OR CURRENT RESIDENT--
1939 N 600 WEST
OREM, UT 84057

ADKINS, MARK R & NINA T
1940 N 520 W
OREM, UT 84057

LOWRY, ROBERT & DEBRA
1941 N 520 W
OREM, UT 84057

BARNEY, DEREK WAYNE & LAUREL
K
1949 RIBBONWOOD RD
OREM, UT 84057

BARNEY, DEREK WAYNE & LAUREL
K
--OR CURRENT RESIDENT--
1949 N 600 WEST
OREM, UT 84057

GREENLAND, PHILLIP V
1950 N 600 W
OREM, UT 84057

FRANSEN, JENNIFER
--OR CURRENT RESIDENT--
1959 N 600 WEST
OREM, UT 84057

FRANSEN, JENNIFER
1959 N RIBBON WOOD DR
OREM, UT 84057

SMITH, JORDAN B & RACHEL A
1970 N 320 W
OREM, UT 84057

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

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

UHS OF TIMPANOGOS INC
%PARADIGM TAX GROUP
3801 GERMANTOWN PIKE STE 203
COLLEGEVILLE, PA 19426

HERIFORD, JESSICA
5255 EDGEWOOD DR # 100
PROVO, UT 84604

A-TEAM INVESTMENT GROUP
6036 CALGARY CT
SALT LAKE CITY, UT 84121

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

Orem City Neighborhood Meeting

Neighborhood Meeting

Wednesday, January 28, 2015

5:00 PM, City Council Chambers

56 North State Street



Kevin Hawkins requests the City amend the General Plan by changing the Land Use designation from Low Density Residential to Community Commercial and amend the zoning map of Orem City by changing the zone from R8-ASH to C2 on 0.24 acres at 556 West 1830 North.

A neighborhood meeting was held previously to discuss the rezone. This meeting will address the General Plan specifically. The purpose of these amendments is part of the process to gain final site plan approval for a new fitness center. A location map is on the reverse of this notice.

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

HD NORTH OREM, LLC

TO: Notice to Neighbors in the vicinity of 1830 North & State Street

FROM: Kevin Hawkins, Manager
HD North Orem, LLC

7108 S Alton Way, Suite F-2
Centennial, CO 80112
(303) 694-1500
charlie@hawkinsdevco.com

DATE: December 4, 2014

RE: Neighborhood Meeting regarding property on the northwest corner of
1830 North and State Street, Orem, UT

Neighborhood Meeting

PLACE: Orem City Hall, Council Chamber room
56 North State Street

DATE: December 15, 2015

TIME: 7:00 pm

Existing Zoning Classification: R8 Single Family, 8,000 square foot lot

Requested Zoning Classification: C2 General Commercial

Pursuant to Orem City Code Section 22-1-5(F), this meeting is being held to discuss the project with you. This is an opportunity for you to review the plans and provide input and recommendations regarding the project. This application has not yet been reviewed by the City and is subject to change during the review process.

RECEIVED
12/6/14

Project - Vasa Fitness General Plan Request

Date: January 28, 2015

Name	Address	Signature
Susan DeBering	1117 N. 780 E. Orem, UT 84097	Susan DeBering
Kathleen Whitehead	1833 N. 760 W. Orem, UT	Kathleen Whitehead
Craig Whitehead	" " " "	Craig D. Whitehead

NEIGHBORHOOD MEETING MINUTES

DECEMBER 15TH 2014 7:00PM CITY COUNCIL CHAMBERS

7:05

- Meeting commenced with Kevin Hawkins introducing the company and himself
- Kevin Hawkins explained our proposed site plan, and what we are wanting to develop on the land.
- Kevin gave a brief history explaining our land acquisition and how we are trying to get highest and best use for everyone around the area.

7:12

- Kevin Hawkins opened the floor for Q & A
- Residents inquired about what type of fencing will be installed along the residential property line. – Kevin explained we will construct a masonry wall per the city code
- Questions were asked about what we will be constructing on the corner building of State Street and 1830 North - Kevin explained we are still in the planning stages of the site plan, and we are not sure as of now
- Residents asked questions about how many curb cuts we will have on 1830 North leading into the property – Kevin explained that we will try and maximize the traffic flow in and out of the development as to avoid any traffic buildup
- Residents expressed a concern about the location of the site dumpster. – Kevin let them know we will place it in the most secluded area possible while still allowing access for a garbage truck to empty

7:45

Meeting concluded



DRC APPLICATION

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

www.orem.org

FORM EXPIRES: 06-30-2015

APPLICANT INFORMATION

Name: <u>HD North Orem</u>	Phone: <u>303-694-1500</u>
Address: <u>7108 South Alton Way, Suite F-2</u>	FAX: <u>303-694-1501</u>
City: <u>Centennial</u> State: <u>CO</u> Zip: <u>80112</u>	e-mail:

PROJECT INFORMATION

Project Name: <u>HD NORTH OREM</u>
Project Address: <u>1830 NORTH STATE</u>

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 \$800 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$600 + \$20/lot or unit + recording fees <input type="checkbox"/> Vacation/Amendment \$800 + \$20/lot or unit + \$25 sign fee + recording fees <input type="checkbox"/> Final PRD \$600 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign, Text \$900 <input type="checkbox"/> Subdivision, Text \$900 <input type="checkbox"/> Zoning, Text \$900 <input type="checkbox"/> New PD Zone, Text \$2000 +25 sign fee for PD zone <input checked="" type="checkbox"/> Rezone \$1200 + \$25 sign fee <input type="checkbox"/> New PD Zone, Rezone \$1200 +25 sign fee for PD zone <input type="checkbox"/> Development agreement Utah County fees \$	<input type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee <input type="checkbox"/> Text Change \$1000 ***** <input type="checkbox"/> MAILINGS Neighborhood Notice \$ <u>40.95</u> ***** <input type="checkbox"/> PUBLIC NOTICE Newspaper notice \$ prior to PC meeting \$ prior to CC meeting	<input type="checkbox"/> Site Plan Admin. Approval \$500 <input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 or adjacent to a residential zone <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Daycare Fence Approval \$100 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$800.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	<input type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$1200 <input type="checkbox"/> Annexation \$1500 + \$25 sign fee + legal noticing fee <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$500/review After three reviews <input type="checkbox"/> Other \$200

FILING FEES AND REQUIRED COPIES

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

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

APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature:	Contact Person Name:	Phone:
------------------------	----------------------	--------

OFFICE USE ONLY

Date Filed:	Fees Paid:	Received By:
-------------	------------	--------------

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



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: 06-30-2015
Name:	HD NORTH OREM, LLC			Phone: 303-694-1500
Address:	7108 SOUTH ALTON WAY, SUITE F2			FAX: 303-694-1501
City:	CENTENNIAL	State:	CO	Zip: 80112
				e-mail: CHARLIE@HAWKINSDEVELOPMENT.COM

PROJECT INFORMATION	
Project Name:	North Orem Vasa fitness
Project Address:	1830 N STATE ST. (REZONE 586 W. 1830 N.)

Nature of Request (Check all that apply) and Filing Fee Amount				
SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$800 + \$20/lot or unit	<input type="checkbox"/> Sign, Text \$900	<input checked="" type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee	<input type="checkbox"/> Site Plan Admin. Approval \$500	<input type="checkbox"/> To City Council \$400
<input type="checkbox"/> Preliminary deep lot sign fee \$25	<input type="checkbox"/> Subdivision, Text \$900	<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 or adjacent to a residential zone	<input type="checkbox"/> To Planning Commission \$400
<input type="checkbox"/> Final \$600 + \$20/lot or unit + recording fees	<input type="checkbox"/> Zoning, Text \$900	*****	<input type="checkbox"/> Concrete/Masonry Fence \$50	<input type="checkbox"/> Street Vacation \$1200
<input type="checkbox"/> Vacation/Amendment \$800 + \$20/lot or unit + \$25 sign fee + recording fees	New PD Zone, Text \$2000 +25 sign fee for PD zone	<input type="checkbox"/> MAILINGS Neighborhood Notice \$	<input type="checkbox"/> Daycare Fence Approval \$100	<input type="checkbox"/> Annexation \$1500 + \$25 sign fee PUBLIC NOTICE Newspaper notices \$900 for PC & CC meetings
<input type="checkbox"/> Final PRD \$600 + \$30/lot or unit + recording fees	<input type="checkbox"/> Rezone \$1200 + \$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	New PD Zone, Rezone \$1200 +25 sign fee for PD zone	PUBLIC NOTICES Newspaper notices \$100 for PC meeting \$100 for CC meeting	<input type="checkbox"/> Conditional Use Permit \$800.00 + \$25 sign fee	<input type="checkbox"/> Resubmittal Fee \$500/review After three reviews
	Development agreement Utah County fees \$	PUBLIC NOTICE STREET VACATIONS Newspaper notice \$150 for CC meeting	<input type="checkbox"/> Fence Modification/Waiver \$100	<input type="checkbox"/> Other \$200
			<input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	

FILING FEES AND REQUIRED COPIES

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

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

APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature:		Contact Person Name:	CHARLIE HAMMOND	Phone:	303-330-7778
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OFFICE USE ONLY		
Date Filed:	1/2/15	Fees Paid:
		Received By:

Please Note: The deadline for filing this application to be considered at the next DRC Meeting is Monday at noon. If Monday is a Holiday the deadline is extended to the following Tuesday at noon. Once filed with the City, you may contact any of the following individuals to learn of the status of this application: Jason Bench, 801-229-7238; David Stroud, 801-229-7095; or Clinton Spencer, 801-229-7267; Brandon Stocksdaile, 801-229-7054.

Project Timeline

Project: Vasa Fitness General Plan Change and Rezone

1. Neighborhood Meeting held by applicant on: Dec. 15, 2014 (Rezone) & Jan. 28, 2015 (Gen Plan)
2. DRC Application Date: 11/24/14
3. Obtained Development Review Committee Clearance on: 12/23/14 by: DRS
4. Publication notice for PC sent to Records office on: 12/23/14 by: DRS
5. Neighborhood notice (300') for Planning Commission mailed on: 1/20/15 by: CAS
6. Planning Division Manager received neighborhood notice on: 1/23/15
7. Property posted for PC on: 2/4/15 by: CAS Removed on : _____
8. Planning Commission recommended approval / denial on : 2/4/15
9. Publication notice for CC sent to Records office on: 1/13/15 by: CAS
10. Neighborhood notice (300') for City Council mailed on: 1/20/15 by: CAS
11. Planning Division Manager received neighborhood notice on: 1/23/15
12. Property Posted for City Council on: 2/4/15 by: CAS Removed: _____
13. City Council Approved / Denied on: 2/10/15

CITY OF OREM
CITY COUNCIL MEETING
FEBRUARY 10, 2015



REQUEST:	6:30 P.M. PUBLIC HEARING ORDINANCE - Amending the Current Fiscal Year 2014-2015 Budget
APPLICANT:	City Manager
FISCAL IMPACT:	\$18,182,205.07

NOTICES:

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

SITE INFORMATION:

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

PREPARED BY:
Richard Manning
Admin. Services Dir.

RECOMMENDATION:

The City Manager recommends the City Council hold a public hearing to discuss amending the current Fiscal Year 2014-2015 Budget and, by ordinance, amend Fiscal Year 2014-2015 Budget

BACKGROUND:

The Fiscal Year 2014-2015 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants received from Federal, State, and other governmental or private entities/organizations; refunding of the Series 2005 & 2006 General Obligation bonds and transferring the savings from this refunding to the CIP Projects Fund in order to reconstruct Center Street from State Street to approximately 1000 West; transferring funds to the CIP Projects Fund due to maximum fund balance limitations; and various other smaller technical corrections or minor budget adjustments that need to be made.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AMENDING THE FISCAL YEAR 2014-2015 BUDGET.

WHEREAS On June 10, 2014, the City Council adopted a final budget following State law; and

WHEREAS the City Council held a public hearing on February 10, 2015, to receive input from the public regarding proposed amendments to the Fiscal Year 2014-2015 budget; and

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

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

1. The Council hereby amends the Fiscal Year 2014-2015 Budget as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.
2. The City Manager is directed to implement these budget amendments in accordance with State laws and appropriate City procedures.
3. This ordinance shall take effect immediately upon publication.

PASSED AND APPROVED this 10th day of February 2015.

CITY OF OREM, by
Richard F. Brunst, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

**BUDGET AMENDMENTS
FISCAL YEAR 2014-2015**

REVENUES

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
GENERAL FUND				
10-3316-001	1	Library - Utah Arts Council (OnStage in Utah)	\$ -	\$ 1,750.00
10-3318-005-003	1	HIDTA Grant - Calendar Yr 2015	-	183,784.00
10-3318-014	1	Bullet Proof Vests Grant	-	21,324.84
10-3424-004-001	1	MCTF - Forfeitures Revenues - Federal (Justice)	-	25,966.00
10-3424-004-002	1	MCTF - Forfeitures Revenues - Federal (Treasury)	-	57,126.57
10-3424-005	1	MCTF - Restitution Revenues	6,840.62	16,840.62
10-3424-009	1	MCTF - Evidence Revenues	72,254.75	134,254.75
10-3429		Fees - Police Services	4,000.00	5,789.12
10-3620		Rental Revenues - PW Parking Lot	1,000.00	16,000.00
10-3690	1	Miscellaneous Revenues	20,999.00	45,999.00
10-3690-003	1	Police Department Donations	-	1,795.00
10-3690-009		Misc Revenues - Recreation	-	467.00
10-3698	1	Library - Donations	-	8,459.52
10-3997-004	3	App. Surp - CIP Projects	-	2,800,000.00
10-3997-005	4	App. Surp - CIP Project - Center Street Reconstruction	-	994,170.00
10-3997-008		App. Surp - Sub for Santa	-	3,000.00
Total			<u>\$ 105,094.37</u>	<u>\$ 4,316,726.42</u>
Net Fund Increase				<u>\$ 4,211,632.05</u>
DEBT SERVICE FUND				
30-3000	2	Bond Proceeds - 2014 G.O. Refunding Bonds	\$ -	\$ 10,174,331.05
Total			<u>\$ -</u>	<u>\$ 10,174,331.05</u>
Net Fund Increase				<u>\$ 10,174,331.05</u>
CAPITAL IMPROVEMENT PROJECT FUND				
45-3995-001	3	Cont. From - Fund 10 - CIP	\$ -	\$ 2,800,000.00
45-3995-002	4	Cont. From - Fund 10 - CIP - Center St. Reconstruction	-	994,170.00
Total			<u>\$ -</u>	<u>\$ 3,794,170.00</u>
Net Fund Increase				<u>\$ 3,794,170.00</u>
TIMPANOGOS STORYTELLING FESTIVAL FUND				
72-3997-004		App. Surp - Operations - Donald Davis Project	\$ -	\$ 2,071.97
Total			<u>\$ -</u>	<u>\$ 2,071.97</u>
Net Fund Increase				<u>\$ 2,071.97</u>
Total City Funds			<u>\$ 105,094.37</u>	<u>\$ 18,287,299.44</u>
Net City Funds Increase				<u>\$ 18,182,205.07</u>

**BUDGET AMENDMENTS
FISCAL YEAR 2014-2015**

EXPENDITURES

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
GENERAL FUND				
Public Safety Administration				
10-6510-600	1	Miscellaneous Expenses	\$ 2,000.00	\$ 3,795.00
Patrol Services				
10-6520-140		Salaries & Wages - Overtime	178,524.00	180,313.12
10-6520-240-006	1	Supplies - Body Armor	12,000.00	33,324.84
Major Crimes Task Force				
10-6531-140	1	Overtime	24,784.88	44,784.88
10-6531-140-003	1	Overtime - HIDTA - Jan-June	-	45,000.00
10-6531-230	1	Employee Development	52,840.62	67,840.62
10-6531-230-003	1	Employee Development - HIDTA - Jan-June	-	3,000.00
10-6531-240	1	Supplies	20,000.00	25,000.00
10-6531-270	1	Utilities	10,000.00	15,000.00
10-6531-280-005	1	Telephone & Comm. - Forfeitures - Fed (Treasury)	-	40,000.00
10-6531-290-021	1	Maintenance & Repair - Fleet	2,000.00	7,000.00
10-6531-600-003	1	C.I. Funds - HIDTA	-	55,000.00
10-6531-623	1	Equip/Facility Lease/Rent	-	5,000.00
10-6531-623-003	1	Equip/Facility Lease/Rent - HIDTA - Jan-June	-	80,784.00
10-6531-742	1	New Vehicle	-	17,000.00
10-6531-742-004	1	New Vehicle - Forfeitures	-	15,966.00
10-6531-743-004	1	Equipment - Forfeitures (Justice)	192.00	10,192.00
10-6531-743-005	1	Equipment - Forfeitures (Treasury)	-	17,126.57
Fire & Medical Services				
10-7040-250-013	1	Equipment - Radios - Vivent Donation	-	25,000.00
Public Works Administration				
10-7510-600		Miscellaneous Expenses - Parking Lot Rental to UPS	2,150.00	17,150.00
Recreation / Outdoor Programs				
10-8010-600		Sundry Expense	2,450.00	2,917.00
Library Administration				
10-8510-310-001	1	Prof. & Technical Services - UAC OnStage Grants	-	1,750.00
Access Services				
10-8520-462-001	1	Adult Collection	102,183.78	102,283.78
Reference & Collections Services				
10-8530-240	1	Supplies	4,200.00	5,945.52
10-8530-310	1	Professional & Technical Services	8,415.00	13,415.00
10-8530-480	1	Special Departmental Supplies	3,500.00	5,114.00
Non-Departmental Expenditures				
10-9910-920-001	3	Cont. To - Fund 45 - CIP	-	2,800,000.00
10-9910-920-002	4	Cont. To - Fund 45 - CIP - Center Street Reconstruction	-	994,170.00
10-9910-600-004		Sub for Santa	-	3,000.00
Total			<u>\$ 425,240.28</u>	<u>\$ 4,636,872.33</u>
Net Fund Increase				<u>\$ 4,211,632.05</u>
DEBT SERVICE FUND				
30-4521-600-001	2	Payment to Bond Refunding Agent - G.O. Bonds	\$ -	\$ 10,012,097.71
30-4521-600-002	2	Bond Issuance Costs - 2014 G.O. Rfdng Bonds	-	162,233.34
Total			<u>\$ -</u>	<u>\$ 10,174,331.05</u>
Net Fund Increase				<u>\$ 10,174,331.05</u>
CAPITAL IMPROVEMENT PROJECT FUND				
45-6034-731-230	3	Future Projects	\$ 70,430.00	\$ 2,870,430.00
45-6034-731-283	4	Center Street Reconstruction / State - 1000 W	-	994,170.00
Total			<u>\$ 70,430.00</u>	<u>\$ 3,864,600.00</u>
Net Fund Increase				<u>\$ 3,794,170.00</u>
TIMPANOGOS STORYTELLING FESTIVAL FUND				
72-8598-310-005		Professional & Technical Services - D. Davis Project	\$ 13,517.63	\$ 15,589.60
Total			<u>\$ 13,517.63</u>	<u>\$ 15,589.60</u>
Net Fund Increase				<u>\$ 2,071.97</u>
Total City Funds			<u>\$ 509,187.91</u>	<u>\$ 18,691,392.98</u>
Net City Funds Increase				<u>\$ 18,182,205.07</u>

**BUDGET AMENDMENTS
FISCAL YEAR 2014-2015**

NOTES

These notes are attached to the budget amendments summary to describe the more unusual or extraordinary amendments to the Fiscal Year 2014-2015 City of Orem Budget that have been necessitated to this point in the fiscal year. Many of the amendments listed in the summary are immaterial and/or are technical corrections that any organization of this size would expect to encounter during an operating year and therefore, no specific note has been given for these items. Please contact Brandon Nelson, Accounting Division Manager, at 801-229-7010, if you have any questions or concerns.

- 1) The City receives grant or donation funds during the year to aid many different operations such as the Police Department (Major Crimes Task Force Grants) and Library Services (Utah Arts Council). The funds are received from Federal, State, and other governmental (or private) entities. These entries represent the adjustments necessary to adjust the appropriate budgets.
- 2) In November 2014, the City completed a refunding (or refinance) of its Series 2005 & 2006 General Obligation Bonds. This refunding was done in order to produce savings of approximately \$1 million which the City could use to reconstruct Center Street from State Street to approximately 1000 West. These budget amendment entries are necessary to account for this refunding transaction.
- 3) After completing the Fiscal Year 2014 Comprehensive Annual Financial Report (CAFR) and calculating the State of Utah's maximum General Fund fund balance requirement, the calculation was very close to the maximum allowable amount. Taking into account the current fiscal year's outlook at this point in time and to avoid exceeding the maximum allowable fund balance amount, it was determined that \$2.8 million should be transferred to the CIP Projects Fund.
- 4) In relation to the General Obligation Bond refunding mentioned previously, the approximately \$1 million in savings are to be moved to the CIP Projects Fund in order to alleviate maximum fund balance concerns and to better track the Center Street reconstruction project which the bond refunding was specifically undertaken to fund.

CITY OF OREM
CITY COUNCIL MEETING
 FEBRUARY 10, 2015



REQUEST:	RESOLUTION - Review and Update the Moderate Income Housing Element of the City of Orem
APPLICANT:	Development Services
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted at utah.gov/pmn
- Faxed to newspapers
- E-mailed to newspapers

SITE INFORMATION:

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

**PLANNING COMMISSION
 RECOMMENDATION**

Vote: Approve 6-0

PREPARED BY:
 DAVID STROUD, AICP
 PLANNER

RECOMMENDATION: The Planning Commission and City Staff recommend the City Council, by resolution, update the proposed 2014 Moderate Income Housing element of the Orem General Plan as required by State law.

BACKGROUND: State law requires that the City Council biennially review the Moderate Income Housing element of the General Plan. According to Section 10-9a-408 of the Utah Code, each report must include a description of:

- efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;
- actions taken by the city to encourage preservation of existing moderate income housing and development of new moderate income housing;
- progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing; and
- efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.

State Code defines moderate income housing as housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

As an example, a family of four living in the Orem/Provo metropolitan statistical area would have to earn \$51,350 or less to be considered a moderate income household. Housing stock for households with moderate incomes is usually limited to attached apartment units, accessory apartments, townhomes, and condominiums as the rent/cost is usually less than the monthly mortgage payment on a single-family dwelling.

The City provides several mechanisms for creating moderate income housing. The PRD zone and many PD zones allow for high density development. Since March 2013, the City has approved over 1,331 attached units (as shown below) within various PD zones and in the PRD zone. All but 120 of these units are currently under construction. Accessory apartments, multifamily exceptions, and the assisted senior housing overlay zone also provide opportunities for creating moderate income housing.

According to 2010 Census figures, Orem's housing stock consists of 30.4% "housing units in multiunit structures." The statewide average is 21.4 percent. Staff estimates that the percentage of multifamily units is closer to 35% of the existing housing stock in the City.

Since March 2013, the following multifamily projects have been approved:

- Residences at Monte Vista at 920 North State Street will provide 132 apartment units. This project was approved as the PD-39 zone on property which previously was zoned C2 and was undeveloped.
- Sun Canyon Villas at 460 South State Street will provide 84 apartment units. This project was approved as the PD-40 zone on property that was previously zoned C2 and was undeveloped.
- Legacy at Orem at 1500 South State Street with 180 apartment units. This project was approved as the PD-37 zone on property that was partially vacant and partially occupied by several old commercial buildings that have been removed.
- Summit Ridge Apartments at 1750 South 400 East with 74 new units. This property was developed in the early 1970s with 96 multifamily units. It was recently rezoned to the PD-38 zone to facilitate construction of additional units. The previous zone of R6.5 did not allow new high density construction.
- Center Street Marketplace at 100 North Orem Boulevard with 112 units. This property was approved as the PD-30 zone on property that was vacant.
- Promenade Place at 865 South Geneva Road with 120 units. This project was approved as the PD-33 zone and was designed as a transit oriented development to take advantage of the property's proximity to UTA Frontrunner.
- Ivory Homes at University Mall at 900 South 800 East with 461 units in the PD-34 zone.
- Wasatch Orem Center Street at 1100 West Center Street with 168 units in the PD-41 zone.

The City is currently working on a State Street Master Plan which will identify additional possible housing options along State Street. Multiunit residential would be the only appropriate residential use along this corridor. The City is working with Mountainland Association of Governments, Provo City, UDOT, and UTA to develop this plan.

DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL UPDATING THE
MODERATE INCOME HOUSING ELEMENT OF THE OREM
GENERAL PLAN

WHEREAS on November 24, 2014, the Department of Development Services filed an application requesting the City review and update the Moderate Income Housing element of the Orem General Plan; and

WHEREAS the Planning Commission held a public hearing to consider the subject application on January 7, 2015, and the Planning Commission recommended approval of the application; and

WHEREAS the City Council considered the application at a public meeting on February 10, 2015; 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 special conditions applicable to the request.

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

1. The City Council hereby finds as follows:

A. The proposed Moderate Income Housing element of the Orem General Plan fulfills the requirements of Section 10-9a-408 of the Utah Code which requires the City to conduct a biennial review of its moderate income housing plan.

B. As reflected in the information contained in the proposed Moderate Income Housing Report, the City Council has recently taken significant actions to substantially increase the amount of moderate income housing in the City.

C. It is reasonably necessary and in the best interest of the City to adopt the proposed Moderate Income Housing Report element of the Orem General Plan.

2. The City Council hereby approves the update to the Moderate Income Housing Plan as shown on Exhibit 'A' which is attached hereto and incorporated herein by reference.

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

4. All resolutions or policies in conflict herewith are hereby repealed.

5. This resolution shall take effect immediately upon passage.

DRAFT

PASSED and APPROVED this 10th day of February 2015.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

City of Orem 2014 Moderate Income Housing Report

The availability of moderate income housing has become a noticeable concern and more so since the Recession of 2007 which caused financing or loan to value issues with some mortgages. Utah Code §10-9a-403 and §10-9a-408 require a city to adopt a Moderate Income Housing Element as part of the approved General Plan. The plan has been adopted by Orem City but is to be reviewed biennially. The plan includes the following:

1. An estimate of the need for the development of additional moderate income housing within the City; and
2. A plan to provide a realistic opportunity to meet the estimated needs for additional moderate income housing.

Moderate income housing is defined by Utah Code Section 10-9a-103(21) as "...housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median income of the county in which the city is located." Table 1 lists the 80% of median income of various household sizes in the Orem/Provo Metropolitan Statistical Area (MSA). Table 2 shows demographic information and the total number of units in Orem City.

Table 1

Household Size	1	2	3	4	5	6	7	8	9	10
Moderate 80% of median	\$35,950	\$41,100	\$46,250	\$51,350	\$55,500	\$59,600	\$63,700	\$67,800	\$71,900	\$76,000

Table 2

Population – 2010 Census	88,328
Population – 2014 (est.)	92,010
Household median income	\$52,876
Households below median	9,799
Single-family occupied units	16,785
Multi-family occupied units	10,077
Total occupied housing units	26,565
2010 Census vacant housing	4.3%
Total housing units	28,069
Homeownership rate	70.4%

The City has eleven zoning classifications which can be used for residential development which range from 5,000 square foot lots to five acre lots. They are R5 (5,000 sq. ft. residential); R6 (6,000 sq. ft. residential); R6.5 (6,500 sq. ft. residential); R7.5 (7,500 sq. ft. residential); R8 (8,000 sq. ft. residential); R12 (12,000 sq. ft. residential); R20 (20,000 sq. ft. residential); OS1 (1 acre residential); OS5 (5 acre residential); PRD (Planned Residential Development); and PD (Planned Development).

These zones are designed to meet the wide range of housing needs of the residents of the City. Each of the zones is intended to provide well-designed residential development with compatible uses as outlined in the zoning ordinance. Residential uses that may be permitted in each zone include single-family dwellings, accessory apartments, duplexes, multi-family units, condominiums, and townhomes. The OS1 and OS5 zones are large lot compatible but are only typically used as a holding zone upon annexation. The bulk of the residential zoning is the City is classified as the R8 zone which encompasses 5,247 acres of the City's 11, 678 acres or 45% of the City.

Under past zoning ordinances the City allowed multi-family units in zones such as the C2 (commercial) or the R-2 and R-3 which are no longer used within the City. The 'R' zones under

the current Code do not permit multi-family units unless approved as a Special Exception for Multi-family Dwelling as outlined in Article 22-21 of the Orem Code. A house with an accessory apartment is not considered to be a multi-family unit. The PRD zone, PD zone, and accessory apartments are now used to provide opportunities for multi-family housing which are generally perceived to meet the housing needs of moderate income families.

The City recently approved an overlay zone to assist income restricted seniors. The Affordable Senior Housing (ASH) overlay allows up to four units to be constructed on a single parcel. The tenancy of each unit is restricted to those over age 60 and at or less than 80% of the median income of the Orem/Provo MSA. After the Code was amended to include this zone, three ASH developments (12 units) have been approved for development since the ordinance was approved in 2012.

Accessory apartments also provide an option for moderate income housing. After several years of prohibition of new accessory apartments, the City Council amended the ordinance to reinstate their use. The City currently has close to 600 legal accessory apartments.

The Orem City Council and Planning Commission have an important responsibility to provide housing opportunities for those categorized with moderate income. The City, since March 2013, has approved 1,331 multi-family units which include:

- Residences at Monte Vista 920 North State Street will provide 132 apartment units. This project was approved as the PD-39 zone which previously was zoned C2 and was undeveloped.
- Sun Canyon Villas at 460 South State Street will provide 84 apartment units. This project was approved as the PD-40 zone and was previously zoned C2 and was undeveloped.
- Legacy at Orem at 1500 South State Street with 180 apartment units. This project was approved as the PD-37 zone and redevelops property by removing several old commercial buildings as well as developing vacant property.

- Summit Ridge Apartments at 1750 South 400 East with 74 new units. This property was developed in the early 1970s with 96 multi-family units. It was recently rezoned to the PD-38 zone to facilitate construction of additional units. The previous zone of R6.5 did not allow high density construction.
- Center Street Marketplace at 100 North Orem Boulevard with 112 units. This property was approved as the PD-30 and develops vacant property.
- Promenade Place at 865 South Geneva Road with 120 units. The PD-33 zone is designed as a transit oriented development to take advantage of UTA Frontrunner station located nearby.
- Ivory Homes at University Mall at 900 South 800 East with 461 units in the PD-zone.
- Wasatch Orem Center Street at 1100 West Center Street with up to 168 units in the PD-41 zone.

Additionally, 400-500 units are in the planning stage of development and are located in the PD-21 zone at 1000 South Geneva Road.

Many of the recent housing development projects have been approved as PD zones. The City Council recently made changes to the PD zone with respect to location within the City. Major arterials, including Center Street and State Street are no longer available to locate a PD zone. The City is in the process of obtaining a State Street Master Plan from an outside consultant. Staff and the consultant are working with Mountainlands Association of Governments, UDOT, UTA, and Provo City in development of the plan to provide a vision of what State Street will become. One result of this master plan is the hope of a direction to pursue in regards to how much and where multi-family residential should be located on State Street or on cross-arterials. The location of new PD zones will be reconsidered by the City Council once the State Street Master plan is completed.

Within the City, approximately 35% of the housing stock is classified as multi-family units. This provides a reasonable opportunity for a person looking for moderate income housing

to find a place to live. City staff anticipates finding additional means by which moderate income housing opportunities can be achieved with respect to new multi-family development.

CITY OF OREM
CITY COUNCIL MEETING
JANUARY 27 2015



REQUEST:	ORDINANCE - Amplified Sound language addition to Chapter 13 of the Orem City Code
APPLICANT:	Karl Hirst, Director of Recreation
FISCAL IMPACT:	No Fiscal Impact

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on the State noticing website
- Faxed to newspapers
- E-mailed to newspapers
- Neighborhood Chair

SITE INFORMATION:

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

PREPARED BY:
 Karl Hirst and Heather Schriever

RECOMMENDATION:

It is recommended that the City Council add the following language to Chapter 13 Parks and Recreation :

13-1-13. Sound Generating Activities - Restrictions in Recreation Areas and Parks.

A. It shall be unlawful for any person to conduct live bands, DJs, dance concerts, movies, or similar activities in any Recreation Area or Park.

1. Exemption: City-sponsored events and activities conducted in any Park or Recreation Area are exempt from this prohibition.

B. It shall be unlawful for any person to use sound systems, microphones, speakers, or any other sound amplification device in or on any Recreation Area or Park.

1. Exemption: The following are exempt from the prohibitions in subsection B:

- a. City-sponsored events or activities;
- b. Events and activities at one of the following locations subject to the conditions included in any rental agreement or use permit issued by the City:

- (1) The Stage at City Center Park;
- (2) The Large Pavilion at Scera Park;
- (3) The Bowery at Nielsen's Grove;
- (4) The Hosting Center at Timpanogos Park;
- (5) The Pavilion at Lakeside Park; or
- (6) The Scera Shell.

c. Personal sound amplification devices that are played or operated in such places and at such times so as not to disturb other persons in their use of any Park or Recreation Area.

2. The City shall take into consideration the following factors when determining whether to enter into a rental agreement or issue a use permit under subsection B.1.b:

- a. The impact of the event or activity on other Park or Recreation Area users;
- b. The impact of the event or activity on adjacent property owners;
- c. The benefit the event or activity provides to the residents of the City; and
- d. The general public's access to the event or activity.

BACKGROUND:

Activities in the parks are managed either by policy or ordinance. Policies are established by the Director of Recreation and work best for minor issues like gates, faucets, access, geocaching etc. Ordinances are adopted by the City Council and are better suited for the major park regulations: curfew, smoking, alcohol, animals etc.

The recommended language has been part of the park policies for decades, and has worked well for managing sound generating activities in the parks.

Since sound generating activities in the parks are of major concern, moving the current policy language into ordinance form will help in the management of the parks. The proposed amendment makes clear that large, potentially disruptive events and activities will not be allowed in City parks and recreation areas. The amendment does, however, provide for the use of sound amplification devices at limited locations within certain City parks and recreation areas subject to a user entering into a rental agreement or being issued a use permit. These locations have been exempted from the sound amplification restriction because they have sufficient facilities to accommodate sound amplification use and have sufficient buffer zones to insulate adjacent property owners from possible disturbances. In determining whether to issue a user permit or enter into a rental agreement, the City is required to consider a number of objective factors to determine whether the proposed event or activity will cause disruption within the parks and recreation areas and surrounding areas and whether the public will benefit.

This amendment will also allow anyone that is researching our parks for an activity that will involve sound, the ability to search and locate the sound regulation.

It is recommended is that the above language be added to Chapter 13 of the Orem City code and listed as ordinance 13-1-13.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL AMENDING
ARTICLE 13-1 AND ENACTING SECTION 13-1-13 SOUND
GENERATING ACTIVITIES – RESTRICTIONS IN PARKS AND
RECREATION AREAS

WHEREAS the City of Orem has the duty of caring for, operating, and maintaining parks and recreation areas; and

WHEREAS it is the City’s intention to provide the public with access to parks and recreation areas; and

WHEREAS the City wants to provide equal access and equal use and enjoyment of parks and recreation areas to all residents and the public; and

WHEREAS the use of sound amplification systems and activities in parks and on recreation property may interfere with the use and enjoyment of that property for the general public and for the residents living adjacent to the property; and

WHEREAS the City Council finds it necessary to enact Section 13-1-13 of the Orem City Code to prohibit certain sound amplification systems and activities in parks and recreation areas; and

WHEREAS the City Council finds the proposed enactment to be in the best interest of the City and necessary to protect and preserve the welfare and safety of residents in general; 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.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AS FOLLOWS:

1. The City Council hereby enacts Section 13-1-13 and renumbers Article 13-1 of the Orem City Code as follows (any portions of the Article that are not specifically amended by this ordinance shall remain in full force and effect as currently written):

13-1-13. Sound Generating Activities - Restrictions in Recreation Areas and Parks.

A. It shall be unlawful for any person to conduct live bands, DJs, dance concerts, movies, or similar activities in any Recreation Area or Park.

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DRAFT

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- b. The impact of the event or activity on adjacent property owners;
- c. The benefit the event or activity provides to the residents of the City; and
- d. The general public's access to the event or activity.

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

3. All other ordinances, policies, and resolutions in conflict herewith are hereby repealed.

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

PASSED, APPROVED and ORDERED PUBLISHED this **10th** day of **February** 2015.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

**Annette Anderson
American Fork, Utah
84003**

Speech Orem City Council February 10, 2015

At issue is whether the city, and every other entity that gets a portion of property taxes in Orem (Utah County, Alpine School District, Orem Metropolitan Water District and Central Utah Water Conservancy District) should give the mall owner, Woodbury Corporation, back 75 percent of its property taxes over a 20-year period in return for a \$500 million development with parks, additional office and retail space and housing.

I believe it is illegal for any single entity that gets a portion of property taxes from Utah County, Alpine School District, and Central Utah Water Conservancy District to enter into a rebate program that is solely directed to one of many cities such as is proposed now in the Orem University Mall expansion.

The development will attract professional people, business people, retail merchants, etc. away from surrounding communities. It is wrong for any entity that receives tax money outside of Orem to make any commitment to rebate a development in Orem.

I understand that Alpine School District will rebate the amount in the area of 38 million, 500 thousand dollars. I object and intend for my voice to be heard by ears that will listen and pay attention.

**Annette Anderson
American Fork, Utah
84003**

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The Orem Fire Department presents



COMMERCIAL STRATEGIES

for keeping your business safe from arson

Keeping Orem safe requires that we all do our part.
As a business, please consider the following:



Illuminate the exterior & entrances
Illuminate construction sites
Ensure alarm systems are functional



Ensure all structures are secured
Control site access with perimeter fencing



Secure dumpsters with padlocks
Keep dumpsters away from structures
Ensure dumpsters are emptied on a regular basis



Hire private security
Post signs indicating presence of security personnel & systems
Neighborhood & Business watches



Report unusual activity or persons loitering
Report threats to life/property by disgruntled employees or citizens



Secure abandoned structures by covering windows & doors with wood, etc.
Disconnect utilities to abandoned structures



Keep fire hydrants clear of vegetation and debris
Ensure sprinkler systems are functioning properly



Remove ladders and secure access points when not in use
Don't leave flammable products in reach of the public

The City of Orem is committed to keeping you and your property protected, but we need your help!

#seesomethingsaysomething





**CITY OF OREM
FIRE DEPARTMENT
95 E. CENTER STREET, OREM UTAH 84057**

Excellence through dedication, integrity and service

We are taking a very proactive approach towards arson prevention and the associated loss of property. Our Operations Division and Fire Marshall are working diligently to educate property owners and developers about measures that can be implemented to assist in our prevention efforts.

Our prevention efforts will require a collaborative effort of the fire department, general public, property owners, developers and law enforcement in order to be successful.

In addition to educating contractors & developers, it is important that businesses understand the measures they can take to protect their property. The following prevention strategies can greatly assist us in our prevention efforts and we would strongly encourage businesses to consider implementing as many of these strategies as possible.

We value the residential and commercial tenants in our city. We are very appreciative of the support, commitment and contributions that you provide to our city. We look forward to continuing the positive relationships we have established and building new relationships as our city continues to grow.

If you have any questions or concerns regarding fire prevention or fire department activities, please contact Battalion Chief Ryan Peterson @ 801-229-7325 or Fire Marshall Bret Larsen @ 801-229-7323.

Best Regards,

Chief M. Scott Gurney

Items to be considered on February 24, 2015

1. **Section 20-3-5 Separate connections required** – Amending Section 20-3-5 of the Orem City Code pertaining to separate utility connections.
2. **Section 22-5-1 Establishment** - Amending a portion of Section 22-5-1 of the Orem City Code pertaining to the establishment of PD zones.

20-3-5. Separate connections required.

A separate and independent building sewer shall be provided for every building and for every dwelling unit in buildings having more than one dwelling unit, except that multiple family buildings may perform a fixture count analysis to justify multiple dwelling connections on a single lateral. The analysis will be approved by the Director before the lateral is installed. Where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, but the City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.

Section 22-5-1 Establishment

PD ZONES

PD-1	<u>Foxmoor Subdivision: Between Center Street and 165 South and between Orem Boulevard and 200 West Street.</u>
PD-2	800 North between 200 East and 400 East.
PD-3	800 North between 100 West and 200 East - Repealed.
PD-4	<u>Southeast Corner of 800 North at 800 East.</u>
PD-5	<u>1300 South between 200 East and Main Street; 1200 South to 1400 South between 200 East and 400 West Street</u>
PD-6	<u>Timpanogos Research & Technology Development Park.</u>
PD-7	<u>The Retreat, 100 South between 400 West and 200 West.</u>
PD-8	Palisades Drive between 600 North and 800 North.
PD-9	Palisades Drive between 500 North and 600 North.
PD-10	Northwest Corner of 800 North and 800 East.
PD-11	<u>Cascade Technology Park 1430 South Sandhill Road.</u>
PD-12	Southwest Corner of 1300 South and Main Street.
PD-13	Southwest Corner of 400 North and Orem Boulevard.
PD-14	Residential Estate Zone.
PD-15	2000 West Springwater Park Drive.
PD-16	400 South 1800 West.
PD-17	1200 South Between 50 East and 150 East.
PD-18	Residential Estate Zone, The Berkshires, 1300 South Carterville Road.
PD-19	South Rim PRD, 1755 South 750 East.
PD-20	Jameson Point PRD, 1559 South 850 East.
PD-21	Student Housing Village Zone, 1200 South Geneva Road.
PD-22	Urban Village.
PD-23	Midtown Village, 320 South State.
PD-24	Carrara Estates, 1300 North 400 East and 1600 North 400 East
PD-25	Verona, 600 South 800 East.
PD-26	Tanglewood, 1600 North 1200 West.
PD-27	Blackhorse Run II, 700 South Geneva Road.
PD-28	<u>North Pointe Plaza, 1600 North 1030 West</u>
PD-29	<u>Siena Villas at Columbia Lane</u>
PD-30	<u>Centennial Plaza</u>
PD-31	<u>Intermodal Center - 1350 West 1000 South</u>
PD-32	<u>MBARQ Senior Independent Living Facility – 256 East Center</u>
PD-33	<u>Transit Oriented Development - 800 South Geneva Road</u>
PD-34	<u>University Place - 1300 South State Street</u>
PD-35	<u>Windsor Court, 320 West 1360 North</u>
PD-36	<u>Orem Falls Business Park, 1200 North Geneva Road</u>
PD-37	<u>Legacy at Orem - 1450 South State Street</u>
PD-38	<u>Summit Ridge Apartments - 1697 South 400 East</u>
PD-39	<u>Cascade Village, 920 North and State Street</u>
PD-40	<u>460 South State Street</u>
PD-41	<u>1200 West Center Street</u>

(Ord. No. 661, Revised, 04/10/1990; Ord. No. 672, Amended, 08/07/1990; Ord. No. 685, Amended, 03/26/1991; Ord. No. O-97-0051, Amended, 10/21/1997; Ord. No. O-99-0049, Amended, 10/26/1999; Ord. No. O-99-0055, Amended, 12/14/1999; Ord. No. O-00-0024, Amended, 05/09/2000; Ord. No. O-00-0046, Amended, 10/24/2000; Ord. No. O-01-0021, Amended, 06/12/2001; Ord. No. O-00-20047, Enacted, 11/26/2002; Ord. No. O-00-20048, Enacted, 12/10/2002; Ord. No. O-03-0037, Amended, 11/11/2003; Ord. No. O-04-0036, Enacted, 7/27/2004; Ord. No. O-04-0038, Enacted, 7/27/2004; Ord. No. O-05-0037, Amended, 10/25/2005; O-07-0007, Amended, 1/23/2007; O-08-0008, Amended, 3/11/2008; O-08-0029, Amended, 10/28/2008; O-11-0023, Amended, 12/13/2011; O-12-0015, Amended, 5/22/2012; O-13-0002, Amended, 1/22/2013; O-13-0003, Amended, 1/22/2013; O-13-0014, Amended, 5/28/2013; O-13-0018, Amended, 7/9/2013; O-13-0026, Amended, 10/22/2013; O-13-0033, Amended, 12/10/2013; O-13-0036, Amended, 12/10/2013; O-14-0005, Amended, 1/14/2014; O-14-0004, Amended, 1/28/2014; O-14-0036, Amended, 10/28/2014)

How is traffic on State Street?

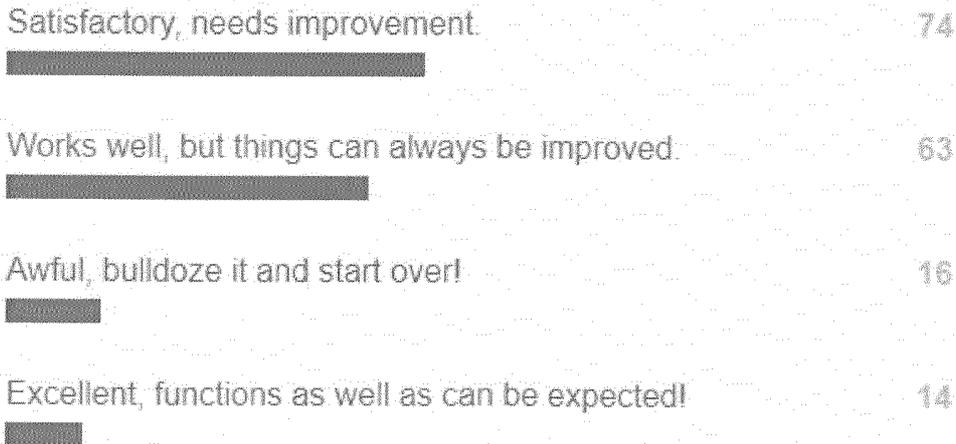
Votes

167

Comments

13

Poll Results

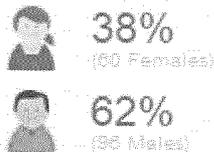


26% of people participated

(167 of 639 total participants)

28% More than your average and **542% More** than the MindMixer average

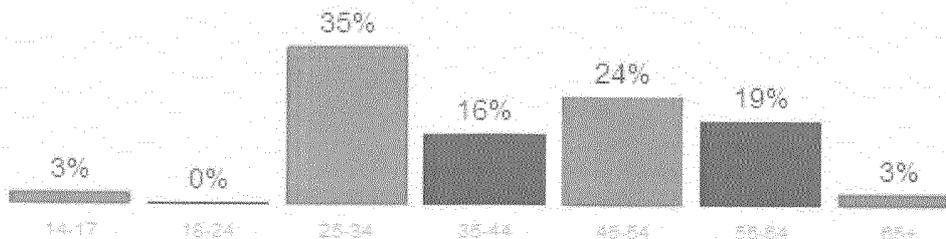
Gender Breakdown



Top Postal Codes

84057
84097
84058

Age Breakdown



Express your future vision of State Street in one word!

Just one word! Then describe and discuss in the comments.

Ideas: 40 Comments: 15 Idea Statuses: 0

Top Ideas

Boulevard

Reyon Z... | Dec 30, 2014

19 Stars
0 Comments

Attractive

Joan TP... | Dec 29, 2014

17 Stars
0 Comments

Modern

Joseph M... | Jan 01, 2015

16 Stars
0 Comments

Multi-Modal

Paul G... | Jan 01, 2015

15 Stars
0 Comments

Showpiece

James B... | Dec 30, 2014

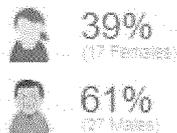
14 Stars
1 Comment

8% of people participated

(46 of 639 total participants)

63% Less than your average and 85% More than the MindMixer average

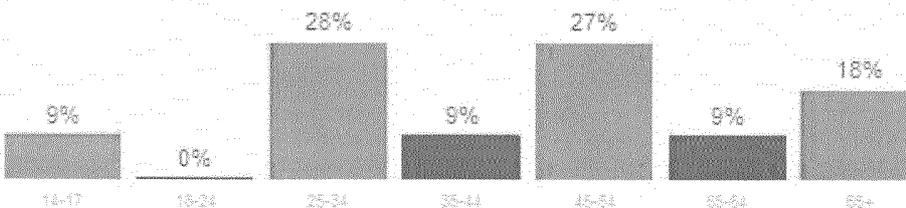
Gender Breakdown



Top Postal Codes

84057
84058
84097

Age Breakdown



Topic: State Street Planning - One Word Description

If you could describe the existing condition of State Street with one word, what would it be?

Ideas: 83 Comments: 9 Idea Statuses: 0

Top Ideas

messy

Scotney W/A | Dec 04, 2014

8 Stars
1 Comment

Bland

Jason B/T | Dec 09, 2014

8 Stars
0 Comments

Ugly, not visually pleasing.

Sarah E/T | Dec 25, 2014

6 Stars
0 Comments

Ugliness

Joseph W/T | Dec 03, 2014

6 Stars
0 Comments

Eyesore

Andrew B/T | Dec 05, 2014

6 Stars
0 Comments

14% of people participated

(89 of 639 total participants)

32% Less than your average and 242% More than the MindMixer average

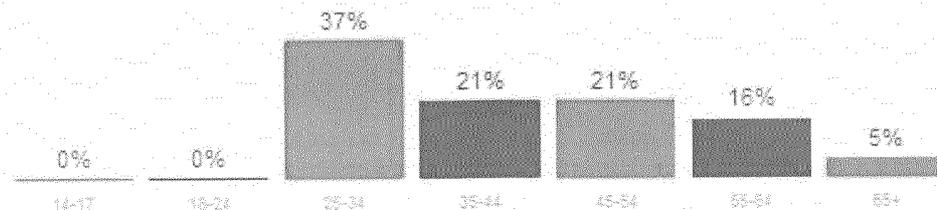
Gender Breakdown



Top Postal Codes

84057
84097
84058

Age Breakdown



How Walkable is State Street Now?

Votes

123

Comments

13

Poll Results

I never walk along State St if I can help it. It's scary and feels unsafe. It needs significant upgrades. 52

It might not be perfect, but I can walk wherever I need to just fine. 40

It's pretty bad. It could definitely use a few improvements. 31

20% of people participated

(125 of 639 total participants)

4% Less than your average and 381% More than the MindMixer average

Gender Breakdown



43%

(53 Females)



57%

(65 Males)

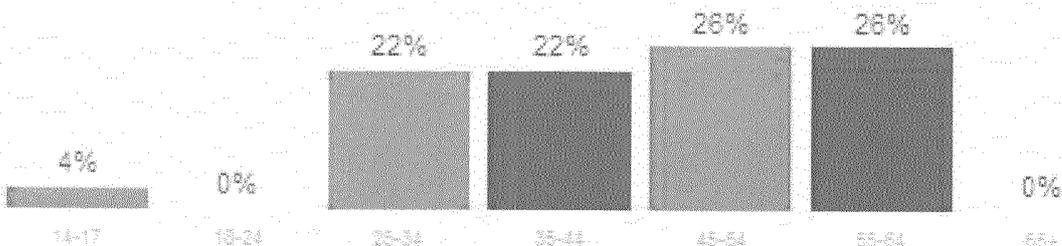
Top Postal Codes

84057

84058

84097

Age Breakdown



Choices, choices. If you had to decide, which community design option would you prefer?

Need to see a larger image? Click on the Topic Details tab and open the PDF file. Comments? Click on 'See More' and 'Learn More' below, and use the comments function to let us know what it is about the images you choose that you like. For example: "I chose number three, because I think the height and scale seems right for Orem. I would love it if you could turn off State Street into a neighborhood like that. I would much rather live there than at my current apartment!" Also, you may select up to 3 choices, since State Street may have a number of different options applied along the length of the corridor.

Votes: 70 Comments: 6

Poll Results



11% of people participated

(70 of 639 total participants)

46% Less than your average and 169% More than the MindMixer average

Gender Breakdown



Top Postal Codes



Age Breakdown

