



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

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

3:00 P.M. JOINT CITY/RDA STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

1. **UPDATE – State Street - IBI**
2. **FOLLOW UP – Utility Master Plan**
3. **DISCUSSION – University Place Participation Agreement**
4. **BUDGET DISCUSSION / PREVIEW - Compensation**

5:30 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM

PREVIEW UPCOMING AGENDA ITEMS

5. **PRESENTATION – Miss Orem Float Design Options – Kimberly Harris**
6. **Staff will present to the City Council a preview of upcoming agenda items.**

AGENDA REVIEW

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

CITY COUNCIL - NEW BUSINESS

8. **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

9. **MINUTES of City Council Meeting – February 10, 2015**
10. **MINUTES of Joint City Council / ASD Meeting – February 25, 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

- 11. **UPCOMING EVENTS**
- 12. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
CARE Advisory Commission.....3 vacancies
- 13. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**

CITY MANAGER’S APPOINTMENTS

- 14. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
Board of Building & Fire Code Appeals1 reappointment

PERSONAL APPEARANCES – 15 MINUTES

- 15. **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

- 16. **There are no Consent Items.**

SCHEDULED ITEMS

- 6:20 P.M. PUBLIC HEARING – Culver Sign Zone
- 17. **ORDINANCE - Amending Section 14-3-3 of the Orem City Code (Freestanding Signs: (Pole & Monument) (7) Sign Zone Table) by creating a new Sign Zone “F,” and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F**

REQUEST: The applicant requests the City Council, by ordinance, amend Section 14-3-3 of the Orem City Code (*Freestanding Signs: (Pole & Monument) (7) Sign Zone Table*) by creating a new Sign Zone “F,” and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F.

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Geneva Heights

BACKGROUND: The applicant is currently constructing the Culver’s restaurant at 780 North 1200 West which is adjacent to I-15 on the southeast side of the 800 North interchange. The Culver’s site is in Sign Zone E which allows pole signs to be constructed thirty-five feet (35’) above the natural grade or twenty-five (25’) feet above the grade of the freeway, whichever is greater.

The Culver's property is located in a natural depression and the applicant has determined that its signs would not be adequately visible to traffic traveling north on I-15 at the height allowed in Sign Zone E. Specifically, the applicant believes that traffic traveling north on I-15 would not have enough time to identify the Culver's sign in time to exit the freeway. The applicant conducted a study showing balloons at twenty-five (25) and fifty (50) feet above the height of the freeway and concluded that locating the sign fifty (50) feet above the freeway was necessary to provide adequate visibility for northbound traffic to identify their business in time to exit the freeway.

A topographic survey was conducted by the Engineering department to verify the difference in elevation between I-15 and the Culver's site. The results showed the Culver's site to be approximately thirteen feet (12.94 feet) lower than the grade of I-15.

Because of the topographically depressed location of the applicant's property, staff recommends that a new sign zone be created to address this specific area without altering all of Sign Zone E (which generally applies to properties located adjacent to the I-15 corridor throughout the City). The proposed Sign Zone F will allow signs in topographically depressed areas to have a maximum height of thirty-five feet (35') above the natural grade or fifty feet (50') above that point of I-15 located directly perpendicular to the sign, whichever is greater. All other regulations for signs in Sign Zone F would be subject to the same regulations as signs in Sign Zone E.

If the proposed amendment is approved, the applicant would be allowed to construct a sign with a height of sixty-three (63) feet. The City Council approved an amendment to the PD-22 zone (west of 1200 West) in May, 2011 to allow the Marriott hotel at 873 North 1200 West to construct an eighty (80) foot tall sign for similar visibility reasons.

A neighborhood meeting for the proposed amendment was held on January 29, 2015. Four (4) people were in attendance, all of whom are associated with the Culver's restaurant.

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, amend Section 14-3-3 of the Orem City Code (*Freestanding Signs: (Pole & Monument) (7) Sign Zone Table*), by creating a new Sign Zone "F," and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F.

- 18. RESOLUTION – Authorizing the City Manager to execute a partial release of two development agreements recorded against a portion of property in the PD-21 zone (1200 South Geneva Road).**

REQUEST: The applicant requests the City Council, by resolution, authorize the City Manager to execute a partial release of two development agreements previously recorded against property in the PD-21 zone (1200 South Geneva Road).

PRESENTER: Steve Earl

POTENTIALLY AFFECTED AREA: Sunset Heights West

BACKGROUND: Prior to adopting the PD-21 zone in 2000 (the original Parkway Crossing—now Wolverine Crossing and other projects), the City entered into a development agreement with the original developer of the property concerning a number of issues (hereinafter referred to as the “2000 Development Agreement”). In 2002, the City entered into a second development agreement with the developer (hereinafter referred to as the “2002 Development Agreement”) which made certain modifications and additions to the 2000 Development Agreement. Both development agreements were recorded against the property in the PD-21 zone.

Ben Lowe is the developer of “Area 2” in the PD-21 zone (on the eastern edge adjacent to the railroad tracks). The lenders for the project have requested that the two development agreements be released as to Area 2 upon fulfillment of all terms that apply to Area 2.

The requirements of the two development agreements as well as the status of each requirement is summarized below:

1. Developer to construct an overpass, monorail or gondola over I-15 to connect the project with UVU. If construction of the overpass is determined to be impossible or unfeasible, developer is required to increase shuttle capacity to allow capacity to move 20% of the residents between the project and UVU every hour. Must have shuttle departures every 10 minutes during peak hours.

Status: This requirement was also included in the text of the original PD-21 zone. A subsequent developer determined that construction of an overpass, monorail or gondola was impossible or unfeasible and requested that the City Council remove this requirement from the ordinance. On October 23, 2007, the City Council amended the PD-21 zone to remove the requirement that the developer construct an overpass or gondola. The City Council also removed the requirement that the developer provide a private shuttle service because UTA had begun providing bus service from the project to UVU.

2. Install sewer lines that gravity feed into the City's trunk line in 1000 South just west of Geneva Road.

Status: Completed.

3. Dedicate a strip of land 12' in width along the western boundary of the PD-21 zone (adjacent to Geneva Road) from 1000 South to University Parkway and construct road widening improvements.

Status: Completed.

4. Dedicate an additional strip of land 15' in width along the western boundary from 1000 South to University Parkway just east of the previous dedication for construction of sidewalk and public utilities. Developer to install 8' sidewalk in this strip.

Status: Completed.

5. Construct and dedicate a signalized intersection at 1000 South and Geneva Road. Install a fiber connection to the new signal from the existing signal at University Parkway and Geneva Road.

Status: Completed.

6. Reconstruct the east leg of 1000 South through UVU from the intersection of 1000 South and Geneva Road to the project site.

Status: This obligation was completed by UTA when they constructed and dedicated 1000 South Street to provide access to the intermodal station.

7. Provide access to the project from Geneva Road directly opposite the main access into the UTA property at 1100 South Geneva Road.

Status: Completed.

8. Install a raised median on University Parkway from the intersection with Geneva Road to a point located approximately 600 feet east of the intersection with Geneva Road.

Status: The City Traffic Engineer has determined that a raised median in this location would not be in the best interest of the City. Therefore, this obligation has not been completed.

9. Contribute \$200,000 to the City for future construction of a public safety building on the west side of I-15.

Status: Some property owners in the PD-21 zone have paid their proportionate share of this obligation and the City is working on collecting from those owners who have not yet paid their share. The applicant has agreed to pay his proportionate share before the City Manager executes a release.

10. Project to be developed as one single project as shown in Appendix X.

Status: Although the project was originally intended to be constructed as a unified development, the original developer allowed options on some of the parcels in the PD-21 zone to expire which resulted in the zone being developed as separate projects. The City Council has approved amendments to Appendix X (the PD-21 concept plan) to allow separate developments. However, the City has attempted to ensure cross access across each of the properties in the PD-21 zone.

As the above summary indicates, the only item that has not been fully completed or modified (expressly or implicitly) by the City is the requirement to make a payment toward a future public safety building as described in item 9.

At this time, the applicant is only requesting that the City Council release the two development agreements as to his property (Area 2—approximately 11.48 acres) and only after he makes the payment of his proportionate share toward a new public safety building

(\$43,360). However, in the interest of efficiency, staff also requests that the City Council authorize the City Manager to execute a partial release with respect to any other property owner who also pays their respective share of the \$200,000.00 public safety contribution.

RECOMMENDATION: City Staff recommend that the City Council, by resolution, authorize the City Manager to execute a partial release from the 2000 Development Agreement and the 2002 Development Agreement for any property in the PD-21 zone for which payment of its proportionate share of the public safety building contribution has been received.

COMMUNICATION ITEMS

- 19. There are no communication items.**

CITY MANAGER INFORMATION ITEMS

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

ADJOURN

DRAFT

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
February 24, 2015

3:00 P.M. STUDY 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; Chris Tschirki, Public Works Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Ryan Clark, Economic Development Division Manager; Jason Bench, Planning Division Manager; Neal Winterton, Water Division Manager; Reed Price, Maintenance Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

UPDATE – Master Plan – Utilities

Chris Tschirki, Public Works Director, introduced Tai Riser, K.C. Shaw, Carol Walker, Jim Michaelis, Bill Peperone, and Reed Price of the Public Works Advisory Committee (PWAC). Mr. Tschirki then turned the time over to Keith Larson of Bowen Collins & Associates. Mr. Larson introduced Fred Philpot, with Lewis Young Robertson & Burningham, who had done most of the financial work and modeling associated with the rates. Mr. Larson then presented information on water, sewer, and storm capital facility plans and rate impacts.

Mr. Larson reiterated points made in his presentation to the City Council in the study session held January 13, 2015. He then gave a presentation on funding options for the proposed capital facility plans, noting that it would not require new debt or additional bonding, but would be on a pay-as-you-go basis. He said that, even with proposed increases, Orem had competitive low rates. The punchline was an average annual increase to the residential monthly bill for all three utilities at \$9.38. The implementation of meter improvements and rate structure changes would give customers greater control of utility bills.

Mr. Larson said there were three rate scenarios for each utility to get the historic level of funding to match the required long-term level of funding. The scenarios were (1) a one-time increase, (2) follow the capital improvement plan as was, or (3) a five-year level increase. For all utilities,

DRAFT

1 scenario 1 would generally collect more revenue over the five-year period. Scenario 2 would
2 remain the same, neither decreasing nor increasing. Scenario 3 would eventually collect less
3 revenue over the five-year period.

4
5 Mr. Larson shared the following other considerations:

- 6 • Water
 - 7 ○ Move to a seasonal water rate
 - 8 ▪ better matched cost of service
 - 9 ▪ encouraged conservation when needed most
 - 10 ▪ gave residents greater control over bill
 - 11 • Sewer:
 - 12 ○ Move to base rate per unit
 - 13 ▪ eliminated subsidy and improved fairness
 - 14 ▪ increased revenues by \$500,000 to offset additional increases
 - 15 • All Utilities:
 - 16 ○ Consider adoption of citywide impact fees
 - 17 ▪ more fairly allocate costs between existing rate payers and future growth
- 18

19 Mr. Larson showed comparisons of annual water rates, sewer rates, and storm drain rates for
20 average residential customers in cities throughout Utah. He showed projections on where Orem
21 would be in five years moving forward with the proposed changes. Mr. Larson said the
22 recommendation was to move forward with scenario 2 on all three utilities.

23
24 Mr. Tschirki said Provo City was looking to make similar changes on sewer base rates, and the
25 matter had already been before the Provo Council in a study session.

26
27 Mayor Brunst asked how many cities did not charge impact fees. Mr. Larson said only one city
28 they knew of did not charge impact fees, which was Orem. An impact fee study would be
29 completed before anything changed.

30
31 Discussion included the following issues:

- 32 • Sewer Timeline
 - 33 ○ Proposed change from per connection account to per unit go into effect January 1,
34 2016
 - 35 ▪ Numbers subject to change if implementation later than January 1, 2016
 - 36 ▪ City Council would ultimately make determination
 - 37 ○ Proposed change for residential fees go into effect July 2016
 - 38 ▪ Followed direction from City Council that those using services should pay
39 for those services
 - 40 ▪ Rectify unfair subsidy of those paying fair prices
 - 41 • Residential – according to individual units instead of accounts
 - 42 • Non-residential (commercial, industrial, etc.) – according to meter
43 size and American Water Works Association (AWWA) multiplier
 - 44 • AWWA multiplier currently used for water, but not sewer
- 45
46 • Water
 - 47 ○ Federal money had funded Orem’s water treatment plant initially

DRAFT

- 1 ▪ Orem had paid usage charges, but nothing toward capital improvement
- 2 since the 1970s
- 3 ▪ Federal funds were drying up and would not be available for the future
- 4 ○ Many variables affected pipes
- 5 ▪ Proactive maintenance kept pipes in good condition
- 6 ▪ Looking for funding before pipes were in complete disrepair would put
- 7 Orem ahead of other cities in terms of maintenance and CIP
- 8

- 9 ● Citywide impact fees

- 10 ○ PWAC strongly encouraged Orem to consider citywide impact fees for
- 11 maintenance and growth
- 12 ○ Would be fair over the life of the utility
- 13 ○ Perception was that other cities were considering similar changes, Orem was not
- 14 alone in proposed changes
- 15 ▪ More established cities already had infrastructure, water rights, etc. but
- 16 needed to keep up with maintenance and improvements
- 17 ▪ Newer cities and towns were not included in comparison because most
- 18 already had high impact fees
- 19 ○ Controlled replacement would save significantly long-term
- 20 ▪ Replacement on as-needed basis at appropriate time rather than needing to
- 21 overhaul system all at once
- 22 ▪ Current assets needed to be preserved
- 23

- 24 ● General Concerns

- 25 ○ Scenario 3 would be unsustainable and would require bond, unless amount was
- 26 raised
- 27 ○ Orem still below average on most utilities in 2020 even with proposed changes
- 28 ▪ Proactive approach important, as services would be necessary beyond the
- 29 five year period
- 30 ▪ Increase according to inflation, rather than large jumps after many years
- 31 ▪ Project had been identified for the next ten years
- 32 ○ Fees would cover replacement and repair to aging system
- 33 ▪ No negligence on system, but meeting lifespan of certain infrastructure
- 34 • Population had increased significantly since installation
- 35 • Older system seeing greater demand with limited improvements
- 36 ▪ Fees would cover only capital improvements, no increase to operational
- 37 costs
- 38 ○ Significant jump to meet required level of funding
- 39 ▪ Proposed changes would be less than \$10 dollars
- 40 • Examine range possibilities to lessen amount for residents
- 41 • Range of costs would be in construction estimates
- 42 ▪ Would be to avoid bonding to cover required improvements and
- 43 maintenance
- 44 ▪ Residents had not been paying appropriate apportion of costs, now needed
- 45 funds to make required improvements
- 46
- 47

DRAFT

- Public Reaction and Education

- Proposed implementation dates to give time to educate public on need for changes
 - Public hearings
 - Open houses
 - Newsletter
 - Multimedia effort and outreach
 - PWAC additional resource
- Residents needed to know what fees funded
 - Capital Improvement Projects would mostly be underground, but signs could explain what improvements were done with the funding
- Could see significant push-back
- Fee schedule would be reviewed in May
 - All three utilities would be considered
 - Recommendation was to move forward with scenario 2

Mr. Tschirki said Tyler Peay, Engineering Water Utility Specialist, was heavily involved in looking at the various options for automated meter readers. A sample number of them had been installed and were linked to a website, eyeonwater.com, where historic water usage could be viewed. When consumers were able to see breakdowns of hourly, daily, weekly, and monthly water usage, it gave them more control and increased awareness of water usage. A smart phone application for eyeonwater.com was also available, so consumers could view water usage and receive alerts of leaks.

Mr. Winterton said Orem was a trial customer with eyeonwater.com, which was one of many vendors who could provide the service. If the Council supported the capital facility rate structure, staff would do an open bid for a vendor and look at long-term contracts to provide the multimedia service to residents. Installing new, more accurate meters would be the real cost but would make the system more efficient. New meters would eliminate meter readers.

Mayor Brunst thanked the PWAC and Mr. Tschirki and his staff for their efforts. Mayor Brunst said he preferred further discussion on the topic before moving forward. Mr. Davidson said that could be arranged.

UPDATE – Arson Investigation

Chief Giles gave a brief update on Orem's arson investigation. He said there were some active leads that investigators were exhausting. There were some investigative tools being used that required the use of outside sources. Many construction sites had security and were taking further preventative measures. Police and fire officers continued to do extra patrols.

Chief Gurney said officers were making their presence known as they were out and about on routine and extra patrols and were stopping at construction sites to discuss safety precautions. Many developers and construction personnel had thanked them for their extra efforts.

Mayor Brunst said another \$1,000 was added to the reward amount, which brought the total to \$13,500.

DRAFT

UPDATE – Community Garden with IHC

Mayor Brunst said Intermountain Health Care was looking to put together a community garden program for Spring/Summer 2015 at the Orem Community Hospital.

Mr. Downs said there was a meeting scheduled March 17, 2015, at 5:30 p.m. with Scott Mortensen, the CEO of Orem Community Hospital, for any interested resident to get more information about the garden program and how to volunteer and get involved. Another meeting was scheduled for May 2015 to look at the progress of the program.

5:00 P.M. STUDY 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; Chris Tschirki, Public Works Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Ryan Clark, Economic Development Division Manager; Jason Bench, Planning Division Manager; Neal Winterton, Water Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

Preview Upcoming Agenda Items

Staff presented a preview of upcoming agenda items.

Agenda Review

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

City Council New Business

There was no new City Council business.

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

6:00 P.M. REGULAR SESSION

CONDUCTING

Mayor Richard F. Brunst, Jr.

DRAFT

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; Chris Tschirki, Public Works Director; Karl Hirst, Recreation Director; Scott Gurney, Fire Department Director; Gary Giles, Police Department Director; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Charlene Crozier, Library Director; Jason Bench, Planning Division Manager; Ryan Clark, Economic Division Manager; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

INVOCATION /

INSPIRATIONAL THOUGHT

Paula Jarmin

PLEDGE OF ALLEGIANCE

Ben Jones

APPROVAL OF MINUTES

Mr. Sumner **moved** to approve the February 10, 2015, City Council meeting minutes. Mr. Macdonald **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

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

Mr. Macdonald **moved** to appoint Jeff Lambson, Annette Harkness, LaNae Millett, and Patricia Olsen to the CARE Advisory Commission. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

Mr. Macdonald **moved** to reappoint Barbara Willes and Thomas Carlile to the Senior Advisory Commission. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

Mr. Macdonald **moved** to appoint Griffin Harris, Rebecca Pipkin, and Scott Henricksen to the Transportation Advisory Commission. Mr. Spencer **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner. The motion **passed**.

DRAFT

Recognition of New Neighborhoods in Action Officers

There were no new Neighborhoods in Action Officers recognized.

Report – Beautification Advisory Commission

Aaron Orullian, chairperson of the Beautification Advisory Commission (BAC), introduced BAC members Carol Manwaring, Phebe Hawkes, Gayla Muir, and Sean Orullian. Mr. Orullian enumerated the accomplishments of the BAC through the year 2014, including Arbor Day events and presenting awards for holiday home decoration, business beautification, and residential beautification.

Mr. Orullian said the UVU and Orem banners that hung from street light poles were in poor condition, and the BAC would like to examine ways to improve the look. The BAC was working with UVU to improve the flags.

The BAC had a Facebook page to share news of winning beautification awards, and other BAC projects. The BAC had previously been involved in the SummerFest parade and would be doing more through the summer and into the fall.

One project the BAC had completed in the past year was the clearing of the flower beds in front of the City Center. Miss Orem, Miss Teen Orem, and student council members from Orem and Mountain View high schools had volunteered to clear the flower bed of weeds and rocks and prepare the ground for future planting.

Ms. Manwaring introduced some BAC objectives for the upcoming year, including the Adopt-A-Pot program for hanging flower pots throughout the city. Businesses could adopt a hanging flower pot and be responsible for the upkeep. This would beautify the city without cost to the city, and allow businesses to express pride in their community.

The BAC would continue to be involved with SummerFest and Arbor Day events. They would also increase beautification recognition awards and try to award them sooner in the season.

Mrs. Black and Mayor Brunst thanked the commission for their efforts.

CITY MANAGER’S APPOINTMENTS

Appointments to Boards and Commissions

There were no City Manager appointments.

PERSONAL APPEARANCES

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

Susan Lee, resident, said she believed the City should look into replacing some traffic lights with roundabouts, excluding the large intersections in the city. Ms. Lee said her proposal information came from the Intermountain Health Care Center Cardiac Unit, the Hinckley Charitable Institute,

DRAFT

1 Roundabouts USA, and the Federal Highway Administration Safety Board. 80,000 people died
2 from air pollution related diseases like asthma, bronchitis, heart disease, and cancer each year.
3 Roundabouts would significantly cut the time cars spent idling at empty intersections, and would
4 lessen the air pollution which had been a problem in Orem for years. Ms. Lee believed there
5 would be economic advantage in replacing light signals with roundabouts in terms of air quality,
6 public health, and no longer needing to maintain traffic lights.

7
8 Gayla Muir, resident, gave a brief report of her time as Orem's representative on the Utah
9 County Fair Board. The Utah County Fair was scheduled August 12 through August 15, 2015, in
10 Spanish Fork. Ms. Muir said she was heading up a Seniors Day at the fair opening on
11 Wednesday, August 12, 2015. Seniors and veterans would be incorporated with the opening
12 ceremonies of the fair. She said she had spoken with Orem's library director about a talent
13 competition at the outdoor stage that would feed into the finals at the Utah County Fair.

14 15 **CONSENT ITEMS**

16
17 There were no Consent Items.

18 19 **SCHEDULED ITEMS**

20 21 6:20 P.M. PUBLIC HEARING – Economic Development Strategic Plan 22 RESOLUTION - Amending Chapter 6, Economics, of the Orem General Plan and 23 approving the Orem Economic Development Strategic Plan

24
25 Ryan Clark, Economic Development Division Manager, recommended that the City of Orem, by
26 resolution, amend Chapter 6, Economics, of the Orem General Plan and approve the Orem
27 Economic Development Strategic Plan. Mr. Clark introduced Suzy Becker with Zions Bank
28 Public Finance Municipal Consulting Group (ZBPF) to present to the public a presentation on
29 the proposed Orem Economic Development Strategic Plan.

30
31 Mr. Clark said the General Plan was a written guide for the future development of the City.
32 Chapter 6 of the General Plan discussed economics. The chapter currently described the City's
33 intent to maintain a healthy working relationship with the Commission for Economic
34 Development in Orem (CEDO) in order to achieve the most desirable results in economic
35 development pursuits.

36
37 In 2012, CEDO was integrated into the City of Orem and the Economic Development Division
38 (EDD) was created. The EDD was now tasked with the responsibility for economic development
39 in the City. Over the last year, in conjunction with Zion's Bank Public Finance, a new Economic
40 Development Strategic Plan (EDSP) was completed. The EDSP was a guide for City of Orem
41 economic development for the next five to ten years. Many goals associated with the EDSP
42 require zoning and land use coordination. Therefore, in Chapter 6 of the General Plan, reference
43 to the EDSP as a guiding document for economic development should be included to ensure
44 coordination between land development goals and economic development goals.

DRAFT

1 It was proposed that Chapter 6, Economics, of the Orem General Plan be modified to reflect the
2 dissolution of CEDO, the creation of the Economic Development Division, and the addition of
3 the Economic Development Strategic plan dated December 2014.

4
5 Ms. Becker said the study combined market analysis with economics and planning, which was a
6 trend she had seen in her field. Many workshops were conducted looking at marketing, RDAs,
7 housing, transportation, etc. with the idea to have all the information combined into an economic
8 and planning document. She said the study looked at Orem to identify different economic
9 districts, and the unique opportunities each could offer in order to balance the City with long-
10 term sustainability.

11 Implementation Plan Goals:

- 13 1. Increase the sustainability of the City's tax base through increased property values
- 14 2. Establish Orem as the employment hub of Utah County
 - 15 a. Capitalize on investment at University Place – Orem's "downtown"
 - 16 b. Cluster of class A office space at the intersection of State and University
 - 17 c. Provide transition between mid-rise office and residential areas
 - 18 d. Bring in hotels to serve business development
- 19 3. Maintain supremacy as the regional retail hub of Utah County
- 20 4. Improve the visual and physical appearance of State Street; develop and strengthen key
21 economic nodes along State Street
 - 22 a. Provide better connections between State Street and Orem Blvd.
 - 23 b. Long Term: Future expansion of the City Hall
 - 24 c. Use Form-based-code to transform 3-4 blocks of Center Street into Orem's "Main
25 Street" – development along Center Street would include residential and first
26 floor retail
 - 27 d. Retrofit existing shopping centers to have a more urban street frontage while
28 maintaining big box retail
 - 29 e. Transform Orem Boulevard into a pedestrian and bike-friendly corridor lined with
30 residential and neighborhood-serving commercial uses
- 31 5. Redevelop Geneva Road – The "Wedge"
 - 32 a. Current discussions with Vineyard, MAG, and UTA to align light rail through "@
33 Geneva" development
 - 34 i. Veers west from Geneva Road at 1600 North to parallel FrontRunner
35 southward to 400 North
 - 36 ii. Avoids much of Orem, doesn't benefit the Wedge
 - 37 b. Near-term: City should influence alignment close to Geneva Road, BRT on
38 University Parkway, and State Street
 - 39 c. "The Wedge"
 - 40 i. An underdeveloped area with potential for future redevelopment
 - 41 ii. Potential "high visibility" class A sites along I-15
 - 42 iii. Incubator sites within the interior of the Wedge
 - 43 iv. Must be planned for the future
 - 44 v. Anchor the west end of Center Street with a civic building and green
 - 45 vi. Possibly a new park to incentivize development
- 46 6. Increase connectivity with Utah Valley University
 - 47 a. Integrate more with community and connection with I-15

DRAFT

- 1 b. UVU – “Wolverine Hill” – Create a student village with a mixture of housing,
2 retail and recreation amenities
- 3 7. Develop a new, progressive and sophisticated image for Orem
- 4 a. Branding:
5 *For the City of Orem’s economic development audience, Orem provides great*
6 *value through a low cost of doing business and a quality workforce. Orem is*
7 *the epicenter of Utah County, where start-up companies, established*
8 *businesses and developers prosper.*
- 9 8. Encourage cultural arts activities
- 10 a. Potential for senior housing close to amenities
- 11 b. Enhanced park gateway and “parking plaza” – can double as farmer’s market
- 12 c. Enhance edges of park to better integrate with surroundings
- 13 d. Arts village clustered around the Arts Center
- 14 e. Connect park and Arts Center with Orem Boulevard
- 15 9. Thoughts on Implementation
- 16 a. Top 10 Business Decision Factors – EDC Utah
- 17 i. Labor Costs
- 18 ii. State and local incentives
- 19 iii. Highway accessibility
- 20 iv. Availability of skilled labor
- 21 v. Energy availability and costs
- 22 vi. Proximity to major market
- 23 vii. Tax exemptions
- 24 viii. Occupancy/construction costs
- 25 ix. Corporate tax rate
- 26 x. Availability of buildings

27
28 Ms. Becker said Orem had room for improvement, but was doing the right things to move
29 forward. She thanked the City for allowing her to work with Orem.

30
31 Mr. Sumner asked about “Wolverine Hill” and what that project might entail.

32
33 Ms. Becker said UVU was a great part of the community, but more could be done to integrate the
34 university with the city. The student village idea was a general idea they had come up with to
35 connect university students more with the community surrounding UVU.

36
37 Mayor Brunst opened the public hearing.

38
39 Jim Fawcett, resident, said he had attended the three-day workshop ZBPF had put on. Tax
40 increment financing was allowed for the mall project, which he felt was an excuse. Mr. Fawcett
41 had looked at Chapter 6 in the General Plan which referred to the EDSP. The number twelve
42 listed goal in Chapter 6 was to develop CDAs for TODs (Transit Oriented Developments). It
43 referred to key sites or nodes where TODs would be pushed. He said he was concerned with tax
44 increments, especially for TODs. He wondered why the City would develop private property
45 with incentives.

46
47 Mayor Brunst closed the public hearing.

DRAFT

1 Mr. Andersen said he wanted to continue the thought from Mr. Fawcett. Mr. Andersen said he
2 believed strongly in private enterprise and did not believe in CDAs. He felt when the City used
3 tax dollars to subsidize some businesses and not others it was no longer private enterprise. He
4 felt it violated morals and private enterprise by picking winners and losers. Mr. Andersen said he
5 looked at Washington, D.C. and the millions of dollars that went to getting politicians elected.
6 The University Mall gave some \$18,500 dollars to candidates running for office in Orem. He
7 said the mall did that for the same reasons people gave money to politicians in Washington,
8 D.C., which he felt corrupted the elective process. Creating more CDAs would corrupt the whole
9 process of private enterprise and development. Mr. Andersen said money would go toward
10 businesses instead of police and fire departments, streets and roads, and schools. Residents
11 would pay higher taxes so businesses could pay less.

12
13 Mayor Brunst said he was in favor of the proposal and thought the strategic plan was an
14 important tool that would help the community as a whole to move forward in terms of growth
15 and infrastructure, and in providing for the needs of the community.

16
17 Mr. Macdonald said Mr. Andersen did not believe in win-win opportunities. EDAs were not
18 designed to take money away from tax payers but were designed to increase the tax base. When
19 the University Mall CDA was approved, everyone in the community benefitted from it. Mr.
20 Macdonald said he understood some opposed the idea, but he believed it was a popular idea with
21 the majority of Orem residents. Everyone who had ever run for Council had received a benefit
22 from the mall, in one way or another. Perhaps the benefit was not in dollar amounts, but the
23 candidates were allowed to post campaign signs at the mall. Mr. Macdonald said he was elected
24 to be a leader, not a politician. He would vote against ideas and projects if he did not believe in
25 them, no matter who proposed them. Mr. Macdonald stated that for someone to make innuendos
26 and question his integrity was an offense to him and should be an offense to every voter in the
27 city. He could not sit idly while being backhandedly accused of improprieties. He was an
28 honorable man and believed others on the Council were as well. Mr. Macdonald said he would
29 not go on radio talk show and “throw people under the bus.” He said he would speak positively
30 in meetings and outwardly, and if he disagreed he would voice that disagreement in the meeting.
31 He said the City Council members were honorable people who tried to serve all of Orem, even
32 those who had not voted for them, and he was grateful to serve with them. Mr. Macdonald said
33 the EDSP was a blueprint, not a command. Property owners would have the ultimate say of what
34 was done with properties. He said he was grateful for a good community of good people, and he
35 was proud to represent them.

36
37 Mr. Sumner said Mr. Macdonald touched on many points he wanted to make. Mr. Sumner
38 reiterated that the EDSP was a plan, not a required development. Planning had to start
39 somewhere, or there was no forward movement or direction. He said he was encouraged by the
40 plan. Each increment of the plan would need to be approved by the City Council. This was not a
41 sweeping move but a vision for the future. He thanked Mr. Clark and Ms. Becker for the work
42 that had gone into the plan.

43
44 Mrs. Black said the Council was trying to make Orem a better place for the future and to provide
45 opportunities for the citizens. There was no dark effort or conspiracy behind proposed projects.
46 The future had to be planned for, and there were great opportunities now to do that. Those
47 providing and presenting the data were professionals who knew what they were doing. Orem had

DRAFT

1 invested in data and was moving forward with that information. She said CDAs, EDAs, and
2 URAs were tools that could be used for certain things, which was why Utah was in great
3 economic state. Mrs. Black stated that she was also offended by the idea that Councilmembers
4 had been bought for votes in the future. She said believed everyone on the Council had good
5 intentions and wanted the very best for Orem. Said she was in favor of the EDSP and appreciated
6 all the good work by staff and the consulting groups that had gone into making this plan in a
7 professional way.

8
9 Mr. Seastrand said he appreciated the plan. The key element he walked away with was that Orem
10 was in a strong position in a number of areas. He said he thought it was wonderful to be part of
11 Orem. The data showed how strong Orem's retail channels were compared to surrounding areas,
12 and that was because of the University Mall. Because of the sales tax revenues the mall
13 generated, the property tax in Orem had not increased since 1978. Many surrounding cities had
14 no such benefit and had seen significant property tax increases. Mr. Seastrand said he thought
15 working with businesses for planning and economic development could open doors to some
16 improvements in the city. Things could change in the future, but a plan was a tool to have
17 something to work toward.

18
19 Mayor Brunst **moved**, by resolution, to amend Chapter 6, Economics, of the Orem General Plan
20 and approve the Orem Economic Development Strategic Plan. Mrs. Black **seconded**. Those
21 voting aye: Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David
22 Spencer, Brent Sumner. Those voting nay: Hans Andersen. The motion **passed**, 6-1.

6:20 P.M. PUBLIC HEARING – PD Zones

ORDINANCE - Amending a portion of Section 22-5-1 of the Orem City Code to include and update the names of various PD zones

23
24
25
26
27
28 Jason Bench reviewed with the Council the Planning Commission's recommendation that the
29 City Council, by ordinance, amend a portion of Section 22-5-1 of the Orem City Code to include
30 and update the names of various PD zones.

31
32 Article 22-5 of the Orem City Code listed the various zones established by City Code including
33 all of the Planned Development (PD) zones. Many new PD zones had recently been adopted and
34 an update to section 22-5 was needed to include the names of these new PD zones. The names of
35 several PD zones had also changed over time and the proposed amendment would show the
36 current names of these PD zones as well.

37
38 The proposed changes were as follows:

22-5-1. Establishment.

39
40 The City of Orem is hereby divided into zones and districts as follows:

41
42 ...

PD ZONES

43
44
45 PD-1 Between Center Street and 165 South and between Orem Boulevard and 200 West Street.
46 PD-2 800 North between 200 East and 400 East.
47 PD-3 800 North between 100 West and 200 East - Repealed.
48 PD-4 800 North at 800 East.
49 PD-5 1200 South to 1400 South between 200 East and 400 West Street

DRAFT

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

37
38 Mr. Bench said the proposed changes were to correct an oversight and correctly label the names
39 of the PD zones in the code.

40
41 Mr. Sumner asked if naming the PD zones would give them any advantage or privilege. Mr.
42 Bench said it would not. It simply listed the names of the PD zones.

43
44 Mayor Brunst opened the public hearing. There were no public comments, so Mayor Brunst
45 closed the public hearing.

46
47 Mayor Brunst **moved**, by ordinance, to amend a portion of Section 22-5-1 of the Orem City
48 Code to include and update the names of various PD zones. Mr. Andersen **seconded**. Those
49 voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.
50 Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

51
52
53

DRAFT

1 6:20 P.M. PUBLIC HEARING – Utility Connections
2 ORDINANCE – Amending Section 20-3-5 of the Orem City Code pertaining to separate
3 sewer connections
4

5 Mr. Bench reviewed with the Council the Planning Commission’s recommendation that the City
6 Council, by ordinance, amend Section 20-3-5 of the Orem City Code pertaining to sewer
7 connections.
8

9 Article 20-3-5 currently required separate sewer connections “for every building and for every
10 dwelling unit in buildings having more than one dwelling unit.” By implication, this language
11 did not require a separate sewer connection for every commercial unit in a building containing
12 multiple commercial units. By deleting the word “dwelling,” the proposed amendment would
13 correct this problem and would require a separate sewer connection for all units of any kind in
14 buildings having more than one unit.
15

16 The existing exception allowing multiple connections to a single sewer lateral where justified by
17 a fixture count analysis would continue to apply to buildings containing multiple dwelling units
18 such as an apartment building with 12 units.
19

20 The proposed amendment was shown below.
21

22 **20-3-5. Separate connections required.**

23 A separate and independent building sewer shall be provided for every building and for every unit in
24 buildings having more than one unit, except that multiple family buildings may perform a fixture
25 count analysis to justify multiple dwelling connections on a single lateral. The analysis will be
26 approved by the Director before the lateral is installed. Where one building stands at the rear of
27 another on an interior lot and no private sewer is available or can be constructed to the rear building
28 through an adjoining alley, court, yard, or driveway, the building sewer from the front building may
29 be extended to the rear building and the whole considered as one building sewer, but the City does not
30 and will not assume any obligation or responsibility for damage caused by or resulting from any such
31 single connection.
32

33 Mr. Bench said the request was simply to strike the word “dwelling” from the language in the
34 code section. They required separate sewer connections for each unit, and removing the word
35 “dwelling” made the language more clear and understandable. It would also make the language
36 more defensible when people would ask why they needed a separate connection. The purpose for
37 the separate units was for sampling, and if there was a sewer issue they could isolate the
38 individual connection for repair rather than shutting down a group of connections.
39

40 Mayor Brunst opened the public hearing. There were no public comments, so Mayor Brunst
41 closed the public hearing.
42

43 Mayor Brunst **moved**, by ordinance, to amend Section 20-3-5 of the Orem City Code pertaining
44 to sewer connections. Mr. Spencer **seconded**. Those voting aye: Hans Andersen, Margaret
45 Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, Brent Sumner.
46 The motion **passed**, 7-0.
47
48
49

DRAFT

1 6:20 P.M. PUBLIC HEARING – Residential Parking Permit Area
2 RESOLUTION – Establishing a Residential Parking Permit Area between 800 South and
3 925 South and 600 West and 725 West
4

5 Chief Giles, Orem Chief of Police, recommended that the City Council, by resolution, establish a
6 residential parking permit area between 800 South and 925 South and 600 West and 725 West in
7 Orem, Utah.
8

9 Chief Giles said the City of Orem was responsible for protecting the health, safety, and general
10 welfare of the City. With the ongoing enrollment of students and the expansion of Utah Valley
11 University, there had been an increase in the number of nonresidents who were using 600 West,
12 725 West, 925 South, 950 South and the connected cul-de-sacs as on-street parking during the
13 university's business hours. The nonresident motor vehicles would remain on these streets for the
14 majority of the day between 7:00 a.m. and 5:00 p.m. This increase in use of these streets as
15 parking for students and others visiting Utah Valley University had caused increased traffic
16 congestion and had contributed to the inability of residents and their visitors to park near their
17 homes. A group of individuals who resided in the area filed a petition with the Orem City Police
18 Department asking that a study be conducted to determine whether it would be appropriate for
19 the City to create a residential parking permit area between 800 South and 925 South and 600
20 West and 725 West.
21

22 Chief Giles said the Orem Police Department had conducted the study and concluded that (1)
23 during business hours, the area was congested with motor vehicles that were not owned by those
24 living in the neighborhood; and (2) after 5:00 p.m., the majority of the motor vehicles occupying
25 on-street parking are gone.
26

27 Having completed the study, the Orem City Police Department recommended that the City
28 Council create a residential parking permit area between 800 South and 925 South and 600 West
29 and 725 West.
30

31 If the City Council created the residential parking permit area as proposed, any resident within
32 the residential parking permit area would be permitted to park any cars registered to his/her
33 dwelling in the residential parking permit area, and each dwelling within the residential parking
34 permit area would be given two (2) visitor/guest permits.
35

36 Chief Giles said the notice for the public hearing had not clarified specifically if the south side of
37 800 South was included in the permit area, but that area was included on the petition. For that
38 reason, he believed they should proceed with the other specified streets and bring the issue of the
39 south side of 800 South back to the Council at a later time. Chief Giles noted that 800 South was
40 an area of concern for parking, so he anticipated permitting that specific area of the south side of
41 800 South as soon as possible.
42

43 Mr. Stephens said because the original petition did request 800 South be included, the only issue
44 was in regards to the notice for the public hearing. He agreed with Chief Giles that they should
45 proceed and revisit the item for the south side of 800 South at a later date.
46

DRAFT

1 Mr. Sumner asked about the north side of 800 South and said the parking issue was as bad on the
2 north side as the south. Chief Giles said the petition did not include the north side of 800 South,
3 and only specified the south side.

4
5 Mr. Macdonald asked about 880 South in the general area. Chief Giles said that area was not
6 included in the petition, and he was not aware of an area there that students were using to reach
7 campus.

8
9 Mr. Spencer asked about other problem streets in the area. Chief Giles said there were areas with
10 red curb but the red curb ended adjacent to a fence as opposed to in front of a home. The original
11 request included down to 750 West, but Lt. Craig Martinez, who had conducted the study, found
12 the real problem to be in front of residential areas.

13
14 Mr. Seastrand said his experience in the past with residential parking permit areas was that the
15 vast majority of neighbors were in favor of the permit area, but he asked if any neighbors were
16 opposed to the permit area. Chief Giles said he believed it was a majority of the area that had
17 signed the petition and had not heard neighborhood opposition to the change.

18
19 Chief Giles clarified that the permit area would be enforced during daytime school hours
20 Monday through Friday from 7:00 a.m. to 5:00 p.m., except on holidays. All vehicles registered
21 to residences in the area would be given a permit, and they would also be given two visitor
22 parking passes. Visitors or residents would need to display the parking permit tag if parking on
23 the street.

24
25 Mr. Seastrand asked if officers would routinely monitor the area or would it be residents making
26 calls to report violations.

27
28 Chief Giles said it would be difficult in terms of time and manpower to have routine monitoring
29 of the area, but volunteers would check in as often as possible. The bulk of enforcement would
30 come from neighbors reporting non-permitted cars being parked in front of their residence.

31
32 Mayor Brunst asked if these would be annual permits. Chief Giles said there was no expiration
33 date on the permit, and the neighborhood could change its mind about the permit area at any
34 point.

35
36 Mayor Brunst opened the public hearing.

37
38 Sherry Jenkins, resident, said she wanted to clarify some of the areas and questions that were
39 brought up. The homes to the north of the isolated neighborhood requesting permits were already
40 permitted. UVU was not going anywhere, and the parking continued to be a problem. The south
41 side of 800 South was originally in the petition. All but the neighbors who were not home were
42 represented on the petition. Ms. Jenkins said a couple of neighbors thought the permit area might
43 be inconvenient but still wanted to remove UVU students parking in their neighborhood. She
44 said she was concerned about revisiting the south side of 800 South at a later date because she
45 anticipated the parking to become an even bigger problem once the other streets were permitted.

DRAFT

1 Steve Albrecht, resident, said he supported the parking permit area. His reasons were that (1) it
2 was dangerous, with kids running from behind parked cars; (2) it lowered property values as the
3 neighborhood became a parking lot with cars from UVU students who did not want to pay for
4 parking. (3) there would be a lot of strangers wandering through the neighborhood because they
5 were parked there, and (4) the neighborhoods to the north and to the east were already permitted,
6 and yet their neighborhood did not have permits. They would appreciate the help from the
7 Council to eliminate these problems.

8
9 Don Jenkins, resident, did not have anything new to add but agreed with what Ms. Jenkins and
10 Mr. Albrecht has said. He was also concerned that the parking would be a bigger problem on
11 800 South if it was not included at this meeting. He appreciated the time police had spent looking
12 into the matter.

13
14 Mark Tippetts, resident, wondered about the number of permits that were allowed for residents.
15 He said he had four children who would visit with grandchildren asked wondered if it was
16 possible to receive more than two guest permits.

17
18 Chief Giles said it was possible. He said typically every vehicle registered at the residence would
19 receive a permit and two guest passes, but they were willing to give more guest permits as
20 appropriate.

21
22 Mr. Tippetts said Pear Hollow Street should be considered in the permit area, because there was
23 an empty lot that students would often park by and walk through to campus.

24
25 Christie Richards, resident, echoed the sentiments that had been shared. She said there were
26 many cars parked on her street and students walking through yards. The parking situation caused
27 increased traffic, vehicular and pedestrian.

28
29 Mayor Brunst asked about people going through the vacant lot.

30
31 Ms. Richards said they often went through on 800 South, but there were constantly pedestrians
32 walking through the area. She agreed that the parked cars made it difficult to see beyond them.

33
34 Jesse McGrath, resident, said Cherry Drive was not permitted. He said he was also concerned
35 about how far he needed to pull his vehicle out to see if the roadways were clear. The area had
36 gotten busier, and he had seen many near-misses as far as vehicular-pedestrian traffic.

37
38 Caleb Anderson, resident, said he did not mind his neighbors walking through his property but
39 did not want strangers or students using it. He wondered if there would be flexibility on the
40 permit numbers.

41
42 Mayor Brunst closed the public hearing.

43
44 Mrs. Black said she thought it was clear they should move forward with what they could approve
45 at that point, and revisit the item as soon as possible to correct any oversight on the part of the
46 permit area.

DRAFT

1 Chief Giles said they would bring the item back after noticing the public hearing. He clarified
2 that any neighborhoods beyond those specifically cited in the petition would need to submit their
3 own petition to move forward.

4
5 Mrs. Black **moved**, by resolution, that the City Council create a residential parking permit area
6 between 800 South and 925 South and 600 West and 725 West. Mr. Macdonald **seconded**. Those
7 voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.
8 Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

9
10 RESOLUTION – Authorizing the Transfer \$5,000 from the City Council Contingency
11 Account as a City match for the Arson Reward

12
13 Mr. Davidson reviewed with the Council a recommendation that the City Council authorize the
14 transfer of \$5,000 from the City Council Contingency Fund to the appropriate account to fund
15 the City’s portion of a reward for information leading to the arrest of an arsonist.

16
17 The City had two large fires caused by an arsonist(s) within the past two months. These fires had
18 caused a tremendous amount of property damage. The Council desired to pledge \$5,000 as part
19 of a reward being offered by the City and local business owners for information leading to the
20 arrest of the arsonist(s).

21
22 Mayor Brunst **moved**, by resolution, to authorize the transfer of \$5,000 from the City Council
23 Contingency Account as a City match for the Arson Reward. Mr. Seastrand **seconded**. Those
24 voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.
25 Seastrand, David Spencer, Brent Sumner. The motion **passed**, 7-0.

26 27 COMMUNICATION ITEMS

28 29 MONTHLY FINANCIAL SUMMARY – January 2015

30 The Monthly Financial Summary was included in the packets distributed to the City Council.

31 32 CITY MANAGER INFORMATION ITEMS

33
34 There were no City Manager information items.

35 36 ADJOURNMENT

37
38 Mr. Andersen **moved** to adjourn the meeting. Mr. Macdonald **seconded** the motion. Those
39 voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.
40 Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

41
42 The meeting adjourned at 7:43 p.m.

DRAFT

OREM CITY COUNCIL/ALPINE SCHOOL DISTRICT
SPECIAL JOINT MEETING
56 North State, Orem, Utah
February 25, 2015

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

CONDUCTING Mayor Richard F. Brunst, Jr.

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

OREM STAFF Jamie Davison, City Manager; Brenn Bybee, Assistant City Manager; Stephen Downs, Assistant to the City Manager; Karl Hirst, Recreation Director; and Jackie Lambert, Deputy City Recorder

ALPINE BOARD OF EDUCATION John Burton, Paula Hill, and JoDee Sundberg

ALPINE SCHOOL DISTRICT ADMIN. Vern Henshaw, Superintendent

ABSENT/EXCUSED Councilmember David Spencer

INVOCATION Board member JoDee Sundberg

John Burton called the meeting to order at 12:04 p.m.

Items of Common Interest

DISCUSSION – Mountain View High School Parking at Orem Fitness Center

Mr. Burton invited Karl Hirst, Orem's Recreation Director, to share some thoughts on how to handle the situation of students and those attending sporting events at Mountain View High School (MVHS) parking in the Orem Fitness Center (OFC) parking lot.

Mr. Hirst said the OFC parking lot was the closest parking location to get to the MVHS gym for basketball games and other events. If the school could take more responsibility in directing attendees to those events to park in the school's parking lot, it would go a long way in terms of solving the problem. Mr. Hirst said OFC employees would leave notice on vehicles warning that they would be towed if they continued to park in the wrong lot and had also asked the school to make announcements warning students about the towing policy. The City had towed three vehicles that morning after yet another announcement at the school. He said it was most often a problem during basketball, wrestling, and winter sport months.

Mrs. Sundberg said that, in hindsight, it was a bad decision to put the school parking far away from the gym.

1 Mr. Hirst agreed and said the fence was not a particularly effective tool in encourage students to
2 park in the correct lot.

3
4 DISCUSSION – Joint Legislative Session Committee

5 Mrs. Sundberg gave a report on recent meetings of the Joint Legislative Session Committee,
6 which met every Friday. She said the committee consisted of school board members,
7 superintendents, and business administrators, as well as state and local officials, PTA members,
8 and representatives from the governor’s office that were in attendance. There were 140 education
9 bills that were being studied during the current session, some of which would have great effect
10 on public education.

11
12 On the coming Friday there would be a press conference focusing on the following: (1) the
13 Governor’s funding for education, (2) partisan/nonpartisan races, and (3) charter school
14 replacement funding.

15
16 Mayor Brunst asked for more information about partisan/nonpartisan races.

17
18 Mrs. Sundberg explained how the state school board partisan races and nonpartisan races would
19 be conducted, and the differences between them. Last year a judge had stated the process of
20 selecting the state school board was unconstitutional, so now the legislature was trying to figure
21 the best way to change it. She said she did not believe partisan races were a good system for the
22 kinds of elections taking place in Utah, especially for smaller communities with smaller
23 elections. Mrs. Sundberg favored the nonpartisan races because candidates would be required to
24 collect signatures from the area they represented. She said she also believed they were fairer and
25 did not cost more to run than partisan races. The process had been under review many times for
26 many years, and one element that kept changing was the school district population that would
27 require a partisan race versus a nonpartisan race. Alpine, Granite, Davis and Jordan school
28 districts currently had enough students to be required to run partisan races under the proposed
29 bill. Of those polled, 50 to 87 percent were against partisan races.

30
31 Mr. Macdonald asked how many members served on the state school board, and how many
32 districts there were in Utah. Mrs. Sundberg said there were fifteen members on the board, and
33 Utah had forty-one school districts.

34
35 Mrs. Black asked (1) how many signatures a candidate would be required to collect; and (2) what
36 bill number this issue was being considered on.

37
38 Mrs. Sundberg said the signature amount depended on the district area. She said it was Senate
39 Bill 104, which was up for a vote the following day. Senate Bill 104 had already passed the
40 senate committee and the senate floor, and was going to the house.

41
42 On the subject of charter school replacement, Mrs. Sundberg said property taxes were collected
43 for the students in the Alpine School District, but 25 percent of those taxes went to charter
44 schools. Senate Bill 1, the basic funding bill, stated that the amount would be raised to 50 percent
45 of property tax going to charter schools. That meant there would be a considerable amount of the
46 property tax would go to fund charter schools, without any representation or accountability to the
47 people or on how it was spent. The feeling was that the funding for charter schools should be

1 done at the state level, because they were the ones that formed the charter schools and had a
2 charter school board.

3
4 Mayor Brunst asked how many students in the Alpine School District attended charter schools.

5
6 Dr. Shaw said just under 7,000 students in the Alpine School District area were enrolled in
7 charter schools, but not all of those were enrolled in charter schools in the district area. There
8 were also students who home schooled, and they were not accounted for.

9
10 Mr. Macdonald asked what the Council could do to help.

11
12 Mrs. Sundberg suggested the Council members study the issues and decide where they stood.
13 They could then contact their representatives and let them know how they felt. Representatives
14 needed to hear from their constituents on such matters. She also suggested contacting the
15 Governor on the issues. Parents Involved in Education (PIE) started a petition against partisan
16 races, and anyone was welcome to sign that petition.

17
18 DISCUSSION – Questions for Alpine School District

19 Mayor Brunst asked how educators felt about “common core” curriculum.

20
21 Mrs. Sundberg said the core standards were adopted in language arts and math, and the state had
22 full control over them. They had employed core standards since 1986 in seven subject areas.
23 Every five to seven years the standards were revised by a committee of educators representing
24 grades K-12. They compared past standards and examined better linking of K-12 learning in
25 sequence. One concern was that there was not enough professional development or money
26 designated to fund the infrastructure of implementing the core standards. Utah was working hard
27 to allow for more professional development for educators. Mrs. Sundberg said she had never
28 heard a teacher say they did not like the core standards.

29
30 Dr. Shaw said there was no push-back on standards, or teacher developing their curriculum. Any
31 push-back they had heard was only in regards to assessment. He said Utah had control over their
32 standards and educators could adapt the core standards in ways that were more beneficial for
33 their classes.

34
35 Mr. Andersen asked how much federal money came to the Alpine School District as part of the
36 budget.

37
38 Dr. Shaw said about 10 or 11 percent of the budget was federal money. The majority of that was
39 for two different areas: Title 1 and Title 2, covering special education, and low income or
40 disadvantaged students.

41
42 Mayor Brunst asked about technology used in grade school classrooms, and if there was
43 movement toward using more technology in the classroom.

44
45 Dr. Shaw said the topic had been discussed for some time. For a monumental shift in the amount
46 and kinds of technology used in classrooms, all aspects would need to be coordinated with
47 funding, teacher development, infrastructure, etc. There was also the question of whether
48 increased technology in the classroom would increase and improve student learning.

1 Mrs. Hill said the technology would need to be vetted to ensure it was a useful tool, especially
2 for such technologically savvy generations as those in schools now and in the future.

3
4 Mr. Seastrand added that parents would also need to get up to speed on the technology for it to
5 be as helpful in all aspects.

6
7 Set Date and Time for Next

8 The next meeting was scheduled for April 22, 2015, at noon in Orem.

9

10 The meeting adjourned at 1:02 p.m.

CITY OF OREM
CITY COUNCIL MEETING
 MARCH 10, 2015



REQUEST:	6:20 P.M. PUBLIC HEARING – Culver Sign Zone ORDINANCE - Amending Section 14-3-3 of the Orem City Code (<i>Freestanding Signs: (Pole & Monument) (7) Sign Zone Table</i>) by creating a new Sign Zone “F,” and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F
APPLICANT:	Spencer Young
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 84 notifications to properties within the 500’ of the proposed rezoned property on February 11, 2015.

SITE INFORMATION:

General Plan Designation:
 N/A
 Current Zone:
Sign Zone E
 Acreage:
3.02
 Neighborhood:
Geneva Heights
 Neighborhood Chair:

PLANNING COMMISSION RECOMMENDATION
6-0 for approval

PREPARED BY:
Clinton A. Spencer Planner

REQUEST:

The applicant requests the City Council, by ordinance, amend Section 14-3-3 of the Orem City Code (*Freestanding Signs: (Pole & Monument) (7) Sign Zone Table*) by creating a new Sign Zone “F,” and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F.

BACKGROUND:

The applicant is currently constructing the Culver’s restaurant at 780 North 1200 West which is adjacent to I-15 on the southeast side of the 800 North interchange. The Culver’s site is in Sign Zone E which allows pole signs to be constructed thirty-five feet (35’) above the natural grade or twenty-five (25’) feet above the grade of the freeway, whichever is greater.

The Culver’s property is located in a natural depression and the applicant has determined that its signs would not be adequately visible to traffic traveling north on I-15 at the height allowed in Sign Zone E. Specifically, the applicant believes that traffic traveling north on I-15 would not have enough time to identify the Culver’s sign in time to exit the freeway. The applicant conducted a study showing balloons at twenty-five (25) and fifty (50) feet above the height of the freeway and concluded that locating the sign fifty (50) feet above the freeway was necessary to provide adequate visibility for north-bound traffic to identify their business in time to exit the freeway.

A topographic survey was conducted by the Engineering department to verify the difference in elevation between I-15 and the Culver’s site. The results showed the Culver’s site to be approximately thirteen feet (12.94 feet) lower than the grade of I-15.

Because of the topographically depressed location of the applicant’s property, staff recommends that a new sign zone be created to address this specific area without altering all of Sign Zone E (which generally applies to properties located adjacent to the I-15 corridor throughout the City). The proposed Sign Zone F will allow signs in topographically depressed areas to have a maximum height of thirty-five feet (35’) above the natural grade or

fifty feet (50') above that point of I-15 located directly perpendicular to the sign, whichever is greater. All other regulations for signs in Sign Zone F would be subject to the same regulations as signs in Sign Zone E.

If the proposed amendment is approved, the applicant would be allowed to construct a sign with a height of sixty-three (63) feet. The City Council approved an amendment to the PD-22 zone (west of 1200 West) in May, 2011 to allow the Marriott hotel at 873 North 1200 West to construct an eighty (80) foot tall sign for similar visibility reasons.

A neighborhood meeting for the proposed amendment was held on January 29, 2015. Four (4) people were in attendance, all of whom are associated with the Culver's restaurant.

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, amend Section 14-3-3 of the Orem City Code (*Freestanding Signs: (Pole & Monument) (7) Sign Zone Table*), by creating a new Sign Zone "F," and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 14-3-3 OF THE OREM CITY CODE (FREESTANDING SIGNS: (POLE & MONUMENT) BY CREATING A NEW SIGN ZONE “F” AND AMENDING THE SIGN ZONE FOR PROPERTY LOCATED GENERALLY AT 780 NORTH 1200 WEST FROM SIGN ZONE E TO SIGN ZONE F

WHEREAS on December 23, 2014, Spencer Young filed an application with the City of Orem requesting that the City amend Section 14-3-3 of the City Code (Freestanding Signs: (Pole & Monument) (7) Sign Zone Table) by creating a new Sign Zone F and amending the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F as shown on Exhibit “A” which is attached hereto and incorporated herein by reference; and

WHEREAS the new Sign Zone F will allow greater sign heights in topographically depressed sites along the I-15 corridor in order to allow such signs to be more visible to traffic on I-15; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on February 18, 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 in the City Offices at 56 N State Street; and

WHEREAS a public hearing considering the subject application was held by the City Council on March 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 ORDAINED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council finds that this request is in the best interest of the City because it will allow properties located in topographically depressed areas in the vicinity of I-15 to construct signs that will be visible to traffic on I-15 and will thereby promote economic growth in the City.
2. The City Council hereby amends Section 14-3-3 (*Freestanding Signs: (Pole & Monument) (7) Sign Zone Table*) to create Sign Zone “F” as shown on Exhibit “A” which is attached hereto and incorporated herein by reference.

DRAFT

3. The City Council hereby amends the Sign Zone map of the City of Orem by changing the Sign Zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F as shown on Exhibit "B" attached hereto and incorporated herein by reference.

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

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

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

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

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

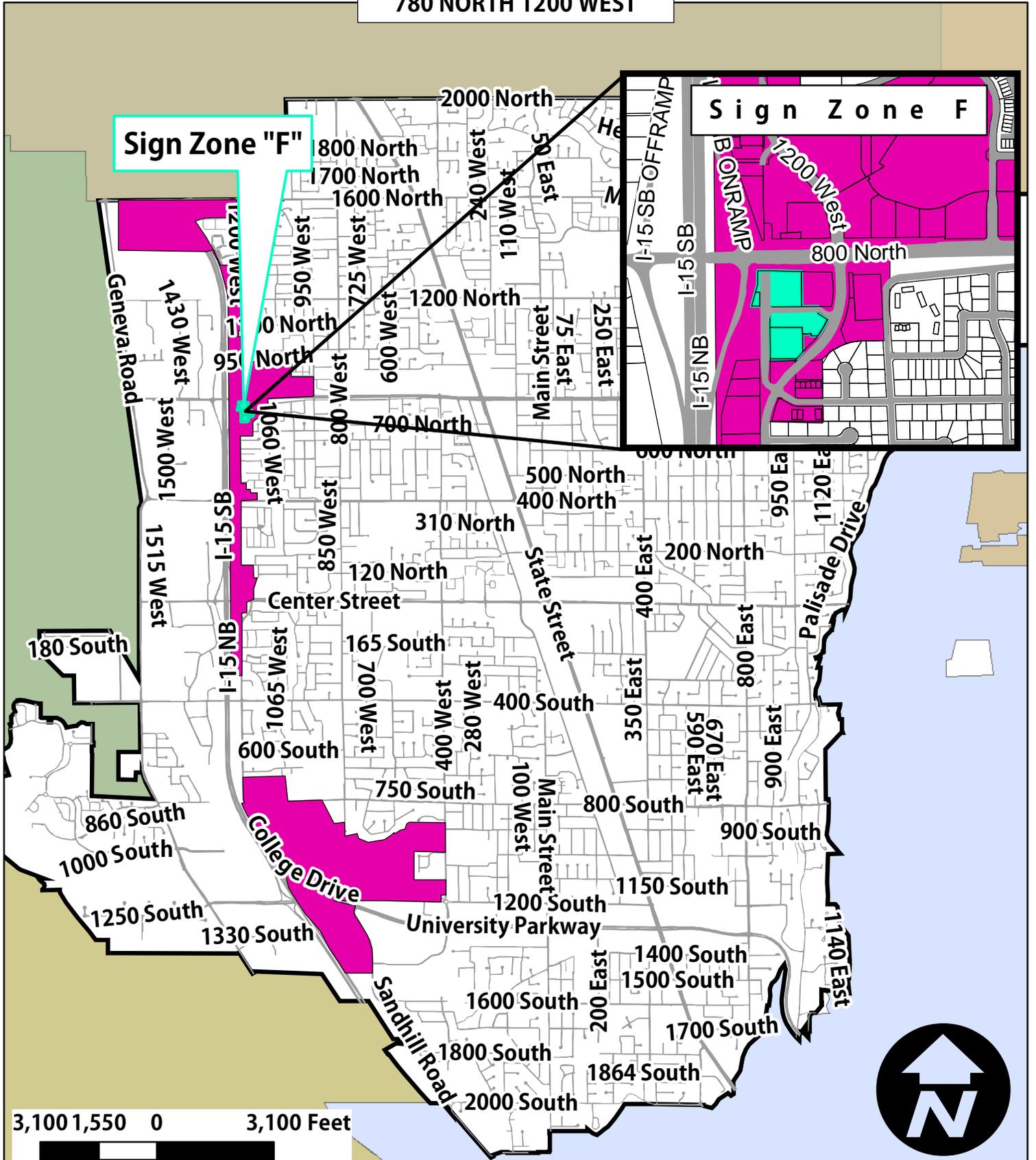
EXHIBIT “A”

Sign Zone “F”

1. Except as otherwise provided herein, the provisions of Sign Zone E shall apply to signs in Sign Zone F. However, due to the depressed elevation of the area located within Sign Zone F, freestanding signs in Sign Zone F may have a height up to, but not to exceed thirty-five feet (35') above the natural grade of the property at the location of the sign, or fifty feet (50') above the grade of that point of Interstate-15 located directly perpendicular to the location of the sign, whichever is greater.

Sign Zone F

780 NORTH 1200 WEST



◆ Sign Zone F:
3.09 Acres

Sign Zone "E"

1. Freestanding pole signs may not be oriented toward 1200 West or Sandhill Road except for businesses which cater to the traveling public* and which are located within 660 feet of a freeway interchange. Freestanding pole signs shall be set back from 1200 West or Sandhill Road street right-of-way line a distance equal to the height of the sign structure.

2. A business or business complex located along 1200 West or Sandhill Road, which has a portion of its property adjacent to Interstate 15 may have a freestanding pole sign oriented toward the freeway. Such freestanding pole sign shall be placed no further from the freeway right-of-way than a distance equal to the height of the sign.

3. The area and height of freestanding signs shall be in accordance with Sign Zone "A" provided however that in no case shall the height of the sign exceed thirty-five feet (35') above the natural grade of the property at the location of the sign, or twenty-five feet (25') above the grade of the interstate perpendicular to the sign's location, whichever is greater.

NOTE Businesses which cater to the traveling public are defined as follows: hotel/motels, restaurant/fast food establishments, service stations/convenience stores, truck stops, and regional commercial centers.

Sign Zone "F"

1. Except as otherwise provided herein, the provisions of Sign Zone E shall apply to signs in Sign Zone F. However, due to the depressed elevation of the area located within Sign Zone F, freestanding signs in Sign Zone F may have a height up to, but not to exceed thirty-five feet (35') above the natural grade of the property at the location of the sign, or fifty feet (50') above the grade of that point of Interstate-15 located directly perpendicular to the location of the sign, whichever is greater.

1 **DRAFT FEBRUARY 18, 2015 PLANNING COMMISSION MINUTES**

2 **AGENDA ITEM 4.1** is a request by Spencer Young to **AMEND SECTION 14-3-3 (FREESTANDING SIGNS)(7) OF THE**
3 **OREM CITY CODE BY ENACTING REGULATIONS GOVERNING SIGN ZONE F** and amending the sign zone map.

4
5 **Staff Presentation:** Mr. Spencer said the subject is located directly adjacent to I-15 on the southeast side of the
6 interchange at 800 North. The site plan for Culver’s restaurant was approved on October 1, 2014 by the Planning
7 Commission and is currently under construction. Upon reviewing the signage for their business, the applicant
8 determined the existing ordinance for signs in Sign Zone E allowing signs to be constructed twenty-five feet (25’)
9 above the deck of the freeway was not sufficient visibility for their site, especially for traffic traveling north on I-15.
10 The applicant conducted a study showing signs at twenty-five (25) and fifty (50) feet above the deck of the freeway,
11 and concluded that locating the sign fifty (50) feet above the freeway deck would provide adequate visibility for
12 traffic heading south to be able to identify their business in time to exit the freeway.

13
14 Instead of altering the entire Sign Zone E, staff recommended the applicant create a new sign zone that would fit the
15 needs of the applicant. The proposed Sign Zone F will allow signs in topographically depressed areas such as the
16 Culver’s site and others to construct a sign that is fifty feet (50’) higher than the deck of the freeway. All other
17 regulations for signs in Sign Zone F would be subject to the same regulations as signs in Sign Zone E.

18
19 The Marriott hotel at 873 North 1200 West in the PD-22 zone was allowed to construct an eighty foot (80’) tall sign
20 for similar reasons. The zoning amendment to the PD-22 zone (west of 1200 West) for the Marriott sign was
21 unanimously approved by the City Council on May 10, 2011. According to the applicant for the Culver’s sign, their
22 proposed sign will still appear lower than the Marriott sign.

23
24 **Neighborhood Meeting:** A neighborhood meeting for the proposed rezone was held on January 29, 2015. Four (4)
25 people were in attendance, all of which are part of Culver’s restaurant.

26
27 After reviewing the proposed rezone, staff has listed some advantages and disadvantages in respect to the proposal.

28
29 Advantages of the proposal:

- 30 • Increases commercial visibility along I-15 without effecting the entire Sign Zone E
- 31 • Sign Zone F limits the areas that could have taller signs
- 32 • Benefits properties that are topographically depressed along I-15

33
34 Disadvantages of the proposal:

- 35 • Potential to open the door for additional tall signs along the I-15 corridor.

36
37 **Recommendation:** Based on the advantages outlined above, staff recommends the Planning Commission forward a
38 positive recommendation to the City Council to amend Section 14-3-3 **Freestanding Signs: (Pole & Monument)**
39 by enacting Section 14-3-3(7) of the Orem City Code by adding Sign Zone F to the sign zone table, and changing
40 the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F.

41
42 **Sign Zone “F”**

43 1. Except as otherwise provided herein, the provisions of Sign Zone E shall apply to signs in Sign
44 Zone F. However, due to the depressed elevation of the area located within Sign Zone F, freestanding signs
45 in Sign Zone F may have a height up to, but not to exceed thirty-five feet (35’) above the natural grade of
46 the property at the location of the sign, or fifty feet (50’) above the grade of that point of Interstate-15
47 located directly perpendicular to the location of the sign, whichever is greater.

48
49 Chair Moulton asked if the Planning Commission had any questions for Mr. Spencer.

50
51 Ms. Jeffreys said she was thinking the sign ordinance is 50-foot maximum, but it is 75-feet which is what the
52 Marriott is. Mr. Spencer said the Marriott is 80 feet high. Mr. Walker noted the Marriott sign is above or equal to
53 grade. He thought the Culver’s sign would be 50 feet above the deck of the freeway, where the Marriott sign is 86-
54 90 feet above the deck of the freeway. Mr. Spencer said the Marriott sign is 80 feet from the ground to the top of the
55 sign. Mr. Walker said the ground of the Marriott is equal to the deck of the freeway or more. Mr. Bench said

56 combining the level of the freeway and the lower grade of the land gives us the height of the Culver's sign to
57 approximately 75 feet. The sign will be 50 feet from the top of the freeway elevation.
58

59 Mr. Walker said this makes a lot of sense because Culver's is in a hole next to the freeway. Chair Moulton noted
60 that Culver's can have a sign already, but this will approve the visibility of the sign.
61

62 Vice Chair Iglesias asked about the difference between the 35' above natural grade and 50' above grade of I-15
63 notation in the code. Mr. Spencer said Sign Zone E has a maximum height of is 35' or 25' above the deck of the
64 freeway. Creating Sign Zone F will allow the sign to go 50' above the deck of the freeway, whichever is greater.
65

66 Ms. Larsen asked if the other two zones in the Sign Zone F be allowed to have signs the same height. Mr. Spencer
67 said yes if they are at the same elevation. The size of the sign will depend on the street frontage.
68

69 Vice Chair Iglesias said this is just based on the west side of the property. Vice Chair Iglesias said it is up to the
70 applicant where they want to situate the sign. Mr. Walker said the sign will probably go as far west as possible for
71 highest visibility for the freeway.
72

73 Ms. Buxton said she is usually concerned about sign pollution overall, but this business is in a pit and this will help
74 them. She asked what business is to the south. Mr. Spencer said it is Dal Tile.
75

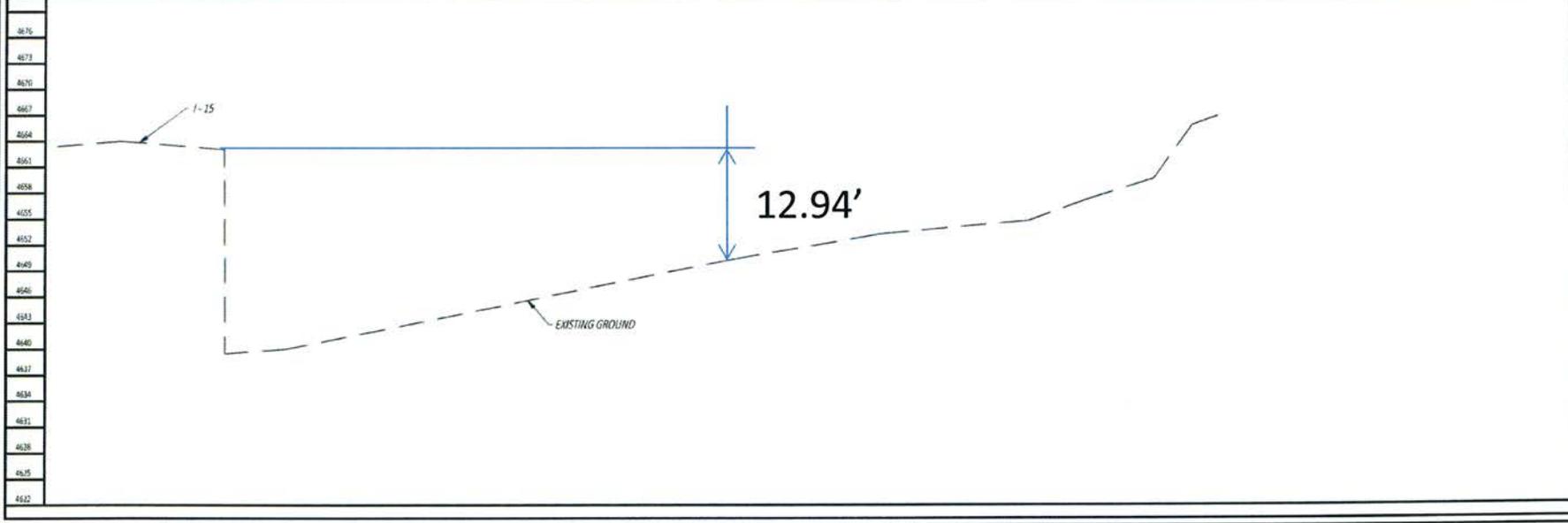
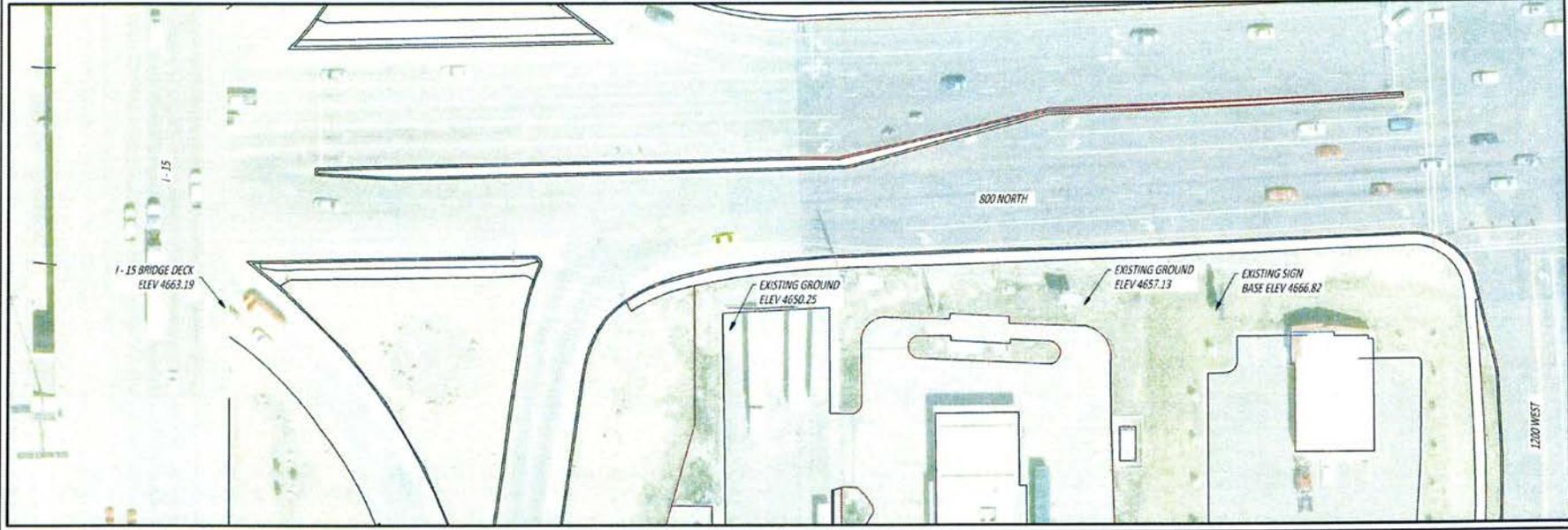
76 Chair Moulton invited the applicant to come forward. Spencer Young introduced himself.
77

78 Ms. Jeffreys asked what the size of the sign is. Mr. Young said the size is within the allowed regulations. It is
79 smaller than 300 square feet. He said the sign is essential to their success. They need to pull people off the freeway
80 and so it needs to be high enough for the motorist to see it. The building will upgrade the area.
81

82 Chair Moulton opened the public hearing and invited those from the audience who had come to speak to this item to
83 come forward to the microphone.
84

85 When no one came forward, Chair Moulton closed the public hearing and asked if the Planning Commission had
86 any more questions for the applicant or staff. When none did, he called for a motion on this item.
87

88 **Planning Commission Action:** Chair Moulton said he is satisfied that the Planning Commission has found this
89 request complies with all applicable City codes. He then moved to recommend the City Council amend Section 14-
90 3-3 (Freestanding signs)(7) of the Orem City Code by enacting regulations governing Sign Zone F and amend the
91 sign zone map. Ms. Buxton seconded the motion. Those voting aye: Becky Buxton, Carlos Iglesias, Karen
92 Jeffreys, Lynnette Larsen, David Moulton, and Michael Walker. The motion passed unanimously.
93



CITY OF OREM DEVELOPMENT SERVICES 56 NORTH STATE ST OREM, UT 84057	
PROJECT: DRAWING: DATE:	REVISION: BY: DATE:
PREPARED BY: CHECKED BY: APPROVED BY:	DESCRIPTION: CITY ENGINEER:
EXISTING GROUND PROFILE	
1	



TownePlace
SUITES
Marriott

320C L CAT

ACE
800-724-8995

780 NORTH

OPEN

GUNS & AMMO

OE

HERE!

TownePlace
SUITES
Marriott



EXPRESS

 TOLL TO

University Parkway 

HOV 2+ NO TOLL



 **MURDOCKMUSIC.COM**

DRUMS BAND

SHOP HERE!
LARGE SELECTION!

801.225.7922
Be@MurdockMusic.com





RC Willey Official drop off for
UTAH FOOD BANK

NOW THRU JANUARY 15TH  UTAH FOOD BANK

6055 

EXIT 273

1600 North
 1 MILE

EXIT 272
 TO 
800 North
 EXIT ONLY

1600 North Pleasant Grove Blvd 3 1/2 mi
 500 East 4 1/2 mi

LEGACY PLAZA
 PORTER PAINTS
 CraftBy Wood Cutouts
 SHERWIN-WILLIAMS
 FOR LEASE 380-566-5556

WORK CARE
 PERFORMANCE REHAB CLINICS

Prestige LIGHTING
 WALKER MONUM
 Quality





RC Willey. Office
UTAH
 NOW THRU JANUARY 15TH
 6055

EXIT 273
 241
1600 North
 1 MILE

EXIT 272
 52 TO 189
800 North
 EXIT ONLY

1600 North Pleasant Grove Blvd 3 1/4
 500 East 4 1/2

WORK CARE PERFORMANCE
 PHYSICIAN OFFICE REHAB CLINICS

LEGACY PLAZA
 PORTER PAINTS
 by Wood Cutouts
 SHERWIN-WILLIAMS
 AUTOMOTIVE FINISHES
 LEASE 360-566-5556

Prestige LIGHTING

WALKER MONUMENTAL
 Looking for a Car to Go

TownePlace Suites Marriott





TownePlace
SUITES
Marriott

MAVERIK

1.97⁹ UNLEADED

2.97⁹ DIESEL

ALL BREAKFAST
SANDWICHES 2/\$5

TownePlace Su
Marriott

diet
PERSI





INDOOR SHOOTING RANGE

GUNS & AMMO
MONDAY - FRIDAY 10-8
SAT. 10-6 SUN. 10-5

OP
CAT

50700

BERT
SHOP HERE
LARGE SELECTION

JACK'S TIRE & OIL
24 Hours Emergency
888-888-8888

HOV 2+ ONLY
NO LEFT TURN

STOP

NO LEFT TURN

Orem City Neighborhood Meeting

Neighborhood Meeting

Thursday, January 29, 2015

5:30 PM, City Council Chambers

56 North State Street.



Spencer Young with Culver's restaurants requests the City amend the sign ordinance to allow increased sign heights at the new Culver's location at 1211 West 800 North by creating a new sign zone. See the map on the reverse side of this notice and the contact information below. Please call before the meeting with any questions or concerns regarding this request.

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

Orem City Public Hearing
Planning Commission Meeting

Wednesday, February 18, 2015
5:00 PM, City Council Chambers
56 North State Street.



City Council Meeting

Tuesday, March 10, 2015
6:20 PM, City Council Chambers
56 North State Street.

Spencer Young with Culver's restaurants requests the City amend section 14-3-3 by amending the section heading **Freestanding Signs: (Pole & Monument)** and sign zone table thereof by enacting Section 14-3-3(7) of the Orem City Code by adding Sign Zone F to the sign zone table, and changing the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F. The proposed amendment will allow the applicant to construct a higher sign at their location.

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

BEETON, RUSSELL
%DONALDSON, MATTHEW
193 E 1570 N
OREM, UT 84057

NORTHGATE VILLAGE
DEVELOPMENT LC
PO BOX 1239
OREM, UT 84059

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

HANDY HOUSING-1 LLC
309 N 500 E
OREM, UT 84097

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

QUESTAR GAS COMPANY
PO BOX 45360
SALT LAKE CITY, UT 84145

JPHILLIPS SHERWIN LLC (ET AL)
--OR CURRENT RESIDENT--
621 N 1200 WEST
OREM, UT 84057

TRUE NORTH LLC
240 E CENTER ST
PROVO, UT 84606

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

UTAH DEPARTMENT OF
TRANSPORTATION
--OR CURRENT RESIDENT--
690 N 1200 WEST
OREM, UT 84057

WEST BENCH PROPERTIES LLC
529 W 300 S
OREM, UT 84058

HOLT, MARJORIE & MICHAEL K
155 N 1165 E
LINDON, UT 84042

DEE, RONALD H & CHARLENE C
--OR CURRENT RESIDENT--
701 N 1200 WEST
OREM, UT 84057

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

MY THREE SONS LLC
270 E 930 S
OREM, UT 84058

TURNER INVESTMENT GROUP LLC
714 E 600 S
OREM, UT 84097

WEST BENCH PROPERTIES LLC
--OR CURRENT RESIDENT--
697 N 1060 WEST
OREM, UT 84057

CARTER CONSTRUCTION COMPANY
INC
615 S STATE
OREM, UT 84058

HOLT, MARJORIE & MICHAEL K
--OR CURRENT RESIDENT--
717 N 1130 WEST
OREM, UT 84057

LOTT, JACK D
702 N 1130 W
OREM, UT 84057

TROTTER, RAY C & TAMERA K
675 N 1172 W
OREM, UT 84057

SHUMWAY, KAREN E
734 N 1060 W
OREM, UT 84057

BARRUS, DARCEY & TARA
--OR CURRENT RESIDENT--
715 N 1060 WEST
OREM, UT 84057

W AND J PROPERTIES LLC
--OR CURRENT RESIDENT--
701 N 1130 WEST
OREM, UT 84057

738 OREM LLC
--OR CURRENT RESIDENT--
738 N 1060 WEST
OREM, UT 84057

RODRIGUEZ, ROSA
--OR CURRENT RESIDENT--
722 N 1130 WEST
OREM, UT 84057

CARTER, LYNN D & DEANNA
712 N 1060 W
OREM, UT 84057

TURNER INVESTMENT GROUP LLC
--OR CURRENT RESIDENT--
772 N 1060 WEST
OREM, UT 84057

NELSON, JOANNE
736 N 1060 W
OREM, UT 84057

TRUE NORTH LLC
--OR CURRENT RESIDENT--
716 N 1130 WEST
OREM, UT 84057

MAVERIK INC --OR CURRENT RESIDENT-- 833 N 1200 WEST OREM, UT 84057	UTAH DEPARTMENT OF TRANSPORTATION --OR CURRENT RESIDENT-- 750 N 1175 WEST OREM, UT 84057	SCHROEDER, SAMUEL QUINT & QUINT D 732 N 1060 W OREM, UT 84057
MAVERIK INC %MURRAY, DAN 880 W CENTER ST NORTH SALT LAKE, UT 84054	HANDY HOUSING-1 LLC --OR CURRENT RESIDENT-- 780 N 1060 WEST OREM, UT 84057	WALKER MONUMENT & VAULT LLC 737 N 1200 W OREM, UT 84057
RICHARD F. BRUNST, JR. 900 E HIGH COUNTRY DR. OREM, UT 84097-2389	NORTHGATE HOTEL LLC --OR CURRENT RESIDENT-- 873 N 1200 WEST OREM, UT 84057	S&J INVESTMENTS #3 LC --OR CURRENT RESIDENT-- 766 N 1200 WEST OREM, UT 84057
BAKER, GREGORY J & BARBARA Y 1052 W 720 N OREM, UT 84057	NORTHGATE HOTEL II LLC --OR CURRENT RESIDENT-- 895 N 1200 WEST OREM, UT 84057	MONTANDON, SUSAN K 794 COVENTRY LA ALPINE, UT 84004
S&J INVESTMENTS #1 LC --OR CURRENT RESIDENT-- 1100 W 800 NORTH OREM, UT 84057	NORTHGATE HOTEL LLC %URRUTIA, SHARON 1013 E WINDING CREEK DR STE 102 EAGLE, ID 83616	738 OREM LLC %SEAL, KENT 879 E LA CASA SANDY, UT 84094
BARRUS, DARCEY & TARA 1115 E 1100 N AMERICAN FORK, UT 84003	MAHIDOV, VITALIY (ET AL) --OR CURRENT RESIDENT-- 1098 W 675 NORTH OREM, UT 84057	MYHRE HOLDINGS-OREM LLC --OR CURRENT RESIDENT-- 898 N 1200 WEST OREM, UT 84057
1118 WEST 675 NORTH SERIES OF GUAYLIN LLC THE --OR CURRENT RESIDENT-- 1118 W 675 NORTH OREM, UT 84057	PATTEN, CHAD BILLINGS --OR CURRENT RESIDENT-- 1101 W 675 NORTH OREM, UT 84057	SANTAPAU, CLAUDIO & WANDA 1038 W 720 N OREM, UT 84057
KNIGHT, DIANE R & LARRY B --OR CURRENT RESIDENT-- 1147 W 675 NORTH OREM, UT 84057	WILKINSON, LAUREL & BARBARA L 1116 W 640 N OREM, UT 84057	A&A HOSPITALITY LLC 1100 W 780 N OREM, UT 84057
MY THREE SONS LLC --OR CURRENT RESIDENT-- 1160 W 675 NORTH OREM, UT 84057	KNIGHT, DIANE R & LARRY B 1119 N 1000 E OREM, UT 84097	BEETON, RUSSELL --OR CURRENT RESIDENT-- 1113 W 675 NORTH OREM, UT 84057
NORIEGA, ROBERTO ARIEL (ET AL) 1168 W 640 N OREM, UT 84057	VAIL, HAROLD & DESIREE 1150 W 640 N OREM, UT 84057	MONTANDON, SUSAN K --OR CURRENT RESIDENT-- 1116 W 675 NORTH OREM, UT 84057

MAHIDOV, VITALIY (ET AL)
1174 W 230 S
OREM, UT 84058

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

HERBAS, KENNY LUCIO & FRANKLIN
A JR
1132 W 640 N
OREM, UT 84057

TG OREM LLC
--OR CURRENT RESIDENT--
1207 W 800 NORTH
OREM, UT 84057

MCMULLIN, ROBERT
--OR CURRENT RESIDENT--
1168 W 675 NORTH
OREM, UT 84057

MY THREE SONS INVESTMENT LLC
--OR CURRENT RESIDENT--
1156 W 675 NORTH
OREM, UT 84057

S&J INVESTMENTS #3 LC
1733 N 400 E
OREM, UT 84097

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

SK INVESTING LLC (ET AL)
--OR CURRENT RESIDENT--
1164 W 675 NORTH
OREM, UT 84057

JPHILLIPS SHERWIN LLC (ET AL)
1962 E STAG HILL CIR
DRAPER, UT 84020

RODRIGUEZ, ROSA
1503 SANTON PL # 5
LONG BEACH, CA 90804

TROTTER, RAY C & TAMERA K
--OR CURRENT RESIDENT--
1172 W 675 NORTH
OREM, UT 84057

TG OREM LLC
4700 HIGHLAND DR STE D
SALT LAKE CITY, UT 84117

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

RICE, MARK
1186 W 640 N
OREM, UT 84057

DEE, RONALD H & CHARLENE C
7726 BENGAL HEIGHTS
SALT LAKE CITY, UT 84121

SK INVESTING LLC (ET AL)
2360 CARTERVILLE RD
PROVO, UT 84604

PATTEN, CHAD BILLINGS
1621 E 2000 N
LEHI, UT 84043

1118 WEST 675 NORTH SERIES OF
GUAYLIN LLC THE
5841 S GATEWAY RD
LAS VEGAS, NV 89120

MCMULLIN, ROBERT
5625 W 12000 S
PAYSON, UT 84651

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

NORTHGATE HOTEL II LLC
14241 S REDWOOD RD STE 150
BLUFFDALE, UT 84065

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

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

February 16, 2015

PUBLIC NOTICE

To Whom It May Concern:

Spencer Young with Culver's restaurants requests the City amend section 14-3-3 by amending the section heading **Freestanding Signs: (Pole & Monument)** and sign zone table thereof by enacting Section 14-3-3(7) of the Orem City Code by adding Sign Zone F to the sign zone table, and changing the sign zone for property located generally at 780 North 1200 West from Sign Zone E to Sign Zone F. The proposed amendment will allow the applicant to construct a higher sign at their location.

The Planning Commission will hold a public meeting at **5:00pm on Wednesday, February 18, 2015**, in the City Council Chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

The City Council will hold a public meeting at **6:20pm on Tuesday, March 10, 2015**, in the City Council Chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

For more information, please contact Clinton Spencer at 229-7267, caspencer@orem.org, or see www.orem.org for more information as it becomes available.

ATTENTION: The notice has been delivered to all residences within an area extending approximately 300 feet from the subject property. If you are aware of other persons who would be interested in this matter, it would be appreciated if you make them aware of this public meeting. If you are not the owner of your residence, please notify the owner regarding this notice.

**The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7058**

Project Timeline

Project: ZOA - Sign Zone E (Culver's)

1. Neighborhood Meeting held by applicant on: Jan. 29, 2015
2. DRC Application Date: Dec. 23, 2014
3. Obtained Development Review Committee Clearance on: 2/2/15 by: CAS
4. Publication notice for PC sent to Records office on: 2/2/15 by: CAS
5. Neighborhood notice (300') for Planning Commission mailed on: 2/11/15 by: CAS
6. Planning Division Manager received neighborhood notice on: 2/14/15
7. Property posted for PC on: 2/16/15 by: CAS Removed on : _____
8. Planning Commission recommended approval / denial on : 2/18/15
9. Publication notice for CC sent to Records office on: 2/2/15 by: CAS
10. Neighborhood notice (300') for City Council mailed on: 2/11/15 by: CAS
11. Planning Division Manager received neighborhood notice on: 2/14/15
12. Property Posted for City Council on: 3/2/15 by: CAS Removed: _____
13. City Council Approved / Denied on: _____

CITY OF OREM
CITY COUNCIL MEETING
 MARCH 10, 2015



REQUEST:	RESOLUTION – Authorizing the City Manager to execute a partial release of two development agreements recorded against a portion of property in the PD-21 zone (1200 South Geneva Road)
APPLICANT:	Ben Lowe
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 84 notifications to properties within the 500’ of the proposed rezoned property on February 11, 2015.

SITE INFORMATION:

General Plan Designation:
 N/A
 Current Zone:
PD-21
 Neighborhood:
Sunset Heights West

PREPARED BY:
 Steve Earl
 Deputy City Attorney

REQUEST: The applicant requests the City Council, by resolution, authorize the City Manager to execute a partial release of two development agreements previously recorded against property in the PD-21 zone (1200 South Geneva Road).

BACKGROUND: Prior to adopting the PD-21 zone in 2000 (the original Parkway Crossing—now Wolverine Crossing and other projects), the City entered into a development agreement with the original developer of the property concerning a number of issues (hereinafter referred to as the “2000 Development Agreement”). In 2002, the City entered into a second development agreement with the developer (hereinafter referred to as the “2002 Development Agreement”) which made certain modifications and additions to the 2000 Development Agreement. Both development agreements were recorded against the property in the PD-21 zone.

Ben Lowe is the developer of “Area 2” in the PD-21 zone (on the eastern edge adjacent to the railroad tracks). The lenders for the project have requested that the two development agreements be released as to Area 2 upon fulfillment of all terms that apply to Area 2.

The requirements of the two development agreements as well as the status of each requirement is summarized below:

1. Developer to construct an overpass, monorail or gondola over I-15 to connect the project with UVU. If construction of the overpass is determined to be impossible or unfeasible, developer is required to increase shuttle capacity to allow capacity to move 20% of the residents between the project and UVU every hour. Must have shuttle departures every 10 minutes during peak hours.

Status: This requirement was also included in the text of the original PD-21 zone. A subsequent developer determined that construction of an overpass, monorail or gondola was impossible or unfeasible and requested that the City Council remove this requirement from the ordinance. On October 23, 2007, the City Council amended the PD-21 zone to remove the requirement that the developer construct an overpass or gondola. The City Council also removed the requirement that the developer provide a private shuttle service because UTA had begun providing bus service from the project to UVU.

2. Install sewer lines that gravity feed into the City's trunk line in 1000 South just west of Geneva Road.

Status: Completed.

3. Dedicate a strip of land 12' in width along the western boundary of the PD-21 zone (adjacent to Geneva Road) from 1000 South to University Parkway and construct road widening improvements.

Status: Completed.

4. Dedicate an additional strip of land 15' in width along the western boundary from 1000 South to University Parkway just east of the previous dedication for construction of sidewalk and public utilities. Developer to install 8' sidewalk in this strip.

Status: Completed.

5. Construct and dedicate a signalized intersection at 1000 South and Geneva Road. Install a fiber connection to the new signal from the existing signal at University Parkway and Geneva Road.

Status: Completed.

6. Reconstruct the east leg of 1000 South through UVU from the intersection of 1000 South and Geneva Road to the project site.

Status: This obligation was completed by UTA when they constructed and dedicated 1000 South Street to provide access to the intermodal station.

7. Provide access to the project from Geneva Road directly opposite the main access into the UTA property at 1100 South Geneva Road.

Status: Completed.

8. Install a raised median on University Parkway from the intersection with Geneva Road to a point located approximately 600 feet east of the intersection with Geneva Road.

Status: The City Traffic Engineer has determined that a raised median in this location would not be in the best interest of the City. Therefore, this obligation has not been completed.

9. Contribute \$200,000 to the City for future construction of a public safety building on the west side of I-15.

Status: Some property owners in the PD-21 zone have paid their proportionate share of this obligation and the City is working on collecting from those owners who have not yet paid their share. The

applicant has agreed to pay his proportionate share before the City Manager executes a release.

10. Project to be developed as one single project as shown in Appendix X.

Status: Although the project was originally intended to be constructed as a unified development, the original developer allowed options on some of the parcels in the PD-21 zone to expire which resulted in the zone being developed as separate projects. The City Council has approved amendments to Appendix X (the PD-21 concept plan) to allow separate developments. However, the City has attempted to ensure cross access across each of the properties in the PD-21 zone.

As the above summary indicates, the only item that has not been fully completed or modified (expressly or implicitly) by the City is the requirement to make a payment toward a future public safety building as described in item 9.

At this time, the applicant is only requesting that the City Council release the two development agreements as to his property (Area 2—approximately 11.48 acres) and only after he makes the payment of his proportionate share toward a new public safety building (\$43,360). However, in the interest of efficiency, staff also requests that the City Council authorize the City Manager to execute a partial release with respect to any other property owner who also pays their respective share of the \$200,000.00 public safety contribution.

RECOMMENDATION:

City Staff recommend that the City Council, by resolution, authorize the City Manager to execute a partial release from the 2000 Development Agreement and the 2002 Development Agreement for any property in the PD-21 zone for which payment of its proportionate share of the public safety building contribution has been received.

DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE OREM CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A PARTIAL RELEASE OF TWO DEVELOPMENT AGREEMENTS AS TO CERTAIN QUALIFYING PROPERTIES IN THE PD-21 ZONE

WHEREAS prior to adopting the PD-21 zone in 2000, the City entered into a development agreement with the original developer of the property (hereinafter referred to as the “2000 Development Agreement”) concerning a number of issues; and

WHEREAS in 2002, the City entered into a second development agreement with the developer (hereinafter referred to as the “2002 Development Agreement”) which made certain modifications and additions to the 2000 Development Agreement; and

WHEREAS both the 2000 Development Agreement and the 2002 Development Agreement were recorded against the property included in the PD-21 zone; and

WHEREAS the developer of “Area 2” in the PD-21 zone (on the eastern edge adjacent to the railroad tracks) has requested that the two development agreements be released as to Area 2 upon fulfillment of all terms that apply to Area 2; and

WHEREAS with one exception, the terms of both the 2000 Development Agreement and the 2002 Development Agreement have been completed or modified by subsequent action of the City; and

WHEREAS the remaining obligation that has not been fully fulfilled is the requirement that the property owners in the PD-21 zone make a contribution to the City of two hundred thousand dollars (\$200,000.00) toward the cost of constructing a future public safety building; and

WHEREAS the City Council considered the request at a public meeting on March 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 RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, as follows:

1. The City Council hereby finds as follows:

A. The obligations of the 2000 Development Agreement and the 2002 Development Agreement have been fully completed or modified by the City with the exception of the requirement that the property owners in the PD-21 zone make a contribution of two hundred thousand dollars (\$200,000.00) toward the construction of a future public safety building.

DRAFT

B. It is reasonable to release the 2000 Development Agreement and the 2002 Development Agreement as to those parcels in the PD-21 zone for which payment of their proportionate share of the public safety building contribution has been received by the City

2. The City Council hereby authorizes the City Manager to execute a release of the 2000 Development Agreement and the 2002 Development Agreement as to any parcel in the PD-21 zone for which payment of its proportionate share of the public safety building contribution has been received by the City.

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 March 2015.

Richard F. Brunst, Jr., Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

COUNCIL MEMBERS VOTING "NAY"

