



CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street, Orem, Utah  
June 23, 2015

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

**3:30 P.M. WORK SESSION – PUBLIC SAFETY TRAINING ROOM**

1. **UPDATE – Storm Water Ordinance (30 min)**
2. **ANNUAL REVIEW – Gang Loitering Free Areas (10 min)**
3. **UPDATE – Utilities Master Plan – Communications (40 min)**
4. **UPDATE – Vote By Mail for Municipal Primary and General Elections (15 min)**

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

PREVIEW UPCOMING AGENDA ITEMS

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

AGENDA REVIEW

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

CITY COUNCIL - NEW BUSINESS

7. **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

8. **MINUTES of City Council Meeting – June 9, 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](http://orem.org)**

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

9. **UPCOMING EVENTS**
10. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
11. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
12. **MAYOR PRO TEM – July 1 through December 31, 2015**
13. **REPORT – Colonial Heritage Festival & Cries of Freedom**
14. **PROCLAMATION – Colonel Gail Halvorsen Day**
15. **PROCLAMATION – Local First Utah's Independents Week**

CITY MANAGER'S APPOINTMENTS

16. **APPOINTMENTS TO BOARDS AND COMMISSIONS**

PERSONAL APPEARANCES – 15 MINUTES

17. **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

18. **MOTION – Cancel the July 14, 2015 City Council Meeting**

SCHEDULED ITEMS

19. **6:15 P.M. PUBLIC HEARING – General Plan and Rezone – Orem Assisted Living  
RESOLUTION – Amending the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) on approximately 0.93 acres located generally at 1890 North 800 West.  
ORDINANCE – Amending Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.**

**REQUEST: The applicant requests the City Council amend the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) and amend Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.**

*PRESENTER: Jason Bench*

POTENTIALLY AFFECTED AREA: Aspen Neighborhood

**BACKGROUND:** The applicant is in the process of purchasing property located at approximately 1890 North 800 West which is located directly south of the IHC Instacare building. The applicant would like to construct a new assisted living facility on the property with 100 living units. Part of the applicant's property is already zoned C2, but approximately 0.93 acres is zoned R8. The applicant proposes to rezone this part of the property to C2 in order to match the zoning on the remainder of the property and to allow all of the property to be used for the development of the assisted living facility. The proposed rezone would also allow the applicant to provide a full access to the property from 800 West which was requested by the City Engineer.

In 2008 the Planning Commission approved an assisted living facility and commercial building on the property, but the project was never developed. Other applications have been proposed on the property including Northtown Village (similar to Midtown Village) in 2005, and a high density housing project for which a rezone request was denied in 2012. The property is currently vacant.

Based on the findings of a traffic study, the applicant is proposing three (3) accesses to the property including two (2) accesses onto State Street. A full access to 800 West to the west of the proposed building and an emergency (gated) access onto 760 West are also proposed. By providing these accesses, the traffic needs of the proposed assisted living facility as well as two commercial pads to the east of the assisted living facility will be satisfied. A sidewalk will also be provided from 800 West to the proposed assisted living facility.

The current General Plan designation for the 0.93 acres is Low Density Residential and the applicant requests that this be changed to Community Commercial.

A neighborhood meeting for the proposed rezone was held on May 8, 2015. Five (5) neighbors were in attendance. The concerns regarding the project dealt with access, building height, number of units, fencing, traffic and setbacks from the residential neighborhood. Residents in attendance were satisfied with the access on 800 West from the proposed project.

The Planning Commission recommended approval of the subject application and recommended that the normal masonry fence requirement between commercial development and residential zones be eliminated along the access to 800 West to avoid any problems with clear vision.

After reviewing the proposed rezone and General Plan amendment, staff has listed the following advantages and disadvantages regarding the proposal.

Advantages of the proposal:

- Would promote the development of a long-standing vacant property along State Street;
- Would increase assisted living facility units available to Orem residents;
- Would provide an additional vehicular and pedestrian access to 800 West.

Disadvantages of the proposal:

- The proposed project will increase commercial access and traffic onto 800 West.

RECOMMENDATION: The Planning Commission recommends the City Council amend, by resolution, the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC), and amend, by ordinance, Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.

**6:15 P.M. PUBLIC HEARING – PD-44 Zone**

20. **ORDINANCE – Amending Section 22-5-1 and enacting Section 22-11-57 of the Orem City Code to create the PD-44 zone.**

**ORDINANCE – Amending Section 22-5-3(A) and the zoning map of the City by rezoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.**

**REQUEST: The applicant requests the City Council amend Section 22-5-1 and enact Section 22-11-57 of the Orem City Code (PD-44 zone), and amend Section 22-5-3(A) and the zoning map of the City by rezoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.**

*PRESENTER: Jason Bench*

POTENTIALLY AFFECTED AREA: Canyon View Neighborhood

BACKGROUND: The applicant owns a home at approximately 1450 East 1060 North which is located in the Cove Estates subdivision. The applicant's lot is 1.32 acres (57,500 square feet) in size and the applicant would like to construct an enclosed tennis court on the property that would have a footprint of approximately 10,150 square feet.

The applicant is unable to construct the desired tennis court on his property because City ordinances limit the size of accessory structures in the R12 zone (and other residential zones) to no more than eight percent (8%) of the area of a lot. Based on the square footage of the applicant's lot (57,500 square feet) the maximum footprint of an accessory structure on his property is 4,600 square feet.

The applicant proposes to create a new PD-44 zone that would allow accessory structures to cover up to twenty-five (25) percent of a lot if the lot exceeds one (1) acre in size. The area that would be included in the new PD zone consists of seven (7) single family homes, only one of which (the applicant's) exceeds one (1) acre. If the PD-44 zone request is approved, the applicant would be able to build an accessory structure that covers 14,375 square feet of his lot and would allow him to build the tennis court structure that he desires.

The height of accessory structures would be limited to thirty-five (35) feet and the applicant's proposed tennis court would be thirty-three (33) feet high.

In Section 22-11-1 of the PD zone code it states that, "PD zones are not intended for use in situations where a proposed development is reasonably feasible under one of the City's

existing zoning classifications.” While this request is unique, the overall property could still be developed in a reasonable manner under the current zoning.

The current General Plan designation for this property is Low Density Residential. The request fits within the Low Density designation of the General Plan.

A neighborhood meeting for the proposed rezone was held on April 23, 2015. Two neighbors were in attendance and four others called the applicant about the meeting. No issues were mentioned.

After reviewing the proposed rezone and ordinance amendment, staff has listed the following advantages and disadvantages of the proposal.

Advantages of the proposal:

- Would allow the applicant to construct the tennis court structure that he desires
- Limits large accessory structures to lots greater than one (1) acre.

Disadvantages of the proposal:

- PD zones are not intended to be used to make small adjustments to current residential zones.

RECOMMENDATION: The Planning Commission recommends the City Council amend Section 22-5-1 and enact, by ordinance, Section 22-11-57, PD-44 zone, and amend, by ordinance, Article 22-5-3(A) and the zoning map of Orem City by zoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.

**6:25 P.M. PUBLIC HEARING – PD-8 Zone Interior Setbacks**

**21. ORDINANCE – Amending Section 22-11-20(K)(7) of the Orem City Code pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive.**

**REQUEST: The applicant requests the City Council amend Section 22-11-20(K)(7) of the Orem City Code pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive.**

*PRESENTER: Jason Bench*

POTENTIALLY AFFECTED AREA: Orchard Neighborhood

BACKGROUND: The applicant owns the Cirque Lodge property at the corner of 800 North Palisade Drive which is zoned PD-8. The applicant would like to subdivide the property into two lots and then construct a new building on the newly created lot. The PD-8 zone currently requires buildings to be set back a distance of twenty-five feet (25') or the height of the building, whichever is greater.

In order to make the layout of the applicant's proposed new building work as desired, the applicant requests that the PD-8 zone be modified to eliminate the setback requirement for interior lot lines while leaving the setback requirement the same for all exterior property lines. The proposed amendment would give the applicant additional flexibility in

constructing a new building while maintaining the setback protections for properties that are not a part of the PD-8 zone.

Advantages of the proposal:

- Would allow the applicant's property to be developed as desired
- Affects only interior lot setbacks
- Would not affect the setbacks from property adjacent to the PD-8 zone

Disadvantages of the proposal:

- None identified

RECOMMENDATION: The Planning Commission recommends the City Council amend, by ordinance, Article 22-11-20(K)(7) pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive as shown below:

**22-11-20(K)(7)**

**7. Setbacks.** No structure shall be located closer than forty feet (40') to any dedicated street. The setback distance from any structure and an exterior property line (a property line shared with property outside the PD-8 zone) other than a line of a dedicated street shall be the same as the height of the structure, but shall not be less than twenty-five feet (25'). No setback is required from any interior property line in the PD-8 zone.

**6:30 P.M. PUBLIC HEARING – 2014-2015 4<sup>th</sup> Quarter Budget Amendments**

**22. ORDINANCE – Amending the Current Fiscal Year 2014-2015 Budget**

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

*PRESENTER: Richard Manning and Brandon Nelson*

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: The Fiscal Year 2014-2015 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants and/or donations received from Federal, State, and other governmental or private entities/organizations; acceptance of the new Palisade park and thus, recording it is an asset in the cities accounting records; adding Northgate SID revenues for additional funds received in order to pay associated expenses; and various other smaller technical corrections or minor budget adjustments that need to be made.

**23. RESOLUTION – Fence Modification – Stone Five Studios**

**REQUEST: The applicant requests the City Council approve a fence modification for Stone Five Studios at 1510 East 840 North in the C1 zone.**

*PRESENTER: Jason Bench*

## POTENTIALLY AFFECTED AREA: Canyon View Neighborhood

**BACKGROUND:** The site plan for Stone Five Studios at 1510 East 840 North was approved in February of 2013 and the building has now been completed. The original site plan showed a seven foot masonry fence where the Stone Five Studios property adjoins five residential properties as required by City ordinances. The masonry fence requirement is intended to buffer adjoining residential uses from the noise, light, traffic and other impacts that are typically associated with commercial uses.

The ground between the Stone Five Studios property and the adjacent residential properties slopes upward significantly so that the adjoining residential properties are significantly higher than the Stone Five Studios building. The grade differential itself acts as a buffer between the commercial property and the residential neighbors.

Because of the existing natural buffer, the applicant requests that the City Council modify the fence requirement for its site. The applicant proposes to build a six foot cedar slat fence along its western property line which will replace an existing dilapidated fence. The applicant requests that the fence requirement be waived entirely as to the two residential properties to the north as these two property owners have recently constructed their own fences which they wish to leave in place. The applicant's proposed fence will match the cedar fence that was recently constructed by the owner of the residential lot directly to the east.

Pursuant to Section 22-14-19(F) of the City Code, the City Council may modify the fence requirement if it finds that:

1. The proposed fence provides an adequate buffer for the adjoining residential zone.
2. The appearance of the fence will not detract from uses in the residential zone.
3. The proposed fence will shield the residential use from noise, storage, traffic, or any other characteristic of commercial or professional office uses that are incompatible with residential uses

All five of the adjoining residential property owners have indicated in writing that they support the proposed modification and their letters are included with this agenda summary.

Staff has reviewed the proposed fence modification and believes the request meets all of the requirements listed above.

Advantages of the proposal:

- All of the adjacent residential property owners have agreed to the applicant's proposal.
- The proposed fence will provide an adequate buffer for the adjacent residential properties and will not conflict with the fences already constructed by two of the adjoining residential neighbors.

Disadvantages of the proposal:

- None identified

**24. RESOLUTION – Authorizing the 2015 Municipal Primary and General Elections to be Administered Through Vote By Mail and One Election Day Voting Center**

**REQUEST: City Administration recommends that the City Council, by resolution, authorize the 2015 Municipal Primary and General Elections to be administered through vote by mail with one designated Election Day voting center which will be located at the Orem City Center, 56 North State Street, Orem, Utah.**

*PRESENTER: Brenn Bybee and Donna Weaver*

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: Voter participation is an essential component of the City’s representative form of government. In recent years, the use of absentee ballots in the City’s primary and general elections has significantly increased. In the 2013 Municipal and General Elections, over 1,700 absentee ballots were cast. This was a substantial increase from past election years where the number of absentee ballots cast was approximately 150.

Utah Code § 20A-3-302 authorizes the City to conduct municipal primary and general elections entirely by absentee ballot. Other municipalities that have adopted the vote by mail election format have seen significant increases in voter turnout. In 2013, nineteen Utah cities used vote by mail and all reported an increase in voter turnout. West Jordan City, which is comparable in size and population density to the City of Orem, saw a 150% increase in voter participation with the implementation of vote by mail.

Utah Code also permits the City to provide an Election Day Voting Center for its residents. The opening of one Election Day Voting Center at the City Center, 56 North State Street, Orem, Utah will provide City residents further opportunity to participate in the election process. The Election Day Voting Center shall comply with the requirements of the Utah Code and will remain open from 7:00 a.m. to 8:00 p.m. on election days.

At the June 9, 2015 City Council Meeting Work Session, the City Council expressed interested in conducting vote by mail elections. The proposed resolution implements vote by mail for the 2015 Municipal Primary and General Elections.

Advantages of Implementing Vote by Mail: Vote by mail will provide City residents with ballots and voting information approximately 30 days before the elections giving residents ample time to review, consider and cast ballots. Additionally, implementation of vote by mail is expected to significantly increase voter turnout.

Disadvantages of Implementing Vote by Mail: Administering the 2015 Municipal Primary and General Elections using vote by mail will result in an increase in the overall cost of administering the elections. Over time, however, election costs will be reduced through the elimination of voting locations and staffing costs.

COMMUNICATION ITEMS

**25. Monthly Financial Summary – May 2015**

CITY MANAGER INFORMATION ITEMS

26. **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 TO CLOSED-DOOR MEETING – Room 107 for City Manager Evaluation

Discussion of the character, professional competence, or physical or mental health of an individual (**Pursuant to Section 52-4-205 (1)(a) of the Utah State Code Annotated**).

# DRAFT

CITY OF OREM  
CITY COUNCIL MEETING  
56 North State Street Orem, Utah  
June 9, 2015

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

CONDUCTING Mayor Richard F. Brunst

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

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Ryan Peterson, Fire Battalion Chief; Charlene Crozier, Library Director; Brandon Nelson, Finance Division Manager; Jason Bench, Planning Division Manager; Paul Goodrich, Transportation Engineer; Sam Kelly, Engineer; Brandon Stocksdale, Long Range Planner; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

EXCUSED Tom Macdonald and David Spencer

### UPDATE – Transportation Master Plan

Mr. Bell introduced John Dorny with Horrocks Engineers to present on the City of Orem Transportation Master Plan.

Mr. Dorny said he had been working closely with Orem staff on the master plan. His presentation was a synopsis of the study thus far and the direction it would go. He said it was important they complete the concept report before end of year to meet the deadline set by Mountainland Association of Governments (MAG).

#### City of Orem Transportation Master Plan

- Transportation Master Plan Process
  - Public Comment – Phase I and Phase II
  - Transportation Planning
    - Level of Service (Roads & Intersections)
    - MAG’s Travel Demand Model: High Level Regional Analysis
    - Micro-simulation Model (VISSIM/Synchro):
      - Corridors and Intersections
        - Turn lanes
        - Signal timings
  - Capital Improvement Plan
    - High, Medium, Low Build Projects

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- 1           ○ Geneva Road and Lakeview Parkway Cross-Sections
- 2           ○ Traffic Calming Guidelines
- 3           ○ Traffic Study Guidelines
- 4           ○ Access Management Program
- 5           ○ Speed Limits Review
- 6       ● Phase I Public Comment
- 7           ○ Comments Received
- 8                 ▪ Telephone Hotline
- 9                 ▪ Website: <http://oremtmp.com>
- 10          ○ Comment Categorization
- 11                 ▪ Roadway and Traffic Signals
- 12                 ▪ Parking and Transit
- 13                 ▪ Pedestrian and Bike
- 14          ○ All Comments Organized by Location
- 15       ● Existing Functional Classification – map
- 16       ● Road Segment Level of Service (LOS)
- 17           ○ LOS C or better
- 18                 ▪ 400 North
- 19                 ▪ 400 East
- 20          ○ LOS D
- 21                 ▪ North State Street
- 22                 ▪ Center Street
- 23          ○ LOS E or worse
- 24                 ▪ University Parkway
- 25                 ▪ South State Street
- 26                 ▪ 1600 North
- 27       ● Existing Level of Service – map
- 28       ● 2040 No-Build Level of Service (Existing Roadway Network with 2040 Traffic
- 29        Volumes) – map
- 30       ● MAG Regional Transportation Plan and UDOT Projects – map
- 31       ● 2040 MAG/UDOT Projects Level of Service (1600 North) – map
- 32       ● 2040 MAG/UDOT Projects Level of Service (Center Street) – map
- 33       ● 2040 MAG/UDOT Projects Level of Service (800 East) – map
- 34       ● 2040 MAG/UDOT Projects Level of Service (800 North) – map
- 35       ● 2040 MAG/UDOT Projects Level of Service (University Parkway) – map
- 36       ● 400 South/State Street – video
- 37           ○ Without Turn Lane
- 38           ○ With Turn Lane
- 39       ● Capital Improvement Plan/Transportation Improvement Fund
- 40           ○ Comments assist in decision making on future projects
- 41           ○ Future projects organized into high, medium, and low impact based on cost and
- 42            public impact
- 43                 ▪ High Impact
- 44                     ● High Cost
- 45                     ● High Public Impact
- 46                     ● ROW Acquisition

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- 1                   • Home Acquisition
- 2                   • Quality of Life
- 3                 ▪ Medium Impact
- 4                   • High Cost/Low Public Impact -OR-
- 5                   • Low Cost/High Public Impact
- 6                 ▪ Low Impact
- 7                   • Low Cost
- 8                   • Low Public Impact
- 9                   • Accepting Congestion
- 10                ○ Funding mechanism
- 11                   ▪ Cost per household

12  
13 Mr. Dorny reviewed the Transportation Master Plan Process. He said the MAG model was a  
14 regional model used along the Wasatch Front and was generally meant to be used for larger  
15 corridors rather than on the micro level. He said they would likely look at some streets on the  
16 micro level but not all streets. Once projects were identified, they would establish high, medium  
17 and low build projects as part of a Capital Improvement Plan, which would include the projected  
18 timeline and costs for those projects. Mr. Dorny said Orem had both City-owned roads and  
19 UDOT roads, and the UDOT roads were the major arterials. He explained the Level of Service  
20 (LOS) scale for grades A to F by comparing it to pipe flow. Most cities had adopted a LOS D as  
21 acceptable because it was so common. LOS D still allowed traffic to flow, but there was  
22 congestion. Reaching a LOS F would mean the pipe was too small and needed to be expanded to  
23 accommodate the higher volume. The traffic demand models looked at road segments reviewing  
24 road widths, number of lanes, shoulders, and other factors.

25  
26 Mr. Goodrich said the model showed current conditions during evening peak hours. Some areas  
27 were shown as highly congested during those peak times, but were not at the same level of  
28 congestion throughout the day. This was the first part of the analysis that was reviewing whether  
29 or not the road was wide enough to accommodate traffic. They would go to a micro-analysis  
30 looking at issues like signal timing and turn lanes, and then using existing conditions try to  
31 anticipate congestion issues that would come with a doubled population.

32  
33 Mr. Dorny said the no-build scenario would be choosing not expand or widen the roads, which  
34 changed the LOS on many roads from LOS C or D to LOS E or worse. He said it took a long  
35 time to get funding for large projects, which was why they were starting now to look toward  
36 2040.

37  
38 Mr. Davidson said the no-build scenario assumed the City and MAG would do nothing. If there  
39 were no dedicated resources to address ongoing issues then the no-build scenario would be all  
40 they could do, creating worst-case conditions over time. He said Orem already had some roads  
41 that would be considered “unacceptable” on the grade scale that needed to be addressed, and  
42 Orem was competing for the same federal funding as other municipalities in the region.  
43 Annexation areas would also have an impact on future conditions, and to Mr. Dorny’s point,  
44 projects that were ten or fifteen years in concept were being realized now.

45  
46 Mr. Goodrich said it was important to look at other contributing or aggravating factors that lead  
47 to increased traffic, not street width only. Factors like medians and signalization needed to be

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1 considered. There were things that could be done on State Street, for example, to provide  
2 additional capacity without widening the street.

3  
4 Mr. Dorny said some planned MAG/UDOT projects were for 1600 North, Center Street, 800  
5 East, 800 North, and University Parkway. He showed current conditions and build conditions.  
6 With the amount of growth that was anticipated, some projects would still not meet acceptable  
7 standards according to the MAG model. A BRT system would address some of those issues.

8  
9 Mr. Seastrand asked about intersection projects.

10  
11 Mr. Goodrich said there were several intersection projects that would come with the widening of  
12 identified streets like University Parkway. He said all build scenarios were assuming the same  
13 kinds of patterns would continue. According to their counters on single-family residences, Orem  
14 drivers were making fourteen trips a day on average, which meant seven times vehicles left a  
15 single-family residence and returned. The national average was ten trips a day. If those patterns  
16 were to change and the number were to go down, then conditions could be better than current  
17 projections.

18  
19 Mr. Andersen asked if the study factored for Orem resident traffic versus vehicles passing  
20 through.

21  
22 Mr. Dorny said certain technology existed to make such a study possible, but it would be an  
23 extensive and likely costly study to conduct citywide.

24  
25 Mr. Goodrich said Orem had roads that were recognized as regionally significant and so they  
26 received some state and federal funding. There were funding sources where Orem paid nothing  
27 or very little to maintain roadways, but most roads needed improvements beyond what those  
28 funding sources covered.

29  
30 Mr. Dorny showed a micro-simulation model at 400 South and State Street that demonstrated the  
31 congestion that could be caused by not having a designated right turn lane at the intersection.  
32 With a right turn lane, congestion was lessened significantly at the intersection. He explained the  
33 basics of high, medium, and low impact build scenarios as part of the Capital Improvement Plan.  
34 The goal was to improve roads to reach better grades than a LOS D and have the appropriate  
35 funding to reach those goals.

36  
37 Mr. Davidson said in future budget seasons as capital plans were developed, the Transportation  
38 Master Plan would become a tool used in some of those discussions. Some projects would be  
39 very expensive so decisions needed to be made about what to do with the funding available:  
40 complete one big project in one area, or a series of smaller projects to mitigate multiple  
41 problems. It would be important for the City to continue to rally MAG and to push for regional  
42 dollars available for those regionally significant corridors in Orem. Mr. Goodrich and Mr. Kelly  
43 met with MAG regularly to make sure MAG was aware of the significant needs in Orem.

44  
45 Mr. Sumner asked about the timeline for the Transportation Master Plan.

# DRAFT

1 Mr. Dorny said they were up to 40 percent of the way through the analysis, extracting models  
2 and extrapolating data. They hoped to be finished before November to qualify for MAG funding.

## 3 4 UPDATE – H.B. 362 – Road Maintenance Funding Options

5 Mr. Tschirki reviewed information regarding H.B. 362 and transportation infrastructure funding.

### 6 7 HB 362 – Transportation Infrastructure Funding

- 8 • Background
  - 9 ○ HB 362 **reforms** the motor fuel tax by converting it to a **sales tax on fuel** and
  - 10 provides an opportunity for counties to impose a **0.25% sales tax** on all sales
  - 11 (except food) dedicated to transportation. Cumulatively, if each county imposes
  - 12 the local option, HB 362 could provide nearly **\$200 million annually**.
- 13 • Gas Tax Reform
  - 14 ○ On January 1, 2016, the motor fuel tax will automatically change from 24.5 cents
  - 15 per gallon to a **12% sales tax per gallon**. The 12% rate is the equivalent of a **4.9**
  - 16 **cent** motor fuel tax increase.
  - 17 ○ [ $\$2.45 \times .12 = \$0.294 = \$0.245 + \$0.049$ ]
- 18 • Local Option: Sales Tax
  - 19 ○ The local option will be a **0.25% general sales tax** for counties, cities, towns, and
  - 20 transit systems. Within the 0.25%, cities and towns (and unincorporated counties)
  - 21 will receive 0.10%. Transit systems will also receive 0/10%. Counties will receive
  - 22 0.05% in the areas with transit systems and 0.15% in the areas without transit
  - 23 systems.
- 24 • How Do Cities Get These Funds?
  - 25 ○ The **new motor fuel tax revenues will automatically come** to Orem via the
  - 26 B&C allocation process.
  - 27 ○ The **local option sales tax will be subject to county imposition and voter**
  - 28 **approval**. The county must impose and voters must approve the entire 0.25%.
  - 29 The county, city, town, and transit portions are “all in it together”.
- 30 • Local Option Timeline
  - 31 ○ HB 362 authorizes a county legislative body to impose a quarter cent sales tax
  - 32 ○ Voters in the county must approve the tax during a November election
  - 33 ○ A county must decide to put the tax on the ballot by late August
  - 34 ○ After voter approval, the county imposes the tax and provides notice to the Tax
  - 35 Commission
  - 36 ○ The Tax Commission needs 90 days to prepare the tax
  - 37 ○ The tax will be effective on the first calendar day of the new full quarter
  - 38 ○ Counties, cities, towns, and transit systems will start receiving funds 2-3 months
  - 39 later
- 40 • How Can Cities Spend This Revenue?
  - 41 ○ The municipal portion of the motor fuel tax reform and increase must be spent
  - 42 within class C right-of-ways according to existing law on class C revenues.
  - 43 ○ The local option sales tax may be spent on a larger range of transportation
  - 44 infrastructure. The municipal 0.10% portion may be spent on a class C road,
  - 45 pedestrian safety facility, active transportation facility, public transit, or
  - 46 multimodal transportation facility.
- 47 • Permitted Class C Uses

# DRAFT

- All construction and maintenance on eligible Class B & C roads (Utah Code 72-3-103 to 72-3-104)
- Enhancement of traffic and pedestrian safety including but not limited to:
  - Sidewalks, curb and gutter (on all eligible B & C roads and state highways)
  - Safety features
  - Traffic signals
  - Traffic signs
  - Street lighting
  - Construction of bicycle facilities in the highway right-of-way (Utah Code 72-8-101 to 72-8-105)
- Investments for interest purposes (interest to be kept in fund)
- Equipment purchases or equipment leases and rentals
- Engineering and Administration
- Future reimbursement of other funds for large construction projects
- Rights of Way acquisition, fencing and cattle guards
- Matching Federal Funds (Utah Code 72-2-110)
- Equipment purchased with B & C funds may be leased from the road department to another department or agency using schedule of Equipment Rates posted on the FEMA website at [http://www.fema.gov/government/grant/pa/eqrates\\_2005.shtm](http://www.fema.gov/government/grant/pa/eqrates_2005.shtm)
- Construction of road maintenance buildings, storage sheds, and yards. Multiple use facilities may be constructed by mixing funds on a proportional basis
- B & C funds can be used to pay the costs of asserting, defending, or litigating RS 2477 issues per HB 278 (2009)
- How Much Potential Revenue Could Orem Receive?
  - New Gas Tax: \$440,000
  - Local Option Sales Tax: \$1.64 million
  - Total: \$2.08 million

Mr. Tschirki said sales tax revenues would automatically come to Orem via the B&C allocation process. Every two months a deposit was made in the account for B&C road funds. On an annual basis the City received approximately \$2.4 million for those road funds. The local option sales tax could not be divided or parceled out for those cities that wanted it; everyone was either all in together or all out together. He said the County would likely put the issue on the ballot at the recommendation the majority of the population. The local option sales tax would be subject to county imposition and voter approval.

Mayor Brunst asked if the County Commissioners could decline to include the issue on the ballot, even if a majority wanted the local option sales tax.

Mr. Tschirki said they could choose not to include the issue on the ballot. The decision on whether to include the issue would need to be made in August.

Mayor Brunst said there would be a meeting of the Metropolitan Planning Organization Finance Committee with all the mayors in the county to put forth recommendations to the County Commissioners regarding the matter. He said Orem had a large retail sales tax base so

# DRAFT

1 implementing the local option sales tax would have a great impact, bringing in approximately  
2 \$1.6 million annually.

3  
4 Mr. Davidson mentioned that multiple cities had this same issue on their agendas this month.

5  
6 Mr. Tschirki said the new gas tax would almost double the B&C road fund and would bring in  
7 approximately \$443,000. He clarified what local option sales tax revenues could be used for, and  
8 said the estimated potential revenue for Orem was approximately \$1.6 million. Combined they  
9 would bring in a total of just under \$2.1 million in revenue.

10  
11 Mr. Seastrand asked what data was used to calculate the transportation funding shortfall.

12  
13 Mr. Davidson said there was a form called the UT-2 form the City was required to file with the  
14 budget each year. With those UT-2 forms, a formula was applied to calculate the transportation  
15 funding shortfall for each municipality.

16  
17 Mr. Tschirki said the General Fund had been helping with the road fund with about \$500,000 a  
18 year. That was not a sustainable option, as even those funds had diminished over the last five  
19 years. The local option sales tax revenue would go a long way to filling the void left during  
20 recession years where the City prioritized projects and prudently maintained roads and  
21 transportation systems that now were demanding attention.

22  
23 Mr. Davidson said historically the City had used general obligation debt as a means to address a  
24 number of transportation concerns. As a community, Orem had chosen to obligate through  
25 additional property taxes by way of road bonds. With those road bonds, in addition to the  
26 proactive efforts of the Public Works department, the City had been able to keep up with road  
27 demands. A number of road bonds were set to expire in coming years, so the question was  
28 whether to follow the same strategy of going into debt to finance projects or move forward with  
29 this process with a dedicated revenue stream to avoid debt for transportation projects. The local  
30 option sales tax was a mechanism to charge all those who used Orem roads, not Orem residents  
31 only.

32  
33 Mr. Sumner asked if the issue would be a “hard sell” on the ballot.

34  
35 Mayor Brunst said each county was looking at the same proposition. If Salt Lake County moved  
36 forward putting the issue on the ballot it would likely push many other counties to move forward.  
37 He felt 2015 was the year to put the issue on the ballot because if it passed there would be an  
38 additional \$1.6 million to go toward transportation, and cities needed a sustainable funding  
39 source to keep roads up for the future.

40  
41 Mr. Tschirki said he felt putting the issue on the ballot for voters to decide was the right thing to  
42 do.

## 43 **5:00 P.M. STUDY SESSION – PUBLIC SAFETY TRAINING ROOM**

44  
45  
46 CONDUCTING

Mayor Richard F. Brunst, Jr.

# DRAFT

## ELECTED OFFICIALS

Councilmembers Hans Andersen, Margaret Black, Mark E. Seastrand, and Brent Sumner

## APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Greg Stephens, City Attorney; Bill Bell, Development Services Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Ryan Peterson, Fire Battalion Chief; Charlene Crozier, Library Director; Brandon Nelson, Finance Division Manager; Steve Earl, Deputy City Attorney; Sam Kelly, City Engineer; Steven Downs, Assistant to the City Manager; and Jackie Lambert, Deputy City Recorder

## EXCUSED

Tom Macdonald and David Spencer

### 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 – Vote By Mail 2015 Municipal Elections

Mr. Bybee said the Vote By Mail (VBM) option would allow people to cast their votes and send the ballot in. The total budget would be up to \$165,000 to account for the ballots and the return postage. The existing budget for a “traditional” election would be \$95,000. From research that had been done, cities using VBM options had seen a significant increase in voter turnout, in some cases over 100 percent increase. Orem voter turnout for municipal elections was low in recent years, and was projected to only reach about 17 percent this election. If VBM doubled the turnout, it would be approximately 35 percent. Lehi, Cedar Hills, and Logan were the cities looking at the VBM option this election. If the City did VBM but did not pay for the return postage it would save approximately \$30,000 but that would take away from the convenience for voters.

Mr. Sumner asked if the amount was the cost for primary only or both primary and general elections.

Mr. Bybee said it was for both primary and general elections.

Mrs. Black asked about the cost if voters brought the ballot in versus mailing it.

Mr. Bybee said only when the ballot was sent back through the mail would the postage fee apply. There would be a designated polling location where voters could hand ballots in instead of mailing them.

Mayor Brunst asked about deadlines to mail the ballot.

# DRAFT

1 Mr. Bybee said the ballot would need to be postmarked at least two days before the election, but  
2 could walk the ballot in if they forgot to mail it. There would be a provisional ballot option as  
3 well on the election days. The City would send a voter information pamphlet that would detail  
4 the how and when aspects of mailing ballots.

5  
6 Mr. Davidson shared the following percentages regarding the last three municipal elections:

- 7 • 2009 Primary = 8.1% turnout, General = 15.7% turnout
- 8 • 2011 Primary = 7.4% turnout, General = 16.4% turnout
- 9 • 2013 Primary = 17.5% turnout, General = 24.3% turnout

10  
11 Mr. Bybee said Orem had never done a VBM election, but an indicator from the 2013 election  
12 was a greater push for absentee ballots (over 1,600 absentee ballots in that election) and that  
13 people were proactively requesting the convenience of a mailed ballot.

14  
15 Mr. Andersen said his first thought about VBM was the cost of campaigning would go up for  
16 candidates. He wished the City would divide up into districts, and he thought it was difficult and  
17 more expensive for candidates to campaign to the whole city.

18  
19 Mrs. Black said a VBM election would not change the way a candidate would campaign because  
20 regardless of going with VBM election or “traditional” election they would represent the whole  
21 city. She felt it was an advantage to represent the whole city.

22  
23 The general consensus of the City Council was to move forward with Vote By Mail for the 2015  
24 Primary and General Elections.

25  
26 The Council adjourned at 5:56 p.m. to the City Council Chambers for the regular meeting.

## 27 **6:00 P.M. REGULAR SESSION – COUNCIL CHAMBERS**

28  
29  
30 CONDUCTING Mayor Richard F. Brunst, Jr.

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

35  
36 APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant  
37 City Manager; Greg Stephens, City Attorney; Richard  
38 Manning, Administrative Services Director; Bill Bell,  
39 Development Services Director; Karl Hirst, Recreation  
40 Director; Chris Tschirki, Public Works Director; Ryan  
41 Peterson, Fire Battalion Chief; Charlene Crozier, Library  
42 Director; Jason Bench, Planning Division Manager; Neal  
43 Winterton, Water Division Manager; Steven Downs,  
44 Assistant to the City Manager; and Jackie Lambert, Deputy  
45 City Recorder

46  
47 EXCUSED David Spencer

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## INVOCATION /

INSPIRATIONAL THOUGHT Luke Peterson

PLEDGE OF ALLEGIANCE Curtis Wood

## APPROVAL OF MINUTES

Mr. Sumner **moved** to approve the May 26, 2015, City Council meeting minutes. Mr. Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, Brent Sumner. The motion **passed** unanimously.

## MAYOR’S REPORT/ITEMS REFERRED BY COUNCIL

### Upcoming Events

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

### Appointments to Boards and Commissions

Mayor Brunst **moved** to appoint Luke Peterson to the Public Works Advisory Commission. Mrs. Black **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, Brent Sumner. The motion **passed** unanimously.

### Recognition of New Neighborhoods in Action Officers

There were no new neighborhood officers recognized.

### REPORT – Senior Advisory Commission

Kay Bradford, commission chair, gave the annual report for the Senior Advisory Commission. She thanked Karl Hirst and Gena Bertelsen, Senior Friendship Center program director, for their dedication to seniors in the community and for all the hard work and effort they put into serving. Ms. Bradford said the 2014 average daily attendance at the Senior Friendship Center was 301 patrons, with 2,208 recorded active members. In 2014 they served 17,961 meals, went on 44 trips, and provided many classes including Tai Chi, ceramics, water coloring, line dancing, woodshop and more. The Senior Friendship Center had 86 volunteers serving more than 8,500 hours. There was always something to celebrate at the Senior Friendship Center, and she thanked the City for helping get new carpet there.

Ms. Bertelsen thanked the seniors for coming out and participating in the activities at the Senior Friendship Center. She said the woodshop was one of their strongest programs, and presented gifts of unique hand-carved pens made in the woodshop for the Mayor and City Council.

### RECOGNITION – Water Environment Association of Utah (WEAU) Awards

Neal Winterton presented plaques honoring Orem employees and programs recognized at the 2015 Water Environment Association of Utah (WEAU) Awards. Mr. Winterton said there was a rigorous process evaluating the 60+ mechanical treatment plants throughout the state, so to be singled out for these awards was a great accomplishment. Orem received four awards: (1) Most Outstanding Biosolids Program award. For the past four years Orem had recycled 100 percent of biosolids, which was a beneficial service to the community and the environment. (2) The

# DRAFT

1 Outstanding Collections Operator award was given to Terrance Harris. This award only went to  
2 one collections officer throughout the state. (3) The Outstanding Maintenance Specialist award  
3 was given to Lon Fulmer. Finally, (4) Orem received the Outstanding Water Reclamation  
4 Facility Award, the “best in show” equivalent, for the first time. Mr. Winterton presented that  
5 plaque to Lawrence Burton, the Water Reclamation Section Manager.

6  
7 Mr. Burton said at the reclamation facility they had a saying, “a team is more than just a group of  
8 people.” He said these awards were recognizing a group effort, and it could not have been done  
9 without every one of their dedicated team members.

## 10 11 **CITY MANAGER’S APPOINTMENTS**

### 12 13 Appointments to Boards and Commissions

14 Mayor Brunst **moved**, under advice and consent of the Council, to appoint Jamie Davidson as an  
15 alternate to the Utah Infrastructure Agency (UIA) Board. Mr. Seastrand **seconded** the motion.  
16 Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.  
17 Seastrand, Brent Sumner. The motion **passed** unanimously.

## 18 19 **PERSONAL APPEARANCES**

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

24  
25 There were no personal appearances.

## 26 27 **CONSENT ITEMS**

28  
29 There were no Consent Items.

## 30 31 **SCHEDULED ITEMS**

### 32 33 6:00 P.M. PUBLIC HEARING – City-owned Light Pole Signs

### 34 ORDINANCE – Amending Section 14-3-3 of the Orem City Sign Code as it pertains to 35 signs on City-owned light poles

36  
37 The Department of Development Services requested the City Council, by ordinance, amend a  
38 portion of Section 14-3-3 pertaining to signs on City-owned light poles.

39  
40 Many City light poles along major roads were equipped with crossbars that allowed for the  
41 placement of banner signs. The City had traditionally placed banner signs on these light poles to  
42 promote community events such as Summerfest and the Storytelling Festival. Under the City’s  
43 sign ordinance, these City-owned light poles were limited to City speech and were not open to  
44 the public for general use.

45  
46 The City had recently received substantial financial contributions for the 2015 Summerfest from  
47 local businesses which would allow the City to create a better Summerfest experience for the

# DRAFT

1 entire community. The City would like to recognize these businesses as sponsors of Summerfest  
2 on some of the City light pole banner signs. This would involve hanging banner signs with the  
3 sponsors' names on some of the light pole signs in addition to the traditional Summerfest banner  
4 signs.

5  
6 In order to allow the City to recognize its Summerfest sponsors, the City proposed to amend the  
7 sign ordinance to allow off-premise advertising on City light pole signs. Under the current  
8 ordinance, off-premise advertising was generally prohibited unless specifically authorized by  
9 ordinance. The proposed amendment would create a very limited exception to the general  
10 prohibition of off-premise advertising and off-premise signs would likely only be used in  
11 connection with sponsorship of major community events such as Summerfest and the  
12 Storytelling Festival.

13  
14 In this context, the City intended to include sponsor signs either interspersed with its traditional  
15 Summerfest (or Storytelling Festival) light pole signs or to include a sponsor logo as part of such  
16 signs. The City believed that the net effect would be the creation of an attractive signage display  
17 that would both enhance the Summerfest (and Storytelling) experience and create a visually  
18 appealing and festive atmosphere preceding and during such events. The type, nature, and  
19 frequency of off-premise advertising allowed on City light poles would be tightly controlled by  
20 the City to limit and prevent any negative aesthetic impact from such advertising.

21  
22 Mr. Earl said this would be a very narrow modification to the sign ordinance to recognize  
23 sponsors of City events, and would be limited only to City-owned light poles for signs with City  
24 speech. This would not apply to any other type of sign.

25  
26 Mr. Andersen asked if the City owned light poles around the Scera Park.

27  
28 Mr. Davidson said the light poles in front of the Scera were owned by Rocky Mountain Power.

29  
30 Mayor Brunst opened the public hearing. There were no public comments so Mayor Brunst  
31 closed the public hearing.

32  
33 Mayor Brunst **moved**, by ordinance, to amend a portion of Section 14-3-3 pertaining to signs on  
34 City-owned light poles. Mr. Sumner **seconded** the motion. Those voting aye: Hans Andersen,  
35 Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, Brent Sumner. The  
36 motion **passed** unanimously.

## 37 ORDINANCE – Amending Section 12-5-12 of the Orem City Code pertaining to mobile 38 vendors

39  
40  
41 The Department of Development Services requested the City Council, by ordinance, amend  
42 Section 12-5-12 pertaining to mobile vendors.

43  
44 Mobile vendors (food trucks) had become increasingly popular in the City over the last few  
45 years. Under the current ordinance, food trucks were allowed to park on a public street or on  
46 private property where permission was given. Food trucks naturally would seek locations where  
47 large numbers of people congregated or passed by.

# DRAFT

1  
2 Recently, food trucks had discovered that the City's annual Summerfest event provided an  
3 attractive market. During the last Summerfest, food trucks parked on City streets immediately  
4 adjacent to the City Center Park where the Summerfest celebration was held. This resulted in a  
5 number of problems that the City would like to address.

6  
7 First, food trucks occupied prime parking spaces that might otherwise have been used by patrons  
8 of Summerfest. Second, people interested in purchasing food from the food trucks congregated  
9 on the sidewalks while waiting in line and obstructed the large numbers of people trying to get to  
10 and from Summerfest activities. Third, the food trucks were taking advantage of an economic  
11 opportunity without sharing in the costs of putting on the event.

12  
13 The City would authorize vendors to sell food during Summerfest provided they received a  
14 license to do so. Summerfest food vendors were required to pay a fee, have insurance and sign an  
15 agreement in which they agreed to abide by numerous conditions including keeping their selling  
16 space clean and free of debris. Authorized vendors were given a designated location within the  
17 City Center Park where they were authorized to sell food to Summerfest patrons. The fees paid  
18 by these vendors were used to help defray the costs of clean-up, security and other expenses  
19 associated with holding Summerfest.

20  
21 Food trucks that parked on City streets adjacent to City Center Park would reap the same benefits  
22 as the authorized food vendors without bearing any of the same costs which would result in  
23 unfair competition and an additional financial burden to the City.

24  
25 In order to eliminate the problems food trucks caused during Summerfest, Staff felt it was  
26 appropriate to amend Section 12-5-12 to require that mobile vendors not be allowed to park on a  
27 public street located within 1,000 feet of the City Center Park during the annual Summerfest  
28 event.

29  
30 Mr. Earl said this proposed ordinance was to correct issues from the previous years where food  
31 trucks caused congestion issues with parking and pedestrian traffic and did not pay the same fees  
32 as authorized vendors to defray costs. Food trucks that were interested in becoming authorized  
33 Summerfest vendors were welcome to do so. The proposed ordinance would not allow mobile  
34 vendors to park within 1000 feet (approximately 1 ¼-1 ½ City blocks) of the City Center park  
35 during Summerfest.

36  
37 Mayor Brunst asked how many authorized food vendors would be at Summerfest.

38  
39 Mr. Tschirki said there were around thirty authorized food vendors.

40  
41 Mr. Earl reiterated that food trucks interested in participating in Summerfest could become  
42 authorized vendors. The intent of the ordinance was not to exclude food trucks from participating  
43 in Summerfest, but to require that they be subject to a contract and assume the same burden the  
44 other vendors had agreed to.

45  
46 Mr. Sumner asked how mobile vendors were notified of this proposed ordinance.

# DRAFT

1 Mr. Bell said the City sent notification in the mail as well as emails to vendors with email  
2 addresses on file.

3  
4 Mr. Andersen asked how many mobile vendors were at Summerfest the previous year.

5  
6 Mr. Earl said he was not certain how many had been at Summerfest last year but said he got two  
7 phone calls regarding issues with mobile vendors, including one parked in the Senior Center  
8 parking lot. Food trucks were growing in popularity and they wanted to keep this from becoming  
9 a growing problem year to year.

10  
11 Mr. Seastrand said he hoped there was fairness in this restriction on food trucks.

12  
13 Mr. Davidson assured him that any food truck vendor interested in participating would be able to  
14 contact the City and obtain the proper permits to allow them as authorized vendors.

15  
16 Mrs. Black **moved**, by ordinance, to amend Section 12-5-12 pertaining to mobile vendors.  
17 Mayor Brunst **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard  
18 F. Brunst, Tom Macdonald, Mark E. Seastrand, Brent Sumner. The motion **passed** unanimously.

19  
20 RESOLUTION – Supporting the HB362 (2015) Authorized 0.25% Local Option General  
21 Sales Tax Dedicated to Transportation

22  
23 The City Manager recommended that the Orem City Council, by resolution, support the HB362  
24 (2015) Authorized 0.25% Local Option General Sales Tax Dedicated to Transportation.

25  
26 On December 9, 2014, the City Council adopted resolution R-2014-0022 encouraging  
27 partnership with the State of Utah to address transportation funding. In that resolution, the  
28 Council supported creating new and changing existing funding sources for transportation  
29 improvements; investing in transit; and expanding the approved uses for transportation funding.

30  
31 HB 362 was passed during the 2015 legislative session and was a broad approach to addressing  
32 part of the funding shortfall to meet the transportation needs of local governments throughout the  
33 state. The bill would help the City of Orem better preserve its current infrastructure and  
34 accommodate projected population growth.

35  
36 There were two main provisions in the bill. One reformed the existing gas tax and another  
37 authorized a local transportation sales tax to allow for priority investments in roads, transit, and  
38 active transportation facilities at the local level. Together, funding currently generated for  
39 transportation improvements from transportation-specific sources for the city would increase by  
40 \$2.1 million, or 85% per year. It was estimated that this was still about \$1.1 million short of  
41 what was needed for long-term sustainability of the city's transportation system.

42  
43 If approved, the local transportation sales tax option would give the City of Orem and other local  
44 governments additional funding to address their transportation needs. Counties were authorized  
45 to enact a 0.25% general sales tax for transportation subject to voter approval. The funds would  
46 be allocated as follows:

- 47
- 0.10% to the city (40% of the increase);

# DRAFT

- 1 • 0.10% to UTA (40% of the increase);
- 2 • 0.05% to the county (20% of the increase).

3  
4 The municipal 0.10% portion would be distributed according to the traditional 50/50 sales tax  
5 formula. The City's portion of this sales tax would increase the funding currently received from  
6 the state for transportation improvements by an estimated \$1.6 million, or 68%. The local option  
7 sales tax could be spent on a larger range of transportation infrastructure including class C roads,  
8 pedestrian safety facilities, active transportation facilities, public transit, or multimodal  
9 transportation facilities.

10  
11 HB 362 authorized the Utah County Commission to impose a quarter cent sales tax and required  
12 voters in the county to approve the tax during a November election. There was no specific year  
13 requirement. A county would need to decide to put the tax on the ballot by late August so as to  
14 comply with state and federal election law. If voters approved the tax opinion question, the  
15 county would impose the tax and provide notice to the Tax Commission. The Tax Commission  
16 would need 90 days to prepare the tax. The tax would be effective on the first calendar day of the  
17 new full quarter. Counties, cities, towns, and transit systems would start receiving funds 2-3  
18 months later. April 1, 2016 would be the first possible calendar day the tax could become  
19 effective. Revenues would be received in June/July of that year.

20  
21 Mr. Davidson said the resolution before the Council at this meet was a follow-up to the  
22 resolution passed in December 2014. The purpose of the resolution was to encourage the County  
23 to include the issue for public consideration on the ballot for the November 2015 election. There  
24 was a specific schedule that must be followed and the County Commission had until late August  
25 to place the matter on the ballot. He said many cities in the County were considering this  
26 resolution this week or the next, and so were many cities throughout the State.

27  
28 Mayor Brunst said he felt this was an important resolution in light of the growth projected for the  
29 area. There needed to be solid infrastructure in good condition for the future, and there needed to  
30 be a funding mechanism to pay for those roads. The local option sales tax would be a fee for  
31 those who used roads to pay for them.

32  
33 Mr. Andersen said he did not think the local option sales tax funds would go to roads, and  
34 thought 40 percent would go toward Bus Rapid Transit (BRT). He believed BRT to be a money-  
35 losing program.

36  
37 Mayor Brunst said the 40 percent would be for mass transit with UTA but he felt that program  
38 would be a benefit to the community.

39  
40 Mr. Seastrand said he appreciated the solution the State Legislators came up with to address the  
41 issues of maintaining roads that most if not all municipalities were facing. He thought the issue  
42 had been looked at closely, and it was a reasonable solution.

43  
44 Mr. Macdonald wanted to clarify that the resolution tonight was not to enact anything but was to  
45 encourage the County to allow for a vote of the people in the upcoming election.

46  
47 Mr. Davidson said that was correct.

# DRAFT

1  
2 Mrs. Black **moved**, by resolution, to support the HB362 (2015) Authorized 0.25% Local Option  
3 General Sales Tax Dedicated to Transportation. Mayor Brunst **seconded** the motion. Those  
4 voting aye: Mr. Sumner, Mrs. Black, Mayor Brunst, Mr. Seastrand, Mr. Macdonald. Those  
5 voting nay: Mr. Andersen. The motion **passed**.

## 6 7 **COMMUNICATION ITEMS**

8  
9 There were no communication items.

## 10 11 **CITY MANAGER INFORMATION ITEMS**

12  
13 There were no city manager information items.

## 14 15 **ADJOURNMENT**

16  
17 Mr. Andersen **moved** to adjourn the meeting. Mr. Macdonald **seconded** the motion. Those  
18 voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E.  
19 Seastrand, Brent Sumner. The motion **passed** unanimously.

20  
21 The meeting adjourned at 6:38 p.m.

# PROCLAMATION

WHEREAS, from the beginning of these United States of America and in its own time, the great State of Utah, armed forces of every generation have played a critical role in safeguarding the rights and freedoms which are guaranteed by the Constitution in protecting the lives and property of our citizens; and

WHEREAS, the Citizens of Orem, Utah recognize that those who serve in the armed forces throughout the world in defense of the freedoms and liberties of human kind would and have given freely of their lives if necessary to secure and maintain the freedoms we uphold, and for the positive uplifting contributions they have made to the communities in which they reside, work and serve for the security and continued well-being of all our citizens; and

WHEREAS, it is fitting and proper that we express our gratitude for the dedicated service and courageous deeds of those who serve with kindness and goodness toward mankind, delivering a message of hope and happiness even in the face of war, tyranny, and oppression, and strive to uplift, bring joy and light to those in their midst, and

NOW THEREFORE, I, Richard F. Brunst Jr., Mayor of the City of Orem, Utah, do hereby designate July 3, 2015, as

## COLONEL GAIL HALVORSEN DAY

in recognition of his contribution with honor and his outward positive delivery of service in behalf of our citizens throughout his life.

I invite the local government, patriotic, civic, and educational organizations, along with the people of Orem, Utah generally, to observe appropriate ceremonies in which all our people may join in commemorating those who provide armed service past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities, and, in so doing, have upheld a reputation for preserving the rights and security of all citizens for the positive hope and preservation of these principles for generations to come.

Dated this 23<sup>rd</sup> day of June 2015

Richard F. Brunst Jr., Mayor



ATTEST:

Donna Weaver, City Recorder

# PROCLAMATION

WHEREAS, Independents Week provides a time to celebrate the independence of the members of the community of Orem and the entrepreneurial spirit represented by our core of local independent businesses; and

WHEREAS, the individual decisions every community member makes today affect the future of Orem; and

WHEREAS, Orem's local independent businesses help preserve the uniqueness of the community and give us a sense of place; and

WHEREAS, Orem's core of independently-owned businesses give back to this community in goods, services, time and talent; and

WHEREAS, the health of Orem's economy depends on our support of businesses owned by our friends and neighbors; and

WHEREAS, Orem's independent business owners and employees enrich community members' shopping experiences with their knowledge and passion;

THEREFORE, as we celebrate Independents Week 2015, we acknowledge that the ability to choose the direction of Orem lies within each of us.

NOW THEREFORE, I, Richard F. Brunst Jr., Mayor of the City of Orem, Utah, do hereby proclaim the week of July 1-7 2015, as

## INDEPENDENTS WEEK

in the City of Orem and salute our community members and locally owned independent businesses who are integral to the unique flavor of Orem and honor their efforts to make Orem the place we want to live and work.

Dated this 23<sup>rd</sup> day of June 2015

Richard F. Brunst Jr., Mayor



ATTEST:

Donna Weaver, City Recorder

CITY OF OREM  
**CITY COUNCIL MEETING**  
 JUNE 23, 2015



<b>REQUEST:</b>	<b>6:15 P.M. PUBLIC HEARING</b> <b>RESOLUTION – Amending the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) on approximately 0.93 acres located generally at 1890 North 800 West.</b> <b>ORDINANCE – Amending Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.</b>
<b>APPLICANT:</b>	Adam Lambert with Rimrock Construction
<b>FISCAL IMPACT:</b>	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 105 notifications to properties within the 500' of the subject property on May 27, 2015.

**SITE INFORMATION:**

General Plan Designation:  
**Low Density Residential**  
 Current Zone:  
**R8**  
 Acreage:  
**0.93**  
 Neighborhood:  
**Aspen**  
 Neighborhood Chair:  
**Gary & Oleah Peay**

**PLANNING  
 COMMISSION  
 RECOMMENDATION**  
 4-0 for Approval

**PREPARED BY:**  
  
 Clinton A. Spencer  
 Planner

**REQUEST:**

**The applicant requests the City Council (1) amend the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) and (2) amend Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.**

**BACKGROUND:**

The applicant is in the process of purchasing property located at approximately 1890 North 800 West which is located directly south of the IHC Instacare building. The applicant would like to construct a new assisted living facility on the property with 100 living units. Part of the applicant's property is already zoned C2, but approximately 0.93 acres is zoned R8. The applicant proposes to rezone this part of the property to C2 in order to match the zoning on the remainder of the property and to allow all of the property to be used for the development of the assisted living facility. The proposed rezone would also allow the applicant to provide a full access to the property from 800 West which was requested by the City Engineer.

In 2008 the Planning Commission approved an assisted living facility and commercial building on the property, but the project was never developed. Other applications have been proposed on the property including Northtown Village (similar to Midtown Village) in 2005, and a high density housing project for which a rezone request was denied in 2012. The property is currently vacant.

Based on the findings of a traffic study, the applicant is proposing three (3) accesses to the property including two (2) accesses onto State Street. A full access to 800 West to the west of the proposed building and an emergency (gated) access onto 760 West are also proposed. By providing these accesses, the traffic needs of the proposed assisted living facility as well as two commercial pads to the east of the assisted living facility will be

satisfied. A sidewalk will also be provided from 800 West to the proposed assisted living facility.

The current General Plan designation for the 0.93 acres is Low Density Residential and the applicant requests that this be changed to Community Commercial.

A neighborhood meeting for the proposed rezone was held on May 8, 2015. Five (5) neighbors were in attendance. The concerns regarding the project dealt with access, building height, number of units, fencing, traffic and setbacks from the residential neighborhood. Residents in attendance were satisfied with the access on 800 West from the proposed project.

The Planning Commission recommended approval of the subject application and recommended that the normal masonry fence requirement between commercial development and residential zones be eliminated along the access to 800 West to avoid any problems with clear vision.

After reviewing the proposed rezone and General Plan amendment, staff has listed the following advantages and disadvantages regarding the proposal.

Advantages of the proposal:

- Would promote the development of a long-standing vacant property along State Street;
- Would increase assisted living facility units available to Orem residents;
- Would provide an additional vehicular and pedestrian access to 800 West

Disadvantages of the proposal:

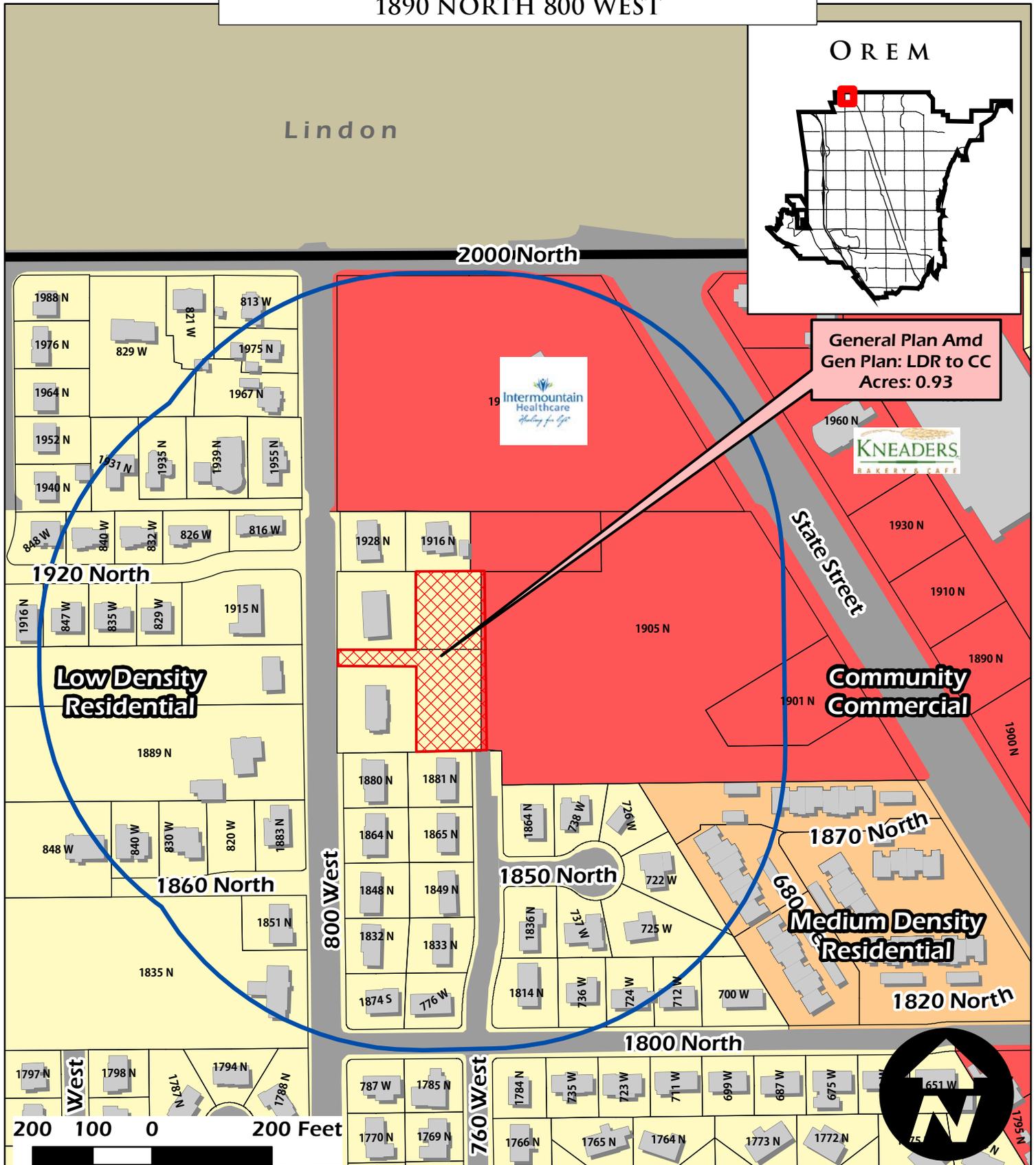
- The proposed project will increase commercial access and traffic onto 800 West.

**RECOMMENDATION:**

The Planning Commission recommends the City Council amend, by resolution, the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC), and amend, by ordinance, Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.

# OREM ASSISTED LIVING

1890 NORTH 800 WEST



◆ Orem Assisted Living General Plan Amd:  
LDR to CC; 0.93 Acres

**NIA CONTACT:**  
Aspen Neighborhood  
Gary and Oleah Peay

**Legend**  
■ Buildings  
□ Parcels

# DRAFT

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

A RESOLUTION BY THE OREM CITY COUNCIL AMENDING THE GENERAL PLAN BY CHANGING THE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMUNITY COMMERCIAL (CC) ON 0.93 ACRES LOCATED GENERALLY AT 1890 NORTH 800 WEST

WHEREAS on April 15, 2015, Adam Lambert with Rimrock Construction filed an application with the City of Orem requesting that the City amend the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) on 0.93 acres located generally at 1890 North 800 West as shown on Exhibit “A” attached hereto and incorporated herein by reference; and

WHEREAS amending the General Plan from LDR to CC will allow the property to be rezoned to C2 as requested by the applicant in order to facilitate the development of an assisted living facility on the subject property; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on June 3, 2015, and the Planning Commission recommended approval of the proposed amendment; and

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

WHEREAS a public hearing considering the subject application was held by the City Council on June 23, 2015; and

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

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

1. The City Council finds that this request is in the best interest of the City because it will promote the development of a long-standing vacant property along State Street and will provide additional vehicular and pedestrian access to 800 West.
2. The City Council hereby amends the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) on 0.93 acres

DRAFT

located generally at 1890 North 800 West as shown on Exhibit "A" attached hereto and incorporated herein by reference.

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

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

5. This resolution shall take effect immediately upon passage.

PASSED AND APPROVED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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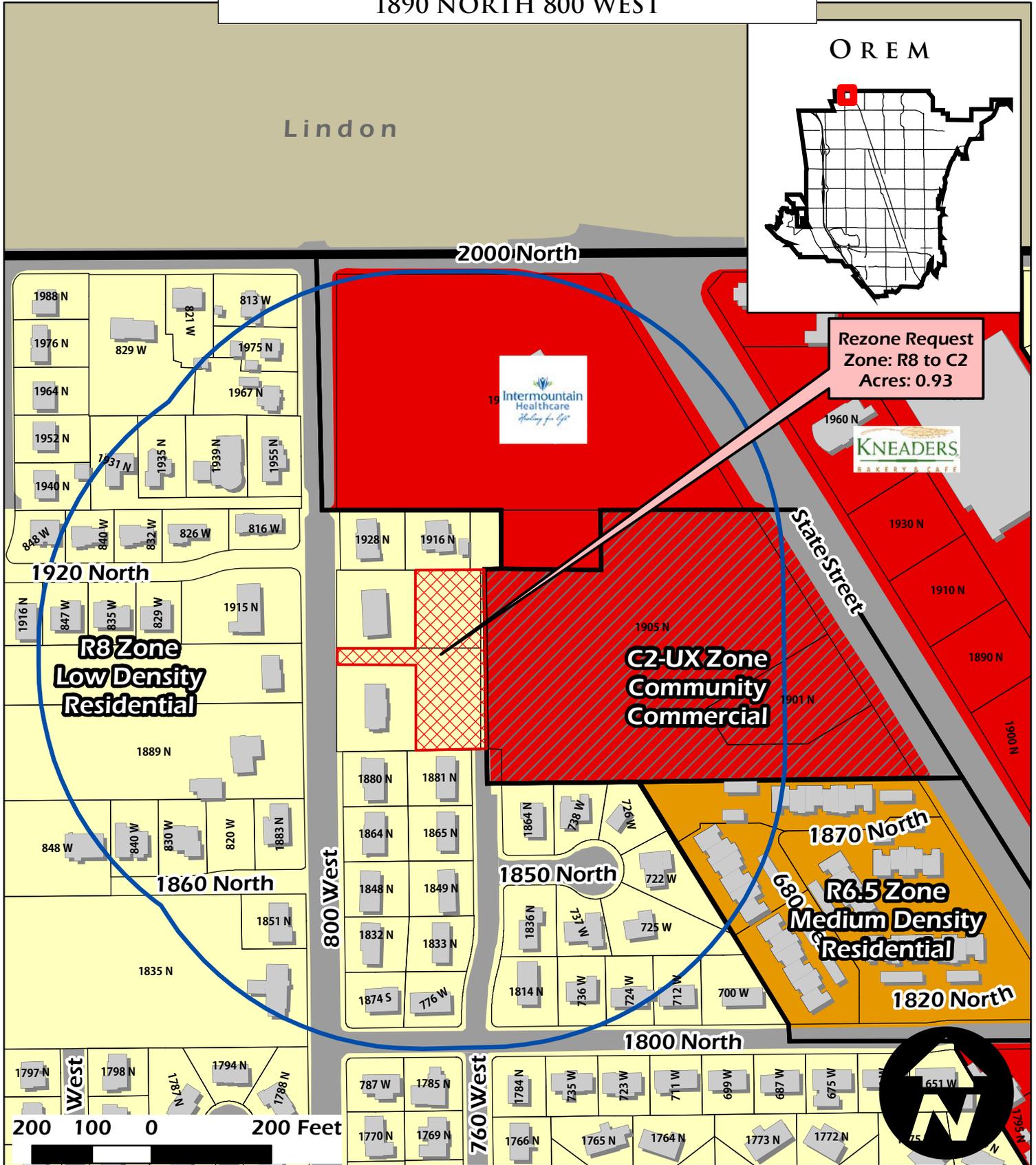
COUNCIL MEMBERS VOTING "NAY"

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# OREM ASSISTED LIVING

1890 NORTH 800 WEST



◆ Orem Assisted Living Rezone Request:  
R8 to C2; 0.93 Acres

**NIA CONTACT:**  
Aspen Neighborhood  
Gary and Oleah Peay

**Legend**  
Buildings  
Parcels

# DRAFT

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

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING PROPERTY LOCATED GENERALLY AT 1890 NORTH 800 WEST FROM R8-ASH TO C2

WHEREAS on April 15, 2015, Adam Lambert with Rimrock Construction filed an application with the City of Orem requesting that the City amend Article 22-5-3(A) of the Orem City Code and the zoning map of the City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West as shown on Exhibit “A” attached hereto and incorporated herein by reference; and

WHEREAS rezoning the property from R8-ASH to C2 will allow the development of an assisted living facility on the subject property; and

WHEREAS a public meeting considering the subject application was held by the Planning Commission on June 3, 2015, and the Planning Commission recommended approval of the request; and

WHEREAS the City posted the City Council agenda in the Orem Public Library, the Orem City Webpage, the City offices at 56 North State Street, and at [utah.gov/pmn](http://utah.gov/pmn); and

WHEREAS a public hearing considering the subject application was held by the City Council on June 23, 2015; and

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

NOW, THEREFORE, BE IT 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 promote the development of a long-standing vacant property along State Street and will provide an additional vehicular and pedestrian access to 800 West.
2. The City Council hereby amends Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West as shown on Exhibit “A” attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

DRAFT

4. All ordinances in conflict herewith are hereby repealed.

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

PASSED, APPROVED and ORDERED PUBLISHED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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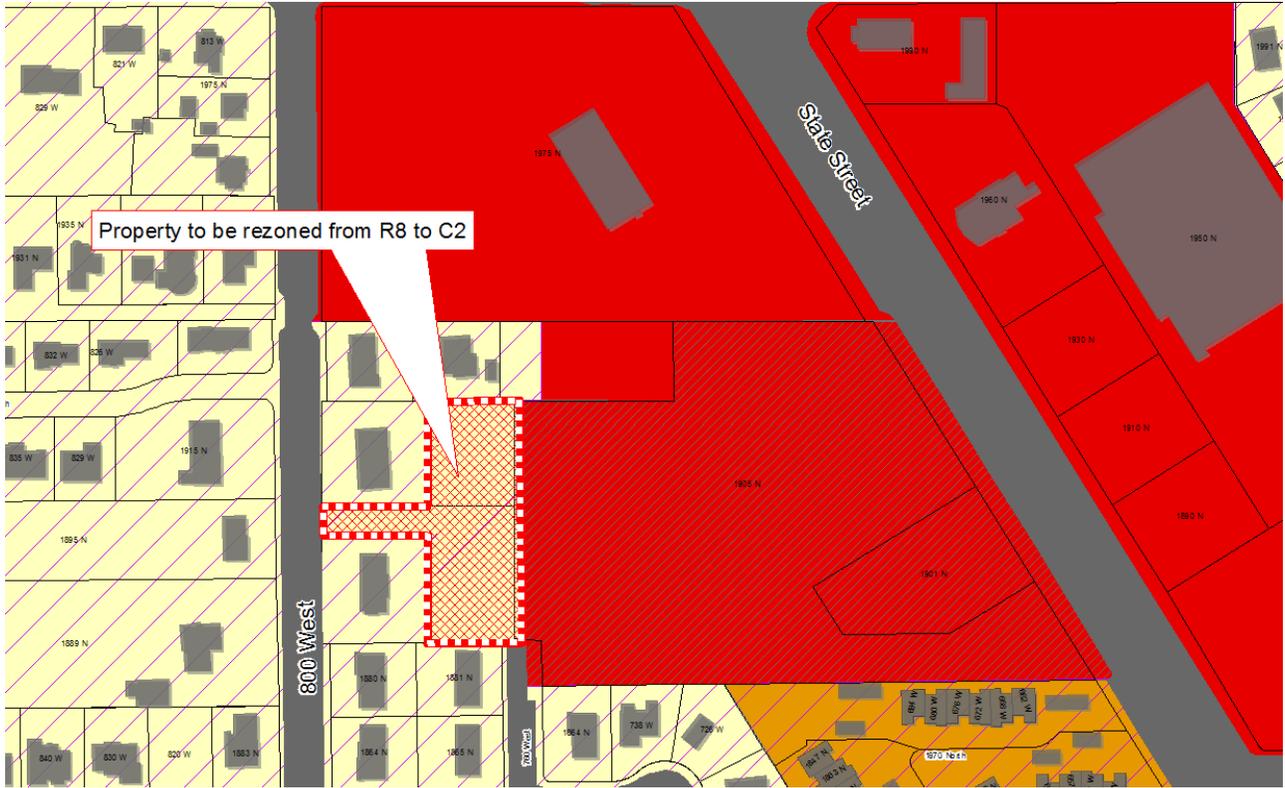
COUNCIL MEMBERS VOTING "NAY"

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# DRAFT

## EXHIBIT A

### Proposed Rezone from R8-ASH to C2



**AGENDA ITEM 4.2** is a request by Rimrock Construction to **AMEND THE GENERAL PLAN BY CHANGING THE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL, AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY CHANGING THE ZONE FROM R8-ASH TO C2 GENERALLY AT 1890 NORTH 800 WEST** in the Orem City Code.

**Staff Presentation:** Mr. Spencer said the property proposed is located directly south of the IHC Instacare building. In 2008 the Planning Commission approved an assisted living facility and commercial building on the property, but the project was never developed. Other applications have been proposed on the property including Northtown Village (similar to Midtown Village) in 2005, and a high density housing project that was denied rezone in 2012. Currently, the land is vacant.

The applicant is proposing to construct a new assisted living facility with 100 units. The development also proposes two (2) vacant commercial pads for future development along State Street. The proposed rezone and General Plan amendments will provide the applicant with the area necessary to construct their building as well as provide a full access to 800 West from their site. The C2 zone allows for this use as well as many other commercial uses.

If the rezone and General Plan land use changes are approved the applicant will then go through site plan approval before constructing their building(s), which requires Planning Commission approval. The proposed rezone and General Plan amendment will be heard by the City Council on Tuesday, June 23, 2015. No official application has been made for the site plan.

**Traffic:** A traffic impact study has been required for this development. The applicant is proposing two accesses onto State Street which will line up with accesses on the opposite side of the road in the Kneaders Subdivision, as well as provide an emergency access onto 760 West and a full access to 800 West to the west of the proposed building. By providing these accesses the traffic needs of the development for the assisted living facility as well as the future development of the commercial pads will be satisfied. Also, a sidewalk connection will be provided from 800 West to the proposed assisted living facility.

**General Plan:** The current General Plan designation for this portion of property is Low Density Residential, and is proposed to change to Community Commercial. The proposed use of an assisted living facility meets the requirements of the General Plan which states that the CC classification satisfies the needs of a community or group of neighbors.

**Neighborhood Meeting:** A neighborhood meeting for the proposed rezone was held on May 8, 2015. Five neighbors were in attendance. The concerns regarding the project dealt with access, building height, number of units, fencing, traffic and setbacks from the residential neighborhood. Residents in attendance were satisfied with the access on 800 West from the proposed project.

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

Advantages of the proposal:

- The property is directly adjacent to the C2 zone and it makes sense to incorporate the property into the commercial (C2) zone;
- Allows for the development of a long standing vacant property along State Street;
- Increases the amount of services available to Orem residents;
- Provides an additional access with a vehicular and pedestrian access to 800 West

Disadvantages of the proposal:

- The proposed project will increase commercial access and traffic onto 800 West.

**Recommendation:** Based on the advantages outlined above staff recommends the Planning Commission forward a positive recommendation to the City Council regarding the request to amend the General Plan by changing the land use designation from Low Density Residential (LDR) to Community Commercial (CC) and amending Article 22-5-3(A) of the Orem City Code and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres located generally at 1890 North 800 West.

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

Ms. Larsen asked if there will be a lot of cross access from 800 West to State Street. She asked if 800 West will be a right in/right out. Mr. Spencer said it is easy to get from one side to another. There will be pedestrian access from 800 West to State Street.

Chair Moulton invited the applicant to come forward. Mark Hampton introduced himself.

Chair Moulton asked if the future commercial lots will the lots be maintained until they are developed. Mr. Hampton said they do not own the commercial lots. They will probably be medical uses, which usually build around their buildings.

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

Larry Lires, Orem, said this was approved for assisted living. He did not object to the assisted living, but did object was the commercial street going onto 800 West. This is a residential area and the traffic on that street is used as a shortcut by people to the north to get to the freeway. The traffic now is heavy and recently there were 11 new homes that were added that dump onto 800 West. An additional three pieces of property will eventually have homes built on them. There are many types of vehicles that use 800 West as a shortcut, like 18-wheelers, car haulers, huge delivery trucks. They come down the street at 40-60 miles per hour currently. Traffic is really heavy already. They do not need commercial traffic dumped onto 800 West.

When Chair Moulton asked about the speed issue, Mr. Goodrich said the police department could spend some time in the area. He noted that 800 West is wider and designed as a collector road and can handle more traffic. 750 West is smaller and not designed to be a collector street and carry traffic, but 800 West is different. This development is similar to the development along Center Street and 1200 West that needed a connection to the neighborhood.

Ms. Buxton said she is someone who is always looking for shortcuts; however this is not a shortcut. People will not realize that this goes through and the speed will be slow through the area. Assisted living facilities do not generate lots of traffic; they are ½ trips per room per day. Mr. Goodrich said they are a low traffic generator compared to other commercial uses.

Leahmary Pead, Orem, suggested moving the access to the north connecting with 2000 North. Mr. Goodrich said the property owner owns the property on 800 West. If they go through the IHC property it would be a longer access and costly. This has a lower traffic use than a regular commercial development.

Craig Whitehead, Orem, said there are a lot of children that cross 800 West to get access to the school. If the traffic is controlled it may be better. The posted speed is 25 mph, but not many people obey that.

Stacy Dallin, Orem, said she does not support the assisted living. This is a residential area and she wants it to stay residential. She wants this to be placed in a commercial zone it can fit in. The Planning Commission and staff are not affected by the traffic, but the neighbors are. She is more for restoring than repurposing. She does not like flag lots. The connecting road is up against the neighbor's property and there is not enough room.

Elaine Lires, Orem, noted the speed along 800 West is 25 mph. Mr. Goodrich said the street is designed to be faster, even though it is posted slower. Ms. Lires said it was decided to not use this street when this came before the City earlier. She supported Ms. Pead's idea and supported her husband, Mr. Lire's assertion that there is a lot of traffic, which goes fast.

Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Whetten said 760 West stubs into this property and without changing anything it could be used. He noted that the tie into 800 West would be a better choice to handle the traffic, as opposed to dumping C2 traffic onto 760 West.

The connections to State Street are oddly placed. Mr. Bell said the accesses are offset by accesses to the east. Mr. Spencer said there will be a gated emergency access off of 760 West.

Ms. Jeffreys said the majority of the property is already C2 and any residential development will abut the C2 zone.

Chair Moulton asked if there is any requirement for a masonry wall. Mr. Spencer said that anything that is adjacent to residential there will be a seven foot masonry wall.

Ms. Lires said there are different levels of traffic control. She said there was sign that let the driver know their speed. Mr. Goodrich said that unit lets drivers know the speed they are going. Ms. Lires asked where they could complain about the speed of the road. Mr. Goodrich said he could talk to the Police traffic department, letting them know the times of day the traffic is the worst.

Ms. Lires then asked if the home will still be residential. Mr. Goodrich said the house would still be residential. The access that is proposed on the north end alone would be commercial. Ms. Lires asked if the house will become commercial. Mr. Goodrich said the owner would have to come through the City process to make that change.

Derek left at 6:49 p.m.

Ms. Jeffreys asked if there was a traffic calming device at 1920 North. Mr. Goodrich said the triangle in the road is a choker is designed to make the street feel narrower where the school crosswalk is.

Ms. Dallin said the access is narrow. Mr. Goodrich said it is not as wide as the other streets; it is a narrow access connection with a five-foot sidewalk on the north side. The home on the north side has a one foot separation between the property line, a five foot sidewalk, two foot curb and gutter and the narrow access which is around 20 foot access.

Ms. Pead asked if there will be a seven foot masonry wall along the driveway. Mr. Spencer said there is a clear vision area and the fence will need to be a three foot wall and as it goes back it will need to step back to a higher wall. Mr. Earl said the owner could request a fence modification for that wall.

Ms. Pead asked if the City will allow speed bumps. Mr. Earl said the City does not support speed bumps. Mr. Whitehead asked for a flashing school crossing sign. Mr. Goodrich noted that there are specific rules for installing flashing signs.

Ms. Dallin said this is essentially a commercial lot being approved as a flag lot because it is in someone's backyard. Mr. Earl said this is a C2 zone commercial use that generates less traffic than most commercial uses. Ms. Buxton said the biggest chunk is already commercial and the land owner is willing to sell portions of their lot.

Mr. Bench said the Planning Commission is a recommending body and this item will go before the City Council on June 23, 2015.

Chair Moulton called for a motion on this item.

**Planning Commission Action:** Ms. Larsen said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend the General Plan by changing the Land Use designation from Low Density Residential to Community Commercial, amending Section 22-5-3(A) and the zoning map of Orem City by changing the zone from R8-ASH to C2 generally at 1890 North 800 West. Ms. Jeffreys seconded the motion. Those voting aye: Becky Buxton, Karen Jeffreys, Lynnette Larsen, and David Moulton. The motion passed unanimously.

# **X, LLC**

**6795 Cottonwood St.  
Midvale, UT 84047  
801 949-8800**

May 6, 2015

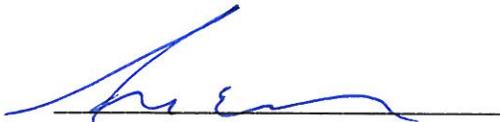
Attention: Orem City Planning

RE: Rezone

To Whom it may concern,

X, LLC, the owner of the property located at 1890 N 800 W, Orem, UT 84057, also known as parcel number 17:011:0207, hereby allow a rezone of a 33 foot section of property on the northern portion of said property from residential to commercial for the purpose of an access road.

X, LLC



---

Alah Combs, Manager

**811**  
CALL BLUESTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.  
Know what's below.  
Call before you dig.

**BENCHMARK**  
NORTHWEST CORNER  
SECTION 3  
T6S, R2E  
SL8BM  
ELEVATION = 4735.91'

- NOTE**
- ALL DIMENSIONS TO TBC UNLESS NOTED OTHERWISE.
  - ALL WORK SHALL COMPLY WITH CURRENT APWA PLANS AND SPECIFICATIONS, AND WITH CITY STANDARD PLANS AND SPECIFICATIONS.
  - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR PIPE.
  - SEE UDOT PLAN (SHEET C-0.1) FOR ADDITIONAL INFORMATION.

**PARKING CALCULATION**

NUMBER OF BEDS IN BUILDING = 106  
STALLS REQUIRED: 1 STALL PER 2.5 BEDS  
106 BEDS / 2.5 = 43 STALLS  
STALLS PROVIDED: 66 (4 ACCESSIBLE)

**LOT 3 AREA CALCULATIONS TABLE**

DESCRIPTION	AREA	PERCENTAGE
PAVEMENT	58,501 sq. ft.	37%
ROOF	45,740 sq. ft.	29%
LANDSCAPING	55,591 sq. ft.	35%
TOTAL LOT 3 SITE	159,832 sq. ft. 3.67 acres	100%

- KEY NOTES**
- HANDICAP ACCESS RAMP (PER APWA PLAN 235 OR 236)
  - HANDICAP PARKING SIGN (SEE DETAIL 2/C-5.0)
  - HANDICAP PARKING MARKING (SEE DETAIL 1/C-5.0)
  - 4" SOLID WHITE PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS & SPECIFICATIONS
  - 2" CURB & GUTTER (SEE DETAIL 4/C-5.0)
  - REVERSE PAN CURB & GUTTER (HATCHED AREA) (SEE DETAIL 4/C-5.0)
  - 4" THICK CONCRETE SIDEWALK (SEE DETAIL 3/C-5.0)
  - SIDEWALK WITH MONOLITHIC CURB (SEE DETAIL 5/C-5.0)
  - TRASH ENCLOSURE (SEE DETAILS 12 & 13/C-5.0)
  - ASPHALT PAVING
  - LANDSCAPE (SEE LANDSCAPE PLAN BY OTHERS)
  - 6" CONCRETE RIBBON
  - 6" HIGHBACK CURB WALL (SEE DETAIL 5/C-5.0)
  - MONOLITHIC CURB & GUTTER WITH SIDEWALK (SEE DETAIL 9/C-5.0)
  - REVERSE PAN MONOLITHIC CURB & GUTTER WITH SIDEWALK (SEE DETAIL 9/C-5.0)
  - INSTALL STREET LIGHT PER CITY STANDARDS & SPECIFICATIONS
  - INSTALL BIKE RACK PER DETAIL 11/C-5.0
  - INSTALL 7" MASONRY FENCE

**LEGEND**

- SECTION CORNER
- EXIST MONUMENT
- PRO MONUMENT
- EXIST REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- EXIST WATER METER
- PRO WATER METER
- EXIST WATER VALVE
- PRO WATER VALVE
- EXIST FIRE HYDRANT
- PRO FIRE HYDRANT
- EXIST SANITARY SEWER MANHOLE
- PRO SANITARY SEWER MANHOLE
- EXIST STORM DRAIN CLEAN OUT
- PRO STORM DRAIN CLEAN OUT
- EXIST STORM DRAIN CATCH BASIN
- PRO STORM DRAIN CATCH BASIN
- EXIST STORM DRAIN COMBO BOX
- PRO STORM DRAIN COMBO BOX
- EXIST SIGN
- PRO SIGN
- EXIST UTILITY MANHOLE
- EXIST UTILITY POLE
- EXIST GAS VALVE
- EXIST BUILDING
- PRO BUILDING
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXIST FENCE
- PRO FENCE
- EXIST EDGE OF ASPHALT
- PRO EDGE OF ASPHALT
- EXIST MINOR CONTOURS 1' INCREMENT
- EXIST MAJOR CONTOURS 5' INCREMENT

**ENSIGN**

SALT LAKE CITY  
45 W. 10000 S., Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449

LAYTON  
Phone: 801.547.1100

TOOELE  
Phone: 435.843.3590

CEDAR CITY  
Phone: 435.865.1453

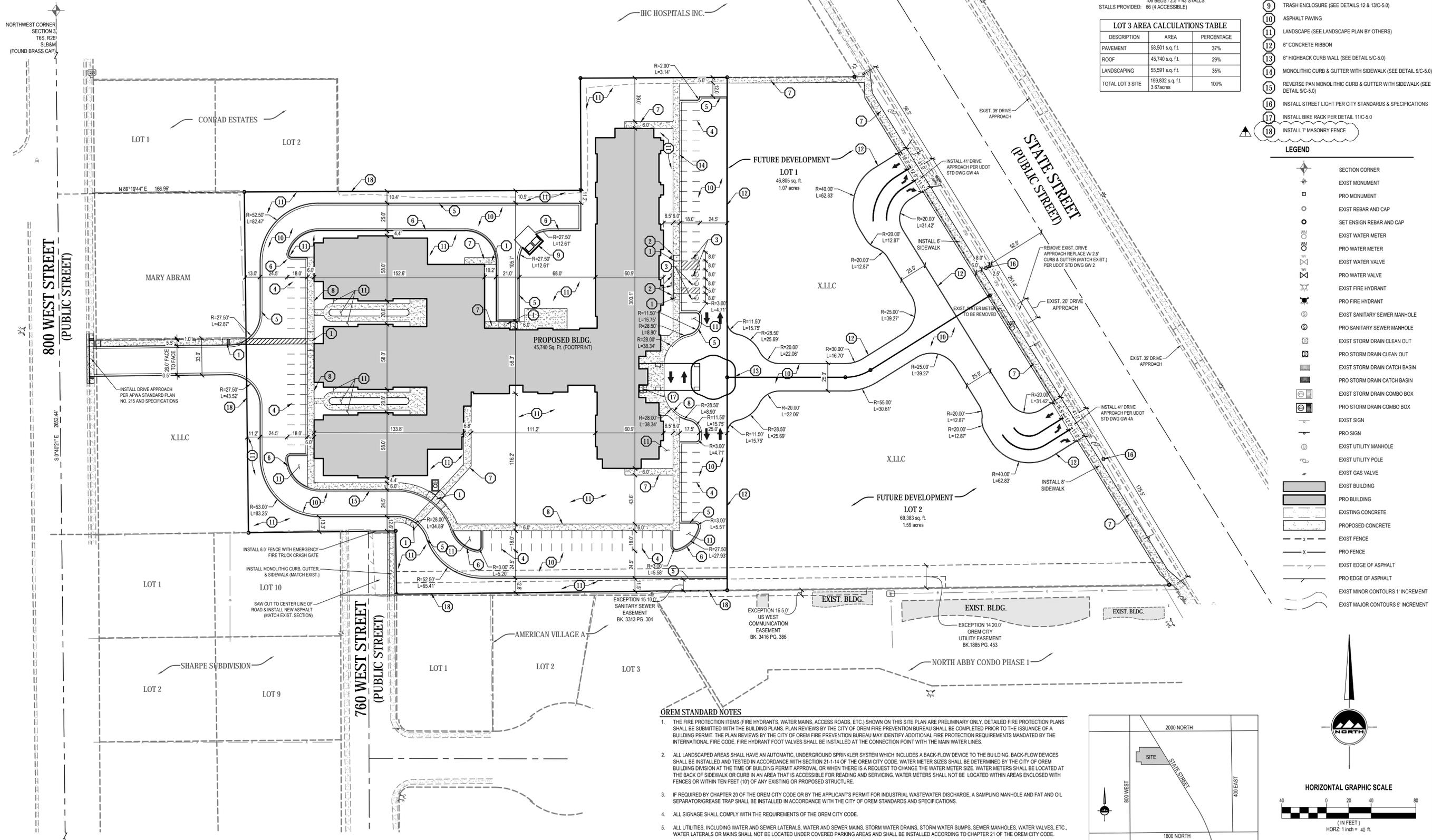
RICHFIELD  
Phone: 435.590.0187

WWW.ENSIGNENG.COM

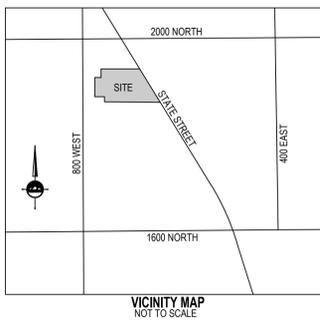
FOR:  
RIMROCK CONSTRUCTION  
11635 SOUTH 700 EAST, SUITE 100  
DRAPER, UTAH

CONTACT:  
ADAM LAMBERT  
PHONE: 801-676-7625  
FAX:

**OREM ASSISTED LIVING**  
1900 NORTH STATE STREET  
OREM, UTAH



- OREM STANDARD NOTES**
- THE FIRE PROTECTION ITEMS (FIRE HYDRANTS, WATER MAINS, ACCESS ROADS, ETC.) SHOWN ON THIS SITE PLAN ARE PRELIMINARY ONLY. DETAILED FIRE PROTECTION PLANS SHALL BE SUBMITTED WITH THE BUILDING PLANS. PLAN REVIEWS BY THE CITY OF OREM FIRE PREVENTION BUREAU SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE PLAN REVIEWS BY THE CITY OF OREM FIRE PREVENTION BUREAU MAY IDENTIFY ADDITIONAL FIRE PROTECTION REQUIREMENTS MANDATED BY THE INTERNATIONAL FIRE CODE. FIRE HYDRANT FOOT VALVES SHALL BE INSTALLED AT THE CONNECTION POINT WITH THE MAIN WATER LINES.
  - ALL LANDSCAPED AREAS SHALL HAVE AN AUTOMATIC, UNDERGROUND SPRINKLER SYSTEM WHICH INCLUDES A BACK-FLOW DEVICE TO THE BUILDING. BACK-FLOW DEVICES SHALL BE INSTALLED AND TESTED IN ACCORDANCE WITH SECTION 21-1-14 OF THE OREM CITY CODE. WATER METER SIZES SHALL BE DETERMINED BY THE CITY OF OREM BUILDING DIVISION AT THE TIME OF BUILDING PERMIT APPROVAL OR WHEN THERE IS A REQUEST TO CHANGE THE WATER METER SIZE. WATER METERS SHALL BE LOCATED AT THE BACK OF SIDEWALK OR CURB IN AN AREA THAT IS ACCESSIBLE FOR READING AND SERVICING. WATER METERS SHALL NOT BE LOCATED WITHIN AREAS ENCLOSED WITH FENCES OR WITHIN TEN FEET (10') OF ANY EXISTING OR PROPOSED STRUCTURE.
  - IF REQUIRED BY CHAPTER 20 OF THE OREM CITY CODE OR BY THE APPLICANT'S PERMIT FOR INDUSTRIAL WASTEWATER DISCHARGE, A SAMPLING MANHOLE AND FAT AND OIL SEPARATOR/GREASE TRAP SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF OREM STANDARDS AND SPECIFICATIONS.
  - ALL SIGNAGE SHALL COMPLY WITH THE REQUIREMENTS OF THE OREM CITY CODE.
  - ALL UTILITIES, INCLUDING WATER AND SEWER LATERALS, WATER AND SEWER MAINS, STORM WATER DRAINS, STORM WATER SUMPS, SEWER MANHOLES, WATER VALVES, ETC., WATER LATERALS OR MAINS SHALL NOT BE LOCATED UNDER COVERED PARKING AREAS AND SHALL BE INSTALLED ACCORDING TO CHAPTER 21 OF THE OREM CITY CODE.
  - ALL ROOF DRAINAGE SHALL BE ROUTED THROUGH ON-SITE STORM WATER MANAGEMENT FACILITIES.
  - AT THE TIME OF CONSTRUCTION, THE CITY OF OREM MAY DETERMINE BASED ON PROFESSIONAL EXPERIENCE AND JUDGEMENT AND AT ITS SOLE DISCRETION, THE NEED FOR THE OWNER/DEVELOPER TO PAY FOR, REMOVE, AND REPLACE ANY EXISTING SUBSTANDARD IMPROVEMENTS SUCH AS CURBS, GUTTERS, SIDEWALKS, DRIVE APPROACHES, DRIVEWAYS, DECORATIVE CONCRETE, WHEELCHAIR RAMPS, ETC., OR ANY UNUSED DRIVE APPROACHES.
  - ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF OREM CONSTRUCTION STANDARDS AND SPECIFICATIONS UNLESS THE IMPROVEMENT IS WITHIN THE UDOT RIGHT-OF-WAY, IN WHICH CASE THE CONSTRUCTION SHALL CONFORM TO THE UDOT CONSTRUCTION STANDARDS AND SPECIFICATIONS.



**HORIZONTAL GRAPHIC SCALE**  
(IN FEET)  
HORZ: 1 inch = 40 ft.

LOCATED IN THE NORTHWEST QUARTER  
OF SECTION 3  
TOWNSHIP 5 SOUTH, RANGE 2 EAST  
SALT LAKE BASE AND MERIDIAN  
OREM, UTAH COUNTY, UTAH

**SITE DIMENSION PLAN**

NO.	DATE	REVISION	BY
1	4.2.2015	CITY COMMENTS	DH
2			
3			
4			
5			
6			
7			
8			

PROJECT NUMBER: 5679  
PRINT DATE: 6/1/15  
DRAWN BY: D. COWLEY  
CHECKED BY: B. PREECE  
PROJECT MANAGER: C. MCFARLANE

**C-1.0**



## **Orem City Public Hearing Notice**

### **Planning Commission**

Wednesday, June 3, 2015

5:00 PM, City Council Chambers

56 North State Street



### **City Council**

Tuesday, June 23, 2015

6:15 PM, City Council Chambers

56 North State Street

Adam Lambert with Rimrock Construction requests the City amend the General Plan by changing the Land Use designation from Low Density Residential (LDR) to Community Commercial (CC) and amend Section 22-5-3(A) and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres at 1890 North 800 West. The purpose of this application is to construct a new assisted living facility. A location map is on the reverse of this notice.

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



Amd General Plan:  
Low Density Residential to Community Commercial

Rezone:  
R8 to C2



North

CITY OF OREM  
NOTICE OF PLANNING COMMISSION  
PUBLIC HEARING

The Planning Commission will hold the following public hearings on Wednesday, June 3, 2015, in the City Council chambers of the Orem City Center at 56 North State Street, Orem, Utah, to consider the following:

June 3, 2015

5:00 p.m.

- Amending the General Plan by changing the Land Use designation from Low Density Residential (LDR) to Community Commercial (CC) and amending Section 22-5-3(A) and the zoning map of Orem City by changing the zone from R8-ASH to C2 on approximately 0.93 acres at 1890 North 800 West.

The proposed amendments are available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed changes, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL  
PLANNING COMMISSION MEETINGS**

If you need a special accommodation to participate in the Planning Commission Meeting,  
please call the City Recorder's Office at 229-7074.

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

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

HOGLUND, GARY L  
46 N 550 E  
LINDON, UT 84042

CENTURY LINK  
75 EAST 100 NORTH  
PROVO, UT 84606

KRISTIE SNYDER  
56 N STATE STREET  
OREM, UT 84057

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

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

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

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

PATTERSON, ROBERT  
432 SILVER LN  
ALPINE, UT 84004

LAU, WING KEUNG (ET AL)  
246 W 1340 N  
OREM, UT 84057

PENROD, ROSANNA  
252 N MEADOWBROOK DR  
ALPINE, UT 84004

CRANER, CARL BRIGHAM & JERI T  
540 E 3460 N  
PROVO, UT 84604

K & G MANAGEMENT LLC  
501 W MAIN CANYON RD  
WALLSBURG, UT 84082

KRL RENTAL PROPERTIES-5  
512 W 440 N  
OREM, UT 84057

MAG  
586 EAST 800 NORTH  
OREM, UT 84097

NORTON, BENJAMIN E & CHRISTY K  
573 ROBIN RD  
OREM, UT 84097

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

MOLYNEUX, BRETT & LISA  
686 W 1870 N  
OREM, UT 84057

SWANK, DAVID C & EVA-MARIA  
605 S 300 W  
OREM, UT 84058

OLIVE, KENNETH R & BARBARA F  
--OR CURRENT RESIDENT--  
684 W 1870 NORTH  
OREM, UT 84057

ASHWORTH, JAMES G & CHERYL  
724 W 1800 N  
OREM, UT 84057

K & G MANAGEMENT LLC  
--OR CURRENT RESIDENT--  
712 W 1800 NORTH  
OREM, UT 84057

WARDLE, DIANE D & CHARLES J (ET  
AL)  
722 W 1850 N  
OREM, UT 84057

GURULE, KENNETH A  
738 W 1850 N  
OREM, UT 84057

PARKER, BRUCE DAVID & JANALEE  
725 W 1850 N  
OREM, UT 84057

HARRISON, MICHAEL & JESSIE  
--OR CURRENT RESIDENT--  
726 W 1850 NORTH  
OREM, UT 84057

CRANER, CARL BRIGHAM & JERI T  
--OR CURRENT RESIDENT--  
813 W 2000 NORTH  
OREM, UT 84057

SCHROEDER, DALE & JANICE  
736 W 1800 N  
OREM, UT 84057

AXELGARD, MIKEL A & JULIE A  
737 W 1850 N  
OREM, UT 84057

PATTERSON, ROBERT  
--OR CURRENT RESIDENT--  
826 W 1920 NORTH  
OREM, UT 84057

MORTENSEN, ROGER C & PAULINE E  
776 W 1800 N  
OREM, UT 84057

CHAVEZ-ALCALA, CARLOS A  
788 W 1800 N  
OREM, UT 84057

JOHNSON, SCOTT & STEACEY  
830 W 1860 N  
OREM, UT 84057

MEADOWBROOK RENTALS LLC  
--OR CURRENT RESIDENT--  
816 W 1920 NORTH  
OREM, UT 84057

NORTON, BENJAMIN E & CHRISTY K  
--OR CURRENT RESIDENT--  
821 W 2000 NORTH  
OREM, UT 84057

WOOLF, KARI  
840 W 1920 N  
OREM, UT 84057

HUMBLE, STEPHANIE & TYLER  
829 W 1920 N  
OREM, UT 84057

HANSEN, SHARON J  
829 W 2000 N  
OREM, UT 84057

HARDY, JENNY A  
848 W 1920 N  
OREM, UT 84057

CHEN, KEZHANG (ET AL)  
832 W 1920 N  
OREM, UT 84057

PENROD, ROSANNA  
--OR CURRENT RESIDENT--  
835 W 1920 NORTH  
OREM, UT 84057

SORENSEN, SCOTT WAYNE &  
BRENDA RAE  
1391 S 1140 E  
OREM, UT 84097

NEWTON, CHRISTOPHER M & JENNY  
L  
847 W 1920 N  
OREM, UT 84057

PEAD, BALLARD E & LEAHMARY  
848 W 1860 N  
OREM, UT 84057

OLIVE, KENNETH R & BARBARA F  
1671 FOSTER DR  
RENO, NV 89509

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

GIBBS, RANDY J & CINDY  
1652 N 400 E  
OREM, UT 84097

WALKER, GLENN P  
1814 N 760 W  
OREM, UT 84057

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

BIRD, TERRY JON & LAURA L  
1788 N 820 W  
OREM, UT 84057

LOTT, ALEXANDER & GLENNAMAE  
--OR CURRENT RESIDENT--  
1835 N 800 WEST  
OREM, UT 84042

WINTERTON, NEAL R  
1716 N 820 W  
OREM, UT 84057

WHITEHEAD, CRAIG DOUGLAS &  
INA KATHLEEN  
1833 N 760 W  
OREM, UT 84057

INZUNZA, TAKASHI  
1848 N 800 W  
OREM, UT 84057

EVANS, CLEVE STEWART  
1832 N 800 W  
OREM, UT 84057

BRADLEY, DAVID C & LINDA  
MICHELE  
1836 N 760 W  
OREM, UT 84057

THUESON, DAVID B & TRACY H  
--OR CURRENT RESIDENT--  
1851 N 680 WEST  
OREM, UT 84057

VAN BEEK, SUZANNE N & ELMER J  
1849 N 760 W  
OREM, UT 84057

THUESON, DAVID B & TRACY H  
1851 N 680 W APT 5  
OREM, UT 84057

LIU, JUN (ET AL)  
1855 N 680 W  
OREM, UT 84057

DALLIN, DAVID Q & STACY G  
1851 N 800 W  
OREM, UT 84057

ODGEN, JACKSON R  
1853 N 680 W  
OREM, UT 84057

SANT, M JEANE  
1861 N 680 W  
OREM, UT 84057

SORENSEN, SCOTT WAYNE &  
BRENDA RAE  
--OR CURRENT RESIDENT--  
1857 N 680 WEST  
OREM, UT 84057

OWENS, COLTON & MEGAN  
1859 N 680 W  
OREM, UT 84057

SALISBURY, PAUL  
--OR CURRENT RESIDENT--  
1864 N 800 WEST  
OREM, UT 84057

RADAMES, LIMA (ET AL)  
1863 N 680 W  
OREM, UT 84057

SWANK, DAVID C & EVA-MARIA  
--OR CURRENT RESIDENT--  
1864 N 760 WEST  
OREM, UT 84057

HARRIS, JASON J  
1865 N 760 W  
OREM, UT 84057

TANNER, JOSEPH D  
1867 N 680 W  
OREM, UT 84057

PRICE, JUDY (ET AL)  
1865 N 680 W  
OREM, UT 84057

MOUNTAIN AMERICA FEDERAL  
CREDIT UNION  
--OR CURRENT RESIDENT--  
1880 N 800 WEST  
OREM, UT 84057

ENRIQUEZ, JOSE  
1881 N 760 W  
OREM, UT 84057

ANDERSON, TYLER & KARINA (ET  
AL)  
1869 N 680 W  
OREM, UT 84057

DELLARIPA, ROY & KINDRA K  
1883 N 800 W  
OREM, UT 84057

ZABRISKIE, KAY M & ERMA  
1889 N 800 W  
OREM, UT 84057

BAILEY PROPERTIES LLC  
1881 W 900 N  
LEHI, UT 84043

GARY & OLEAH PEAY  
ASPEN NEIGHBORHOOD CHAIR  
1895 N 800 WEST  
OREM, UT 84057

X LLC  
--OR CURRENT RESIDENT--  
1895 N STATE  
OREM, UT 84057

X LLC  
--OR CURRENT RESIDENT--  
1890 N 800 WEST  
OREM, UT 84057

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057

ABRAM, RONALD A & MARY D  
1915 N 800 W  
OREM, UT 84057

ABRAM, RONALD A & MARY  
1902 N 800 W  
OREM, UT 84057

LAU, WING KEUNG (ET AL)  
--OR CURRENT RESIDENT--  
1916 N 860 WEST  
OREM, UT 84057

STOCKETT, JEFF T  
1928 N 800 W  
OREM, UT 84057

AUSTIN, MATTHEW (ET AL)  
1916 N 800 W  
OREM, UT 84057

PATTY, DAVID & KATIE  
1935 N 800 W  
OREM, UT 84057

HONE, GARY & TENAYA  
1939 N 800 W  
OREM, UT 84057

ESPLIN, VANCE & KATHERINE  
PAMELA  
1931 N 800 W  
OREM, UT 84057

WINTERTON, NEAL R  
--OR CURRENT RESIDENT--  
1952 N 860 WEST  
OREM, UT 84057

PALMER, R BRANDON  
1955 N 800 W  
OREM, UT 84057

ROWLEY, JARED D & JESSICA L  
1940 N 860 W  
OREM, UT 84057

KRL RENTAL PROPERTIES-4  
--OR CURRENT RESIDENT--  
1967 N 800 WEST  
OREM, UT 84057

KRL RENTAL PROPERTIES-5  
--OR CURRENT RESIDENT--  
1975 N 800 WEST  
OREM, UT 84057

HOGLUND, GARY L  
--OR CURRENT RESIDENT--  
1964 N 860 WEST  
OREM, UT 84057

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

UTOPIA  
2175 S REDWOOD ROAD  
WEST VALLEY CITY, UT 84119

IHC HOSPITALS INC  
--OR CURRENT RESIDENT--  
1975 N STATE ST  
OREM, UT 84057

X LLC  
6795 S 300 W  
MIDVALE, UT 84047

X LLC  
6795 S COTTONWOOD ST  
MIDVALE, UT 84047

IHC HOSPITALS INC  
%WOOD, JAMES F  
4766 S HOLLADAY BLVD  
HOLLADAY, UT 84117

COMCAST  
9602 SOUTH 300 WEST  
SANDY, UT 84070

MEADOWBROOK RENTALS LLC  
10038 N HIGHLAND BLVD 100  
HIGHLAND, UT 84003

MOUNTAIN AMERICA FEDERAL  
CREDIT UNION  
7181 CAMPUS VIEW DR  
WEST JORDAN, UT 84084



# DRC APPLICATION

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

www.orem.org

APPLICANT INFORMATION				FORM EXPIRES: 06-30-2015
Name:	ADAM LAMBERT	Phone:	(801) 676-7625	
Address:	11635 S. 700 E STE. 100	FAX:	(801) 676-0208	
City:	DRAPER	State:	UT	Zip: 84020
			e-mail:	ADAM@REMROCK.US

PROJECT INFORMATION	
Project Name:	OREM ASSISTED LIVING
Project Address:	1900 N. STATE STREET

Nature of Request (Check all that apply) and Filing Fee Amount				
SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$800 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$600 + \$20/lot or unit + recording fees <input type="checkbox"/> Vacation/Amendment \$800 + \$20/lot or unit + \$25 sign fee + recording fees <input type="checkbox"/> Final PRD \$600 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign, Text \$900 <input type="checkbox"/> Subdivision, Text \$900 <input type="checkbox"/> Zoning, Text \$900 <input type="checkbox"/> New PD Zone, Text \$2000 +25 sign fee for PD zone <input checked="" type="checkbox"/> Rezone \$1200 + \$25 sign fee <input type="checkbox"/> New PD Zone, Rezone \$1200 +25 sign fee for PD zone <input type="checkbox"/> Development agreement Utah County fees \$_____	<input checked="" type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee <input type="checkbox"/> Text Change \$1000 ***** <input type="checkbox"/> MAILINGS Neighborhood Notice \$ <u>75.66</u> ***** <input type="checkbox"/> PUBLIC NOTICES Newspaper notices <input checked="" type="checkbox"/> \$100 for PC meeting <input type="checkbox"/> \$100 for CC meeting <input type="checkbox"/> PUBLIC NOTICE STREET VACATIONS Newspaper notice \$150 for CC meeting	<input type="checkbox"/> Site Plan Admin. Approval \$500 <input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 or adjacent to a residential zone <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Daycare Fence Approval \$100 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$800.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	<input type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$1200 <input type="checkbox"/> Annexation \$1500 + \$25 sign fee <input type="checkbox"/> PUBLIC NOTICE Newspaper notices \$900 for PC & CC meetings <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$500/review After three reviews <input type="checkbox"/> Other \$200

### FILING FEES AND REQUIRED COPIES

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

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

### APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature:	Contact Person Name: ADAM LAMBERT
	Phone: (801) 676-7625
OFFICE USE ONLY	
Date Filed: 4-15-15	Fees Paid: 2525.66
	Received By:

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

## Project Timeline

### **Project: Orem Assisted Living General Plan & Rezone Amd**

1. Neighborhood Meeting held by applicant on: 5/8/15
2. DRC Application Date: 4/15/15
3. Obtained Development Review Committee Clearance on: 4/27/15 by: CAS
4. Publication notice for PC sent to Records office on: 5/19/15 by: CAS
5. Neighborhood notice (500') for Planning Commission mailed on: 5/26/15 by: CAS
6. Planning Division Manager received neighborhood notice on: 5/29/15
7. Property posted for PC on: N/A by:
8. Planning Commission recommended approval/denial on: 6/3/15 - Approval
9. Publication notice for CC sent to Records office on: 5/19/15 by: CAS
10. Neighborhood notice (500') for City Council mailed on: 5/26/15 by: CAS
11. Planning Division Manager received neighborhood notice on: 5/29/15
12. Property posted for City Council on: by: 6/11/15
13. City Council Approved/Denied on: 6/23/15

CITY OF OREM  
**CITY COUNCIL MEETING**  
 JUNE 23, 2015



<b>REQUEST:</b>	<b>6:15 PUBLIC HEARING</b> <b>ORDINANCE – Amending Section 22-5-1 and enacting Section 22-11-57 of the Orem City Code to create the PD-44 zone.</b> <b>ORDINANCE – Amending Section 22-5-3(A) and the zoning map of the City by rezoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.</b>
<b>APPLICANT:</b>	George Bills
<b>FISCAL IMPACT:</b>	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 89 notifications to properties within the 500’ of the subject property on May 27, 2015.

**SITE INFORMATION:**

General Plan Designation:  
**Low Density Residential**  
 Current Zone:  
**R12**  
 Acreage:  
**3.79**  
 Neighborhood:  
**Canyon View**  
 Neighborhood Chair:

<b>PLANNING COMMISSION RECOMMENDATION</b>
5-0 for Approval

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

**REQUEST:**

**The applicant requests the City Council amend Section 22-5-1 and enact Section 22-11-57 of the Orem City Code (PD-44 zone), and amend Section 22-5-3(A) and the zoning map of the City by rezoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.**

**BACKGROUND:**

The applicant owns a home at approximately 1450 East 1060 North which is located in the Cove Estates subdivision. The applicant’s lot is 1.32 acres (57,500 square feet) in size and the applicant would like to construct an enclosed tennis court on the property that would have a footprint of approximately 10,150 square feet.

The applicant is unable to construct the desired tennis court on his property because City ordinances limit the size of accessory structures in the R12 zone (and other residential zones) to no more than eight percent (8%) of the area of a lot. Based on the square footage of the applicant’s lot (57,500 square feet) the maximum footprint of an accessory structure on his property is 4,600 square feet.

The applicant proposes to create a new PD-44 zone that would allow accessory structures to cover up to twenty-five (25) percent of a lot if the lot exceeds one (1) acre in size. The area that would be included in the new PD zone consists of seven (7) single family homes, only one of which (the applicant’s) exceeds one (1) acre. If the PD-44 zone request is approved, the applicant would be able to build an accessory structure that covers 14,375 square feet of his lot and would allow him to build the tennis court structure that he desires.

The height of accessory structures would be limited to thirty-five (35) feet and the applicant’s proposed tennis court would be thirty-three (33) feet high.

In Section 22-11-1 of the PD zone code it states that, “PD zones are not intended for use in situations where a proposed development is reasonably

feasible under one of the City's existing zoning classifications." While this request is unique, the overall property could still be developed in a reasonable manner under the current zoning.

The current General Plan designation for this property is Low Density Residential. The request fits within the Low Density designation of the General Plan.

**NEIGHBORHOOD MEETING:**

A neighborhood meeting for the proposed rezone was held on April 23, 2015. Two neighbors were in attendance and four others called the applicant about the meeting. No issues were mentioned.

After reviewing the proposed rezone and ordinance amendment, staff has listed the following advantages and disadvantages of the proposal.

Advantages of the proposal:

- Would allow the applicant to construct the tennis court structure that he desires
- Limits large accessory structures to lots greater than one (1) acre.

Disadvantages of the proposal:

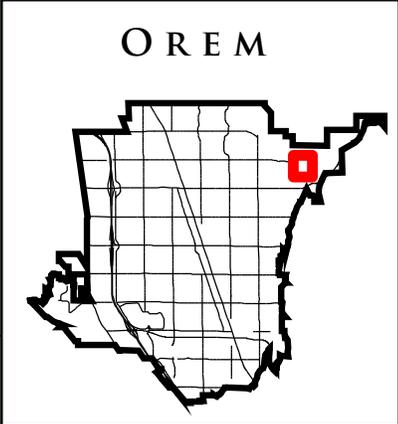
- PD zones are not intended to be used to make small adjustments to current residential zones.

**RECOMMENDATION:**

The Planning Commission recommends the City Council amend Section 22-5-1 and enact, by ordinance, Section 22-11-57, PD-44 zone, and amend, by ordinance, Article 22-5-3(A) and the zoning map of Orem City by zoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.

# PD44 ZONE

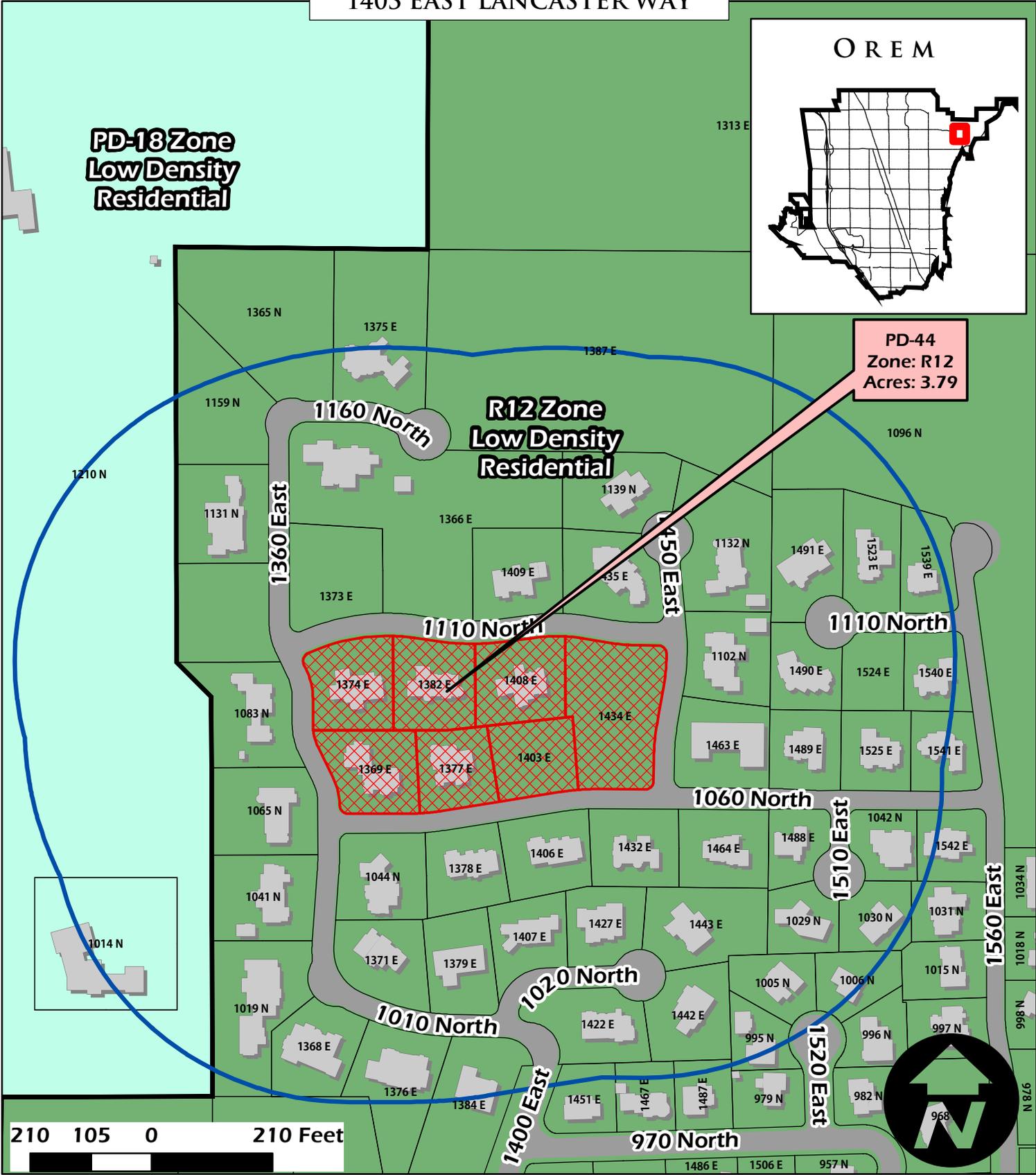
## 1403 EAST LANCASTER WAY



**PD-18 Zone**  
Low Density Residential

**PD-44**  
Zone: R12  
Acres: 3.79

**R12 Zone**  
Low Density Residential



◆ PD-44 Zone:  
R12 Zone; 3.79 Acres

**NIA CONTACT:**  
Canyon View  
Neighborhood

- Legend**
- Notification Boundary
  - PD-44 Zone
  - Buildings
  - Parcels





# DRAFT

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

AN ORDINANCE BY THE OREM CITY COUNCIL ENACTING SECTION 22-11-57 OF THE OREM CITY CODE TO CREATE THE PD-44 ZONE FOR PROPERTY LOCATED GENERALLY AT 1450 EAST 1060 NORTH

WHEREAS on March 25, 2015, George Bills filed an application with the City of Orem requesting the City enact Section 22-11-57 to create the PD-44 zone for property located generally at 1450 East 1060 North as shown on Exhibit “A” which is attached hereto and incorporated herein by reference; and

WHEREAS the proposed PD-44 zone would allow the footprint of accessory structures to cover up to twenty-five (25) percent of the area of a lot larger than one (1) acre in size and allow accessory structures to be up to thirty-five (35) feet tall; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on June 3, 2015 and the Planning Commission recommended approval of the proposed amendment; and

WHEREAS the City posted the City Council agenda in the Orem Public Library, the Orem City Webpage, and the City Offices at 56 North State Street, [utah.gov/pmn](http://utah.gov/pmn); and

WHEREAS a public hearing considering the subject application was held by the City Council on June 23, 2015; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; 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 allows larger accessory structures to be built on lots larger than one (1) acre within the PD-44 zone.
2. The City Council hereby enacts Section 22-11-57 to create the PD-44 zone for property located generally at 1450 East 1060 North as shown on Exhibit “A” which is attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. All ordinances, resolutions or policies in conflict herewith are hereby repealed.

DRAFT

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

PASSED, APPROVED and ORDERED PUBLISHED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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\_\_\_\_\_

# DRAFT

## EXHIBIT A

### 22-11-57 PD-44 Residential Estate Zone.

A. **Purpose.** The purpose of the PD-44 Zone is to provide an area within the City where residential estate uses on lots of at least forty two hundredths (0.42) of an acre may be developed and that may develop with an enclosed recreational facility as regulated in this section.

B. **Additional Regulations.** Refer to the following Articles for additional regulations:

1. Article IV, Conditional Use Permits.
2. Article XIV, Supplementary Regulations.
3. Article XV, Off-street Parking.

C. **Zone Boundary.** The boundaries of the PD-44 Zone are designed on the Zoning Map of the City of Orem, Utah.

D. **Permitted Uses.** Residential dwellings and associated accessory uses and structures shall be permitted uses in the PD-44 Zone.

E. **Conditional Uses.** A property owner shall obtain a conditional use permit for any accessory structure with a footprint that is twelve thousand (12,000) square feet or larger. A property owner requesting a bubble type covering or enclosure for recreational facilities shall obtain a conditional use permit from the City Council prior to its erection.

F. **Prohibited Uses.** Any use not listed in subsections (D) and (E) above are prohibited.

G. **Residential Square Footage.** The minimum square footage for residential dwellings in the PD-44 Zone shall be two thousand two hundred (2,200) square feet of finished floor area above grade for a single story dwelling, and three thousand (3,000) square feet above grade for multiple story dwellings. The required square footage is exclusive of open porches and garages.

H. **Building Heights.**

1. Residential dwellings shall not exceed forty-three feet (43') in height above the average grade of earth at the foundation wall.
2. Accessory buildings/structures shall not exceed thirty-five (35) in height.

I. **Residential Setbacks.** The minimum setbacks for residential dwellings shall be as follows:

1. Front: 32 feet from the back of the curb.
2. Rear: 25 feet.
3. Side: 20 feet.
4. Corner lots: Same as R12 zone requirements

J. **Accessory Building Setbacks.** The minimum setbacks for accessory buildings shall be as follows:

1. Front facing a dedicated street: 42 feet from the back of curb.
2. Side facing a dedicated street: 25 feet from the back of curb.
3. Rear and side not adjacent to a street: 10 feet. For accessory building or structures requiring a conditional use permit the City Council may require greater setback distances for rear and side yards.

K. **Fences.**

1. A fence with a maximum height of seven feet (7') may be placed within the front yard setback, but shall not be located closer than twenty-nine feet (29') to the back of curb in the dedicated street.
2. A fence with a maximum height of seven feet (7') may be placed within the side yard setback facing a dedicated street, but shall not be located closer than fourteen feet (14') to the back of curb on the dedicated street.
3. Fences at street intersections shall not violate Section 22-14-10, Clear Vision Area, of this Chapter.

L. **Additional Requirements.**

1. The total footprint area of all accessory buildings/structures shall not exceed ten percent (10%) of the area of the parcel on which they are located.
2. However, on lots within the PD44 zone that exceed one acre in size, the total footprint area of all accessory building/structures shall not exceed (twenty five) 25% of the area of the parcel on which they are located.
3. In areas where the PD-44 zone does not have specific requirements, the requirements of the R12 zone shall apply.

## 22-11-57 PD-44 Residential Estate Zone.

A. **Purpose.** The purpose of the PD-44 Zone is to provide an area within the City where residential estate uses on lots of at least forty two hundredths (0.42) of an acre may be developed and that may develop with an enclosed recreational facility as regulated in this section.

B. **Additional Regulations.** Refer to the following Articles for additional regulations:

1. Article IV, Conditional Use Permits.
2. Article XIV, Supplementary Regulations.
3. Article XV, Off-street Parking.

C. **Zone Boundary.** The boundaries of the PD-44 Zone are designed on the Zoning Map of the City of Orem, Utah.

D. **Permitted Uses.** Residential dwellings and associated accessory uses and structures shall be permitted uses in the PD-44 Zone.

E. **Conditional Uses.** A property owner shall obtain a conditional use permit for any accessory structure ~~that with a footprint that is twelve-one thousand (12,000) square feet in area or larger or greater and/or twenty-four feet (24') above finished grade.~~ A property owner requesting a bubble type covering or enclosure for recreational facilities shall obtain a conditional use permit from the City Council prior to its erection.

F. **Prohibited Uses.** Any use not listed in subsections (D) and (E) above are prohibited.

G. **Residential Square Footage.** The minimum square footage for residential dwellings in the PD-44 Zone shall be two thousand two hundred (2,200) square feet of finished floor area above grade for a single story dwelling, and three thousand (3,000) square feet above grade for multiple story dwellings. The required square footage is exclusive of open porches and garages.

H. **Building Heights.**

1. Residential dwellings shall not exceed forty-three feet (43') in height above the average grade of earth at the foundation wall.
2. Accessory buildings/structures shall not exceed ~~twenty-four feet (24')~~ thirty-five (35) in height.

I. **Residential Setbacks.** The minimum setbacks for residential dwellings shall be as follows:

1. Front: 32 feet from the back of the curb.
2. Rear: 25 feet.
3. Side: 20 feet.
4. Corner lots: Same as R12 zone requirements

J. **Accessory Building Setbacks.** The minimum setbacks for accessory buildings shall be as follows:

1. Front facing a dedicated street: 42 feet from the back of curb.
2. Side facing a dedicated street: 25 feet from the back of curb.
3. Rear and side not adjacent to a street: 10 feet. For accessory building or structures requiring a conditional use permit the City Council may require greater setback distances for rear and side yards.

K. **Fences.**

1. A fence with a maximum height of seven feet (7') may be placed within the front yard setback, but shall not be located closer than twenty-nine feet (29') to the back of curb in the dedicated street.
2. A fence with a maximum height of seven feet (7') may be placed within the side yard setback facing a dedicated street, but shall not be located closer than fourteen feet (14') to the back of curb on the dedicated street.
3. Fences at street intersections shall not violate Section 22-14-10, Clear Vision Area, of this Chapter.

L. **Additional Requirements.**

1. The total footprint area of all accessory buildings/structures shall not exceed ten percent (10%) of the area of the parcel on which they are located.
2. However, on lots within the PD44 zone that exceed one acre in size, the total footprint area of all accessory building/structures shall not exceed (twenty five) 25% of the area of the parcel on which they are located.
3. In areas where the PD-~~44~~ zone does not have specific requirements, the requirements of the R~~128~~ zone shall apply.

# DRAFT

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

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING ARTICLE 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING PROPERTY LOCATED GENERALLY AT 1450 EAST 1060 NORTH FROM THE R12 ZONE TO THE PD-44 ZONE

WHEREAS on March 25, 2015, George Bills filed an application with the City of Orem requesting the City amend Article 22-5-3(A) and the zoning map of Orem City by rezoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone as shown on Exhibit “A” attached hereto and incorporated herein by reference; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on June 3, 2015 and the Planning Commission recommended approval of the application; and

WHEREAS the City posted the City Council agenda in the Orem Public Library, the Orem City Webpage, and the City Offices at 56 North State Street, [utah.gov/pmn](http://utah.gov/pmn); and

WHEREAS a public hearing considering the subject application was held by the City Council on June 23, 2015; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon the surrounding neighborhood; 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 application of the PD-44 zone to the subject properties will allow owners of lots larger than one acre to construct larger accessory structures and to gain greater use and enjoyment of their properties.
2. The City Council hereby amends Article 22-5-3(A) and the zoning map of the City of Orem by zoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone as shown on Exhibit “A” attached hereto and incorporated herein by reference.
3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. All ordinances, resolutions or policies in conflict herewith are hereby repealed.

DRAFT

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

PASSED, APPROVED and ORDERED PUBLISHED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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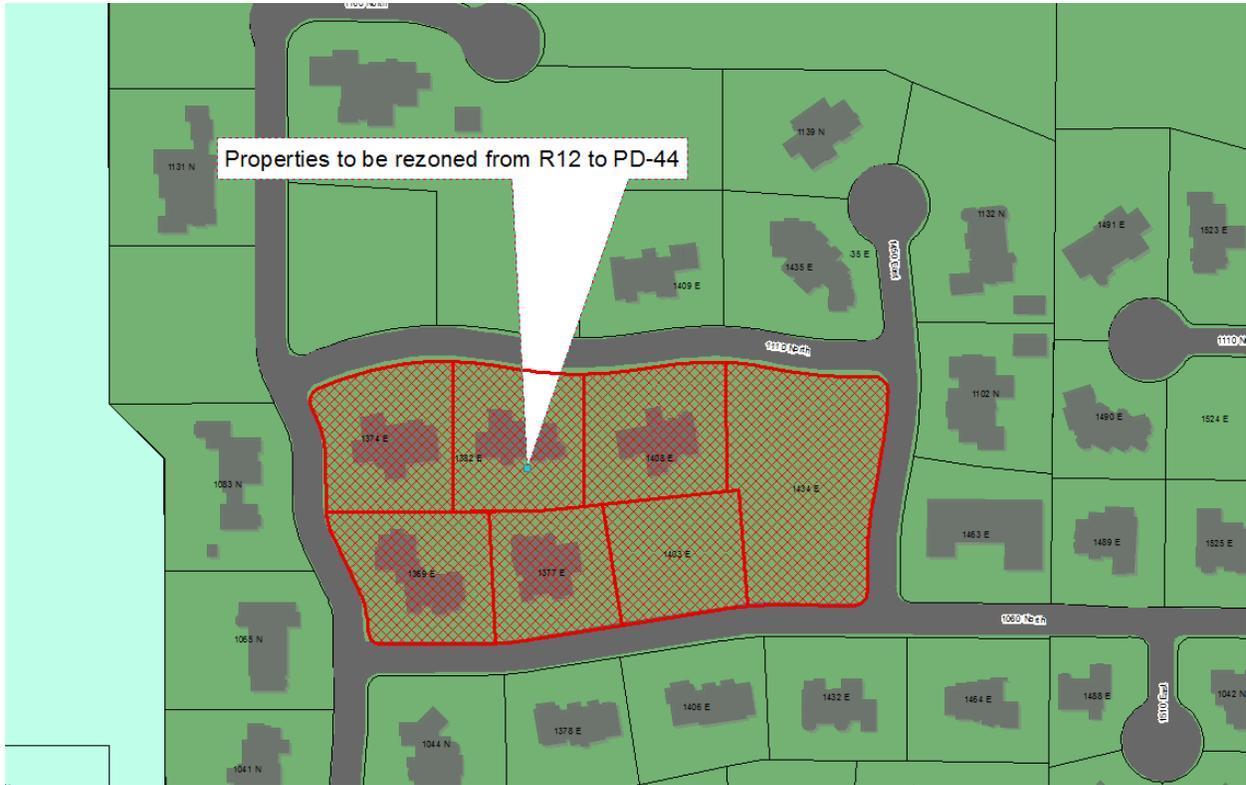
COUNCIL MEMBERS VOTING "NAY"

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# DRAFT

## EXHIBIT A

Proposed rezone from R12 to PD-44



**AGENDA ITEM 4.1** is a request by George Bills to **AMEND SECTION 22-5-1 AND ENACT SECTION 22-11-57, PD-44 ZONE, AND AMEND ARTICLE 22-5-3(A) AND THE ZONING MAP OF OREM CITY BY ZONING THE PROPERTY GENERALLY AT 1450 EAST 1060 NORTH FROM THE R12 ZONE TO THE PD-44 ZONE.**

**Staff Presentation:** Mr. Spencer said the property proposed for rezone is currently part of the Cove Estates Subdivision and consists of seven (7) single family homes. The property owner located at 1434 East 1460 North desires to construct a covered tennis court on their property, but is unable to do so under the current zoning (R12). According to city code, the applicant is only able to build accessory structures with square footages no greater than eight (8) percent of their current property. Based on the square footage of the applicants lot (57,500 square feet) the current maximum size of accessory structure would be 4,600 square feet.



The applicant is proposing a PD zone that will allow them to construct an accessory structure that covers up to twenty-five (25) percent of their property in the PD-44 zone for lots that exceed one (1) acre in size. Currently only one lot in the proposed PD-44 zone exceeds one (1) acre. The applicant is proposing to construct a covered 10,150 square foot tennis court on a lot with 1.32 acres (57,500 square feet). Under the proposed ordinance the maximum footprint of the accessory structure could be 14,375. The height of the accessory structure would be limited to thirty-five (35) feet and is proposed to be thirty-three (33) feet. A conditional use permit is required for all accessory structures with footprints larger than 12,000 square feet.

In Section 22-11-1 of the PD Zone code it states that, “PD zones are not intended for use in situations where a proposed development is reasonably feasible under one of the City’s existing zoning classifications.” While this request is unique, the overall property may still be developed in a reasonable manner. The proposed rezone will be heard by the City Council on Tuesday, June 23, 2015.

**General Plan:** The current General Plan designation for this property is Low Density Residential. The request maintains the intent of the general plan by requiring larger lots within the PD-44 zone.

**Neighborhood Meeting:** A neighborhood meeting for the proposed rezone was held on April 23, 2015. Two neighbors were in attendance and four others called the applicant about the meeting. No issues were mentioned.

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

Advantages of the proposal:

- The proposal allows the owners within the PD-44 zone to construct an accessory structure up to 25% of the total lot coverage
- Limits large accessory structures to lots greater than one (1) acre.

Disadvantages of the proposal:

- Should not be using PD’s to make small adjustments to current residential zones.

**Recommendation:** Based on the advantages outlined above staff recommends the Planning Commission forward a positive recommendation to the City Council regarding the request to amend Section 22-5-1, and enact Section 22-11-57, PD-44 zone, and amend Article 22-5-3(A) and the zoning map of Orem City by zoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.

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

Chair Moulton asked if there is anything that controls the look at the building so it is substantially similar. Mr. Spencer said the residential zone has a stipulation for structures larger 500 square feet it does need to tie into the residential finishing elements of the neighborhood.

Chair Moulton invited the applicants to come forward. Dave Gardner and Steve Peterson introduced themselves.

Mr. Gardner said the property owner has convinced the surrounding neighbors to join him in this rezone. The building will look like the surrounding homes.

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

Leahmary Pead asked if this will be private or open to the public, via public lessons. Mr. Peterson said it will be for personal use only. He noted he built the original home and this will look identical to the existing home.

Mr. Whetten asked staff to confirm private lessons are not allowed. Mr. Earl said there is nothing that would prohibit that in the code. It is just like piano lessons at the home, if they wanted to have tennis lessons at the home they could, they would just have to meet the home occupations requirements. Mr. Bench said they would be limited two students per hour.

Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Ms. Larsen noted they cannot live in these structures. Mr. Spencer said they are calling this an accessory building.

Mr. Whetten asked if there have been any complaints from any neighbors. Mr. Spencer said he had not received any phone calls or email, etc. and over 100 notices were sent out within 500 feet of the property.

Ms. Larsen said she likes that it looks like a building not a bubble over the tennis court. Mr. Spencer said the ordinance does address that if someone wanted to do a bubble in the future, they would need a conditional use permit.

Ms. Buxton said there are living quarters within the building. Mr. Peterson indicated there is a lounge area with a bathroom. There will not be any living quarters with a bed.

**Planning Commission Action:** Chair Moulton said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to recommend the City Council amend Section 22-5-1 and enact 22-11-57 and Appendix MM, PD-44 zone, and amend Article 22-5-3(A) and the zoning map of Orem City by zoning property located generally at 1450 East 1060 North from the R12 Zone to the PD-44 zone. Mr. Whetten seconded the motion. Those voting aye: Becky Buxton, Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.

# Neighborhood Meeting

**When:** Thursday April 23<sup>rd</sup>

6:00PM

**Where:** Orem City Council  
Chambers

56 North State Street

We will discuss a proposed  
planned development zone  
change for the area between 1060  
North – 100 North and 1300 East  
– 1450 East (as pictured in the  
map below).



RECEIVED  
4/20/15



**June 10, 2015**

**PUBLIC NOTICE**

To Whom It May Concern:

The applicant requests the City Council amend Section 22-5-1 and enact, by ordinance, Section 22-11-57, PD-44 zone, and amend, by ordinance, Article 22-5-3(A) and the zoning map of Orem City by zoning property located generally at 1450 East 1060 North from the R12 zone to the PD-44 zone.

The City Council will hold a public hearing at **6:15pm on Tuesday, June 23, 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](mailto:caspencer@orem.org), or see [www.orem.org](http://www.orem.org) for more information as it becomes available.

ATTENTION: The notice has been delivered to all residences within an area extending approximately 500 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 hearings.  
If you need special accommodations to participate, please contact the City at  
Phone: 229-7058**

## **Orem City Public Hearing Notice**

### **Planning Commission**

Wednesday, June 3, 2015

5:00 PM, City Council Chambers

56 North State Street



### **City Council**

Tuesday, June 23, 2015

6:15 PM, City Council Chambers

56 North State Street

George Bills with Gardner & Associates requests the City amend Section 22-11-57 and Appendix MM, PD-44 zone, and amending Article 22-5-3(A) and the zoning map of Orem City by zoning the property located general at 1450 East 1060 North from R12 to the PD-44 zone. The purpose of this request is to construct an indoor tennis court on property within the proposed PD-44 zone. A location map is on the reverse of this notice.

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



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

CASCADE SEDDIE LLC  
PO BOX 651235  
SALT LAKE CITY, UT 84165

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

KRISTIE SNYDER  
56 N STATE STREET  
OREM, UT 84057

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

CENTURY LINK  
75 EAST 100 NORTH  
PROVO, UT 84606

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

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

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

BROWN, JOSEPH A  
443 BRAIDHILL DR  
DRAPER, UT 84020

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

MAG  
586 EAST 800 NORTH  
OREM, UT 84097

PRIME WEST PROPERTIES LC  
831 N 1420 E  
OREM, UT 84097

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

WINTER, ELIZABETH B & CRAIG  
LINDSEY  
1006 N 1520 E  
OREM, UT 84097

HATCH, DAVID GLEN & PAULA  
995 N 1520 E  
OREM, UT 84097

ROBISON, A VAL & CONNIE C  
1005 N 1520 E  
OREM, UT 84097

DENYS, G FREDERICK & JOYCE  
1029 N 1510 E  
OREM, UT 84097

SANTIAGO, TODD MATTHEW  
--OR CURRENT RESIDENT--  
1014 N 1280 EAST  
OREM, UT 84097

JOYFUL HOME LLC  
1019 N 1360 E  
OREM, UT 84097

GREER, GREGORY A & SUZETTE  
OTTO  
1041 N 1360 E  
OREM, UT 84097

ARCHIBALD, ANTHONY & KRISTIN  
1030 N 1510 E  
OREM, UT 84097

SOELBERG, SHELLY  
1031 N 1560 E  
OREM, UT 84097

RIGGS, CLAYTON CANDLAND  
--OR CURRENT RESIDENT--  
1045 N 1510 EAST  
OREM, UT 84097

CRUMP, KENNETH & AMY  
1065 N 1360 E  
OREM, UT 84097

BROTHERSON, WILLIAM DAVID  
--OR CURRENT RESIDENT--  
1044 N 1360 EAST  
OREM, UT 84097

YOUNG, MICHAEL S & K SHAYNE  
1083 N 1360 E  
OREM, UT 84097

HOOD, RICKY D  
1091 N 1560 E  
OREM, UT 84097

MILLER, SCOTT  
1072 N 1450 E  
OREM, UT 84097

FERGUSON, ELIZABETH G &  
HOWARD J (ET AL)  
%CORDNER, RAYMOND  
1112 S 500 E  
OREM, UT 84097

SEDDIE LLC  
--OR CURRENT RESIDENT--  
1122 N 1360 EAST  
OREM, UT 84097

DEAN, ROBERT C  
1102 N 1450 E  
OREM, UT 84097

MOTT, EARL A & PATRICIA K  
1131 N 1360 E  
OREM, UT 84097

PEDERSEN, TODD & ANDREA  
1142 N 1360 E  
OREM, UT 84097

AFFLECK, DONNETTE P & DAVID D  
1127 N 1450 E  
OREM, UT 84097

HORNE, MARGARET  
1139 N ASHBY PL  
OREM, UT 84097

PEDERSON, TODD & ANDREA  
--OR CURRENT RESIDENT--  
1366 E 1160 NORTH  
OREM, UT 84097

S & B CANYON COVE HOME LLC  
--OR CURRENT RESIDENT--  
1132 N ASHBY PL  
OREM, UT 84097

CASCADE SEDDIE LLC  
--OR CURRENT RESIDENT--  
1210 N 1280 EAST  
OREM, UT 84097

SANTIAGO, TODD MATTHEW  
1369 E 1060 N  
OREM, UT 84097

SANTIAGO, TODD  
--OR CURRENT RESIDENT--  
1159 N 1360 EAST  
OREM, UT 84097

PEDERSON, TODD & ANDREA  
1368 E 1160 N  
OREM, UT 84097

GALLAND, RODGER D & VIRGINIA R  
(ET AL)  
--OR CURRENT RESIDENT--  
1371 E CANTERBURY LA  
OREM, UT 84097

LORAN & DORIS LLC  
1368 E 1010 N  
OREM, UT 84097

THOMSON, TIFFANI K  
--OR CURRENT RESIDENT--  
1382 E HUNTINGTON RIDGE  
OREM, UT 84097

EDWARDS, MINDY L  
--OR CURRENT RESIDENT--  
1375 E 1160 NORTH (WINDSOR  
COURT)  
OREM, UT 84097

ARCHIBALD, JORDAN & BRITTANY  
1369 E LANCASTER WY  
OREM, UT 84097

JONES FAMILY TRUST LC THE  
--OR CURRENT RESIDENT--  
1403 E LANCASTER WY  
OREM, UT 84097

MITCHELL, JEFFREY S & AMY L  
--OR CURRENT RESIDENT--  
1377 E LANCASTER WY  
OREM, UT 84097

BROWN, JOSEPH A  
--OR CURRENT RESIDENT--  
1374 E HUNTINGTON RIDGE  
OREM, UT 84097

BATEMAN, AMANDA & DAVID  
--OR CURRENT RESIDENT--  
1407 E PEMBROKE CIR  
OREM, UT 84097

BRADY, RICHARD B & JANICE M  
--OR CURRENT RESIDENT--  
1379 E CANTERBURY LA  
OREM, UT 84097

MICKELSON, HEATHER  
1376 E 1010 N  
OREM, UT 84097

SLADE, RICHARD B  
--OR CURRENT RESIDENT--  
1409 E HUNTINGTON RIDGE  
OREM, UT 84097

COOK, KRISTIAN SUMNER  
1384 E 1010 N  
OREM, UT 84097

POPE, MARK E & LEE ANNE  
1378 E 1060 N  
OREM, UT 84097

BIGLER, OLIVER LEE (ET AL)  
1427 E PEMBROKE CIR  
OREM, UT 84097

DOUSSETT, CURT & TONIA  
1406 E LANCASTER WY  
OREM, UT 84097

PEDERSEN, TODD & ANDREA  
--OR CURRENT RESIDENT--  
1387 E 1160 NORTH  
OREM, UT 84097

HUNTINGTON RIDGE LLC  
1434 E 1110 N  
OREM, UT 84097

OLIVER, CHE K & LISA  
1408 E HUNTINGTON RIDGE  
OREM, UT 84097

MC NAIRY, MATTHEW A & REBECCA  
J  
1442 E PEMBROKE CIR  
OREM, UT 84097

CHIPMAN, KERRY K & TAMERA B  
1451 E 970 N  
OREM, UT 84097

HILLS, DAVID ALAN & MELANEY R  
1487 E 970 N  
OREM, UT 84097

ANDERSON, DUDLEY G JR  
--OR CURRENT RESIDENT--  
1523 E 1110 NORTH  
OREM, UT 84097

LARSON, LEIF E & KATRINA J  
1526 E 1060 N  
OREM, UT 84097

MCGURRAN, THOMAS P &  
KATHERINE L  
1541 E 1060 N  
OREM, UT 84097

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057

JONES FAMILY TRUST LC THE  
2180 S 1300 E STE 600  
SALT LAKE CITY, UT 84106

ANDERSON, DUDLEY G JR  
11252 LAMAR LA  
FRISCO, TX 75033

NIELSEN, RYAN B & CHERYL LYNN  
(ET AL)  
--OR CURRENT RESIDENT--  
1422 E PEMBROKE CIR  
OREM, UT 84097

DEUCHER, BRYAN R  
--OR CURRENT RESIDENT--  
1432 E LANCASTER WY  
OREM, UT 84097

RAWLE, JANALEE & TOSH J  
1464 E LANCASTER WY  
OREM, UT 84097

RIGGS, CLAYTON CANDLAND  
1488 E 1060 N  
OREM, UT 84097

SANDSTROM, STEPHEN ERIC  
--OR CURRENT RESIDENT--  
1490 E 1110 NORTH  
OREM, UT 84097

MINER, DIXON JED & REBECCA M  
1524 E 1110 N  
OREM, UT 84097

DEVORE, BRETT  
1539 E 1110 N  
OREM, UT 84097

DASTRUP, SOMMER R  
1542 E 1060 N  
OREM, UT 84097

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

MAHAFFEY, CORY & HEIDI  
5255 EDGEWOOD DR # 350  
PROVO, UT 84604

BUNKER, KEVIN S & RACHEL W  
--OR CURRENT RESIDENT--  
1443 E PEMBROKE CIR  
OREM, UT 84097

BLANCHARD, PERIN & ASHLEY N  
1467 E 970 N  
OREM, UT 84097

MAHAFFEY, CORY & HEIDI  
--OR CURRENT RESIDENT--  
1489 E 1060 NORTH  
OREM, UT 84097

KROHN, KRISTOFFER A & KALEEN M  
1491 E 1110 N  
OREM, UT 84097

BROWN, MARILYN MOODY  
1525 E 1060 N  
OREM, UT 84097

HOOD, RICKY D  
--OR CURRENT RESIDENT--  
1540 E 1110 NORTH  
OREM, UT 84097

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

UTOPIA  
2175 S REDWOOD ROAD  
WEST VALLEY CITY, UT 84119

COMCAST  
9602 SOUTH 300 WEST  
SANDY, UT 84070

CITY OF OREM  
NOTICE OF PLANNING COMMISSION  
PUBLIC HEARING

The Planning Commission will hold the following public hearings on Wednesday, June 3, 2015, in the City Council chambers of the Orem City Center at 56 North State Street, Orem, Utah, to consider the following:

June 3, 2015

5:00 p.m.

- Enacting section 22-11-57 PD-44 Residential Zone and amending Section 22-5-3(A) and the zoning map of Orem City by changing the zone from R12 to PD-44 on approximately 3.67 acres located generally at 1403 East Lancaster Way.

The proposed amendments are available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed changes, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL  
PLANNING COMMISSION MEETINGS**

If you need a special accommodation to participate in the Planning Commission Meeting,  
please call the City Recorder's Office at 229-7074.

CITY OF OREM  
NOTICE OF CITY COUNCIL  
PUBLIC HEARING

The City Council will hold the following public hearing on Tuesday, June 23, 2015, in the City Council chambers of the Orem City Center at 56 North State Street, Orem, Utah, to consider the following:

June 23, 2015

6:15 p.m.

- Enacting section 22-11-57 PD-44 Residential Zone and amending Section 22-5-3(A) and the zoning map of Orem City by changing the zone from R12 to PD-44 on approximately 3.67 acres located generally at 1403 East Lancaster Way.

The proposed amendments are available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed changes, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL  
CITY COUNCIL MEETINGS**

If you need a special accommodation to participate in the City Council Meeting,  
please call the City Recorder's Office at 229-7074.



# DRC APPLICATION

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

www.orem.org

## APPLICANT INFORMATION

FORM EXPIRES: 06-30-2015

Name: Gardner + Associates Phone: 801-602-3443  
 Address: 724 N 1890 W FAX: \_\_\_\_\_  
 City: Provo State: UTah Zip: 84601 e-mail: george@gardnerassoc.net

## PROJECT INFORMATION

Project Name: PD-44 Residential Estate Zone  
 Project Address: Between Summerset Dr & Ashby Pl - Hunting Road & Lancaster Way 1360 E - 1450 E  
 Nature of Request (Check all that apply) and Filing Fee Amount

SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$800 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$600 + \$20/lot or unit + recording fees <input type="checkbox"/> Vacation/Amendment \$800 + \$20/lot or unit + \$25 sign fee + recording fees <input type="checkbox"/> Final PRD \$600 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign, Text \$900 <input type="checkbox"/> Subdivision, Text \$900 <input type="checkbox"/> Zoning, Text \$900 <input type="checkbox"/> New PD Zone, Text \$2000 +25 sign fee for PD zone <input checked="" type="checkbox"/> Rezone \$1200 + <del>\$25</del> sign fee <input type="checkbox"/> New PD Zone, Rezone \$1200 +25 sign fee for PD zone <input type="checkbox"/> Development agreement Utah County fees <u>\$3225.00</u>	<input type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee <input type="checkbox"/> Text Change \$1000 ***** <input type="checkbox"/> MAILINGS Neighborhood Notice \$ <u>34.71</u> ***** <input type="checkbox"/> PUBLIC NOTICES Newspaper notices \$100 for PC meeting \$100 for CC meeting <input type="checkbox"/> PUBLIC NOTICE STREET VACATIONS Newspaper notice \$150 for CC meeting	<input type="checkbox"/> Site Plan Admin. Approval \$500 <input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 or adjacent to a residential zone <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Daycare Fence Approval \$100 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$800.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	<input type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$1200 <input type="checkbox"/> Annexation \$1500 + \$25 sign fee PUBLIC NOTICE Newspaper notices \$900 for PC & CC meetings <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$500/review After three reviews <input type="checkbox"/> Other \$200

## FILING FEES AND REQUIRED COPIES

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

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

## APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature: George B. ... Contact Person Name: David Gardner Phone: 801-602-3443

## OFFICE USE ONLY

Date Filed: 3-25-15 Fees Paid: 3225.00 Received By: [Signature]

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

3-26

234.71

TB

## Project Timeline

### Project: PD-44 Residential Estate Zone

1. Neighborhood Meeting held by applicant on: Apr. 23, 2015
2. DRC Application Date: Mar. 25, 2015
3. Obtained Development Review Committee Clearance on: 4/6/2015 by: CAS
4. Publication notice for PC sent to Records office on: 5/19/15 by: CAS
5. Neighborhood notice (500') for Planning Commission mailed on: 5/26/15 by: CAS
6. Planning Division Manager received neighborhood notice on: 5/29/15
7. Property posted for PC on: N/A by:
8. Planning Commission recommended approval/denial on: 6/3/15 - Approval
9. Publication notice for CC sent to Records office on: 5/19/15 by: CAS
10. Neighborhood notice (500') for City Council mailed on: 5/26/15 by: CAS
11. Planning Division Manager received neighborhood notice on: 5/29/15
12. Property posted for City Council on: 6/11/15 by: CAS
13. City Council Approved/Denied on: 6/23/15

CITY OF OREM  
**CITY COUNCIL MEETING**  
 JUNE 23, 2015



<b>REQUEST:</b>	<b>6:25 PUBLIC HEARING          ORDINANCE – Amending Section 22-11-20(K)(7) of the Orem City Code pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive.</b>
<b>APPLICANT:</b>	Curtis Miner
<b>FISCAL IMPACT:</b>	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 121 notifications to properties within the 500’ of the subject property on May 27, 2015.

**SITE INFORMATION:**

General Plan Designation:  
**Community Commercial**  
 Current Zone:  
**PD-8**  
 Acreage:  
**11.69**  
 Neighborhood:  
**Orchard**  
 Neighborhood Chair:  
**Brooke & Danette Gardner**

**PLANNING  
 COMMISSION  
 RECOMMENDATION**  
 5-0 for Approval

**PREPARED BY:**  
  
 Clinton A. Spencer  
 Planner

**REQUEST:**

**The applicant requests the City Council amend Section 22-11-20(K)(7) of the Orem City Code pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive.**

**BACKGROUND:**

The applicant owns the Cirque Lodge property at the corner of 800 North Palisade Drive which is zoned PD-8. The applicant would like to subdivide the property into two lots and then construct a new building on the newly created lot. The PD-8 zone currently requires buildings to be set back a distance of twenty-five feet (25’) or the height of the building, whichever is greater.

In order to make the layout of the applicant’s proposed new building work as desired, the applicant requests that the PD-8 zone be modified to eliminate the setback requirement for interior lot lines while leaving the setback requirement the same for all exterior property lines. The proposed amendment would give the applicant additional flexibility in constructing a new building while maintaining the setback protections for properties that are not a part of the PD-8 zone.

**Advantages of the proposal:**

- Would allow the applicant’s property to be developed as desired
- Affects only interior lot setbacks
- Would not affect the setbacks from property adjacent to the PD-8 zone

**Disadvantages of the proposal:**

- None identified

**RECOMMENDATION:**

The Planning Commission recommends the City Council amend, by ordinance, Article 22-11-20(K)(7) pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive as shown below:

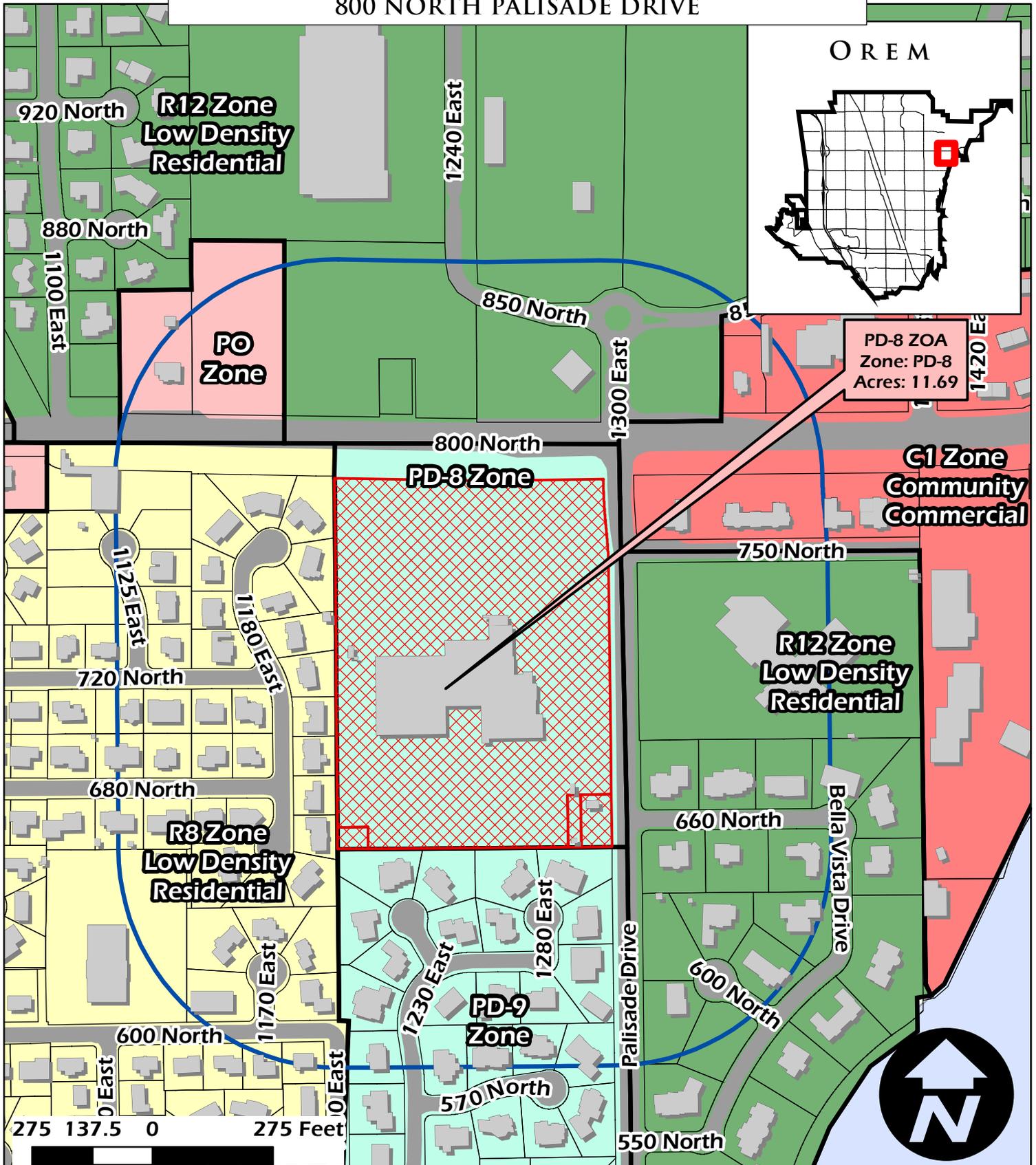
**22-11-20(K)(7)**

7. **Setbacks.** No structure shall be located closer than forty feet (40’) to any dedicated street. The setback distance from any structure and an **exterior** property

line (a property line shared with property outside the PD-8 zone) other than a line of a dedicated street shall be the same as the height of the structure, but shall not be less than twenty-five feet (25'). No setback is required from any interior property line in the PD-8 zone.

# PD-8 ZONING AMENDMENT

800 NORTH PALISADE DRIVE



◆ PD-8 Zoning Amendment:  
11.69 Acres.

**NIA CONTACT:**  
Orchard Neighborhood  
Brook and Danette Gardner

- Legend**
- Buildings
  - PD-8
  - Notification Boundary
  - Parcels

DRAFT

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

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING  
ARTICLE 22-11-20(K)(7) PERTAINING TO THE SETBACK  
REQUIREMENTS IN THE PD-8 ZONE AT 800 NORTH PALISADE  
DRIVE

WHEREAS on April 16, 2015, Curtis Miner filed an application with the City of Orem requesting the City amend Article 22-11-20(K)(7) pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive as shown on Exhibit “A” attached hereto and incorporated herein by reference; and

WHEREAS the proposed amendment changes the setback requirements for interior lot lines in the PD-8 zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on June 3, 2015 and the Planning Commission recommended approval of the proposed amendment; and

WHEREAS the City posted the City Council agenda in the Orem Public Library, the Orem City Webpage, and the City Offices at 56 North State Street, [utah.gov/pmn](http://utah.gov/pmn); and

WHEREAS a public hearing considering the subject application was held by the City Council on June 23, 2015; and

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

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

1. The City Council finds that this request is in the best interest of the City because it provides greater flexibility for development in the PD-8 zone while maintaining all existing setback protections for adjoining properties that are not a part of the PD-8 zone.

2. The City Council hereby amends Article 22-11-20(K)(7) pertaining to the setback requirements in the PD-8 zone at 800 North Palisade Drive as shown on Exhibit “A” attached hereto and incorporated herein by reference.

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

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

DRAFT

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

PASSED, APPROVED and ORDERED PUBLISHED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

# DRAFT

## EXHIBIT A

### 22-11-20(K)(7)

**7. Setbacks.** No structure shall be located closer than forty feet (40') to any dedicated street. The setback distance from any structure and an exterior property line (a property line shared with property outside the PD-8 zone) other than a line of a dedicated street shall be the same as the height of the structure, but shall not be less than twenty-five feet (25'). No setback is required from any interior property line in the PD-8 zone.

**AGENDA ITEM 3.3** is a request by Curtis Miner to **AMEND SECTION 22-11-20(K)(7) PERTAINING TO SETBACK REQUIREMENTS IN THE PD-8 ZONE** at 800 North Palisade Drive of the Orem City Code.

**Staff Presentation:** Mr. Spencer said the applicant recently made application for a new subdivision on the property. The property lines of the proposed subdivision did not meet the current ordinance requirements of the PD-8 zone for setbacks from property lines, which is currently a minimum of twenty-five (25) feet, or the height of the building. The applicant is requesting the amendment in order to have their subdivision approved. The proposed amendment will allow buildings to go up to the property lines on interior property boundaries, but still maintains the twenty-five (25) foot setback from properties that are not part of the PD-8 zone.

**Advantages of the proposal:**

- Allows property to be developed as desired by the applicant and property owner
- Affects only interior lot setbacks

**Disadvantages of the proposal:**

- None identified

**Recommendation:** Based on the advantages outlined above staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-11-20(K)(7) as it pertains to the setback requirements in the PD-8 zone at 800 North Palisade Drive.

22-11-(K)(7)

7. Setbacks. No structure shall be located closer than forty feet (40') to any dedicated street. The setback distance from any structure and an exterior property line (a property line shared with property outside the PD-8 zone) other than a line of a dedicated street shall be the same as the height of the structure, but shall not be less than twenty-five feet (25'). No setback is required from any interior property line in the PD-8 zone.

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

Chair Moulton asked if there will be any easements with the interior property lines. Mr. Spencer indicated that will be handled with the site plan, a building cannot cross the easement.

Ms. Larsen asked if this is sold to someone else there may be issues with access into the lot. Mr. Spencer said the access for the lot will go through the parking lot onto Palisades Drive. Ms. Larsen then asked if the access is an agreement with the property owner or the City. Mr. Spencer said it will be recorded on the plat and will be maintained no matter who is the owner.

Chair Moulton invited the applicant to come forward. Curtis Miner introduced himself.

Mr. Miner said the owner needs to split this for taxing purposes in order to build the building. During the subdivision process they realized that the regulations of the PD-8 zone would control the placement of the building which would require a 50-foot gap in the middle of the property. The property owner is the same for both lots and that there will be a cross-easement and cross-parking agreements recorded.

Ms. Larsen asked if the stipulations allowed in the PD-8 zone would they apply to both lots separately or to each lot individually. Mr. Spencer said the allowed number of beds will apply to the whole zone, even if there are many parcels, they could only have the allowed number of beds. Ms. Larsen asked if the owner would be able to put in more lots on the south portion of the building. Mr. Spencer said there is that potential, by going through the City process. Mr. Miner said the zero lot lines only on contiguous PD-8's not on the perimeter of the property. There is no threat to the neighbors of a building right on the property line. Ms. Larsen asked what the reason for subdividing is, does he not want to have to have one big lot. Mr. Miner said a number of years ago there was a development agreement between the property owner and Orem City. During that process there were a number of improvements that were listed that could be done. The original concept was to add the sleeping rooms on the south side of the facility. The building has room for a second sound stage with color block. One of the ideas they are thinking about moving the sleeping rooms from the south to the north. They are trying to work the property to be more

advantageous to the both the property owner and the surrounding neighborhoods within the original development agreement. Ms. Larsen asked if the intention is to increase the bed count. Mr. Miner said they want to stay close to the agreement. Under any scenario more space is required to increase the bed count to 200. It is possible to add onto the building, but it is not the best design solution.

Ms. Jeffreys asked what the current bed count is. Mr. Miner said it is significantly less than 200. He guessed it is around 80 beds. Ms. Larsen asked if there is currently enough parking for the 200. Mr. Spencer said that will be handled at site plan. Mr. Miner said the original traffic study they were well below the number of required. This building was a motion picture sound studio with a studio audience. There are nearly 300 parking stalls on the site. Ms. Larsen asked if the parking for the additional building can be contained in the subdivision or within the whole PD-8. Mr. Spencer said they will provide cross access easements for parking. Mr. Earl said the principle use of this facility is a transitional treatment facility. Under the parking ordinance it is one stall for every 2.5 beds in the facility. If there is a total of 200 beds, that is 80-85 parking stalls required. Ms. Larsen said there is plenty of parking and it can cross over the entire PD-8 zone. Mr. Earl said it would have to be on the lot unless there is a cross access agreement.

Mr. Whetten asked about the building on Lot 2. Mr. Miner said it will be a freestanding building that will provide additional beds. It will be an L-shaped building and it will take out one stall on the west side of the project. Ms. Jeffreys said it would be next to the current building. Mr. Earl said that any new building will have to be 25-feet from the adjoining residential property or a distance equal to the height of the building.

Ms. Jeffreys asked if the kitchen facilities will be located in the new building. Mr. Miner noted that this is in concept and this is more for site plan. He said the concept is it would not have a centralized kitchen and dining area. There is a centralized kitchen the main building. There may be some cooking facilities within some of the individual units.

Mr. Whetten said he is fine with the zero lot line. This does not change what can be done in the zone. He wondered if the parking and height requirements should be tightened up. Mr. Spencer said the height requirements refer back to the BP zone, which is 48 feet. Mr. Earl said the parking refers back to the principle use. For transitional treatment it is 2.5 beds per stall.

Ms. Larsen asked if the helicopter will be maintained. Mr. Miner said this will not affect the helicopter.

Chair Moulton asked if there is any problem if this is sold off. Mr. Bench said the plat has the cross-access and parking easements. This is not any different than lots in many shopping centers in the City. The plat will have the restrictions recorded on the plat and the future buyer will be aware. Mr. Earl said that buildings built on property line will have additional requirements that will be required to meet fire/building code. Mr. Bench said the questions with setbacks, heights, parking, etc. will be handled at the site plan stage. Mr. Earl said it is common to have zero lot lines in a commercial zone. Mr. Bench said the C2 zone on State Street does not have a separation between property lines, when adjacent to other commercial properties.

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

Marco Davis, Orem, said when Cirque Lodge was built, it seemed like it was done in the dark of night and so whenever the neighbors hear about changes they are skeptical. He is wary about the tax benefits of having two properties instead of one. He noted that Ms. Larsen covered a lot of his questions. He is concerned that this could be done all around the entire lot.

Mr. Earl reiterated that the 200 bed limit applies to the entire zone, no matter how many lots.

David Johnston, Orem, said he appreciates that the property owner built a masonry fence on the south end of the property. He is grateful that he is putting this building on the north side of the property. His concern is that the current building is large enough to accommodate 200 beds; not sure why another structure is necessary.

Chair Moulton closed the public hearing and asked if the Planning Commission had any more questions for the applicant or staff.

Mr. Miner said the reason for the property split is a tax thing. As different projects are developed, people will hold those properties in different legal entities. This is simply a situation where the owner is trying to create a separate legal entity to hold the building and it requires the underlying ground be independent from the original building. The uses in the existing building take up the entire building. It is not all beds only 20-30% is actual bedrooms. The interior space is not well suited to be all bedrooms. It would better serve the clients by creating a separate facility for the beds.

Ms. Larsen said that no structure can be located closer than 40 feet from a dedicated street and it has to be 25 feet or more from all surrounding residential. Mr. Spencer said that anything on the exterior will have to be setback 25 feet. Ms. Larsen said that no matter how many buildings he wants to build he cannot have more than 200 beds in the entire zone. Mr. Spencer said the owner could request an amendment, which would have to go through the City Council process for amendment.

Mr. Earl indicated he has actually had the opportunity to walk through the building. It is an older building and it is not designed to be a residential quarters. It is not surprising that it cannot accommodate that many beds in this facility.

Chair Moulton called for a motion on this item.

**Planning Commission Action:** Ms. Jeffreys said she is satisfied that the Planning Commission has found this request complies with all applicable City codes. She then moved to recommend the City Council amend Article 22-11-20(K)(7) as it pertains to the setback requirements in the PD-8 zone at 800 North Palisade Drive. Ms. Buxton seconded the motion. Those voting aye: Becky Buxton, Karen Jeffreys, Lynnette Larsen, David Moulton, and Derek Whetten. The motion passed unanimously.



**June 10, 2015**

**PUBLIC NOTICE**

To Whom It May Concern:

The applicant requests City Council amend, by ordinance, Article 22-11-20(K)(7) as it pertains to the setback requirements in the PD-8 zone at 800 North Palisade Drive.

The City Council will hold a public hearing at **6:25pm on Tuesday, June 23, 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](mailto:caspencer@orem.org), or see [www.orem.org](http://www.orem.org) for more information as it becomes available.

ATTENTION: The notice has been delivered to all residences within an area extending approximately 500 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 hearings.  
If you need special accommodations to participate, please contact the City at  
Phone: 229-7058**

## **Orem City Public Hearing Notice**

### **Planning Commission**

Wednesday, June 3, 2015

4:30 PM, City Council Chambers

56 North State Street



### **City Council**

Tuesday, June 23, 2015

6:25 PM, City Council Chambers

56 North State Street

Curtis Miner requests the City amend Section 22-11-20(K)(7) of the Orem City code pertaining to the interior setbacks in the PD-8 zone located generally at 1240 East 800 North. The purpose for this request is to subdivide the property. A copy of the proposed text is on the reverse of this notice.

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

22-11-20(K)(7)

7. Setbacks. No structure shall be located closer than forty feet (40') to any dedicated street. The setback distance from any structure and an exterior property line (a property line shared with property outside the PD-8 zone) other than a line of a dedicated street shall be the same as the height of the structure, but shall not be less than twenty-five feet (25'). No setback is required from any interior property line in the PD-8 zone.

GREENFIELD PROPERTIES LIMITED PARTNERSHIP PO BOX 1239 OREM, UT 84059	CASCADE PROFESSIONAL PLAZA LLC %WENTWORTH MANAGEMENT PO BOX 17809 SALT LAKE CITY, UT 84117	PROVO CITY COMM. DEV. PO BOX 1849 PROVO, UT 84603
QUESTAR GAS COMPANY PO BOX 45360 SALT LAKE CITY, UT 84145	CASCADE SEDDIE LLC PO BOX 651235 SALT LAKE CITY, UT 84165	R S LOSEE STUDIO LC RR 3 BOX A10 SUNDANCE, UT 84604
DTS/AGRC MANAGER STATE OFFICE BLDG, RM 5130 SALT LAKE CITY, UT 84114	CENTURY LINK 75 EAST 100 NORTH PROVO, UT 84606	CORP OF PRESIDING BISHOP OF CHURCH OF JESUS CHRIST OF LDS 50 E N TEMPLE SALT LAKE CITY, UT 84150
ROCKY MOUNTAIN POWER 70 NORTH 200 EAST AMERICAN FORK, UT 84003	TOWN OF VINEYARD 240 E. GAMMON ROAD VINEYARD, UT 84058	KRISTIE SNYDER 56 N STATE STREET OREM, UT 84057
PROVO RIVER WATER USERS ASSOCIATION 285 W 1100 N PLEASANT GROVE, UT 84062	FINCH, LOUIS JAY & EVELYN YORK 315 W 1200 N OREM, UT 84057	LINDON CITY PLANNING DEPARTMENT 100 NORTH STATE STREET LINDON, UT 84042
REID, DOUGLAS T & TERI LYNN 584 N 1230 E OREM, UT 84057	REID, DOUGLAS T & TERI LYNN --OR CURRENT RESIDENT-- 584 N 1230 EAST OREM, UT 84097	HOUSING AUTHORITY UTAH COUNTY LYNELL SMITH 240 EAST CENTER PROVO, UT 84606
MAG 586 EAST 800 NORTH OREM, UT 84097	CHRISTENSEN, WILLIAM G & KRISTEN H --OR CURRENT RESIDENT-- 587 N BELLA VISTA DR OREM, UT 84097	ALPINE SCHOOL DISTRICT ATTN: SUPERINTENDENT 575 NORTH 100 EAST AMERICAN FORK, UT 84003
BROWN, RONALD GENE & ELARY F 608 N 1230 E OREM, UT 84097	GREENFIELD PROPERTIES LIMITED PARTNERSHIP 615 S STATE ST OREM, UT 84058	FREDRICKSEN, AMY N & JERRY S 585 N 1230 E OREM, UT 84097
CHERRINGTON, MARK O & KELLI R 622 N 1170 E OREM, UT 84097	WILKINSON, MICHAEL K & PATRICIA L 622 N 1280 E OREM, UT 84097	SOSA, ALISSA 607 N 1230 E OREM, UT 84097
ESPLIN, BRENT H & JULIE C --OR CURRENT RESIDENT-- 626 N CHERRINGTON CIR OREM, UT 84097	ANDERSON, JAMES T & TRACY L --OR CURRENT RESIDENT-- 623 N CHERRINGTON CIR OREM, UT 84097	CLEGG, PETER M --OR CURRENT RESIDENT-- 619 N 1230 EAST OREM, UT 84097

JENSEN, LANA F & DELOS C  
635 N 1250 E  
OREM, UT 84097

JOHNSON, ALAN E & NORINE L  
631 N BELLA VISTA DR  
OREM, UT 84097

CHERRINGTON, MARK O & KELLI R  
--OR CURRENT RESIDENT--  
622 N CHERRINGTON CIR  
OREM, UT 84097

DAVIS, MARK D  
647 N 1280 E  
OREM, UT 84097

JOHNSTON, DAVID K & KERRI R  
642 N 1250 E  
OREM, UT 84097

MERKLEY, ALVA HARKER & JERI  
ALLENE  
632 N 1280 E  
OREM, UT 84097

ARTHUR, DOUGLAS K & TERRY C  
651 N BELLA VISTA DR  
OREM, UT 84097

HOWARD, KANDIS HOLLEY  
648 N 1180 E  
OREM, UT 84097

LATHAM, MARK A & CHRISTINE  
645 N 1250 E  
OREM, UT 84097

BUSHNELL, MIKEL D & HOLLY  
664 N 1180 E  
OREM, UT 84097

CLARK, JEFFREY PAUL & JANE ANN  
652 N 1180 E  
OREM, UT 84097

LINFORD, RAY H & JOANNE A  
648 N 1280 E  
OREM, UT 84097

TROST, JODI QUINN  
706 N 1180 E  
OREM, UT 84097

THAXTON, GLEN E & CHELE L  
678 N 1180 E  
OREM, UT 84097

HILTON, DAVID B  
655 N 1180 E  
OREM, UT 84097

GRANT, DAVID  
732 N 1180 E  
OREM, UT 84097

WOOLLEY, SPENCER DEAN &  
RAELYNN LAMBERT  
722 N 1180 E  
OREM, UT 84097

RUSSELL, ROBERT A & CASSANDRA  
G  
692 N 1180 E  
OREM, UT 84097

WONG, JOSHUA R & IRINA M  
747 N 1180 E  
OREM, UT 84097

LJ & E LEGACY LLC  
--OR CURRENT RESIDENT--  
745 N 1125 EAST  
OREM, UT 84097

SMITH, JAMES N & BETHANY GRACE  
731 N 1180 E  
OREM, UT 84097

CHOI, SUNGIL  
759 N 1180 E  
OREM, UT 84097

HADFIELD, VARDEN EUGENE &  
REBECCA DAWNE  
748 N 1180 E  
OREM, UT 84097

GREENE, THOMAS J & REBECCA  
MCDUGAL  
746 N 1125 E  
OREM, UT 84097

CHRISTENSEN, SUE ANN  
773 N 1180 E  
OREM, UT 84097

J & G INVESTMENTS ALLIANCE LLC  
--OR CURRENT RESIDENT--  
762 N 1180 EAST  
OREM, UT 84097

CALL, ROBERT BRYAN & BONNIE JO  
758 N 1125 E  
OREM, UT 84097

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

NIELSEN, REBECCA S  
774 N 1180 E  
OREM, UT 84097

FINCH, J ALAN & DIANE  
--OR CURRENT RESIDENT--  
772 N 1125 EAST  
OREM, UT 84097

FINCH, J ALAN & DIANE  
1108 E 680 N  
OREM, UT 84097

MEYERS, KENNETH L & SARA A  
1119 E 720 N  
OREM, UT 84097

BORN, JEFFREY A & VICKY L  
779 N 1180 E  
OREM, UT 84097

WHITMORE, ALLISON  
1122 E 720 N  
OREM, UT 84097

KING, CARSON R & SUSAN R  
1124 E 680 N  
OREM, UT 84097

SOMMERSET PARK LLC  
964 S 950 E  
ALBION, ID 83311

FINCH, J ALAN & DIANE  
--OR CURRENT RESIDENT--  
1130 E 800 NORTH  
OREM, UT 84097

CORP OF PRESIDING BISHOP OF  
CHURCH OF JESUS CHRIST OF LDS  
--OR CURRENT RESIDENT--  
1135 E 600 NORTH  
OREM, UT 84097

MEYERS, KENNETH L & SARA A  
--OR CURRENT RESIDENT--  
1119 E 920 NORTH  
OREM, UT 84097

ANDERSON, DAVID & LORELEA  
1140 E 680 N  
OREM, UT 84097

CLEGG, PETER M  
1141 W 12400 S  
RIVERTON, UT 84065

WARNER, VILA J  
1125 E 680 N  
OREM, UT 84097

AZNAR, JOHN G & MICHELLE N  
1143 E 680 N  
OREM, UT 84097

SLS MANAGEMENT LLC  
--OR CURRENT RESIDENT--  
1145 E 800 NORTH  
OREM, UT 84097

CARLILE, R NEIL & DEANNE W  
1139 E 720 N  
OREM, UT 84097

GRAHAM, PHILLIP J & ALLISON  
1153 E 680 N  
OREM, UT 84097

ZOLLINGER, BRANDON & SHAUNA  
1154 E 720 N  
OREM, UT 84097

HUBER, J TALMAGE & LARAE  
1142 E 720 N  
OREM, UT 84097

BELL, LAREE D & LAREE D  
1164 E 680 N  
OREM, UT 84097

BARKDULL, GAVON & TANYA  
1165 E 680 N  
OREM, UT 84097

HAMPTON, KELLIE L  
1152 E 680 N  
OREM, UT 84097

JOHNSON, KENNETH R & CLAUDINE  
L  
1172 E 600 N  
OREM, UT 84097

ARIAS, ARTURO H JR & OLIVIA D  
1186 E 600 N  
OREM, UT 84097

CHERRINGTON, JAY OWEN &  
KRISTIN B  
1155 E 600 N  
OREM, UT 84097

YUTOPIA CORPORATION  
1240 E 800 N  
OREM, UT 84097

SCALORA, MICHAEL A  
1255 E 620 N  
OREM, UT 84097

BOWDEN, STEVEN DOUGLAS &  
SHERRY SUE ELKINS  
1166 E 720 N  
OREM, UT 84097

CHRISTENSEN, WILLIAM G &  
KRISTEN H  
1262 E 620 N  
OREM, UT 84097

MAGNESS, ROBERT J & COURTNEY  
1265 E 620 N  
OREM, UT 84097

CHERRINGTON, JAY OWEN &  
KRISTIN B  
--OR CURRENT RESIDENT--  
1189 E 600 NORTH  
OREM, UT 84097

ARBON, VAL A & BONNIE L  
1276 E 620 N  
OREM, UT 84097

NEWSOM, KEVIN GRAY & LORI  
OAKS  
1285 E 570 N  
OREM, UT 84097

JONASSAINT, MARISA  
1261 E 570 N  
OREM, UT 84097

STRATTON, HERBERT B  
1313 E 800 N  
OREM, UT 84097

FAGGIOLI, DOUGLAS & JANICE V  
1314 E 660 N  
OREM, UT 84097

GOUGH, JASON T & LUISA R  
1273 E 570 N  
OREM, UT 84097

STANLEY L GUBLER LTD (ET AL)  
--OR CURRENT RESIDENT--  
1317 E 750 NORTH  
OREM, UT 84097

WOLLASTON, DARCY J  
1320 E 600 N  
OREM, UT 84097

MORCK, DANIEL S  
1313 E 660 N  
OREM, UT 84097

HAWKINS, JEAN  
1335 E 660 N  
OREM, UT 84097

SOMMERSET PARK LLC  
--OR CURRENT RESIDENT--  
1337 E 750 NORTH  
OREM, UT 84097

MEHLHOFF, JEANICE O  
--OR CURRENT RESIDENT--  
1316 E 600 NORTH  
OREM, UT 84097

HEINZ, STEVEN B & SUSAN K  
1341 E 600 N  
OREM, UT 84097

UHS OF PROVO CANYON INC  
--OR CURRENT RESIDENT--  
1350 E 750 NORTH  
OREM, UT 84097

MEHLHOFF, JEANICE O  
1331 E 600 N  
OREM, UT 84097

LARSEN, MICHAEL J & LYNNETTE  
1369 E 660 N  
OREM, UT 84097

SOMMERSET PARK HOLDINGS LLC  
--OR CURRENT RESIDENT--  
1371 E 750 NORTH  
OREM, UT 84097

GEDICKS, FREDERICK M & NICEA S  
1338 E 660 N  
OREM, UT 84097

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

JASON BENCH  
1911 N MAIN STREET  
OREM, UT 84057

HUFFAKER, BRIAN & MISA  
1355 E 660 N  
OREM, UT 84097

SOMMERSET PARK HOLDINGS LLC  
2064 GRAYSTONE LA  
DRAPER, UT 84020

UTOPIA  
2175 S REDWOOD ROAD  
WEST VALLEY CITY, UT 84119

CASCADE PROFESSIONAL PLAZA  
LLC  
--OR CURRENT RESIDENT--  
1375 E 800 NORTH  
OREM, UT 84097

UHS OF PROVO CANYON INC  
%ICPG  
6200 UTSA BLVD # 2  
SAN ANTONIO, TX 78249

LJ & E LEGACY LLC  
6480 ROTHMOOR DR  
SALT LAKE CITY, UT 84121

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

SLS MANAGEMENT LLC  
9425 W 9600 N  
LEHI, UT 84043

COMCAST  
9602 SOUTH 300 WEST  
SANDY, UT 84070

STANLEY L GUBLER LTD (ET AL)  
%GUBLER, BRENT  
5030 REGENCY CT  
SALT LAKE CITY, UT 84117

J & G INVESTMENTS ALLIANCE LLC  
6508 CANYON CREST DR  
SALT LAKE CITY, UT 84121

CITY OF OREM  
NOTICE OF PLANNING COMMISSION  
PUBLIC HEARING

The Planning Commission will hold the following public hearing on June 3, 2015 in the City of Orem Council Chambers, located at 56 North State Street, Orem, Utah, to consider the following:

June 3, 2015

4:30 p.m.

- Zoning Ordinance Amendment – Amending Section 22-11-20(K)(7) of the Orem City code pertaining to the interior setbacks in the PD-8 zone.

The proposed amendment is available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed zone change or amendments, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL PLANNING COMMISSION  
MEETINGS.**

If you need a special accommodation to participate in the Planning Commission Meeting, please call the City Recorder's Office.  
(Voice 229-7074)

CITY OF OREM  
NOTICE OF CITY COUNCIL  
PUBLIC HEARING

The City Council will hold the following public hearing on June 23, 2015 in the City of Orem Council Chambers, located at 56 North State Street, Orem, Utah, to consider the following:

June 23, 2015

6:25 p.m.

- Zoning Ordinance Amendment – Amending Section 22-11-20(K)(7) of the Orem City code pertaining to the interior setbacks in the PD-8 zone.

The proposed amendment is available in the Office of Development Services, Room #105, 56 North State Street, Orem, Utah. If you have any questions regarding the proposed zone change or amendments, contact the Development Services Department at 229-7058.

**THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.**

If you need a special accommodation to participate in the City  
Council Meetings, please call the City Recorder's Office.  
(Voice 229-7074)



# DRC APPLICATION

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

www.orem.org

### APPLICANT INFORMATION

FORM EXPIRES: 06-30-2015

Name: CURTIS MINER FOR RICHARD LOSEE Phone: (801) 769-3000  
 Address: 233 S. PLEASANT GROVE BLVD, #105 FAX: (801) 769-3001  
 City: PLEASANT GROVE State: UT Zip: 84062 e-mail: CURTISM@CMA.UTAH.COM

### PROJECT INFORMATION

Project Name: PD-8 ZONE TEXT AMENDMENT  
 Project Address: -

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

SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$800 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$600 + \$20/lot or unit + recording fees <input type="checkbox"/> Vacation/Amendment \$800 + \$20/lot or unit + \$25 sign fee + recording fees <input type="checkbox"/> Final PRD \$600 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign, Text \$900 <input type="checkbox"/> Subdivision, Text \$900 <input checked="" type="checkbox"/> Zoning, Text \$900 <input type="checkbox"/> New PD Zone, Text \$2000 +25 sign fee for PD zone <input type="checkbox"/> Rezone \$1200 + \$25 sign fee <input type="checkbox"/> New PD Zone, Rezone \$1200 +25 sign fee for PD zone <input type="checkbox"/> Development agreement Utah County fees \$	<input type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee <input type="checkbox"/> Text Change \$1000 ***** <input type="checkbox"/> MAILINGS Neighborhood Notice \$ _____ ***** <b>PUBLIC NOTICES</b> Newspaper notices <input type="checkbox"/> \$100 for PC meeting <input type="checkbox"/> \$100 for CC meeting <b>PUBLIC NOTICE</b> <input type="checkbox"/> STREET VACATIONS Newspaper notice \$150 for CC meeting	<input type="checkbox"/> Site Plan Admin. Approval \$500 <input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 or adjacent to a residential zone <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Preschool/Daycare Fence Approval \$100 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$800.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	<input type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$1200 <input type="checkbox"/> Annexation \$1500 + \$25 sign fee <b>PUBLIC NOTICE</b> Newspaper notices \$900 for PC & CC meetings <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$500/review After three reviews <input type="checkbox"/> Other \$200

### FILING FEES AND REQUIRED COPIES

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

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

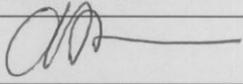
### APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature:  Contact Person Name: CURTIS MINER Phone: (801) 769-3000

### OFFICE USE ONLY

Date Filed: 4/15/15 Fees Paid: 900- Received By: TB

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

## Project Timeline

### Project: ZOA PD-8 22-11-20(K)(7)

1. Neighborhood Meeting held by applicant on: N/A
2. DRC Application Date: 4/15/15
3. Obtained Development Review Committee Clearance on: 4/20/15 by: CAS
4. Publication notice for PC sent to Records office on: 5/19/15 by: CAS
5. Neighborhood notice (500') for Planning Commission mailed on: 5/26/15 by: CAS
6. Planning Division Manager received neighborhood notice on: 5/29/15
7. Property posted for PC on: N/A by:
8. Planning Commission recommended approval/denial on: 6/3/15 - Approval
9. Publication notice for CC sent to Records office on: 5/19/15 by: CAS
10. Neighborhood notice (500') for City Council mailed on: 5/26/15 by: CAS
11. Planning Division Manager received neighborhood notice on: 5/29/15
12. Property posted for City Council on: by: 6/11/15
13. City Council Approved/Denied on: 6/23/15

CITY OF OREM  
CITY COUNCIL MEETING  
JUNE 23, 2015



<b>REQUEST:</b>	<b>6:30 P.M. PUBLIC HEARING ORDINANCE - Amending the Current Fiscal Year 2014-2015 Budget</b>
<b>APPLICANT:</b>	City Manager
<b>FISCAL IMPACT:</b>	\$2,938,983.24

**NOTICES:**

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

**SITE INFORMATION:**

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

**PREPARED BY:**  
Richard Manning  
Admin. Services Dir.

**RECOMMENDATION:**

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

**BACKGROUND:**

The Fiscal Year 2014-2015 City of Orem budget has many adjustments that occur throughout the fiscal year. These adjustments include grants and/or donations received from Federal, State, and other governmental or private entities/organizations; acceptance of the new Palisade park and thus, recording it is an asset in the cities accounting records; adding Northgate SID revenues for additional funds received in order to pay associated expenses; and various other smaller technical corrections or minor budget adjustments that need to be made.

DRAFT

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

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

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

WHEREAS the City Council held a public hearing on June 23, 2015, to receive input from the public regarding proposed amendments to the Fiscal Year 2014-2015 budget; and

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

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

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

PASSED, APPROVED and ORDERED PUBLISHED this **23<sup>rd</sup>** day of **June** 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COUNCIL MEMBERS VOTING "NAY"

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BUDGET AMENDMENTS  
FISCAL YEAR 2014-2015**

**REVENUES**

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
<b>GENERAL FUND</b>				
10-3316	1	Library - CLEF Grant	\$ 5,000.00	\$ 20,163.00
10-3316-010	1	Library - LSTA Express Grant	-	27,662.00
10-3318-001	1	LEPC Grant	-	10,383.00
10-3318-013	1	UHP/ADF DUI Enforcement Equipment Grant	-	10,000.00
10-3424-004-001	1	MCTF - Forfeitures Revenues - Federal (Justice)	25,966.00	37,966.00
10-3424-004-002	1	MCTF - Forfeitures Revenues - Federal (Treasury)	57,126.57	87,126.57
10-3424-009	1	MCTF - Evidence Revenues	134,254.75	209,254.75
10-3620-003		Lease Revenues - Street Lights - Fund 58	663,219.00	663,468.69
10-3640	2	Sale of Fixed Assets - Cascade Golf Course Property	-	2,500,000.00
10-3690-003	1	Police Department Donations	1,795.00	4,910.66
10-3690-007		Misc Revenues - PS Auction Sales	-	7,502.34
10-3995-030	1	Cont. From - Fund 72 - Friends of the Library	-	1,600.00
Total			<u>\$ 887,361.32</u>	<u>\$ 3,580,037.01</u>
Net Fund Increase				<u>\$ 2,692,675.69</u>
<b>DEBT SERVICE FUND</b>				
30-3690	3	Misc. Revenues - Northgate SID	\$ 341,200.00	\$ 401,657.86
30-3995-014		Cont. From - Fund 10 - Franchise Tax Bonds	663,219.00	663,468.69
Total			<u>\$ 1,004,419.00</u>	<u>\$ 1,065,126.55</u>
Net Fund Increase				<u>\$ 60,707.55</u>
<b>TIMPANOGOS STORYTELLING FESTIVAL FUND</b>				
72-3997-004	1	App. Surp - Operations	\$ 2,071.97	\$ 3,671.97
Total			<u>\$ 2,071.97</u>	<u>\$ 3,671.97</u>
Net Fund Increase				<u>\$ 1,600.00</u>
<b>COMMUNITY &amp; NEIGHBORHOOD SERVICE FUND</b>				
74-3921	1	Grant - Community Development	\$ 592,860.00	\$ 776,860.00
Total			<u>\$ 592,860.00</u>	<u>\$ 776,860.00</u>
Net Fund Increase				<u>\$ 184,000.00</u>
Total City Funds			<u>\$ 2,486,712.29</u>	<u>\$ 5,425,695.53</u>
Net City Funds Increase				<u>\$ 2,938,983.24</u>

**BUDGET AMENDMENTS  
FISCAL YEAR 2014-2015**

**EXPENDITURES**

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
<b>GENERAL FUND</b>				
<u>Public Safety Administration</u>				
10-6510-743-099		Equipment - Police	\$ -	\$ 7,502.34
<u>Patrol Services</u>				
10-6520-741-020	1	K9 Dog Purchase	-	3,115.66
10-6520-743-001	1	In-car Video Camera Systems - UHP/ADF Grant	-	10,000.00
<u>Major Crimes Task Force</u>				
10-6531-140	1	Overtime	44,784.88	64,784.88
10-6531-230	1	Employee Development	67,840.62	77,840.62
10-6531-230-004	1	Employee Development - Forfeitures (Justice)	2,250.00	14,250.00
10-6531-240	1	Supplies	25,000.00	40,000.00
10-6531-250	1	Equipment	-	10,000.00
10-6531-260	1	Fuel	10,000.00	20,000.00
10-6531-270	1	Utilities	15,000.00	20,000.00
10-6531-280	1	Telephone & Communications	60,113.54	65,113.54
10-6531-280-005	1	Telephone & Comm. - Forfeitures (Treasury)	40,000.00	60,000.00
10-6531-310-005	1	Prof. & Tech. Services - Forfeitures (Treasury)	-	10,000.00
<u>Fire &amp; Medical Services</u>				
10-7040-250-004	1	Equipment - Hazmat - LEPC Grant	-	10,383.00
<u>Parks</u>				
10-7547-710-274	2	Palisade Park	-	2,500,000.00
<u>Library Administration</u>				
10-8510-250-010	1	Equipment - State Library Grant - CLEF	2,450.00	12,613.00
<u>Access Services</u>				
10-8520-250-010	1	Equipment - LSTA Express Grant	-	27,662.00
10-8520-462-001	1	Adult Collection	102,283.78	102,839.78
10-8520-463-001	1	Child Collection	92,004.00	92,036.00
10-8520-464-001	1	Media Collection	25,959.46	26,971.46
10-8520-464-010	1	Media Collection - CLEF Grant	-	5,000.00
<u>Non-Departmental Expenditures</u>				
10-9910-920-010		Cont. To - Fund 30 - Franchise Tax Bonds	663,119.00	663,368.69
Total			<u>\$ 1,150,805.28</u>	<u>\$ 3,843,480.97</u>
Net Fund Increase				<u>\$ 2,692,675.69</u>
<b>DEBT SERVICE FUND</b>				
30-4521-600-004	3	Misc Expenses - Northgate SID	\$ 13,155.47	\$ 73,613.33
30-4521-830-026		Agent Fees - Franchise Tax Bonds	2,000.00	2,249.69
Total			<u>\$ 15,155.47</u>	<u>\$ 75,863.02</u>
Net Fund Increase				<u>\$ 60,707.55</u>
<b>TIMPANOGOS STORYTELLING FESTIVAL FUND</b>				
72-8598-920-030	1	Cont. To - Fund 10 - Orem Library	\$ -	\$ 1,600.00
Total			<u>\$ -</u>	<u>\$ 1,600.00</u>
Net Fund Increase				<u>\$ 1,600.00</u>
<b>COMMUNITY &amp; NEIGHBORHOOD SERVICE FUND</b>				
74-4133-731-987	1	Beverly Subdivision Project	\$ -	\$ 184,000.00
Net Fund Increase			<u>\$ -</u>	<u>\$ 184,000.00</u>
				<u>\$ 184,000.00</u>
Total City Funds			<u>\$ 1,165,960.75</u>	<u>\$ 4,104,943.99</u>
Net City Funds Increase				<u>\$ 2,938,983.24</u>

**BUDGET AMENDMENTS  
FISCAL YEAR 2014-2015**

**NOTES**

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

- 1) The City receives grant or donation funds during the year to aid many different operations such as the Police Department (Major Crimes Task Force Grants), Library Services (Utah Arts Council), and Community & Neighborhood Services (HUD). The funds are received from Federal, State, and other governmental (or private) entities. These entries represent the adjustments necessary to adjust the appropriate budgets.
- 2) In April 2015, the City accepted the contractual improvements and opened Palisade Park for general use by the public. Under the terms of the original sales agreement, this amount needs to be recorded as a fixed asset in the financial and asset records of the City.
- 3) Additional revenues were received for the Northgate SID which must be used to pay associated legal costs. Thus, the amount of budgeted revenues needs to be increased in order to increase the budgeted expenditures so that these legal fees may be paid.

CITY OF OREM  
**CITY COUNCIL MEETING**  
 JUNE 23, 2015



<b>REQUEST:</b>	<b>RESOLUTION – Fence Modification for Stone Five Studios at 1510 East 840 North in the C1 zone.</b>
<b>APPLICANT:</b>	Joe Brown
<b>FISCAL IMPACT:</b>	None

**NOTICES:**

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

**SITE INFORMATION:**

General Plan Designation:  
**Community Commercial**  
 Current Zone:  
**C1**  
 Acreage:  
**0.93**  
 Neighborhood:  
**Canyon View**  
 Neighborhood Chair:

<b>PLANNING COMMISSION RECOMMENDATION</b>
Vote: N/A

<b>PREPARED BY: CLINTON A. SPENCER, AICP PLANNER</b>
--

**RECOMMENDATION: The applicant requests the City Council approve a fence modification for Stone Five Studios at 1510 East 840 North in the C1 zone.**

**BACKGROUND: The site plan for Stone Five Studios at 1510 East 840 North was approved in February of 2013 and the building has now been completed. The original site plan showed a seven foot masonry fence where the Stone Five Studios property adjoins five residential properties as required by City ordinances. The masonry fence requirement is intended to buffer adjoining residential uses from the noise, light, traffic and other impacts that are typically associated with commercial uses.**

The ground between the Stone Five Studios property and the adjacent residential properties slopes upward significantly so that the adjoining residential properties are significantly higher than the Stone Five Studios building. The grade differential itself acts as a buffer between the commercial property and the residential neighbors.

Because of the existing natural buffer, the applicant requests that the City Council modify the fence requirement for its site. The applicant proposes to build a six foot cedar slat fence along its western property line which will replace an existing dilapidated fence. The applicant requests that the fence requirement be waived entirely as to the two residential properties to the north as these two property owners have recently constructed their own fences which they wish to leave in place. The applicant’s proposed fence will match the cedar fence that was recently constructed by the owner of the residential lot directly to the east.

Pursuant to Section 22-14-19(F) of the City Code, the City Council may modify the fence requirement if it finds that:

1. The proposed fence provides an adequate buffer for the adjoining residential zone.
2. The appearance of the fence will not detract from uses in the residential zone.
3. The proposed fence will shield the residential use from noise, storage, traffic, or any other characteristic of commercial or professional office uses that are incompatible with residential uses

All five of the adjoining residential property owners have indicated in writing that they support the proposed modification and their letters are

included with this agenda summary.

Staff has reviewed the proposed fence modification and believes the request meets all of the requirements listed above.

Advantages:

- All of the adjacent residential property owners have agreed to the applicant's proposal.
- The proposed fence will provide an adequate buffer for the adjacent residential properties and will not conflict with the fences already constructed by two of the adjoining residential neighbors.

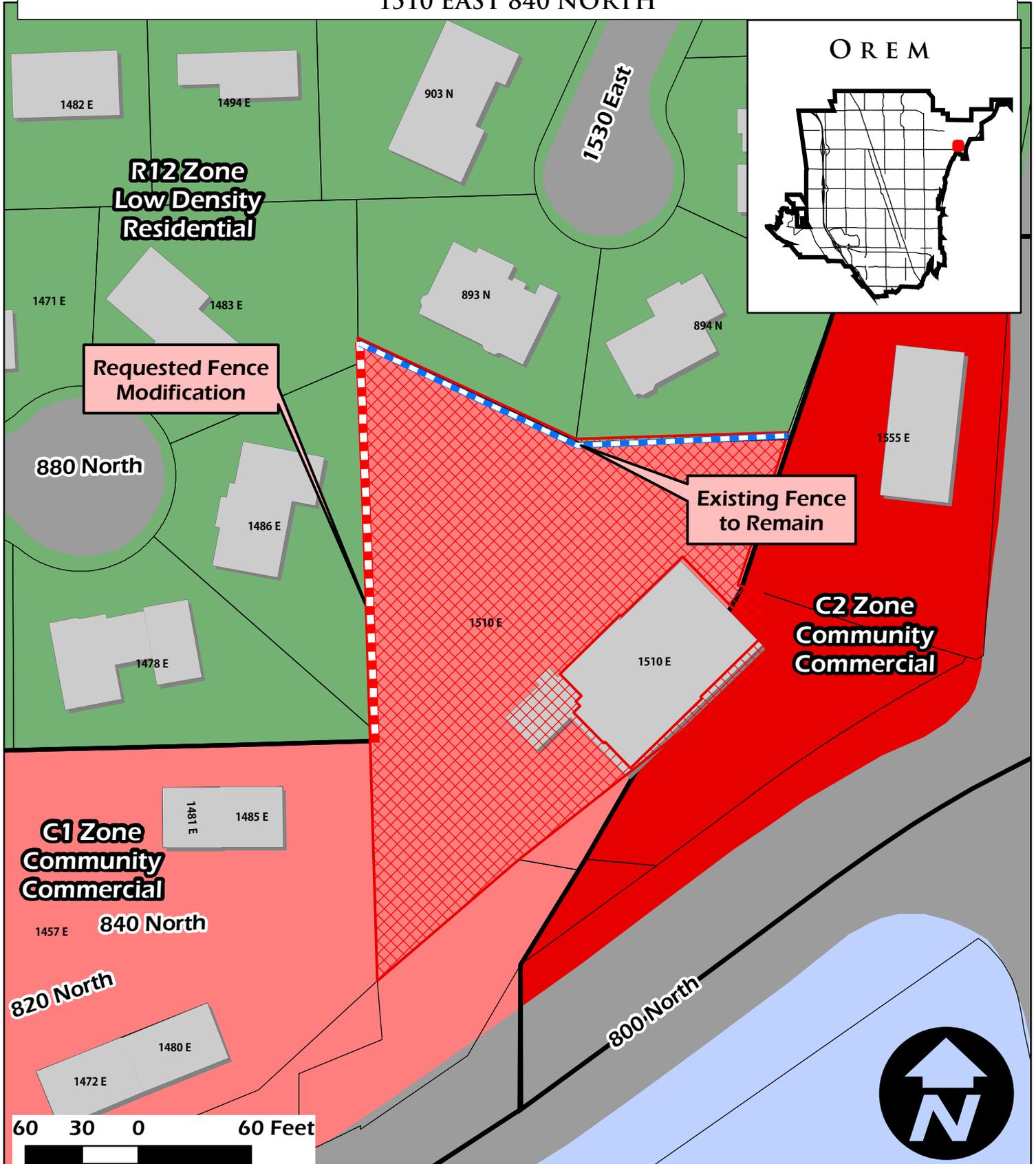
Disadvantages:

- None identified



# STONE FIVE STUDIO - FENCE MODIFICATION

1510 EAST 840 NORTH



◆ Stone Five Studios - Fence Modification:  
C1 Zone; 0.93 Acres

**NIA CONTACT:**  
Canyon View  
Neighborhood

**Legend**  
▨ Parcels selection  
■ Buildings  
□ Parcels

# DRAFT

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

## A RESOLUTION BY THE OREM CITY COUNCIL APPROVING A FENCE MODIFICATION FOR PROPERTY LOCATED AT 1510 EAST 840 NORTH IN THE C1 ZONE

WHEREAS on May 4, 2015, Joe Brown filed an application with the City of Orem requesting a fence modification for the Stone Five Studios property at 1510 East 840 North in the C1 zone; and

WHEREAS the applicant proposes to construct a six foot cedar slat fence along the boundary of the three residential properties that it adjoins on the west and to waive entirely the masonry fence requirement as to the two residential properties that it adjoins on the north as these two residential properties already have existing fences along their boundary with the applicant's property which the owners of these two residential lots desire to keep in place; and

WHEREAS the City Council, under authority of Section 22-14-19(F) of the Orem City Code, may modify the fence requirement for a commercial development adjacent to a residential zone if it finds that the requirements for such a modification are met; and

WHEREAS a public meeting to consider the subject application was held by the City Council on June 23, 2015; and

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

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

1. The City Council hereby finds:
  - A. The proposed six foot cedar fence provides an adequate buffer for the three residential properties to the west of the applicant's property and the existing fences on the two residential lots to the north of the applicant's property also provide an adequate buffer for these lots.
  - B. The appearance of the proposed cedar fence will not detract from uses in the adjacent residential zone.
  - C. The applicant's proposed cedar fence and the existing fences on the two residential lots to the north of the applicant's property will adequately shield residents from

DRAFT

noise, storage, traffic, or other characteristics of the commercial use on the property at 1510 East 840 North.

2. The City Council, after considering the factors set forth in Section 22-14-19(F) of the City Code, hereby approves the request of Joe Brown for a fence modification to waive the seven foot masonry fence requirement along the boundary of the five adjoining residential lots provided that the applicant constructs and maintains a six-foot high cedar fence along the boundary of the Stone Five Studios property and lots 5, 6, and 7 of Canyon Hills Subdivision, Plat F at 1510 East 800 North as shown on Exhibit "A" attached hereto and incorporated herein by reference.

3. This resolution shall take effect immediately upon passage.

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

PASSED, APPROVED and ORDERED PUBLISHED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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# DRAFT

## EXHIBIT A





1510 East 840 North  
Orem, UT, 84097  
Phone: 801-787-0532  
E-Mail: [joe@silveradobc.com](mailto:joe@silveradobc.com)

Orem City  
Development Services  
56 N. State St  
Orem, UT 84057

Dear Development Services:

Stone Five Studios and their builder, Silverado Building Company is requesting a change to the fencing plan for our building. The current plan calls for the installation of a 7 foot high stone/mason fence along the north and west boundaries of the property. The north and west boundaries of our property connect to 3 homeowner's lots (Lot 6 Plat F, Lot 2 Plat L, and Lot 3 Plat L of the Canyon Hills Subdivision). Currently Lot 6 does not have a fence (fence blew over several years ago and has not been repaired), Lot 2 has a 6 foot Cedar slat fence, and Lot 3 a 6 foot rod iron fence. See pictures below of the current type of fence and current fencing layout.

We are proposing the construction a 6 foot cedar slat fence only along Lot 6 Plat F. This fence would match the current fence along Lot 2, Plat L of the Canyon Hills Subdivision (Fairbanks Residence at 893 North 1530 East). The fence will be a 6-foot standard fence with cedar slats of approximately 5-inches with approximately 6-inch post. No fence would be placed in front of the rod iron fence along Lot 3. We feel our proposal creates the best possible solution for all parties involved because we will not be blocking views of Lot 3's 6 foot rod iron fence with a 7 foot mason/stone fence or creating a 1 foot higher fence behind their current fence for Lot 2 (Lot 2 currently has the 6 foot cedar fence, building a 7 foot stone/mason feet would create that 1 foot difference blocking views) and Lot 6 receives a new cedar fence at no cost (we've also agreed to remove the sections of their existing blown down fence).

Stone Five Studios/Silverado Building Company have spoken with all 3 homeowner's and all 3 are in agreement with the plan as of today. Please let me know if you have any questions, my number is 801-787-0532.

Sincerely,

Joe Brown

Enclosed: Pictures of Existing Fence

EXISTING FENCE PICTURES







1510 East 840 North  
Orem, UT, 84097  
Phone: 801-787-0532  
E-Mail: joe@silveradobc.com

5/22/15

Orem City  
56 N. State St  
Orem, UT 84057

Dear Orem City Council:

Silverado Building Company has met with the neighbors listed below regarding the proposal to fence the Stone Five Studio building lot. Silverado Building Company and Stone Five Studios have proposed constructing a cedar slat fence along Lot 6, Plat F of the Canyon Hills Subdivisions that would match the current fence along Lot 2, Plat L of the Canyon Hills Subdivision (Fairbanks Residence at 893 North 1530 East). The fence will be a 6-foot standard fence with cedar slats of approximately 5-inches with approximately 6-inch post, which matches the existing fence along Lot 2, Plat F. Silverado Building Company is also proposing to leave the current rod iron fence along Lot 3, Plat L of the Canyon Hills Subdivision. Silverado Building Company is covering the expenses to construct and install the fence and remove the existing fence along Lot 6, Plat F. We agree with Silverado Building Company's plan to install this fence and would ask the City Council to approve the plan.

Owners Information:

Name: Brian Beckstead  
Address: 894 N. 1530 E. Orem, UT  
Signature: [Handwritten Signature]

Name: Barbara Patton  
Address: 1483 E 880 N. OREM  
Signature: Barbara Patton

Additional Owner Information to follow on next page:

Owners Information:

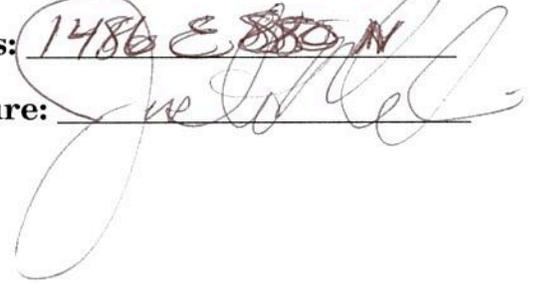
Name: Daniel Fairbanks

Address: 893 N 1530 E

Signature: 

Name: Justin Makin

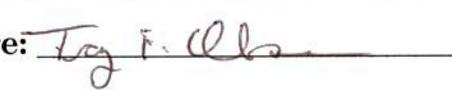
Address: 1486 E ~~880~~ N

Signature: 

Owners Information:

Name: Troy F. Olson

Address: 1478 E 880 N

Signature: 

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

**Pictures of Existing Fence on Following Pages**

EXISTING FENCE PICTURES







1510 East 840 North  
Orem, UT, 84097  
Phone: 801-787-0532  
E-Mail: [joe@silveradobc.com](mailto:joe@silveradobc.com)

#### EXISTING FENCE PICTURES





## **Orem City Public Meeting Notice**

### **City Council**

Tuesday, June 23, 2015

6:30 PM, City Council Chambers

56 North State Street



The applicant requests the City Council approve a fence modification for Stone Five Studios at 1510 East 840 North in the C1 zone. The purpose of this request is to build a cedar fence along the western property line of Stone Five Studios. A location map is on the reverse of this notice.

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



Ronald & Pricilla Beckstead  
894 N 1530 East  
Orem, UT 84097

Daniel & Donna Fairbanks  
893 N 1530 East  
Orem, UT 84097

Danny & Barbara Patton  
1483 E 880 North  
Orem, UT 84097

Justin & Jennifer Makin  
1486 E 880 North  
Orem, UT 84097

Tony & Kerri Olsen  
1478 E 880 North  
Orem, UT 84097



# DRC APPLICATION

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

www.orem.org

### APPLICANT INFORMATION

FORM EXPIRES: 06-30-2015

Name: Stone Five Studios Phone: 801-787-0532  
 Address: 1510 East 840 North FAX: \_\_\_\_\_  
 City: OREM State: UT Zip: 84097 e-mail: joe@silveradobe.com

### PROJECT INFORMATION

Project Name: Stone Five Studios  
 Project Address: 1510 East 840 North OREM UT 84097

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

SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$800 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$600 + \$20/lot or unit + recording fees <input type="checkbox"/> Vacation/Amendment \$800 + \$20/lot or unit + \$25 sign fee + recording fees <input type="checkbox"/> Final PRD \$600 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign, Text \$900 <input type="checkbox"/> Subdivision, Text \$900 <input type="checkbox"/> Zoning, Text \$900 <input type="checkbox"/> New PD Zone, Text \$2000 +25 sign fee for PD zone <input type="checkbox"/> Rezone \$1200 + \$25 sign fee <input type="checkbox"/> Development agreement Utah County fees \$_____	<input type="checkbox"/> Land Use Map Change \$1000 + \$25 sign fee <input type="checkbox"/> Text Change \$1000 ***** <input type="checkbox"/> MAILINGS Neighborhood Notice \$_____ ***** <b>PUBLIC NOTICES</b> Newspaper notices <input type="checkbox"/> \$100 for PC meeting <input type="checkbox"/> \$100 for CC meeting <b>PUBLIC NOTICE</b> <input type="checkbox"/> STREET VACATIONS Newspaper notice <input type="checkbox"/> \$150 for CC meeting	<input type="checkbox"/> Site Plan Admin. Approval \$500 <input type="checkbox"/> Site Plan \$1,500 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 or adjacent to a residential zone <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Preschool/Daycare Fence Approval \$100 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$800.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit (\$25 sign fee; + \$30 building inspection fee/Unit)	<input checked="" type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$1200 <input type="checkbox"/> Annexation \$1500 + \$25 sign fee <b>PUBLIC NOTICE</b> Newspaper notices \$900 for PC & CC meetings <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$500/review After three reviews <input type="checkbox"/> Other \$200

### FILING FEES AND REQUIRED COPIES

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

**REQUIRED COPIES:** Two (2) full size copies 24" by 36", one (1) copy reduced to an 11" by 17", one (1) copy reduced to an 8 1/2" by 11" shall be submitted with each application for Subdivision Plats, Conditional Use Permits, Site Plans, and Condominium Conversions. **Provide a complete set of PDF drawings with application – email PDF drawings to [lperritt@orem.org](mailto:lperritt@orem.org).**

### APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature: [Signature] Contact Person Joe Brown Phone: 801-787-0532  
 Name: \_\_\_\_\_

### OFFICE USE ONLY

Date Filed: 5/14/15 Fees Paid: 400.00 Received By: [Signature]

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

## **Project Timeline**

### **Project: Stone Five Studio – Fence Modification**

1. DRC Application Date: 5/4/15
2. Obtained Development Review Committee Clearance on: 5/11/15 by: CAS
3. Neighborhood notice for City Council mailed on: 6/11/15 by: CAS
4. City Council Approved/Denied on: 6/23/15

CITY OF OREM  
**CITY COUNCIL MEETING**  
 JUNE 23, 2015



<b>REQUEST:</b>	<b>RESOLUTION – Authorizing the 2015 Municipal Primary and General Elections to be Administered Through Vote By Mail and One Election Day Voting Center</b>
<b>APPLICANT:</b>	City Administration
<b>FISCAL IMPACT:</b>	The estimated cost of administering the 2015 Municipal Primary and General Elections using vote by mail is up to \$165,000. This is a net increase of up to \$70,000 to the 2015 election budget allocation.

**NOTICES:**

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

**SITE INFORMATION:**

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

**PREPARED BY:**  
 Heather Schriever  
 Assistant City Attorney

**RECOMMENDATION:**

**City Administration recommends that the City Council, by resolution, authorize the 2015 Municipal Primary and General Elections to be administered through vote by mail with one designated election day voting center which will be located at the Orem City Center, 56 North State Street, Orem, Utah.**

**BACKGROUND:**

Voter participation is an essential component of the City’s representative form of government. In recent years, the use of absentee ballots in the City’s primary and general elections has significantly increased. In the 2013 Municipal and General Elections, over 1,700 absentee ballots were cast. This was a substantial increase from past election years where the number of absentee ballots cast was approximately 150.

Utah Code § 20A-3-302 authorizes the City to conduct municipal primary and general elections entirely by absentee ballot. Other municipalities that have adopted the vote by mail election format have seen significant increases in voter turnout. In 2013, nineteen Utah cities used vote by mail and all reported an increase in voter turnout. West Jordan City, which is comparable in size and population density to the City of Orem, saw a 150% increase in voter participation with the implementation of vote by mail.

Utah Code also permits the City to provide an Election Day Voting Center for its residents. The opening of one Election Day Voting Center at the City Center, 56 North State Street, Orem, Utah will provide City residents further opportunity to participate in the election process. The Election Day Voting Center shall comply with the requirements of the Utah Code and will remain open from 7:00 a.m. to 8:00 p.m. on election days.

At the June 9, 2015 City Council Meeting Work Session, the City Council expressed interested in conducting vote by mail elections. The proposed resolution implements vote by mail for the 2015 Municipal Primary and General Elections.

Advantages of Implementing Vote by Mail: Vote by mail will provide City residents with ballots and voting information approximately 30 days before the

elections giving residents ample time to review, consider and cast ballots. Additionally, implementation of vote by mail is expected to significantly increase voter turnout.

Disadvantages of Implementing Vote by Mail: Administering the 2015 Municipal Primary and General Elections using vote by mail will result in an increase in the overall cost of administering the elections. Over time, however, election costs will be reduced through the elimination of voting locations and staffing costs.

# DRAFT

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

## A RESOLUTION AUTHORIZING THE 2015 PRIMARY AND GENERAL MUNICIPAL ELECTIONS TO BE ADMINISTERED THROUGH VOTE BY MAIL AND ONE ELECTION DAY VOTING CENTER

WHEREAS Utah Code § 20A-3-302 allows the City to administer elections entirely by absentee ballot which is commonly referred to as vote by mail; and

WHEREAS in recent years, there has been an increase in the use of absentee ballot voting in the municipal primary and general elections; and

WHEREAS the implementation of vote by mail is expected to significantly increase voter turnout and participation; and

WHEREAS the implementation of vote by mail may eventually reduce election costs by eliminating the need for the staffing of multiple polling locations and the employment of poll workers; and

WHEREAS vote by mail will provide City residents more time to review and prepare their ballots; and

WHEREAS Utah Code also provides for the use of Election Day Voting Centers; and

WHEREAS the City Council of the City of Orem, Utah desires to designate an Election Day Voting Center for the purpose of providing City residents with a physical location to cast ballots on election days.

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

1. **Vote by Mail.** The 2015 Municipal Primary and General Elections will be administered through vote by mail and one Election Day Voting Center
2. **Election Day Voting Center.** The Election Day Voting Center is hereby designated for the Municipal Primary Election, August 11, 2015, and the Municipal General Election, November 3, 2015 as the Orem City Center, 56 North State Street, Orem Utah. The Election Day Voting Center will be open from 7:00 a.m. through 8:00 p.m. on election days.
3. **Authority to Implement.** The City Council encourages and authorizes the administration to take steps necessary to ensure the use of the vote by mail process for the 2015 Municipal Primary and General Elections.
4. This resolution shall take effect immediately upon its passage.

DRAFT

5. Any resolution or ordinance conflicting with this Resolution is hereby repealed to the extent of the conflict.

PASSED AND APPROVED this 23<sup>rd</sup> day of June 2015.

\_\_\_\_\_  
Richard F. Brunst, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Donna R. Weaver, City Recorder

COUNCIL MEMBERS VOTING "AYE"

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COUNCIL MEMBERS VOTING "NAY"

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**CITY OF OREM**  
**BUDGET REPORT FOR THE MONTH ENDED MAY 2015**

Percent of Year Expired: 92%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2015	% To Date FY 2014	Notes
<b>10 GENERAL FUND</b>								
Revenues	45,458,780	4,132,494	42,852,030			94%		
Appr. Surplus - Current	3,792,170		3,792,170			100%		
Appr. Surplus - Prior Year	1,754,572		1,754,572			100%		
Std. Interfund Transactions	4,646,102		4,646,102			100%		
Total Resources	55,651,624	4,132,494	53,044,874		2,606,750	95%	90%	
Expenditures	55,651,624	2,853,320	45,812,183	1,243,392	8,596,049	85%	86%	
<b>20 ROAD FUND</b>								
Revenues	2,305,000	446,352	2,033,132			88%		
Appr. Surplus - Prior Year	953,808		953,808			100%		
Total Resources	3,258,808	446,352	2,986,940		271,868	92%	92%	
Expenditures	3,258,808	46,128	2,099,315	542,702	616,791	81%	97%	
<b>21 CARE TAX FUND</b>								
Revenues	1,710,000	180,556	1,417,220			83%		
Appr. Surplus - Prior Year	1,881,958		1,881,958			100%		
Total Resources	3,591,958	180,556	3,299,178		292,780	92%	95%	
Expenditures	3,591,958	26,373	1,075,242		2,516,716	30%	61%	1
<b>30 DEBT SERVICE FUND</b>								
Revenues	20,452,155	172,705	19,516,797			95%		
Appr. Surplus - Prior Year	13,221		13,221			100%		
Total Resources	20,465,376	172,705	19,530,018		935,358	95%	85%	
Expenditures	20,465,376	173,944	16,451,065		4,014,311	80%	95%	
<b>45 CIP FUND</b>								
Revenues	4,029,170		4,017,155			100%		
Appr. Surplus - Prior Year	875,159		875,159			100%		
Total Resources	4,904,329		4,892,314		12,015	100%	105%	
Expenditures	4,904,329	80,987	561,111	328,424	4,014,794	18%	23%	
<b>51 WATER FUND</b>								
Revenues	12,611,377	1,149,082	12,512,599			99%		
Appr. Surplus - Current Year	300,000		300,000			100%		
Appr. Surplus - Prior Year	4,427,227		4,427,227			100%		
Total Resources	17,338,604	1,149,082	17,239,826		98,778	99%	98%	
Expenditures	17,338,604	1,512,382	10,977,165	1,589,044	4,772,395	72%	78%	
<b>52 WATER RECLAMATION FUND</b>								
Revenues	7,027,851	883,883	7,387,646			105%		
Appr. Surplus - Prior Year	1,666,509		1,666,509			100%		
Total Resources	8,694,360	883,883	9,054,155		-359,795	104%	97%	
Expenditures	8,694,360	286,519	5,791,942	272,489	2,629,929	70%	68%	
<b>55 STORM SEWER FUND</b>								
Revenues	3,110,500	266,301	2,916,033			94%		
Appr. Surplus - Prior Year	386,367		386,367			100%		
Total Resources	3,496,867	266,301	3,302,400		194,467	94%	98%	
Expenditures	3,496,867	78,391	2,116,951	74,976	1,304,940	63%	75%	
<b>56 RECREATION FUND</b>								
Revenues	1,667,200	175,523	1,525,282			91%		
Appr. Surplus - Current Year	158,888		158,888			100%		
Appr. Surplus - Prior Year	4,857		4,857			100%		
Total Resources	1,830,945	175,523	1,689,027		141,918	92%	71%	2
Expenditures	1,830,945	124,466	1,669,915	53,215	107,815	94%	74%	2
<b>57 SOLID WASTE FUND</b>								
Revenues	3,397,000	291,223	3,111,745			92%		
Appr. Surplus - Prior Year	24,450		24,450			100%		
Total Resources	3,421,450	291,223	3,136,195		285,255	92%	91%	
Expenditures	3,421,450	239,591	2,646,209		775,241	77%	78%	

**CITY OF OREM**  
**BUDGET REPORT FOR THE MONTH ENDED MAY 2015**

Percent of Year Expired: 92%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2015	% To Date FY 2014	Notes
<b>58 STREET LIGHTING FUND</b>								
Revenues	1,485,000	74,798	1,435,109			97%		
Appr. Surplus - Prior Year	231,180		231,180			100%		
<b>Total Resources</b>	<b>1,716,180</b>	<b>74,798</b>	<b>1,666,289</b>		<b>49,891</b>	<b>97%</b>	<b>97%</b>	
Expenditures	1,716,180	25,122	1,218,112	42,328	455,740	73%	34%	3
<b>61 FLEET MAINTENANCE FUND</b>								
Std. Interfund Transactions	652,000		652,000			100%		
<b>Total Resources</b>	<b>652,000</b>		<b>652,000</b>			<b>100%</b>	<b>100%</b>	
Expenditures	652,000	45,442	590,958	2,987	58,055	91%	87%	
<b>62 PURCHASING/WAREHOUSING FUND</b>								
Revenues		15	165			100%		
Appr. Surplus - Current Year	33,000		33,000			100%		
Std. Interfund Transactions	330,000		330,000			100%		
<b>Total Resources</b>	<b>363,000</b>	<b>15</b>	<b>363,165</b>		<b>-165</b>	<b>100%</b>	<b>100%</b>	
Expenditures	363,000	20,395	319,308		43,692	88%	88%	
<b>63 SELF INSURANCE FUND</b>								
Revenues	500,000	38,737	457,598			92%		
Std. Interfund Transactions	1,175,000		1,175,000			100%		
<b>Total Resources</b>	<b>1,675,000</b>	<b>38,737</b>	<b>1,632,598</b>		<b>42,402</b>	<b>97%</b>	<b>98%</b>	
Expenditures	1,675,000	22,852	1,261,962		413,038	75%	76%	
<b>74 CDBG FUND</b>								
Revenues	998,408	42,478	518,746			52%		
Appr. Surplus - Prior Year	471,313		471,313			100%		
<b>Total Resources</b>	<b>1,469,721</b>	<b>42,478</b>	<b>990,059</b>			<b>67%</b>	<b>40%</b>	4
Expenditures	1,469,721	41,890	626,981	428,083	414,657	72%	37%	4
<b>CITY TOTAL RESOURCES</b>	<b>126,814,042</b>	<b>7,779,349</b>	<b>121,812,749</b>		<b>4,521,631</b>	<b>96%</b>	<b>92%</b>	
<b>CITY TOTAL EXPENDITURES</b>	<b>126,814,042</b>	<b>5,552,680</b>	<b>92,000,307</b>	<b>4,535,312</b>	<b>30,278,423</b>	<b>76%</b>	<b>80%</b>	

**NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED MAY 2015:**

- 1) The current year expenditures are lower in comparison to the prior year due to the current year encumbrances (\$0) being much less than in the prior fiscal year (\$312,909) at this date in time. Primarily due to the Fitness Center pool expansion.
- 2) The current year revenues are higher in comparison to the prior year due to the opening of the new pool area which appears to have had a positive impact on fitness center pass sales. Natural gas costs have also increased substantially over the prior year.
- 3) The current year expenditures are higher in comparison to the prior year due to the light system lease payment being recorded in April when the bond payments were made instead of in June which is when they were recorded in the prior year.
- 4) The current year revenues are higher in comparison to the prior year due to a more concerted effort to obtain reimbursement from HUD in a more timely manner. Current year expenditures are higher in comparison to the prior year due to the current year encumbrances (\$428,083) being significantly more than in the prior year (\$495). Primarily due to the Beverly Subdivision project.

Note: In earlier parts of a fiscal year, expenditures may be greater than the collected revenues in a fund. The City has accumulated sufficient reserves to service all obligations during such periods and does not need to issue tax anticipation notes or obtain funds in any similar manner. If you have questions about this report, please contact Richard Manning (229-7037) or Brandon Nelson (229-7010).