



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
March 26, 2019

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

3:30 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

ANNUAL UPDATE - Service Line Warranties of America (15 min)

Service Lines Warranties of America provides an update to the City Council each year regarding claims, customer service, enrollments, etc.

Presenter: Samantha Hohn

UPDATE - Mayor's Centennial Ball (15 min)

The Council will receive an update on the upcoming Mayor's Centennial Ball and discuss.

Presenter: Kena Jo Mathews and Kathi Beckett

DISCUSSION - BUDGET -- Capital Improvement Projects (60 min)

Discussion on 2019-2020 Fiscal Year Budget

Presenter: Sam Kelly and Richard Manning

UPDATE - Capital Facilities Fundraising (15 min)

The Council will receive an update on the capital facilities fundraising efforts and discuss.

Presenter: Charlene Crozier

1. AGENDA REVIEW

The City Council will review the items on the agenda.

2. PREVIEW UPCOMING AGENDA ITEMS

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

3. CITY COUNCIL REPORTS (BOARDS & COMMISSIONS, NEW BUSINESS, ETC.)

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

4. CALL TO ORDER

5. INVOCATION/INSPIRATIONAL THOUGHT: SCOUT TROOP 463

6. PLEDGE OF ALLEGIANCE: SCOUT TROOP 463

7. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

7.1. UPCOMING EVENTS

For Review

[Upcoming Events.pdf](#)

7.2. REPORT - Natural Resources Stewardship Committee

The Natural Resources Stewardship Committee will report on their accomplishments in 2018 and their goals for 2019.

Presenter: Sarah Bateman

8. PERSONAL APPEARANCES – 15 MINUTES

Time has been set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the Agenda. Those wishing to speak are encouraged to show respect for those who serve the city. Comments should focus on issues concerning the city. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 3 minutes or less.)

9. CONSENT ITEMS

9.1. APPROVAL OF MEETING MINUTES

Minutes of City Council Meeting - March 12, 2019

[03.12.2019.ccmin DRAFT.pdf](#)

9.2. APPOINTMENTS TO BOARDS AND COMMISSIONS

Appointment to the CARE Advisory Commission - Deneé Tyler

[Deneé Tyler.pdf](#)

9.3. RESOLUTION - Amending the Community Development Block Grant Use of Funds for Fiscal Year 2018-2019

The City Council to amend the Community Development Projected Use of Funds for fiscal year 2018/2019 (Exhibit "A" to Resolution No. R-2018-0007) as follows: the funding allocation made to Habitat for Humanity of Utah County shall be changed to the City of Orem. The City Council hereby authorizes the City of Orem to take over administration of Critical Home Repair and Neighborhood Preservation Programs with the use of an experienced rehabilitation consultant.

[RES--CDBG Critical Home Repair Program.docx](#)

10. SCHEDULED ITEMS

10.1. PUBLIC HEARING

ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West

1400 South from the R8 zone to the PD-5 zone

The City acquired the property and is requesting the property be rezoned to the PD-5 zone. The purpose of the rezone is to add the property to the commercial zone. The home will be removed, and the land converted to parking area as outlined on the proposed concept plan. As part of the required improvements a masonry wall along 1400 South will be added together with a landscaping buffer along 1400 south. These improvements will be required at the time of site plan approval.

Presenter: Jason Bench

[Agenda-Rezone-246W1400S.docx](#)

[ORD--Rezone-246W1400S.docx](#)

[Vicinity Map.JPG](#)

[Concept Plan.pdf](#)

[Map_Rezone_246_W_1400_S_2019.03.06.pdf](#)

[20190220_3_Labels.docx](#)

[20190220_3_MailerBack.pdf](#)

[20190220_3_MailerFront.pdf](#)

[Neighborhood_Comments.pdf](#)

[Neighborhood_Meeting_Notes.pdf](#)

[Rezone_Applicant outline.pdf](#)

[PC Minutes 3.6.19.docx](#)

[DRC Application.pdf](#)

10.2. PUBLIC HEARING

ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone

The applicant desires to separate from the current research and technology park and maintain property independently. The applicant and Canyon Park agree with the proposed rezone.

Presenter: Jason Bench

[Agenda-Rezone-TimpanogosResearch.docx](#)

[ORD--Rezone-TimpanogosResearch.docx](#)

[Vicinity Map.JPG](#)

[Map_Timpanogos Resarch & Tech Park Building W.2019.03.pdf](#)

[Applicant information.pdf](#)

[Neighborhood Mtg information.pdf](#)

[PC Minutes 3.6.19.docx](#)

[DRC Application.pdf](#)

[Plat.pdf](#)

10.3. PUBLIC HEARING

ORDINANCE – Amending Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District

The proposed amendment requires structures located in the civic zone to maintain at least forty-five percent of a building façade to comply with the maximum setback requirement. The Planning Commission recommends the City Council, by ordinance, amend Sections 22-24-1(D) and

22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District.
Staff supports the recommendation.

Presenter: Jason Bench

[Agenda-CityCenterDistrict-MaximumSetback \(1\).docx](#)

[ORD--CityCenterDistrictAmendment-MaximumSetbacks.docx](#)

[Location Map.pdf](#)

[Concept Site Plan.pdf](#)

[Section 22-24-1\(D\)\(F\) PC Minutes.docx](#)

10.4. CONTINUED ITEM

PUBLIC HEARING/ORDINANCE - FY 2018-2019 Budget Amendment of the Street Lighting Fees

It is recommended that the City Council, by ordinance, amend the street lighting fee from \$3.25 per Equivalent Lighting Unit (ELU) to \$2.34 per ELU according to the approved schedule.

Presenter: Richard Manning and Brandon Nelson

[ORD--Budget Amendment-Feb 2019.docx](#)

[Bond & Street Lighting Budget Amendment Exhibits A & B.pdf](#)

11. CITY MANAGER INFORMATION ITEMS

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.

12. ADJOURN

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 801-229-7000)**

This agenda is also available on the City's webpage at orem.org



Agenda Item No:

City Council Agenda Item Report

Meeting Date: March 26, 2019

Submitted by: Kena Mathews

Submitting Department: City Manager's Office

Item Type: Information Item

Agenda Section:

Subject:

UPDATE - Mayor's Centennial Ball (15 min)

Suggested Action:

The Council will receive an update on the upcoming Mayor's Centennial Ball and discuss.

Presenter:

Kena Jo Mathews and Kathi Beckett

Background:

The Centennial Committee has been working with Mayor Brunst to plan the Mayor's Centennial Ball as part of the City of Orem's 100th Year Celebration. The Ball will be June 1, 2019 at the Utah Valley University Ballroom in the Sorensen Student Center. The theme will be "100 Years of Orem". The event will be black tie optional.

We will be having a reception prior to the dinner event beginning at 5:30 p.m. with the dinner starting at 6:30 p.m. KSL's Dave McCann will be our emcee. We will be having the speakers (Mayor, Brunst, Governor Herbert, Rick Woodbury, and Garth Seastrand) and entertainment during dinner. After dinner, we will be having a DJ and dancing.

Potentially Affected Area:

Citywide

Attachments:

UPCOMING EVENTS

DATE	BUSINESS AND LOCATION	TYPE	
March 27	UVU Baseball	Orem City Night	5:45pm
April 12	UVU	Culinary Arts Gala	6pm
	661 E Timpanogos Parkway, Building L, Orem		
April 20	Autism Resources of Utah County Council	8 th Annual Autism Celebration	11 am -1pm
	UVU – West of UCCU		
April 20	Sunset Heights East Neighborhood	Picnic	11:30am
	Community Park		
April 24-26.....	Utah League of Cities and Towns	2019 Midyear Conference	
	Dixie Center, St. George		
April 25	NPU	Spanish Resource Night	6:30pm
	St. Francis Catholic Church		
May 4	City of Orem.....	Centennial Birthday Party	5pm to Dusk
	The Orchard, University Place		
May 11	Miss Orem Organization	Scholarship Pageant	7pm
	SCERA Center for the Arts		
May 16	City of Orem Police	Suncrest Police Picnic	5:30pm
	Community Park		
May 27	City of Orem Heritage Advisory Commission	Memorial Day Program	9am
	Orem Cemetery		
June 1	City of Orem.....	Mayor's Centennial Ball	5:30 pm
	UVU – Sorensen Center Ballroom		
June 20	City of Orem Police	Hillcrest Police Picnic	5:30 pm
	Hillcrest Park		
June 21	Canyon Park Tech Center.....	Opening Amenity Center	10:30 am
	Canyon Park Tech Center		

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CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
March 12, 2019

3:00 P.M. WORK SESSION – CITY COUNCIL CONFERENCE ROOM

CONDUCTING Mayor Richard F. Brunst

ELECTED OFFICIALS Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Steve Earl, Deputy City Attorney; Karl Hirst, Recreation Department Director; Richard Manning, Administrative Services Director; Ryan Clark, Development Services Director; Scott Gurney, Fire Chief; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Jason Bench, Planning Division Manager; Pete Wolfley, Communications Specialist; Kena Mathews, Community Services Manager; Kathi Beckett, Economic Development Program Analyst; Ernesto Lazalde, IT Division Manager; Thayne Carter, Fleet Division Manager

DISCUSSION – Critical Home Repair and Neighborhood Preservations Programs Resolution

Ms. Mathews shared information regarding the City's Critical Home Repair and Rehabilitation loan program. She said that the administration of the program had been transferred to Habitat for Humanity a few years ago, and they were recommending that it be returned to the City. Mr. Downs added that Habitat for Humanity was driving this change, and other cities like Provo had received notice that the administration of the program should go back to the individual cities.

In response to Mr. Seastrand's question, Ms. Mathews said the loan amount could be up to \$15,000 in either loan or grant form (depending on income and the value of the home), and could be used for roof repairs, the addition of ramps and other accessibility improvements, heating repairs, etc. Mr. Downs said they had met with a consultant to help run the program, as had been done in the past, and they were looking forward to working with them again. The consultant had a set fee that was charged, which the City paid out of CDBG funding.

Mrs. Lauret asked how people were informed of the program. Ms. Mathews said many community service agencies would tell people about the program, and she additionally would place ads in the Senior Center newsletter and mentioned the program at all neighborhood leadership meetings.

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Mr. Downs said HUD, the federal agency that regulated CDBG money, set a cap that a home valued at \$255,000 or more was ineligible to apply for the Critical Home Repair and Rehabilitation program. Many aging homes that could benefit from the program were not able to receive help because of the cap; Ms. Mathews said they hoped to adjust the amount to a more reasonable number with the high prices of homes. They said they would bring the resolution regarding the program back on March 26, 2019 as part of the Consent Agenda.

DISCUSSION – Centennial Update

Ms. Beckett provided an update on the City's centennial celebrations. She offered information regarding the sale of the centennial books and puzzles, saying approximately 500 of the 750 books were sold, and over 1,000 of the 2,300 puzzles had been sold. The next event would be the City's Centennial Birthday Party that would be held at the Orchard Park at University Place on May 4, 2019, but Ms. Beckett said in case of inclement weather the event would be changed to May 11, 2019. This would be a four hour event kicking off at 5:00 p.m. that would include performances from the Hale Center Theater, the SCERA, Center Stage Dance Studio, Jive Dance Studio, and musical performances from the Chauntenettes Women's Chorus, the Orem Youth Choir, and more.

Ms. Beckett said Laura Bascom, the City's Volunteer Coordinator, had put great effort into the 100 Trees program. She distributed information about the program including what types of trees, which parks, etc. Mayor Brunst said the City Council would like to be involved in at least one of the tree plantings. Mr. Clark said the Arbor Day tree planting would essentially be the finale, which he felt would be the best opportunity to involve the Council. Mr. Macdonald mentioned that the Utah League of Cities and Towns Midyear Conference would be held over Arbor Day, so the Council would not be available. Ms. Beckett said she would work with Ms. Bascom to coordinate that opportunity.

Mr. Davidson said as a reminder that the sales of the books and puzzles went toward offsetting the costs of their commission, and they were encouraged with the sales only three months into the year. Mr. Macdonald suggested including the puzzle's key next to the portrait in the City Center, and also creating a map of the original locations for the historic places included in the portrait. He was not sure the map was possible, but felt this would help younger residents know where those historic places were throughout the city.

DISCUSSION – BUDGET – Operations, Fleet, and I.T.

Mr. Manning said they would review the operations and expansion requests, as well as fleet and IT. He reviewed operational expansion requests department by department, including personnel needs, equipment and software needs, technological improvements, etc.

TOTAL OPERATIONAL EXPANSION SUMMARY

- 7.25 new employees – full-time and related new equipment
- 2 reclassifications – increasing job responsibilities
- 4 flex employee positions

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- New equipment, contracts, maintenance fees, etc.
- One-time requests with ongoing funds

Mr. Manning explained that a position in the 311 Help Center was currently $\frac{3}{4}$ time, but was moving to full-time, which accounted for the additional 0.25 for new full-time employees. He said a few departments would identify a current employee as a deputy department head, and some funding was set aside for that.

There was brief discussion regarding indigent defense, and justice court reform at the State Legislature. Mr. Davidson said the cities were asked to evaluate that need, and mentioned that the city attorney recommended a need for more prosecutors to handle the case load. Discussion continued on the budget proposals for the City's Administrative Services, City Manager, Development Services, Fire, Library, Police, Public Works, and Recreation departments. Mr. Manning said every ongoing cost was already covered in the budget.

Mr. Davidson said there had been some discussion at the City Council retreat about being able to increase the number of police officers, and the needed mechanism to fund them. As they had seen during the State Legislative Session, cities may not always be in full control of their sales tax revenue; this was of particular concern to Orem as much of the City's tax revenue was from sales tax. Mr. Davidson said in order to fund more police officers, it was suggested that the property tax be increased by an amount that would equate to approximately \$9 additional per household for the year. The Council may also select to raise the increase amount; the proposed change in property tax would require a Truth-in-taxation process. Crime was something that never seemed to decrease, and the unfortunate reality was that the police department was more in a position to be reactive than proactive in addressing crime.

Mr. Macdonald added that Provo City had seen success in implementing small increases where the generated funds were tied to public safety.

Discussion ensued regarding the costs of adding police officers to the City's police force, and the possibility of increasing property taxes. Mr. Davidson acknowledged that the Truth-in-taxation process was not an easy one, and this was an ever-challenging dilemma in areas of growth. The City Council expressed their opinions on the proposal of a property tax increase.

The renovation and rebuild of the Orem Fitness Center was discussed, including the concern of patrons and even employees already looking elsewhere during the construction time period. Mr. Davidson said Springville and Provo had seen increases in membership after the construction was completed, and they were hopeful the same would happen in Orem.

Mr. Manning said there was a new fund, the Transportation Sales Tax Fund, which was the fund for the $\frac{1}{4}$ cent sales tax increase Utah County had agreed to. He then turned time over the Thayne Carter to speak to the fleet replacement schedule.

Mr. Carter said they looked at fleet overall, and found a few of the vehicles could be repurposed for other uses. For example, an old pool van could be used by the custodial staff, as well as an older firetruck with over 150,000 miles that would be used as reserve. Mr. Carter continued to police fleet, and said it would be interesting now that Ford was no longer making cars and many

police vehicles had been Ford. Fleet for fire, police, and parks were paid through the General Fund, where others like water, reclamation, and storm water were paid through specific enterprise funds. The total for the FY 2019-2020 allocation for fleet between General Fund and Enterprise Funds was proposed at \$3,035,300.

Ernesto Lazalde, IT Division Manager, presented highlights from the previous year's budget and addressed needs going forward. He said computers were on a four-year rotation schedule, which was an improvement from past years when the schedule was closer to seven or eight years. Mr. Lazalde reviewed the major projects funded for the new fiscal year, including audio/video and network switching equipment for the new Library Hall, integrating a third-party building inspection system with the core financial systems, and installing a storage area network. He said the major initiatives they hoped to tackle were:

- Focus on core applications (financial, human resources, billing, general ledger, fleet, etc.)
 - Look to integrating third-party "cloud applications" into core applications
- Separate and centralize our storage infrastructure for better data management to the cloud and disaster recovery
- Improve training and utilize better technologies to enhance the help desk
- Prepare for succession planning through cross training and adapting to technology shifts

DISCUSSION – Library Hall Finishes and Colors

Mr. Clark turned time over to Scott Smith with Method Studio; Mr. Smith introduced interior designer Hallie Gooch and engineer Erik Yamashiro that were part of the project team. Mr. Smith shared proposed exterior renderings and the interior floor plan. He said there were two palettes proposed for the interior finishes, which had been selected from the steering committee. Ms. Gooch said one option had a darker, richer wood and the other had a lighter, maple-like feel. She shared samples of the finishes, and said they would ensure that they were cohesive. Mr. Davidson said the furnishings and the artwork displayed would add color and energy to the space. Mr. Bybee said the hope was that the more permanent fixtures be finishes that were timeless.

Ms. Gooch showed the second palette option, which was the lighter wood with a darker gray material. She said they were similar costs for either finishes, and Mr. Smith added that they were similar also in terms of wear and tear. Mr. Davidson added that they had spoken with the maintenance crews regarding preferred carpets to avoid visible stains or tread wear along specific paths.

Mayor Brunst, Mrs. Lauret, Mr. Lentz, Mr. Macdonald, Mr. Spencer, and Mr. Sumner said they preferred the darker wood option. Mr. Seastrand said he preferred the lighter wood, but did not have a problem with the darker wood option.

Mr. Davidson asked Mr. Smith if there were any concerns with the large, west-facing windows. Mr. Smith said the windows would have roller shades that could be drawn that would help with any discoloration from direct sunlight.

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As the discussion moved on to the style of chair, Mr. Yamashiro said they could customize to a certain degree with matching wood accents on the arms of the chairs. Samples of each chair type were provided, and Mr. Yamashiro went through some of the pros and cons of each option. Ms. Gooch said the chairs had a subtle tone on tone change in the proposed renderings, and different fabrics provided different textures. She said they planned to have textured wood on the back wall, so a multi-textured pattern on the chairs might be a tad busy but could still work.

There was continued discussion on the finishes of the chairs. The general consensus was to move forward with the Vera style chairs.

Mr. Davidson reviewed the timeline of the bid process, and said the proposed location of the Library Hall would require the removal of 17 trees from the City Center lawn area. He added that some of the trees being removed were unhealthy and would need to come down anyway. Mayor Brunst thought it might be a good idea to alert the public as to why trees were being removed. Mr. Davidson said there would also need to be an amendment to the Civic Center District code to allow for the curved design of the Library Hall. Mr. Bench clarified that it would only apply to this specific district. Mr. Spencer voiced a concern that an amendment specifically for the City could be viewed as preferential treatment.

Agenda Review

The City Council and staff reviewed the items on the evening's agenda. The Mayor reviewed the upcoming events as listed in the agenda.

Mr. Lentz suggested some language modification to the proposed resolution regarding 1600 North and the efforts the City had already made in improving the flow of traffic on that interchange. Mr. Earl said whomever makes the motion on the resolution should include the additional language.

Mr. Davidson provided an update on the State Legislative session and bills to watch for municipalities and Orem specifically.

Preview Upcoming Agenda Items

The City Council briefly reviewed items that would be coming before the Council in future meetings. Mr. Bench shared information related to upcoming zoning items.

City Council Reports (Boards and Commissions, New Business, Etc.)

Mayor Brunst said he would like to invite the City Council to share reports from their liaison or City representative assignments on various boards and commissions. Mr. Davidson suggested that they discuss amongst themselves how they would like to schedule those reports; Mayor Brunst suggested that they go in an alphabetical order by name.

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Steve Earl, Deputy City Attorney; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Scott Gurney, Fire Chief; Ned Jackson, Assistant Police Chief; Chris Tschirki, Public Works Director; Richard Manning, Administrative Services Director; Brandon Nelson, Finance Division Manager; Jason Bench, Planning Division Manager; Kathi Beckett, Economic Development Program Analyst; and Pete Wolfley, Communications Specialist

INVOCATION /

INSPIRATIONAL THOUGHT

Jim Lauret

PLEDGE OF ALLEGIANCE

Skyler Bangeter

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

UPCOMING EVENTS

Mayor Brunst reviewed the upcoming events, as listed in the agenda packet.

PRESENTATION of Walter C. Orem Award – Charlene R. Winters

Charlene R. Winters was named the recipient of the City's Walter C. Orem Award for her outstanding efforts in writing the 2019 historical book of Orem, City of Orem: A Centennial Benchmark. Mayor Brunst shared information on that process, saying that Ms. Winters devoted an entire year to conduct interviews, to compile, and to write the book in conjunction with the City's 100th year celebration. What started as a writing job had turned into a labor of love. Ms. Winters herself said, "I made loads of friends and fell in love with the city that has been my home for 40 years".

Mayor Brunst said Ms. Winters went above and beyond to create a fascinating and heart-warming historical book of Orem that would become a lasting legacy, and said the City was pleased to honor Ms. Winters with this award. He invited her to come forward to receive a plaque and shake hands with the Council.

PERSONAL APPEARANCES

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

There were none who signed up to speak.

CONSENT ITEMS

- Approval of February 26, 2019 City Council Meeting Minutes
- Appointment of Vickie Johnson to the Beautification Advisory Commission

Mr. Macdonald moved to approve the Consent Agenda as listed. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

SCHEDULED ITEMS

PUBLIC HEARNG ORDINANCE – FY 2018-2019 Budget Amendments

Mr. Manning and Mr. Nelson presented the recommendation that the City Council hold a public hearing to discuss amending the current Fiscal Year 2018-2019 Budget and consider the budget amendment.

Mr. Nelson said the Fiscal Year 2018-2019 City of Orem budget had many adjustments that occurred throughout the fiscal year. These adjustments included grants received from Federal, State, other governmental or private entities/organizations; sign replacement funds from developers for public development notices; administrative fees received from RDA agreements; and to account for the issuance of the 2019 General Obligation Bonds approved by the voters in November 2018.

Mr. Manning said the City was also dropping the \$3.25/mo. ELU street lighting fee for those residences that have completed paying their portion of the street lighting bonds. This fee would be replaced by a \$2.34/mo. ELU fee per residence or business in order to continue to maintain the City's street lighting system and complete buildout of the system. The new fee would be assessed on a per unit basis rather than the existing frontage based assessment. Businesses will be billed as part of their business license renewal. Apartments and PRD housing developments will be billed for each unit beginning July 1, 2019. Residences will begin this new fee as the prior fee expires according to a schedule which was based upon their street lighting installation date. He clarified that they would not be billing sprinkling systems, HOA accounts not associated with a building, and vacant lots.

Mr. Manning said there was an order to how neighborhoods initially came on with street lighting, and subsequently an order to how they would come off. Two specific neighborhoods, Cherry Hill and Lakeview, were coming off before any others. To avoid confusion with the change in the street lighting fee, they were suggesting that those two neighborhoods have an

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effective date of April 1. He said it would take a few years to ratchet down, and the City would end up covering the basic operations and maintenances costs of the system.

Mrs. Lauret asked about home occupation businesses. Mr. Manning said the fee applied to the home would cover that.

Mr. Manning said they may have found a clerical error in the analysis regarding the street lighting fee. It was suggested that the budget amendment discussion proceed, but that the discussion on the street lighting fee be continued for a thorough review.

Mayor Brunst opened the public hearing. No one came forward to speak, so he closed the public hearing.

Mayor Brunst moved, by ordinance, to amend the Fiscal Year 2018-2019 Budget as recommended, with the exception of the street lighting fee discussion. Mr. Spencer seconded the motion.

Mr. Davidson recommended that the motion include a specific continuance of the street lighting fee discussion to the next City Council meeting.

Mayor Brunst amended his motion to amend the Fiscal Year 2018-2019 Budget as outlined, and to continue the discussion on the street lighting fee to the March 26, 2019 City Council meeting. **Mr. Spencer seconded** the amended motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

RESOLUTION – Supporting and Encouraging the Utah Department of Transportation to acquire, develop, and operate 1600 North in Orem from I-15 to US-89 State Street in Orem

Mr. Davidson said that since the late 1990s, 1600 North had been identified as a major transportation corridor that provided access to I-15 for Orem, Vineyard, Lindon, and Pleasant Grove. The portion of 1600 North located between Geneva Road and I-15 was currently owned by UDOT while the section between I-15 and State Street was owned by the City. (At one point the whole corridor from Geneva Road to US-89 State Street had been owned by the State, and records could not be found to explain that change.) As Orem and other areas of Utah County had grown, 1600 North had seen significantly increasing traffic volumes. Some of the pressure on 1600 North had been relieved by the construction of the Pleasant Grove interchange in 2002, and the widening of the portion of 1600 North west of I-15 that occurred during the I-15 CORE project. The portion of the corridor east of I-15 to 1200 West had also been widened to accommodate a 5-lane facility through the private development process, which occurred mostly in the mid to late 2000s.

However, the section of 1600 North located between 1200 West and State Street was currently over-capacity and failing in some locations, as it was currently one lane in each direction and carried more than 28,000 Annual Average Daily trips. In today's dollars, the needed corridor expansion would cost an estimated \$30 Million. The City was in the process of receiving federal funding through the Mountainland Association of Governments (MAG), but the process to fully

1 fund this project would take 12-15 years as funding was available only every two years and each
2 community was competing for a portion of the available federal funding allocated for regional
3 transportation projects.

4
5 To construct the corridor in a timelier manner and to alleviate the growing traffic congestion, the
6 City had had conversations with UDOT to find a collaborative solution to fund the widening
7 project sooner rather than later. UDOT understood the need to improve a State Route grid
8 network in Utah County similar to Salt Lake County and saw the importance of the connection of
9 1600 North to I-15 and State Street. The City recognized that at one point 1600 North was
10 designated a State Route, and supported the transfer of ownership back to a State Route in an
11 effort to better maintain the movement of traffic in Utah County. In order to facilitate the transfer
12 of that portion of 1600 North located between I-15 and State Street to the State of Utah, staff
13 proposed that the City Council adopt a resolution stating the City's support for such a transfer.
14 The State could then take the additional steps necessary to complete the transfer of this portion of
15 1600 North to the State.

16
17 Mr. Davidson said the City had been concerned with the cost of the project without the local
18 means necessary to rebuild, reconstruct, and expand that road alone. This road functioned like a
19 regional state facility in servicing the needs of areas north and south of Orem and should be
20 under state supervision and maintenance. Mr. Davidson said it had been an ongoing conversation
21 with MAG for many years. MAG had been incrementally receiving money to go toward this
22 project, but the cost of construction had been on the rise. It was determined that now was the
23 time to move forward, before the cost outpaced the funding.

24
25 Subsequent to this discussion, the City had engaged in a public outreach program with the
26 landowners along and near this corridor since 2017. Some issues discussed had been:

- 27 • The future alignment of the road and properties
- 28 • The power corridor that ran along 1600 North
- 29 • School, park, and church properties on the frontage
- 30 • Historic buildings

31
32 While the City had been having this conversation with MAG and Orem residents for some time,
33 UDOT had only become a part of the conversation in the last six to nine months. A resolution
34 endorsing this transfer would help with both the funding and eventual construction of the project.

35
36 Mr. Lentz reiterated the points he made in the earlier work session. He said the language in the
37 resolution identifying the great need to improve this corridor was supported by the City's
38 extensive study of the issue, public open houses and outreach, ongoing discussions with MAG,
39 etc. He wanted that reflected in the final resolution.

40
41 **Mr. Lentz moved** to approve the resolution supporting and encouraging the Utah Department of
42 Transportation to acquire, develop, and operate 1600 North in Orem from I-15 to US-89 State
43 Street in Orem, with the addition of a section highlighting the fact that Orem had engaged in
44 considerable efforts to study the corridor and gather public input on potential solutions. **Mr.**
45 **Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Debby Lauret, Sam
46 Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

1
2 **CITY MANAGER INFORMATION ITEMS**

3
4 Mr. Davidson had no additional items to review.
5

6
7 **ADJOURN TO CLOSED MEETING**
8

9 **Mayor Brunst moved** to adjourn to a closed meeting to be held in Room #107, to discuss “the
10 character, professional competence, or physical or mental health of an individual”, pursuant to
11 Utah Code Section 52-4-2015(1)(a). **Mr. Spencer seconded** the motion. Those voting aye:
12 Richard F. Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer,
13 and Brent Sumner. The motion **passed**.
14

15
16 The meeting adjourned at 6:36 p.m.



Board, Commission & Committee Application

City of Orem

Submitted On:

December 26th, 2018 @ 6:15pm

Personal Information

Full Name	Denee Tyler
Full Address	[REDACTED] Orem UT [REDACTED]
Phone Number	[REDACTED]
Email	[REDACTED]

Boards & Commissions

What board or commission are you applying for?	CARE Tax Advisory Commission
If a position on your preferred board or commission isn't available, would you like to be considered for openings on other boards or commissions?	Yes
Summarize why you wish to serve on a city commission and if there are areas of concern that you would like to see addressed by a city commission.	I'm very interested in promoting and maintaining the arts. As a teacher, I am aware of the huge effect arts involvement has on creating empathy. I hope to facilitate the addition\continuation of art depth and variety here in Orem.
Please tell us a little about yourself. Also include a summary of the special skills and qualifications you have acquired from employment, previous appointments, previous volunteer work, or through other activities.	I've lived here in Orem since 1990, during which time I've been in plays at the Hale theater, PTA president, and a county delegate. During that time I have also held season tickets to many arts organizations, including the Eccles Theatre, the Shakespeare Festival, and the Utah Symphony. I teach junior high English in Aline School District, which has allowed me to serve in many leadership positions such as curriculum leader and school community councils, where we made budget decisions about how to spend the trustlands monies entrusted to the schools.

Signature Data

First Name: Denee

Last Name: Tyler

Email Address: [REDACTED]

A handwritten signature in black ink, appearing to read "Denee Tyler", with a long horizontal flourish extending to the right.

Signed at: 12/26/2018 06:15PM



City Council Agenda Item Report

Meeting Date: March 26, 2019

Submitted by: Kena Mathews

Submitting Department: City Manager's Office

Item Type: Resolution

Agenda Section:

Subject:

RESOLUTION - Amending the Community Development Block Grant Use of Funds for Fiscal Year 2018-2019

Suggested Action:

The City Council to amend the Community Development Projected Use of Funds for fiscal year 2018/2019 (Exhibit "A" to Resolution No. R-2018-0007) as follows: the funding allocation made to Habitat for Humanity of Utah County shall be changed to the City of Orem. The City Council hereby authorizes the City of Orem to take over administration of Critical Home Repair and Neighborhood Preservation Programs with the use of an experienced rehabilitation consultant.

Presenter:

Background:

The City of Orem entered into an agreement with the Habitat for Humanity of Utah County on August 31, 2016, to administer the Critical Home Repair Program on behalf of the City. The City of Orem had managed the program for several years prior and decided to turn the management over to Habitat for Humanity of Utah County to help save consulting costs and provide a capacity build opportunity for hardworking housing organization in our community

In a resolution dated May 8, 2018 (Resolution No. R-2018-0007), the City Council allocated money to Habitat for Humanity of Utah County for Critical Home Repair and Neighborhood Preservation Programs for fiscal year 2018/2019

In August of 2018, Habitat for Humanity of Utah County's longtime director left Habitat for another position. Additionally, Habitat for Humanity of Utah County's Neighborhood Revitalization Coordinator also left the organization. Due to a change in organizational direction and because of the limited interest in the housing rehabilitation and neighborhood preservation programs, Habitat for Humanity of Utah County decided that they could not justify hiring a full time position to manage the housing rehabilitation and preservation programs and decided to put the programs on hold for the unforeseen future.

Because of these changes, Habitat for Humanity of Utah County has indicated that it will not be able to utilize the CDBG funds for Critical Home Repair and Neighborhood Preservation Programs and has authorized the release and reallocation of those funds to another entity that can make better use of the funds.

Because critical home repair and neighborhood preservation programs are still needed to serve low to moderate-income residents in the City of Orem, the City of Orem Community Development Block Grant

Advisory Commission has recommended that the City of Orem, with the use of an experienced rehabilitation consultant and staff from Orem Community Services department, take over the administration of Critical Home Repair and Neighborhood Preservation Programs for the City of Orem and use the released funding of approximately \$86,000 for these programs.

The proposed resolution was presented to the Council in work session on March 12th.

Recommendation for March 26, 2019 City Council Meeting: The City Council to amend the Community Development Projected Use of Funds for fiscal year 2018/2019 (Exhibit "A" to Resolution No. R-2018-0007) as follows: the funding allocation made to Habitat for Humanity of Utah County shall be changed to the City of Orem. The City Council hereby authorizes the City of Orem to take over administration of Critical Home Repair and Neighborhood Preservation Programs with the use of an experienced rehabilitation consultant.

Potentially Affected Area:

Citywide

Attachments:

[RES--CDBG Critical Home Repair Program.docx](#)

DRAFT

RESOLUTION NO. _____

A RESOLUTION AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT USE OF FUNDS ALLOCATIONS FOR FISCAL YEAR 2018-2019

WHEREAS the City of Orem has historically allocated a portion of its Community Development Block Grant (“CDBG”) funding to support a Critical Home Repair Program; and

WHEREAS the City of Orem entered into an agreement with the Habitat for Humanity of Utah County on August 31, 2016, to administer the Critical Home Repair Program on behalf of the City; and

WHEREAS in a resolution dated May 8, 2018 (Resolution No. R-2018-0007), the City Council allocated money to Habitat for Humanity of Utah County for Critical Home Repair and Neighborhood Preservation Programs for fiscal year 2018/2019; and

WHEREAS Habitat for Humanity of Utah County has since indicated that it will not be able to utilize the CDBG funds for Critical Home Repair and Neighborhood Preservation Programs and authorized the release and reallocation of those funds to another entity that can make better use of the funds; and

WHEREAS Critical Home Repair and Neighborhood Preservation Programs are still needed to serve low to moderate-income residents in the City of Orem; and

WHEREAS the City of Orem Community Development Block Grant Advisory Commission has recommended that the City of Orem, with the use of an experienced rehabilitation consultant and staff from Orem Community Services department, take over the administration of Critical Home Repair and Neighborhood Preservation Programs for the City of Orem.

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

1. The City Council hereby amends the Community Development Projected Use of Funds for fiscal year 2018/2019 (Exhibit “A” to Resolution No. R-2018-0007) as follows: the funding allocation made to Habitat for Humanity of Utah County shall be changed to the City of Orem. The City Council hereby authorizes the City of Orem to take over administration of Critical Home Repair and Neighborhood Preservation Programs.

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

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

4. This resolutions and policies in conflict herewith are hereby repealed.

DRAFT

PASSED and APPROVED this **26th** day of **March** 2019.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐
Debby Lauret	☐	☐	☐
Sam Lentz	☐	☐	☐
Tom Macdonald	☐	☐	☐
Mark Seastrand	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐



City Council Agenda Item Report

Meeting Date: March 26, 2019

Submitted by: Jason Bench

Submitting Department: Development Services

Item Type: Ordinance

Agenda Section:

Subject:

PUBLIC HEARING

ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone

Suggested Action:

The City acquired the property and is requesting the property be rezoned to the PD-5 zone. The purpose of the rezone is to add the property to the commercial zone. The home will be removed, and the land converted to parking area as outlined on the proposed concept plan. As part of the required improvements a masonry wall along 1400 South will be added together with a landscaping buffer along 1400 south. These improvements will be required at the time of site plan approval.

Presenter:

Jason Bench

Background:

The City acquired the property and is requesting the property be rezoned to the PD-5 zone. The purpose of the rezone is to add the property to the commercial zone. The home will be removed, and the land converted to parking area as outlined on the proposed concept plan. As part of the required improvements a masonry wall along 1400 South will be added together with a landscaping buffer along 1400 south. These improvements will be required at the time of site plan approval.

The Planning Commission recommends the City Council, by ordinance, amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone.

Potentially Affected Area:

Lakeview

Attachments:

[Agenda-Rezone-246W1400S.docx](#)

[ORD--Rezone-246W1400S.docx](#)

[Vicinity Map.JPG](#)

[Concept Plan.pdf](#)

[Map_Rezone_246_W_1400_S_2019.03.06.pdf](#)

[20190220_3_Labels.docx](#)

[20190220_3_MailerBack.pdf](#)

[20190220_3_MailerFront.pdf](#)

[Neighborhood_Comments.pdf](#)

[Neighborhood_Meeting_Notes.pdf](#)

[Rezone_Applicant outline.pdf](#)

[PC Minutes 3.6.19.docx](#)

[DRC Application.pdf](#)

CITY OF OREM
CITY COUNCIL MEETING
MARCH 26, 2019



REQUEST:	ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone.
APPLICANT:	City of Orem - Economic Development
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn
- Noticed 66 property owners within 500ft of the properties

SITE INFORMATION:

General Plan Designation:
Garr Judd

Current Zone(s):
R8

Acreage:
0.2

Neighborhoods:
Lakeview

**PLANNING COMMISSION
RECOMMENDATION**

Vote: 6-0 for approval

PREPARED BY:

Jason Bench, AICP
Planning Div. Manager

REQUEST: The Development Services Department requests the City amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone.

BACKGROUND: The City recently acquired the subject property and is requesting the property be rezoned to the PD-5 zone. The existing home on the property will be removed and the land converted to parking area as outlined on the proposed concept plan. A masonry wall will be constructed along the southern boundary of the property adjacent to 1400 South together with a landscaping buffer along 1400 South. These improvements will be required at the time of site plan approval.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone. Staff supports the recommendation

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL AMENDING
SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF
OREM BY CHANGING THE ZONE ON APPROXIMATELY 0.2
ACRES OF PROPERTY LOCATED GENERALLY AT 246 WEST 1400
SOUTH FROM THE R8 ZONE TO THE PD-5 ZONE

WHEREAS on February 12, 2019, the Orem City Development Services Department filed an application requesting the City amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on March 6, 2019, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on March 26, 2019; and

WHEREAS the agenda of the Planning Commission meeting and the City Council meeting at which the request was heard was posted at the Orem Public Library, on the Orem City webpage, at the City Offices at 56 North State Street and at utah.gov/pmn; 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 will allow for the expansion and improvement of existing commercial uses in the PD-5 zone.
2. The City Council hereby amends Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone as shown on Exhibit "A" which is attached 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. 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 **26th** day of **March** 2019.

Richard F. Brunst, Jr., Mayor

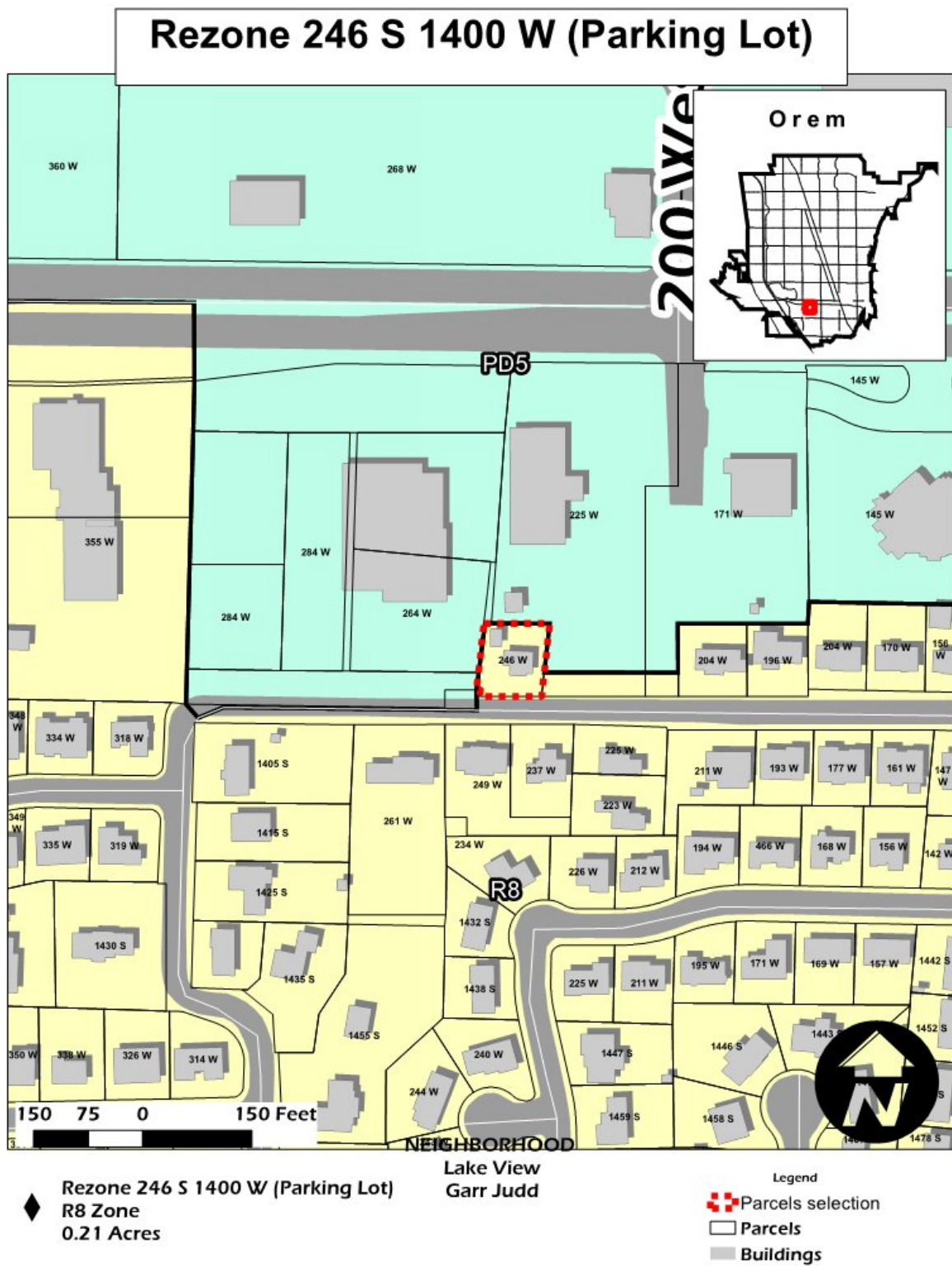
ATTEST:

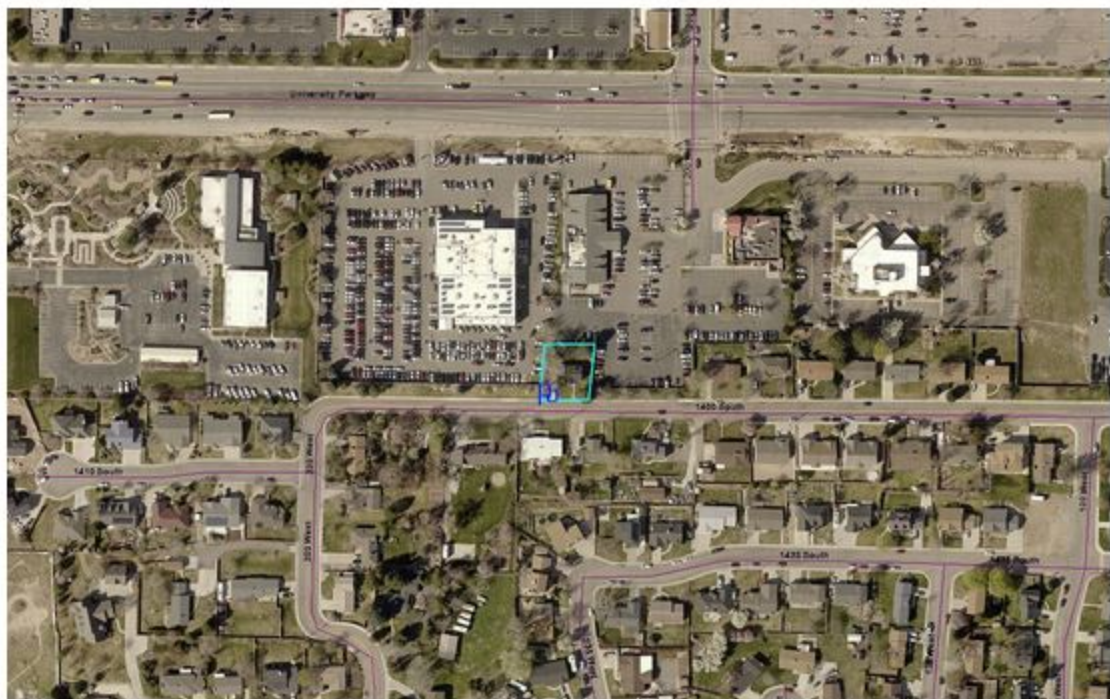
JoD'Ann Bates, City Recorder

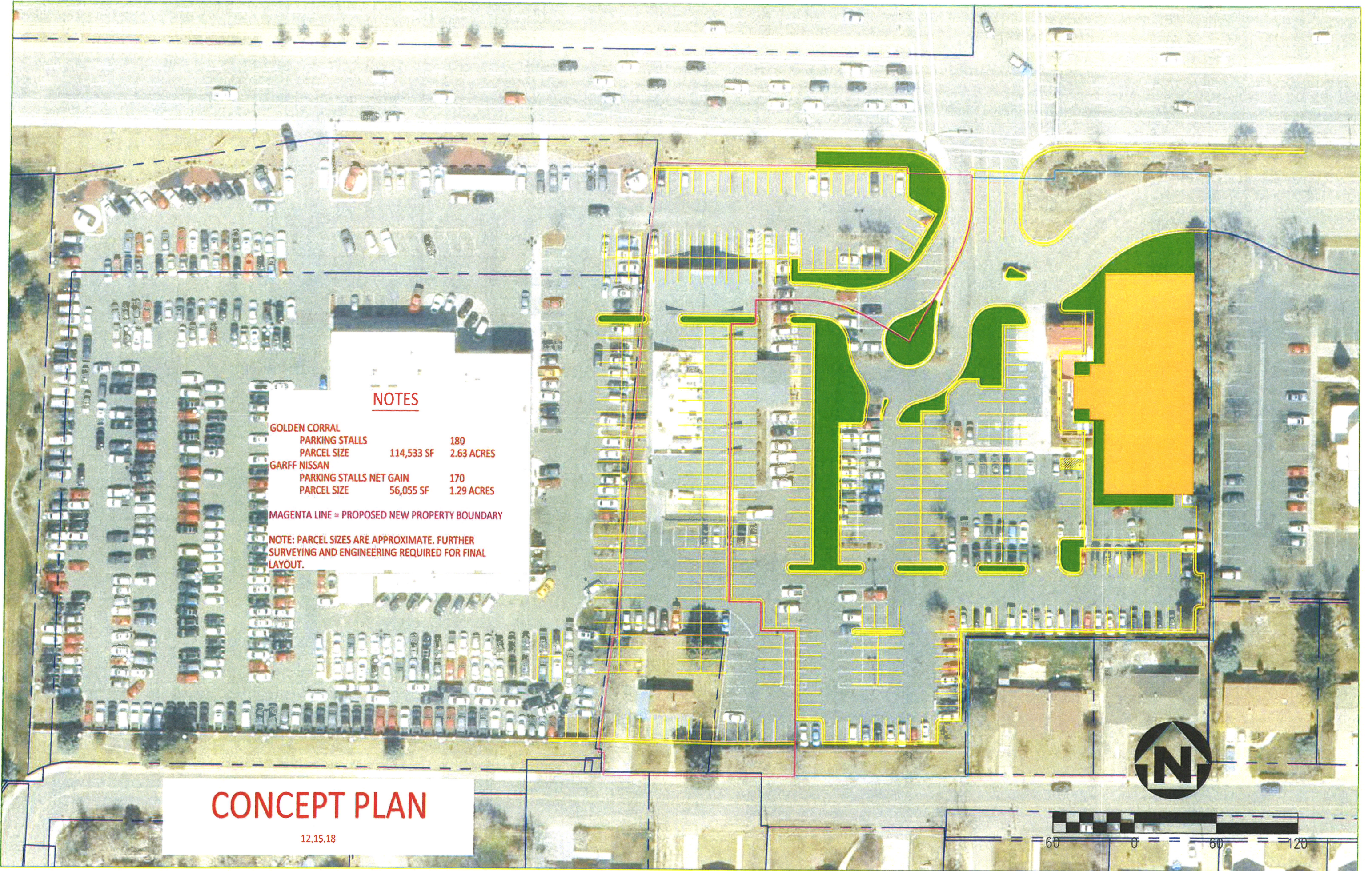
COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐
Debby Lauret	☐	☐	☐
Sam Lentz	☐	☐	☐
Tom Macdonald	☐	☐	☐
Mark Seastrand	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐

DRAFT

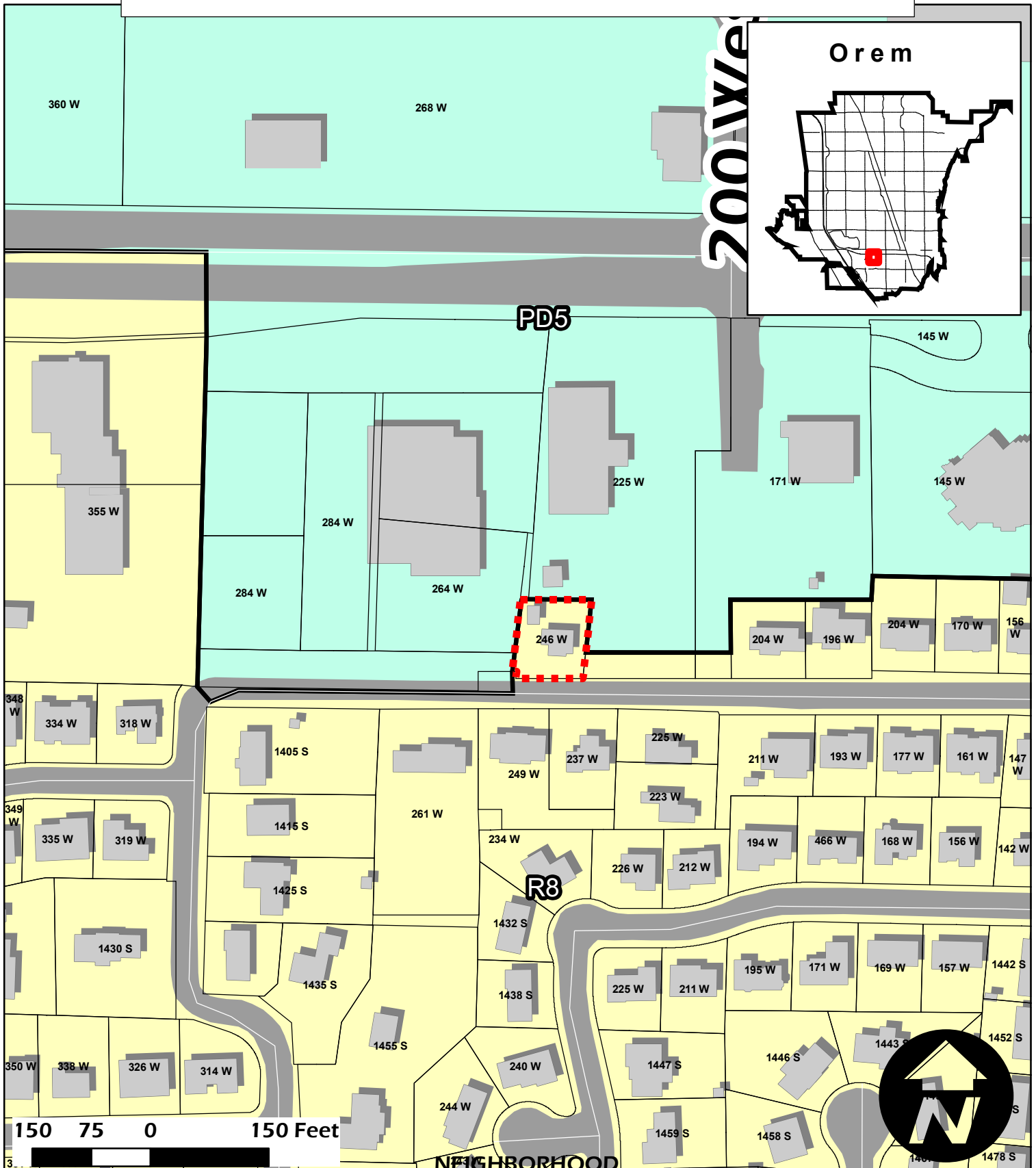
EXHIBIT A







Rezone 246 S 1400 W (Parking Lot)



◆ Rezone 246 S 1400 W (Parking Lot)
R8 Zone
0.21 Acres

Lake View
Garr Judd

Legend
 Parcels selection
 Parcels
 Buildings

DE KEYSER, BENEDICTA C
BYU-BOX 7318
PROVO, UT 84602

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

WOFFINDEN, GEORGE J & OPAL R
PO BOX 168
COVINA, CA 91723

KAY, S L (ET AL)
PO BOX 692
PROVO, UT 84603

CLOSE, WAYNE C & STEVEN L (ET
AL)
35 W 300 N
PROVO, UT 84601

MARK SEASTRAND
35 WEST 1670 SOUTH
OREM, UT 84058

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

CITY OF OREM
58 N STATE ST
OREM, UT 84057

CENTRAL UTAH WATER
CONSERVANCY DISTRICT THE
%GARFF-WARNER AUTOMOTIVE
GROUP LLC
76 W 800 S
SALT LAKE CITY, UT 84101

CORRAL WEST PROPERTIES LC
77 W 1500 N
CENTERVILLE, UT 84014

BOYER LAKE POINTE LC
%THE BOYER COMPANY
101 S 200 E STE 200
SALT LAKE CITY, UT 84111

GARFF WADE PROPERTIES LLC
111 E BROADWAY STE 900
SALT LAKE CITY, UT 84111

UNIVERSITY OF UTAH
127 S 500 E # 310
SALT LAKE CITY, UT 84111

UNIVERSITY OF UTAH
--OR CURRENT RESIDENT--
145 W 1300 SOUTH
OREM, UT 84058

MELLOR, DEREK R & WHITNEY C
--OR CURRENT RESIDENT--
156 W 1435 SOUTH
OREM, UT 84058

TABOADA, EFREN & IVELISSE
161 W 1400 S
OREM, UT 84058

PATE, ROGER & CHELITA
168 W 1435 S
OREM, UT 84058

HENRIE, GARY & JODY
169 W 1435 S
OREM, UT 84058

VANDYKE, DON C & MARIE
MURDOCK
170 W 1400 S
OREM, UT 84058

MADSEN, MARILYN KAY
171 W 1435 S
OREM, UT 84058

MAUCH, VANCE E & JO ANN
177 W 1400 S
OREM, UT 84058

SKINNER, MURRAY W & LEAH W
180 W 1400 S
OREM, UT 84058

MARTIN, E ROYLANCE & GENIEL S
(ET AL)
180 W 1435 S
OREM, UT 84058

THOMPSON, PHILLIP DAVIS &
CARRIE LEE
193 W 1400 S
OREM, UT 84058

SMITH, RAYMOND O & LINDA R (ET
AL)
194 W 1435 S
OREM, UT 84058

MC FARLAND, JESS R & PATRICIA
195 W 1435 S
OREM, UT 84058

JANSON, TYLER D & DANIA
196 W 1400 S
OREM, UT 84058

CLOSE, DAVID WAYNE & VALERIE
THOMPSON
201 W 1400 S
OREM, UT 84058

PEREZ, MARCO JR & MARGARITA
204 W 1400 S
OREM, UT 84058

DE KEYSER, BENEDICTA C
--OR CURRENT RESIDENT--
211 W 1435 SOUTH
OREM, UT 84058

SMITH, KEVIN R & ANNE E
212 W 1435 S
OREM, UT 84058

DRAUGHN, JAMES H
223 W 1400 S
OREM, UT 84058

WARNICK, QUINTIN D & JULIE A
--OR CURRENT RESIDENT--
225 W 1400 SOUTH
OREM, UT 84058

GOODWIN, NOLAN & TANYA
225 W 1435 S
OREM, UT 84058

BRODERICK, GARY R & REBECCA D
226 W 1435 S
OREM, UT 84058

PRICE, MATHEW COREY &
KASANDRA
234 W 1435 S
OREM, UT 84058

ALAND, JOHN W & REBECCA
237 W 1400 S
OREM, UT 84058

STEWART, DAVID & CHARLENE E
240 W 1455 S
OREM, UT 84058

LILJENQUIST, RICHARD LYN &
LORINE KATHRYN (ET AL)
244 W 1455 S
OREM, UT 84058

CITY OF OREM
--OR CURRENT RESIDENT--
246 W 1400 SOUTH
OREM, UT 84058

HOVEY, ROBERT N & LUCILLE D
249 W 1400 S
OREM, UT 84058

STRONG, JASON SCOTT
261 W 1400 S
OREM, UT 84058

GARFF WADE PROPERTIES LLC
--OR CURRENT RESIDENT--
265 W 1300 SOUTH
OREM, UT 84058

BOYER LAKE POINTE LC
--OR CURRENT RESIDENT--
292 W UNIVERSITY PKY
OREM, UT 84058

ANDERSEN, DONALD L
318 W 1410 S
OREM, UT 84058

WHITAKER, MATTHEW MILTON &
NICIA
319 W 1410 S
OREM, UT 84058

MHF INC
325 E 1300 S
OREM, UT 84097

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

BRENT SUMNER
744 WEST 550 SOUTH
OREM, UT 84058

SAM LENTZ
882 W 1720 N
OREM, UT 84057

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

MAYOR RICHARD F. BRUNST, JR.
900 E HIGH COUNTRY DRIVE
OREM, UT 84097-2389

ROBISON, RONALD G (ET AL)
1405 S 300 W
OREM, UT 84058

PETERSON, KENNETH L & HOLLY L
1415 S 300 W
OREM, UT 84058

PRITCHARD, JOSEPH & MEGAN
1425 S 300 W
OREM, UT 84058

HANCOCK, DAVID & KRISTINA
1429 S 300 W
OREM, UT 84058

HOVEY, VERL & MARIANNE D
1432 S 235 W
OREM, UT 84058

WOFFINDEN, GEORGE J & OPAL R
--OR CURRENT RESIDENT--
1435 S 300 WEST
OREM, UT 84058

OGDEN, TAYLOR D
1438 S 235 W
OREM, UT 84058

HAGGARD, DANIEL & ALISA
1446 S 185 W
OREM, UT 84058

STOCKS, KEVIN D & DONNA C
1447 S 235 W
OREM, UT 84058

STRONG, SCOTT R & JANET A
--OR CURRENT RESIDENT--
1455 S 300 WEST
OREM, UT 84058

MELLOR, DEREK R & WHITNEY C
1570 S 320 E
OREM, UT 84058

STRONG, SCOTT R & JANET A
1586 S 235 W
OREM, UT 84058

DEBBY LAURET
1869 N 80 E
OREM, UT 84057

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057-2101



For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org



City Council Chambers, 56 N State Street

City Council Tue, Mar 26, 2019 6:00 pm
Planning Commission Wed, Mar 6, 2019 5:00 pm

The applicant requests the City rezone property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone.

Additional information can be viewed on orem.org/planning under "Current Planning (Public Hearing Notices)" tab.

CORRAL WEST PROPERTIES LC
77 W 1500 N
CENTERVILLE, UT 84014

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org



City Council Chambers, 56 N State Street

City Council Tue, Mar 26, 2019 6:00 pm
Planning Commission Wed, Mar 6, 2019 5:00 pm

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SAM LENTZ
882 W 1720 N
OREM, UT 84057

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org



City Council Chambers, 56 N State Street

City Council Tue, Mar 26, 2019 6:00 pm
Planning Commission Wed, Mar 6, 2019 5:00 pm

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DEBBY LAURET
1869 N 80 E
OREM, UT 84057

For more information, contact
Jason Bench at (801) 229-7238
or jwbench@orem.org



City Council Chambers, 56 N State Street

City Council Tue, Mar 26, 2019 6:00 pm
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JASON BENCH
1911 N MAIN STREET
OREM, UT 84057-2101

Ryan L. Clark

From: Rebecca Cameau <rebeccacameau@yahoo.com>
Sent: Thursday, January 17, 2019 11:54 PM
To: Ryan L. Clark; Richard F. Brunst Jr.; Tom Macdonald; Sam Lentz
Subject: Concerning rezoning of 246 West 1400 South

Hello Ryan,

Thank you for considering residents' concerns about zone changes and other issues on the 1400 South road in Orem. My name is Becky Cameau. I live on 1408 South 100 West.

On the proposal of changing the 246 West 1400 South property from R8 to PD5, My main concern isn't for that particular lot. The proposal raises the question, "can I trust Orem city to make the property left on the residential side of the street attractive and safe?" History would suggest no.

The wall just north of my house is the beastly build that was realized after a beautiful and safe, park-like buffer was proposed to appease the residents to the idea of a zone change in the past. Today, yellowing grass blades peep disconsolately between weeds and gopher mounds. Dead trees stand aimless throughout the seasons while live trees smack cell phone engrossed walkers across the forehead. Behind all this is a crumbling cinder block wall that is too short to block light or sound from the commercial zone. A wimpy wall; unable to deter young men from jumping its paltry five feet. Indeed, I was walking on the sidewalk when a young teen boy jumped over the wall and dropped right in front of me. We surprised each other but as I continued on my way he yelled out, "what the F#@! are you looking at?"

After learning more about Orem city's code for such a zone-change next to a residence, I realize the barrier and wall currently in place does not meet said code. That does not instill confidence in this resident that the city will "do right by me". Rather it seems they will "do right by some big company (Ken Garff) and not oversee the proper implementation of their own code.

I understand the green zone bordering 1400 South is jointly owned by the companies who bought the land to build on the other side of the wall. Their promises to maintain the property on the south side of the wall have been abandoned. Their loyalty is to their customers who see the north side of the fence and not the residents who see the south side. These types of problems are what the city council and employees are supposed to solve.

I propose Orem city takes over the maintenance of the green zone and builds a proper wall down the entire 1400 street. As I have five boys I understand the importance of a detailed explanation of expectations when I request a job done. The word "proper" does not denote the addition of two rows of cinder block on top of the current horrendous wall. It means tearing down the old wall and rebuilding a 7 foot wall with faux stone or precast concrete. It involves taking out the pedestrian gap in the wall. And it involves planting more trees, fixing grass and sprinkler systems and then taking care of them.

Finally, I want to mention the horse property bordering the south side of 1400 South and Main Street. The inordinate number of large and spacious buildings (apartment complexes) going up all over Orem is my number one grievance with the city. The placement of so many so quickly and spread all over Orem seems poorly planned and makes me as a homeowner and permanent resident feel the decision makers of this city are more interested in now-money from developers than the future of the city and the well being of its citizens.

I *loathe* the idea of a higher density housing unit going up on that property. I appreciate that it hasn't happened yet and I hope that will remain single family residence housing.

I have lived here for almost 11 years. The past 2 or 3 years with the bus corridor and the poorly constructed and shoddy planning of many high density housing units scattered haphazardly over the city have made my husband and I decide that we will look outside of Orem city for our next home. It is becoming less friendly to long-term family residents.

I would appreciate getting a copy of the minutes from the January 15th meeting on the zone change for 246 West 1400 South. I wasn't able to attend but I want to be kept informed about decisions for this neighborhood and and want to make sure city council members were able to read an accurate accounting of the residents' grievances.

Regards,

Becky Cameau

Ryan L. Clark

From: Jason McKeighen <momenjing@yahoo.com>
Sent: Wednesday, January 16, 2019 11:08 AM
To: Ryan L. Clark
Subject: 246 W 1400 S

Hi Mr. Clark,

I am emailing in regards to the property at 246 W 1400 S in Orem. I planned on attending the meeting last night but was distracted with some family needs. David Meyers was present and has shared your email address with our neighborhood.

My concerns with that property, as well as much of 1400 S, is how it will be maintained. It appears that multiple entities are responsible for different portions of the wall that buffers our neighborhood from the businesses on University Parkway. I have had to file complaints over the years because trees are not maintained. There are portions of the sidewalk where snow is not removed and it becomes unattractive to travel by foot for accessing public transportation, not to mention the concern of slipping on ice on subsequent days when the snow has had a chance to melt a little and then freeze. I know the entirety of 1400 S is not the immediate concern with the property at 246 W, but these existing concerns will certainly be transferred to that location if this property is rezoned.

I know some of my neighbors are concerned with the wall height and the pedestrian passage at 100 W 1400 S. I happen to like that pedestrian passage, but never use it in the winter since it becomes a muddy mess. I am concerned with the overall situation of having a big brick wall along 1400 S, especially between 100 W and Main street as the trees and electrical boxes serve as cover for people to lay around. I'd like to think that some are just taking a nap (maybe homeless folks), but often times people that are just hanging around are smoking and drinking. I don't feel comfortable walking by with transient people lounging like they're at the beach, and I'm concerned for my children who periodically walk past to catch a bus or go to some of the nearby stores.

I suppose my latter concern may be less of an issue if the "horse property" at Main and 1400 S is developed into single family residences. I completely object to any high-density housing going in that location. I get that builders can make more money, but we as a neighborhood are not interested in how much profit a builder can make. Apartments, townhomes, and anything of the like are more prone to house renters. Owner-occupied residences are typically more likely to provide a nice stable environment.

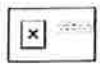
Thank you for your time in considering what our neighbors have to say on these types of issues.

Regards,

Jason McKeighen

1442 S 135 W Orem

385-201-8953



Virus-free www.avast.com

Ryan L. Clark

From: Ria Georgi <riageorgi16@gmail.com>
Sent: Wednesday, January 16, 2019 10:44 AM
To: Ryan L. Clark
Subject: Ken Garff Nissan

I heard part of the meeting last night regarding the rezone of 246 West 1400 South and I felt that I needed to say something positive about Ken Garff. As some of the neighbors have stated, there have been problems over the years with the 20 ft. planting strip and the site managers have not always been responsive to the concerns but my experience with the corporate office has been positive. When I have contacted them regarding issues, such as lack of mowing, a loud intercom system, etc, they have generally followed through. Ken Garff has also had to deal with issues from the neighbors. Years ago a couple of neighbors repeatedly drove over the planting strip including the valve boxes with large trucks. This may have resulted in the broken valves and leaks that Ken Garff had to deal with then. One of the neighbors, who no longer lives here, reported this to the police. In more recent years we have seen tracks from golf carts or ATVs running over the planting strip including the valve boxes. It took awhile for Ken Garff to get the water on this last summer. It appeared that there was a problem with their valve box. Whether the vehicle(s) that drove over the boxes a few months prior caused a problem, I don't know. They also changed landscape/maintenance services last summer which seemed to have made a difference. If you send out a copy of the minutes of last night's meeting to the attendees, I would appreciate a copy.

Sent from my iPad

Ryan L. Clark

From: David Meyers <davidtmeyers@gmail.com>
Sent: Wednesday, January 16, 2019 9:25 AM
To: Ryan L. Clark
Subject: Fwd: Requests relating to Orem's sale of 246 W 1400 S

Resending to updated address

----- Forwarded message -----

From: David Meyers <davidtmeyers@gmail.com>
Date: Tue, Jan 15, 2019 at 7:07 PM
Subject: Requests relating to Orem's sale of 246 W 1400 S
To: <rfbrunst@orem.org>, <dlauret@orem.org>, <samlentz@orem.org>, <meseastrand@orem.org>, <dmspencer@orem.org>, <bsumner@orem.org>, <rclark@orem.org>
Cc: <verlhoveyconstruction@gmail.com>, <johnvandyke76@yahoo.copm>, <j_aland@msn.com>

Orem City Council,

Many members of the Lakeview Neighbordood, some of which are cc'ed here, met with Ryan Clark tonight regarding the rezone of 246 W 1400 S.

During the discussion, several related issues came up on which we'd like to request the council's attention:

- Install traffic calming on 1400 S
- Replace the cinderblock wall from Main street to 246 W with a formed concrete wall that is 7' so that it matches code. It is now 5'-6', does not meet code for height and is crumbling. This will insulate the neighborhood from the increased impact from upgrades of University Parkway
- Do more to ensure the strip of land on the north side of 1400 S is maintained. Trees and grass are dying, lawns are not mowed and water is spotty. One option here is to ask property owners to deed the buffer zone of land in the PD-5 and PD-12 zones to Orem City and have Orem maintain it. Asking and fining property owners hasn't worked. The neighbor
- Tree cover doesn't match code and dead trees are not removed. Find a way to plant more trees to insulate the area from commercial lighting.
- Close the pedestrian opening in the wall at 100 W 1400 S

Thank you for your attention to these matters. We feel that it is essential for Orem City to take action on these issues in order to maintain the culture of the neighborhood, particularly in light of recent commercial development and criminal activity like the murder of a police officer at nearby Bed Bath and Beyond.

Please let me know what the next steps might be to take action on these items.

Best,

David Meyers
83 W 1400 S

Neighborhood Meeting Notes

January 15, 2019

- Landscaping is not being maintained, trees need to be watered
- Concerned about apartments being built
- Want the wall to match the existing wall
- Worried about a connection to 1400 South with access
- Does landscaping require sprinklers and grass?
- Current wall is not seven feet tall. Wants the council to redo the wall to meet the code, and force it to be watered better. The trees and lawn are dying.
- Isolate the neighborhood, murder of the police officer shattered the area, Bus Rapid Transit (BRT) widening of the parkway has caused everyone to want out
- Promises are not kept
- Snow removal is not done by commercial owners
- This project will add a third mismatched fence
- Want an effort to help the neighborhood
- Ken Garff test drives speed down 1400 South
- Make walls match code
- Want traffic calming devices installed on 1400 South
- Only one sidewalk on the north of 1400 South. Trees are overgrown and hang over the sidewalk
- Wants the gap in the wall closed for the pedestrian walkway. The gap is on the Harmon property, approximately 700 feet to the east
- Homeless man is sleeping under a tree near the Harmon property
- Bank robber came through the opening in the wall
- High access/low control leads to crime
- Not enough neighbors to patrol the north side
- Needs more patrol but not police patrol – that won't work because the police are already training in the house
- People walking by are throwing trash on lawns
- Wall is crumbling apart at Golden Corral
- This will create more light spillover on 1400 South from the dealership expansion
- Want the wall height increased

City of Orem Neighborhood Mtg. Sign In
Tuesday, January 15, 2019
Orem City Council Chambers



Name	Address	Phone #	Email
Jessie Strong	249 W 1400 So Orem	801-235-4103	
Val Henry	1432 So 235 W Orem	801- ~~885~~ 5050	
Leanne Brown	148 W. 1520 S. Orem	801-224-4944	
Scott Strong	1586 W 4235 W Orem	801-362-0539	strongscott@gmail.com
John Alton	237 W 1400 S Orem	801-634-1603	
Val Henry	385 W 1410 S Orem	801-615-3855	
Becky Broderick	226 W. 1435 So. Orem	801-224-3574	beckybroderick1@gmail.com
Matthew Baker	319 W. 1410 S. Orem	801-368-2892	
Nicra Whitaker	"	801-358-8532	
David Meyers	83 W 1400 S	801-687-1565	davidmeyers@yahoo.com
Don Van Dyke	170 W. 1400 S.	801-362-3535	donvandyke76@yahoo.com
Maureen Vanderge	170 W 1400 S	801-472-6199	MaureenVanderge@yahoo.com

Address

Phone #

Email

Send out @ 6:00 a.m. only

This image shows a full page of primary-ruled notebook paper. It features four horizontal rows of blue lines, each row separated by a wider white space. Vertical red lines are placed at regular intervals across the page, creating narrow margins on both sides of each row. The paper is otherwise blank, with no handwriting or other markings.

The Economic Development Division proposes a project to enhance the sales tax base in the City of Orem. By way of the Redevelopment Agency, the former Nielson home (246 West 1400 South) was purchased for a redevelopment project. It is proposed that the Nielson home be rezoned from Residential (R8) to commercial (PD5) to match the existing PD5 zone located on three sides of the property. The Economic Development Division anticipates selling the home to the adjoining Garff dealership. The land would be used for an expansion project to create additional parking for the dealership. A wall and landscaping to meet City code would be constructed along 1400 South. This project will not have vehicular or pedestrian access to 1400 South from the commercial zone. The RDA plans to demolish the house before a transaction with Garff. Garff will be responsible for the submittal of a site plan to the City for approval.

Planning Commission Minutes – March 6, 2019

Agenda Item 3.2 is a request by Development Services to request the City amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone.



Staff Presentation: The City acquired the property and is requesting the property be rezoned to the PD-5 zone. The purpose of the rezone is to add the property to the commercial zone. The home will be removed and the land converted to parking area as outlined on the proposed concept plan. As part of the required improvements a masonry wall along 1400 South will be added together with a landscaping buffer along 1400 south. These improvements will be required at the time of site plan approval.

Recommendation: Development Services recommends the Planning Commission forward a positive recommendation to City Council to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone.

Chair Spencer asked if the Planning Commission had any questions for Mr. Allen. Mr. Moulton asked in a situation like this with a zone change, does the zone go all the way to the sidewalk or does it stop at the fence. Mr. Bench said it will go to the sidewalk. Usually it goes to the center of road, but in this case it will match what is existing now, which is the sidewalk.

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

John Aland – he wanted clarification in terms of the timing once the zone change is made and the new wall is built. Mr. Clark said in April, he is hoping to take documents to the City Council for approval to get an agreement in place to do the land transaction. Then there would need to be site plan approval with parties on the other side. Realistically it could be a year and a half before any type of construction is completed. The home will not be demolished until it is under contract. The walls would not come down until the site plan is approved and construction begins.

Mr. Aland said one of his concerns not voiced at the neighborhood meeting is the parcel where the Japanese restaurant is owned is currently owned by the RDA and the wall to the west of the home is dilapidated and falling apart. He would appreciate a recommendation to the City Council to fix the issue and not just build a third miss-matching wall. He also does not believe the existing wall meets setback requirements. Mr. Bench said that will be taken care of on the site plan. Mr. Aland would like to see a new wall built.

Mr. Spencer asked who owned the wall. Mr. Earl said the commercial property owner will have the responsibility to build a new wall. Mr. Aland said the problem now is it is split between two properties and neither one of them cares about it or the property. Mr. Bench said part of this process will be to make sure the owners understand the maintenance requirements on that and be able to maintain it going forward.

Mr. Cook said when this goes to site plan review, it opens everything up along that side. Mr. Bench said if it is not in compliance, it will have to be looked at. Mr. Staker asked if the wall is not at the required height, could it be added to. Mr. Bench said it could if the wall could structurally support it.

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

Planning Commission Action: Mr. Staker moved to forward a positive recommendation to City Council to amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 0.2 acres of property located generally at 246 West 1400 South from the R8 zone to the PD-5 zone. Mr. Moulton seconded the motion. Those voting aye: Carl Cook, Camille Jensen, David Moulton, Barry Roberts, Ross Spencer, Mike Staker. The motion passed unanimously.



Development Review Committee (DRC) Application Ordinance Amendment

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

www.orem.org

Applicant Information

Name: City of Orem	Phone: 801-229-7079
Address: 56 N. State St.	Email: kbeckett@orem.org
City: Orem	State: UT Zip: 84057

Project Information

Project Name	Parking Lot
Project Address	246 W. 1400 S., Orem, UT

Request	Fees	Total
Subdivision Text	\$1,160	
Zoning Text	\$1,160	
Sign Text Amendment	\$1,160	
Rezone	\$1,228 + \$689 sign fee	
New PD Zone Text	\$3,685 + \$689 sign fee	
Land Use Map Change	\$1,057 + \$689 sign fee	
General Plan Text Change	\$1,057 + \$689 sign fee	
Neighborhood Notice	TBD at time of submittal, if needed	
Public Notice	\$100 each for PC and CC, if needed	
Development Agreement UT Co. Fees	TBD at time of recordation	
Total		

Required Copies

Two (2) full-size copies no larger than 24" x 36", one (1) 11" x 17" and a PDF and/or Word of all applicable drawings and plans. Files can be emailed to Cheryl Vargas at chvargas@orem.org or submitted on disc/flash drive prior to the deadline.

General Notes, Signature, and Contact Person

Planning Commission/City Council Meetings. Once the Development Review Committee determines your application is complete and complies with all applicable City ordinances, it shall be forwarded to the Planning Commission if required, and City Council, if required. The City Council is the final approving authority of 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 City Code for the following requests: General Plan amendments, Zoning Ordinance amendments, commercial developments adjacent to a residential zone, all non-residential uses in a residential zone.

DRC Application. The DRC application must be complete at the time of submittal or it may not be accepted.

Filing Fee Notice. Applications filed after July 1 are subject to fee changes regardless of the fee listed on the application used at the time of submittal.

Deadline. The deadline for filing a DRC application is Monday noon for first review the following Thursday. In the case of a Monday holiday, the deadline is Tuesday at noon. Contact information to inquire about the status of an application: 801.229.7183

Applicant's Signature: Kathi M. Beckett

Contact Person: Kathi Beckett

Phone: 801-229-7079

Office Use Only

Date Filed:	Fees Paid:	Received By:	Receipt #:
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7 February 2019



City Council Agenda Item Report

Meeting Date: March 26, 2019

Submitted by: Jason Bench

Submitting Department: Development Services

Item Type: Ordinance

Agenda Section:

Subject:

PUBLIC HEARING

ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone

Suggested Action:

The applicant desires to separate from the current research and technology park and maintain property independently. The applicant and Canyon Park agree with the proposed rezone.

Presenter:

Jason Bench

Background:

The C1 zone is established to promote nonretail commercial uses, such as offices and financial institutions, as the primary use and to encourage development in such a manner so as to be compatible with adjacent residential uses.

The Planning Commission recommends the City Council, by ordinance, amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone.

Potentially Affected Area:

Canyon View

Attachments:

[Agenda-Rezone-TimpanogosResearch.docx](#)

[ORD--Rezone-TimpanogosResearch.docx](#)

[Vicinity Map.JPG](#)

[Map_Timpanogos Research & Tech Park Building W.2019.03.pdf](#)

[Applicant information.pdf](#)

[Neighborhood Mtg information.pdf](#)

[PC Minutes 3.6.19.docx](#)

[DRC Application.pdf](#)

[Plat.pdf](#)

CITY OF OREM
CITY COUNCIL MEETING
MARCH 26, 2019



REQUEST:	ORDINANCE – Amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone.
APPLICANT:	David Schiess, Agent
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn
- Noticed 114 property owners within 500ft of the properties

SITE INFORMATION:

General Plan Designation:
Professional Services

Current Zone(s):
PD-6

Acreage:
5.12

Neighborhoods:
Canyon View

**PLANNING COMMISSION
RECOMMENDATION**

Vote: 5-0 for approval

PREPARED BY:

Jason Bench, AICP
Planning Div. Manager

REQUEST: The applicant requests the city rezone approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone.

BACKGROUND: The applicant desires to separate from the current research and technology park and maintain property independently. The applicant and Canyon Park agree with the proposed rezone.

The C1 zone is established to promote nonretail commercial uses such as offices and financial institutions and to encourage development that is compatible with adjacent residential uses.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone. Staff supports the Planning Commission recommendation.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY CHANGING THE ZONE ON APPROXIMATELY 5.12 ACRES OF PROPERTY LOCATED GENERALLY AT 764 NORTH TIMPANOGOS PARKWAY FROM THE PD-6 ZONE TO THE C1 ZONE

WHEREAS on February 11, 2019, the Orem City Development Services Department filed an application requesting the City amend Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 zone to the C1 zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on March 6, 2019, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on March 26, 2019; and

WHEREAS the agenda of the Planning Commission meeting and the City Council meeting at which the request was heard was posted at the Orem Public Library, on the Orem City webpage, at the City Offices at 56 North State Street and at utah.gov/pmn; 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 will allow the subject property to function independently of the other property in the PD-6 zone.
2. The City Council hereby amends Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zone on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 zone to the C1 zone as shown on Exhibit "A" which is attached 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. 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 **26th** day of **March** 2019.

Richard F. Brunst, Jr., Mayor

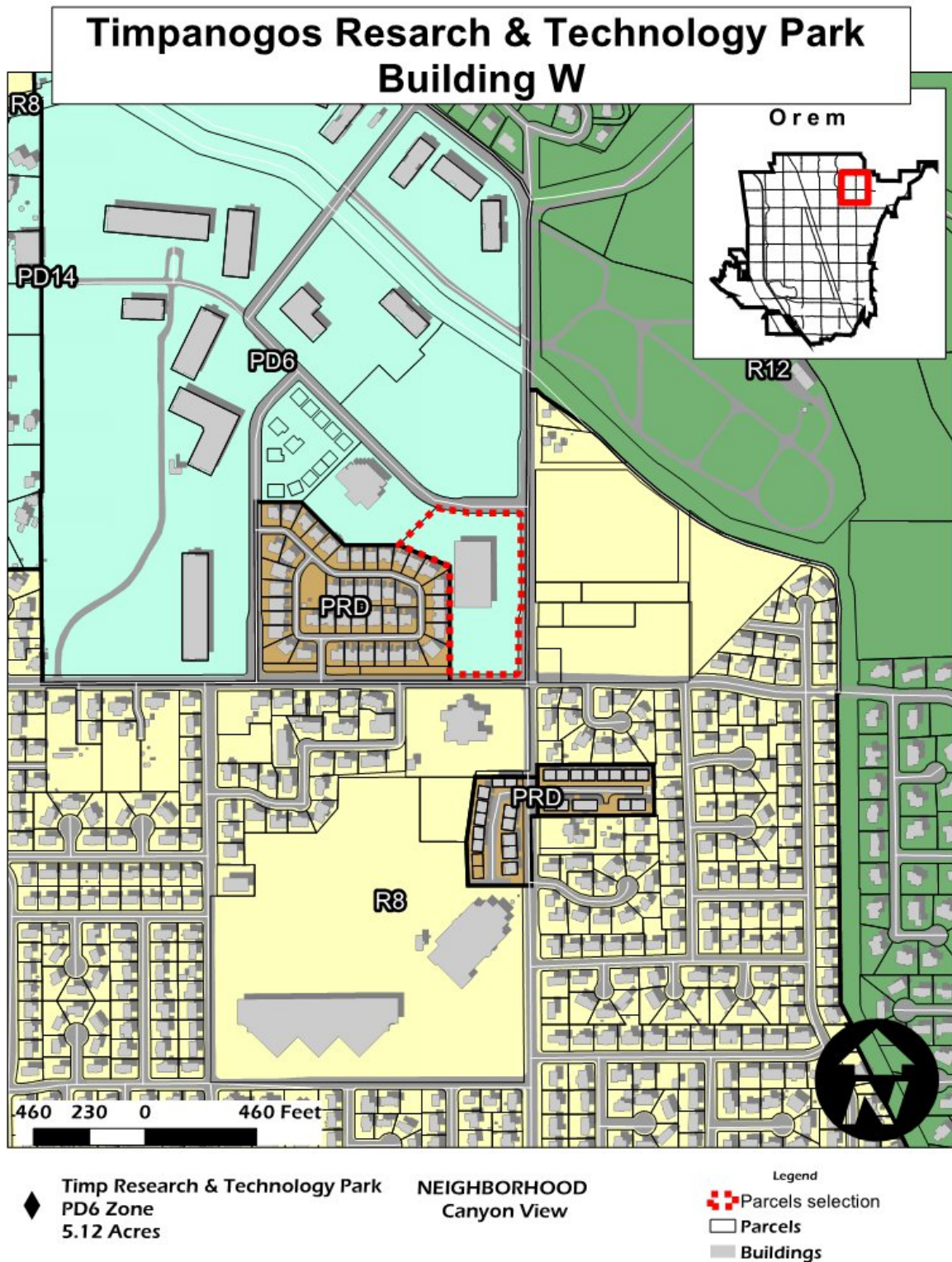
ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐
Debby Lauret	☐	☐	☐
Sam Lentz	☐	☐	☐
Tom Macdonald	☐	☐	☐
Mark Seastrand	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐

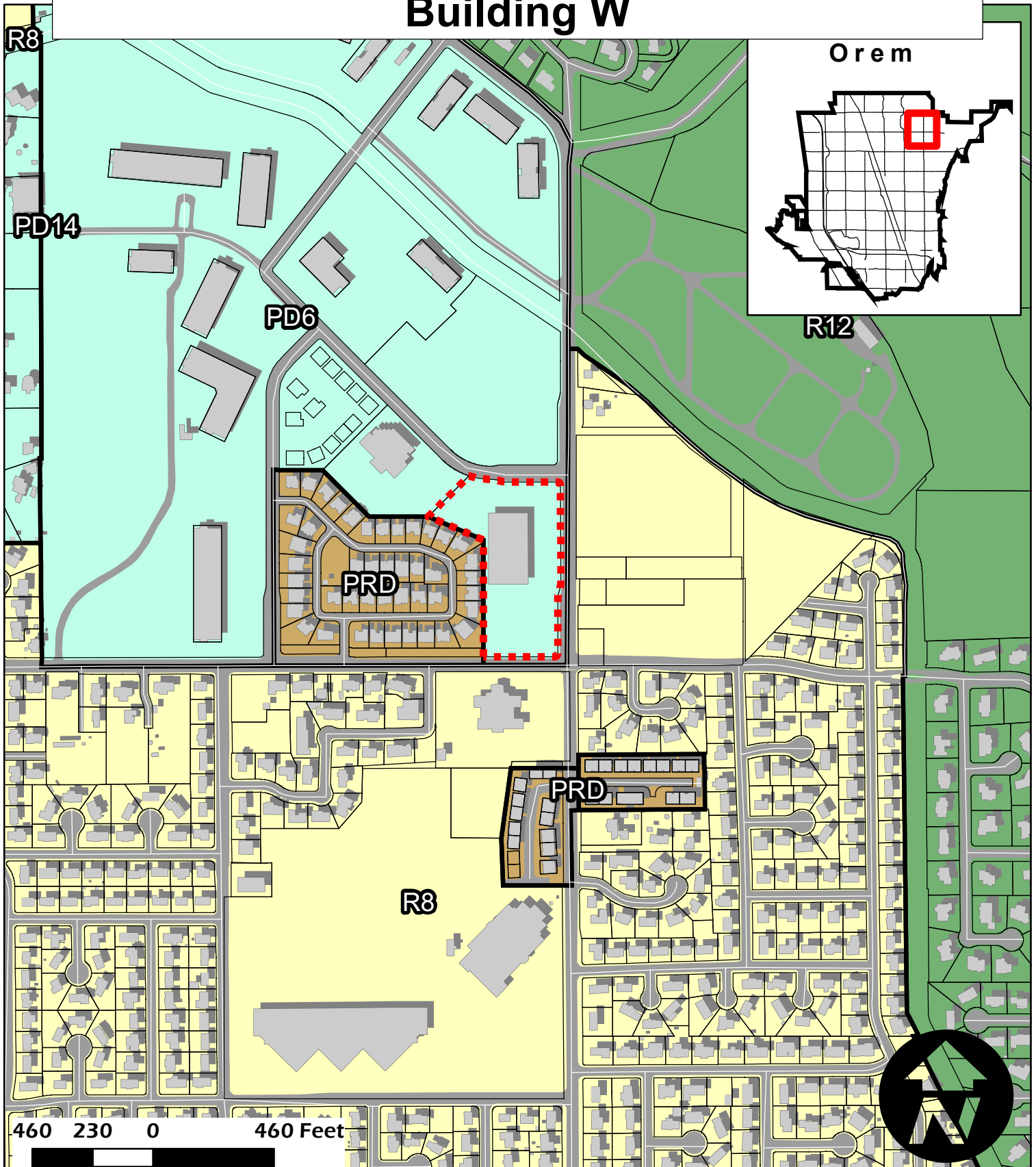
DRAFT

EXHIBIT A





Timpanogos Research & Technology Park Building W



Timp Research & Technology Park
PD6 Zone
5.12 Acres

NEIGHBORHOOD
Canyon View

Legend

- Parcels selection
- Parcels
- Buildings

Letter of Consent and Explanation to DRC Ordinance Amendment Application and Subdivision/Site Plan Application

Introduction

Canyon Park Building W TRS, LLC, a Delaware limited liability company, owns the building located at 1201 N 800 E, Orem (the "Building"). The Building is located on a rectangular lot of land at 1201 N. 800 E., Orem (the "Rectangular Lot"), which lot is owned by Canyon Park Building W TRS, LLC, a Delaware limited liability company, Canyon Park Owner II, LLC, a Delaware limited liability company, and Utah Valley University as members of the Association managing the Timpanogos Research and Technology Park PD-6 zone (the "Park"). In addition, a small triangular parking lot (the "Triangular Lot") adjacent to the property at 1201 N 800 E, Orem is owned by OBM/Scott, Ltd., a Utah limited partnership, SCR Partners, LP, a Colorado limited partnership, and UVTF Orem, LLC, a Utah limited liability company.

The Building, the Rectangular Lot and the Triangular Lot are the properties shown on Exhibit A (the "Properties" or "Property") of this DRC Ordinance Amendment Application and Subdivision/Site Plan Application. The respective owners of the Building, the Rectangular Lot, and the Triangular Lot, have entered into certain purchase and sale agreements with 1201 N 800 East, LLC, a Utah limited liability company (the "Purchaser"), which is an affiliate of Unicity International, Inc. Pursuant to these purchase and sale agreements, the transfers of the Properties would occur effective upon: (1) Orem City's approval of the current zone change from PD-6 to C-1; (2) Orem City's approval to amend the Plat shown on the Utah County records to conform the description of the lot with the City of Orem's records wherein the Properties will be consolidated into one Property as shown on the attached proposed plat Exhibit B (described therein as "Lot L"), which agrees with the City's records; and (3) the release of the Building and Rectangular lot from covenants, conditions and restrictions governing the Park (the "CCRs")¹. This change corrects and resolves the City's "illegal subdivision" matter inherent on the current county records.

Purpose of Applications

The Building and the Rectangular Lot are in the Timpanogos Research and Technology Park PD-6 zone (the "Park") and are not contiguous with any other property within the Park. The Purchaser of the Properties desires to own and maintain the Building and the Rectangular Lot separate from the remaining contiguous properties in the Park and desires to not participate in the maintenance and management of other properties within the Park, financially or otherwise. The Purchaser desires to maintain the Building and Rectangular Lot and the Triangular Lot independently and in a fashion suitable for its business and clientele.

Owner's Consent to Application

¹ If these conditions are not met, Purchaser will have the option to either terminate the purchase and sale agreement with Canyon Park Building W TRS, LLC or to purchase only the Building and not the Rectangular Lot.

As the current owner of the Building, and with the understanding and agreement of all other affected parties listed above, Canyon Park Building W TRS, LLC consents to the Application for an Ordinance Amendment and Application for Subdivision/Site Plan. It further consents that the "Applicant Information" on the Applications is the Purchaser's information, namely, 1201 North 800 East, LLC and that David Schiess be named as the Contact Person on both Applications.

Canyon Park Building W TRS, LLC, a Delaware
limited liability company

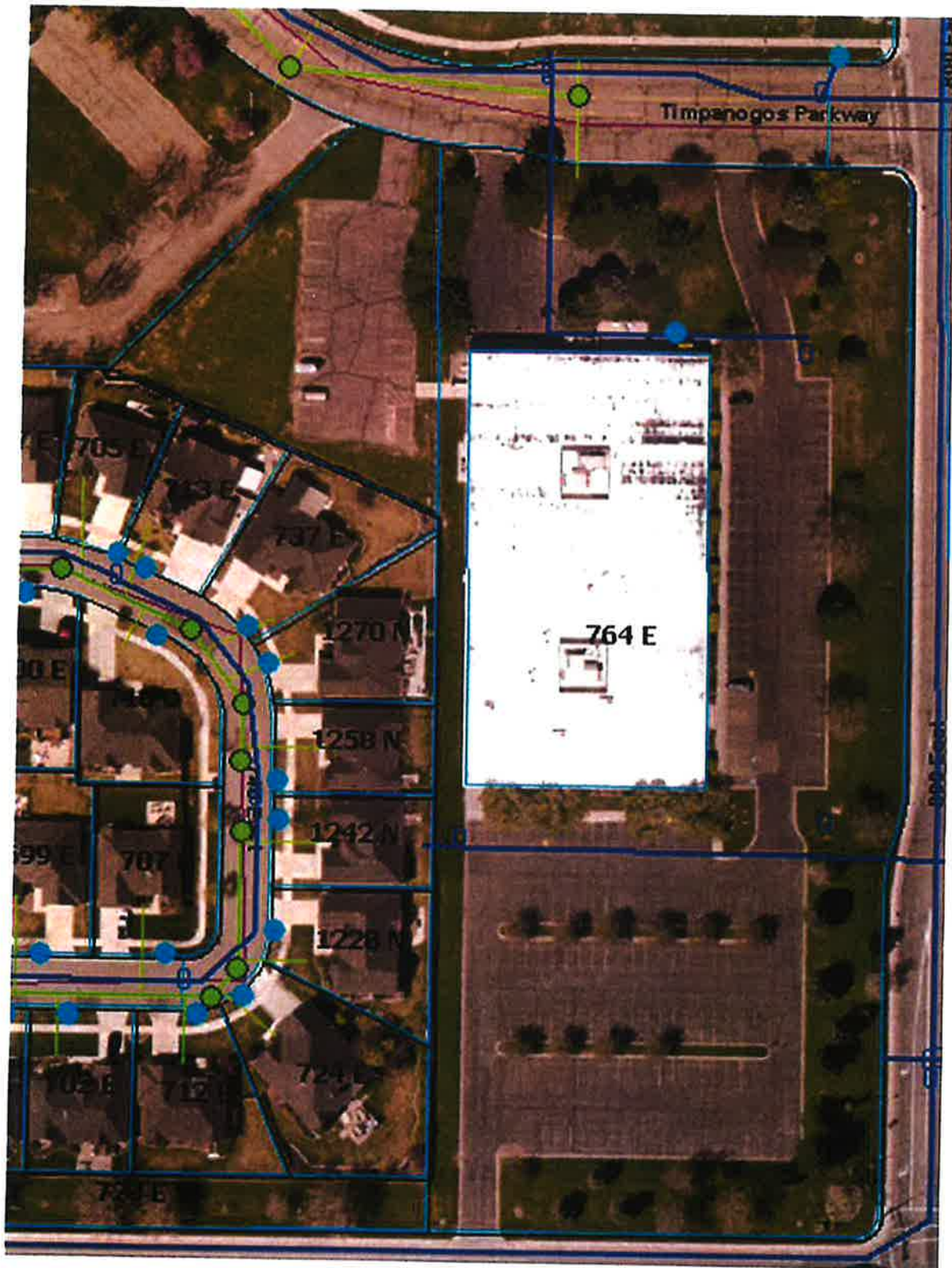
By: _____
Its: _____

Canyon Park Building W TRS, LLC, a Delaware
limited liability company

By: 

Its: Authorized Signatory

Exhibit A



Minutes of Neighborhood Meeting

Purpose: Ordinance Amendment Application, Zone change from PD-6 to C-1
Project: Building W, Timpanogos Research & Technology Park
Address: 1201 N 800 E Orem, Utah 84097
Date: January 29, 2019
Time: 6:30 pm

A neighborhood meeting was held on January 29, 2019 at 6:30 pm at 1201 N 800 E Orem, Utah 84097 to discuss with the neighbors a proposed zone change for the above described project.

Philip Jensen from Unicity (1201 N 800 E, LLC) the applicant, provided an overview of the nature of the business of Unicity, the operating business that occupies Building W, which is an affiliate of the applicant. Philip discussed that Unicity, through its affiliate wants to purchase Building W and the adjacent parking, landscape areas and the "triangular" parcel. Philip explained the need for the zone change was for the Applicant, the new owner to correct the illegal subdivision of the triangular parcel, bring common ownership to the building and surrounding properties as described above, control the cleanliness of the triangular parcel and to continue to maintain under the new owner's control high standards of appearance, organization and cleanliness of the combined properties.

David Schiess discuss the proposed zone change from PD-6 to C-1. He described the history of the PD-6 zone and the description of the C-1 zone.

The meeting was opened to questions and comments.

The following questions and comments were raised:

- Are there walk-in sales? Philip answered "No" to the question.
- Does Unicity have plans to build on the triangular parcel. Philip answered "No" to the question. However, if a building were ever proposed, it would comply with the C-1 zone requirements.
- What is the set back if a building were to be built on the triangular property? We didn't know for sure but suggested it was around 20 feet from the property line.
- Dale Noble, assistant HOA director, wanted it to be clearly understood that the fence (wall) behind the neighbor's property belongs to the neighbors and under no condition is Unicity permitted to lean something against the wall. Philip assured Mr. Noble that would not happen.
- The neighbors are not happy with containers that are being stored on the triangular property. Philip Jensen assured the neighbors that when Unicity purchases the triangular property the containers and any other unauthorized storage units will be removed, and the property will be well groomed.

- The neighbors do not want tall trees planted along the fence in the triangular area that block their view of the mountains. The neighbors also want the old trees on the NE section of the triangular parcel to be cleaned up or removed.
- The neighbors want the tall weeds in the triangular parcel to be cleaned up.
- The neighbors do not want cars parked too close to their wall in the triangular parcel.
- Some of the neighbors thought the light on the loading dock of building W was too bright and asked that it be aligned differently or replaced with a different light bulb that didn't shine at the neighbor's house. Philip explained that when Unicity owns the building, it will address this issue.
- The neighbors commented that they support of the C-1 zone change.
- The neighbors express deep concerns about the future of Timpanogos Research and Technology Park; if it is not financially viable "what-if" someone tries to make drastic changes to the Park such as replace it with gas stations, strip mall and other retail or mixed used businesses. The neighbors fear the unknown and are deeply opposed to this type of use.

The meeting ended at 7:45 pm.

Minutes kept by David Schiess.



Attache Pastor

<u>Name</u>	<u>Address</u>	<u>Phone</u>
Dave Noble	683 E. 1220 N. Orem	801-607-1646
Jim Chatterley	684 EAST 1200 NO. Orem	801-874-9663
VERN & BETH DILLENBECK	713 E. 1280 N. OREM, UT.	(801) 735-1933
Shirley Cail	737 E 1280 N	916 616-8270 503-949-0395
Shirley Myers	" "	
Letha Burrell	687 E 1280 N -	607-2725
Richard & Carol Lynn Allen	~~705 E 1280 N~~ ✓ 705 E 1280 N	801 358-3658
Scott McQuinn		801-318-3972
Marcia Blitzer	687 E 1280 N	858-774-3851

dallini Host President - Joe Walker 801-310-0949
680 E 1220 N. Orem 84097

Planning Commission Minutes – March 6, 2019

Agenda Item 3.3 is a request by David Schiess to request the City rezone approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone.



Staff Presentation: The applicant desires to separate from the current research and technology park and maintain property independently. The applicant and Canyon Park agree with the proposed rezone. The proposed plat is required to fix a discrepancy at the County regarding the existing plat. The plat can be approved independently of the rezone request.

Recommendation: The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission forward a positive

recommendation to City Council to amend Section 22-5-3(A)

and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 North Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone.

The Development Review Committee determined this request complies with the Orem City Code. Staff recommends the Planning Commission vacate Timpanogos Research & Technology Plat C and approving the final plat of Timpanogos Research & Technology Park Plat L located generally at 764 North Timpanogos Parkway in the current PD-6 Zone.

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

Chair Spencer invited the applicant to come forward. Philip Jensen and David Schiess introduced themselves. They had nothing to add to Mr. Allen's presentation.

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

Dave Noble – he is highly pleased with this proposal and wishes to support it. The pie shaped piece of property to the northwest is now an eye sore, the current owner parks large trucks and garbage receptacles there. He is looking forward to that being removed. He has never heard a complaint about the Vivint organization and they take good care of their property.

Mr. Schiess wanted to clarify that it is Unicity.

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

Planning Commission Action: Mr. Spencer moved to send a positive recommendation to the City Council amending Section 22-5-3(A) and the Zoning Map of the City of Orem by changing the zoning on approximately 5.12 acres of property located generally at 764 N Timpanogos Parkway from the PD-6 (Timpanogos Research & Development Park) zone to the C-1 (Commercial) zone; and

For the Planning Commission to approve vacating Timpanogos Research & Technology Plat C and approving the final plat of Timpanogos Research & Technology Park Plat L located generally at 764 N Timpanogos Parkway in the current PD-6 zone. Mr. Staker seconded the motion. Those voting aye: Camille Jensen, David Moulton, Barry Roberts, Ross Spencer, Mike Staker. The motion passed unanimously.



Development Review Committee (DRC) Application Ordinance Amendment

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

www.orem.org

Applicant Information

Name:	1201 N 800 E, LLC, a Utah limited liability company	Phone:	801 226-2600		
Address:	1201 N 800 E	Email:	philip.jensen@unicity.com		
City:	Orem	State:	Utah	Zip:	84097

Project Information

Project Name	Building W, Timpanogos Research & Technology Park
Project Address	1201 N 800 E Orem, Utah 84097

Request	Fees	Total
Subdivision Text	\$1,160	
Zoning Text	\$1,160	
Sign Text Amendment	\$1,160	
☒ Rezone	\$1,228 + \$689 sign fee	\$1917.00
New PD Zone Text	\$3,685 + \$689 sign fee	
Land Use Map Change	\$1,057 + \$689 sign fee	
General Plan Text Change	\$1,057 + \$689 sign fee	
☒ Neighborhood Notice	TBD at time of submittal, if needed	\$279.00
Public Notice	\$100 each for PC and CC, if needed	100.00
Development Agreement UT Co. Fees	TBD at time of recordation	
Total		\$2296.00

Required Copies

\$2,296.00

Two (2) full-size copies no larger than 24" x 36", one (1) 11" x 17" and a PDF and/or Word of all applicable drawings and plans. Files can be emailed to Cheryl Vargas at chvargas@orem.org or submitted on disc prior to the deadline.

General Notes, Signature, and Contact Person

Planning Commission/City Council Meetings. Once the Development Review Committee determines your application is complete and complies with all applicable City ordinances, it shall be forwarded to the Planning Commission if required, and City Council, if required. The City Council is the final approving authority of 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 City Code for the following requests: General Plan amendments, Zoning Ordinance amendments, commercial developments adjacent to a residential zone, all non-residential uses in a residential zone.

DRC Application. The DRC application must be complete at the time of submittal or it may not be accepted.

Filing Fee Notice. Applications filed after July 1 are subject to fee changes regardless of the fee listed on the application used at the time of submittal.

Deadline. The deadline for filing a DRC application is Monday noon for first review the following Thursday. In the case of a Monday holiday, the deadline is Tuesday at noon. Contact information to inquire about the status of an application: Kristina Haycock, 801-229-7095; Jason Bench, 801-229-7238; Kirby Snideman, 801-229-7267; Christian Kirkham, 801-229-7267.

Applicant's Signature: *Philip Jensen* Philip Jensen

Contact Person: David Schless *David Schless* Phone: 801-362-6200

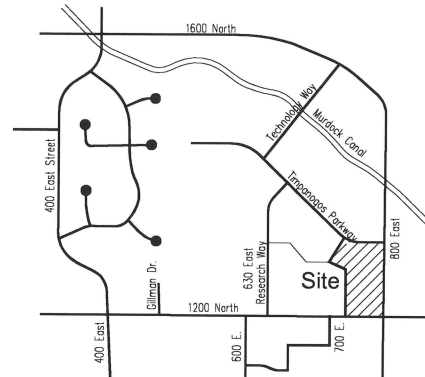
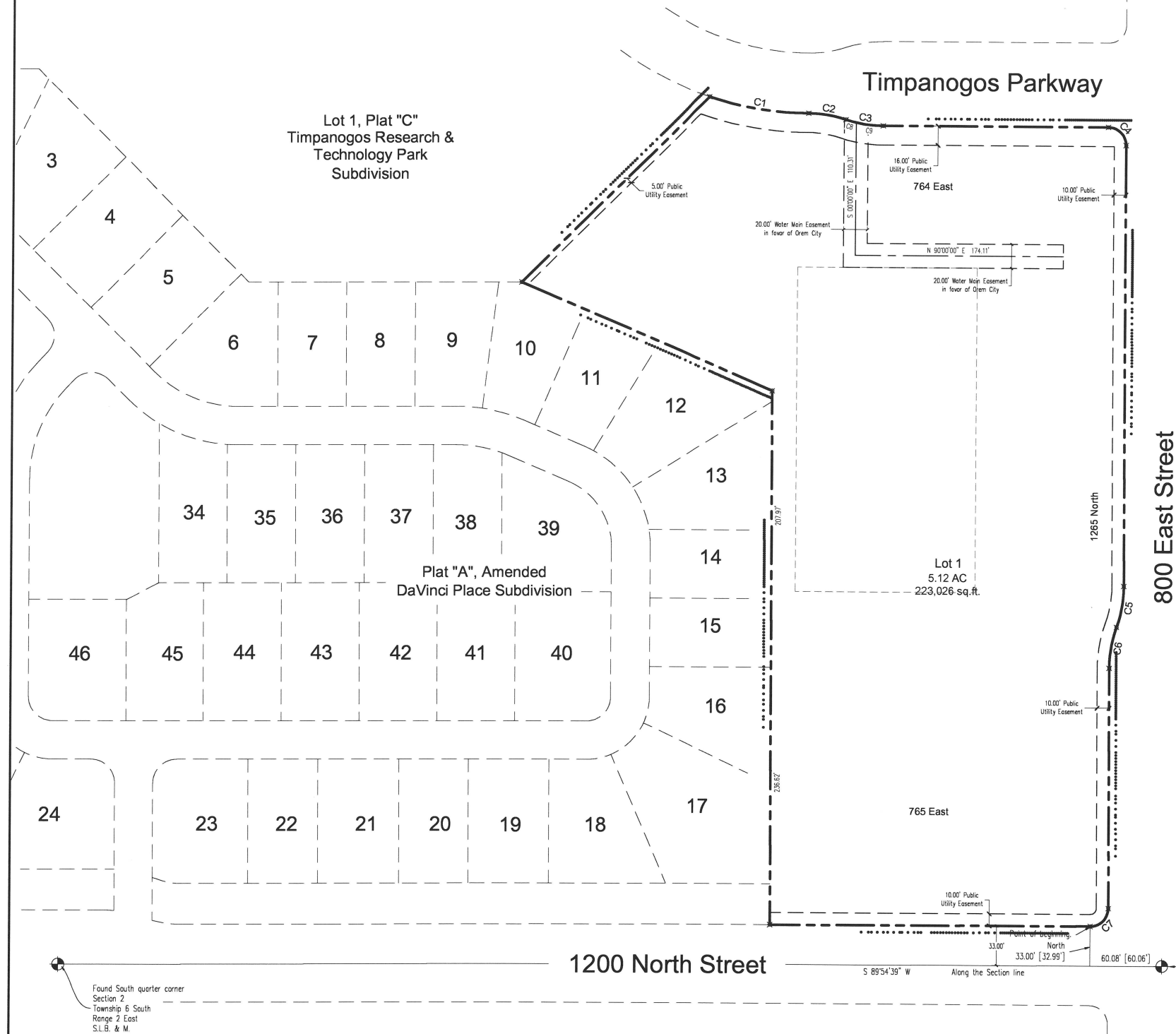
dauidschless@gmail.com Office Use Only

Date Filed: 2/11/19 **Fees Paid:** 2296.00 **Received By:** *JK* **Receipt #:** 2019-21103

1 July 2018



1" = 50'



Vicinity Map

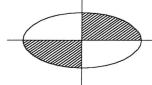
Curve Data Table					
Curve	Radius	Length	Chord	Bearing	Delta
C1	265.00'	84.00'	83.65'	S 80°54'28" E	18°08'40"
C2	100.00'	31.81'	31.68'	S 80°55'07" E	18°13'32"
C3	100.00'	31.75'	31.62'	S 80°54'09" E	18°11'36"
C4	15.00'	23.53'	21.19'	S 45°03'38" E	89°52'29"
C5	100.00'	34.82'	34.64'	S 09°51'11" W	19°56'52"
C6	100.00'	34.82'	34.64'	S 09°51'11" W	19°56'52"
C7	15.00'	23.56'	21.21'	S 44°53'56" W	89°58'35"
C8	100.00'	9.02'	9.01'	S 74°23'19" E	5°09'55"
C9	100.00'	22.74'	22.69'	S 83°29'07" E	13°01'41"

800 East Street

Found Southeast corner
Section 2
Township 6 South
Range 2 East
S.L.B. & M.

Found South quarter corner
Section 2
Township 6 South
Range 2 East
S.L.B. & M.

PREPARED BY



DUDLEY AND ASSOCIATES INC.

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

Plat Vacation Notice

The City of Orem is satisfied that neither the public nor any person will be materially injured by the Vacation of Lot 1 Plat "L", Timpanogos Research & Technology Park Subdivision. Lot 1 Plat "L", Timpanogos Research & Technology Park Subdivision is hereby vacated.

Approved as to Form

City Attorney

Date

Surveyor's Certificate

I, Roger D. Dudley, do hereby Certify that I am a Registered Land Surveyor, and that I hold Certificate No. 142829 as prescribed under the laws of the State of Utah. I further certify by authority of the owners, I have made a Survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots, Blocks, Streets, and Easements and the same has been correctly Surveyed and staked on the ground as shown on this plat and that this plat is true and correct.

Boundary Description

Commencing at a point located South 89°54'39" West along the Section line 60.08 feet and North 33.00 feet from the Southeast corner of Section 2, Township 6 South, Range 2 East, Salt Lake Base and Meridian; thence South 89°54'39" West along the Northerly boundary of 1200 West Street, Orem, Utah 267.99 feet; thence North 00°07'16" West along the Easterly boundary line of Lot 3, Plat "C", Timpanogos Research & Technology Park Subdivision 444.59 feet; thence North 66°45'53" West 227.17 feet; thence North 45°00'00" East along the Northerly boundary line of Lot 2, Plat "G", Timpanogos Research & Technology Park Subdivision 218.52 feet; thence along the boundary line of Plat "G", Timpanogos Research & Technology Park Subdivision, as follows: along the arc of a 265.00 foot radius curve to the left 84.00 feet (chord bears South 80°54'28" East 83.65 feet); along the arc of a 100.00 foot radius curve to the right 31.81 feet (chord bears South 80°55'07" East 31.68 feet); along the arc of a 100.00 foot radius curve to the left 31.75 feet (chord bears South 80°54'09" East 31.62 feet); East 188.69 feet, along the arc of a 15.00 foot radius curve to the right 23.53 feet (chord bears South 45°03'38" East 21.19 feet); South 00°07'16" East 366.84 feet, along the arc of a 100.00 foot radius curve to the right 34.82 feet (chord bears South 09°51'11" West 34.64 feet); along the arc of a 100.00 foot radius curve to the left 34.82 feet (chord bears South 09°51'11" West 34.64 feet); South 00°07'16" East 200.00 feet, along the arc of a 15.00 foot radius curve to the right 23.56 feet (chord bears South 44°53'56" West 21.22 feet) to the point of beginning.

Area = 5.12 acres

Basis of Bearing is South 89°54'39" West from the Southeast corner to the South quarter corner of said Section 2.

Date

Surveyor
(See Seal Below)

Owner's Dedication

Know all men by these presents that we, all of the undersigned owners of all the property described in the Surveyor's Certificate herein and shown on this map, have caused the same to be subdivided into Lots, Blocks, Streets, and Easements and do hereby dedicated the streets and other Public areas as indicated herein for perpetual use of the public.

In witness hereof we have hereunto set our hands this ____ day of _____, A.D. 20__

1201 N 800 E LLC, a Utah limited liability company

by: Lori Storey, Manager

Acknowledgement

STATE OF UTAH }
COUNTY OF UTAH } S.S.

On the ____ day of _____, A.D. 20__, personally appeared before me the signers of the foregoing dedication who duly acknowledge to me that they did execute the same.

My Commission Expires _____

NOTARY PUBLIC
(See Seal Below)

Planning Commission Approval

Approved this ____ day of _____, A.D. 20__, by the Orem City Planning Commission.

Director - Secretary Chairman, Planning Commission Resolution No. _____

Acceptance by the City of Orem

Approved this ____ day of _____, 20__, by Orem City, approves this subdivision and hereby accepts the dedication of all Streets, Easements, and other Parcels of land intended for public purposes for the perpetual use of the public. The City recognizes that this plat clarifies ownership of property with the dedication shown hereon this ____ day of _____, A.D. 20__.

Approved: _____
City Engineer

Approved: _____
City Recorder

Occupancy Restriction Notice

The City of Orem has an Ordinance which restricts the occupancy of buildings within this subdivision. According, it is unlawful to occupy any building located within this subdivision without first having obtained a certificate of occupancy issued by the City.

Conditions of Approval

Plat "L" Amended "

Timpanogos Research & Technology Park
Including a Vacation of a Lot 1, Plat "L"
Timpanogos Research & Technology Park

Subdivision

Orem City, _____ Utah County, Utah

Scale: 1" = 50 Feet

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



City Council Agenda Item Report

Meeting Date: March 26, 2019

Submitted by: Jason Bench

Submitting Department: Development Services

Item Type: Ordinance

Agenda Section:

Subject:

PUBLIC HEARING

ORDINANCE – Amending Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District

Suggested Action:

The proposed amendment requires structures located in the civic zone to maintain at least forty-five percent of a building façade to comply with the maximum setback requirement. The Planning Commission recommends the City Council, by ordinance, amend Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District. Staff supports the recommendation.

Presenter:

Jason Bench

Background:

The Development Services Department request the City amend several sections of the City Center District zone. Section 22-24-1(D) pertains to conflicting standards within Section 22-24-1 and other provisions in the code, if any conflicts exist the provisions of Section 22-24-1 shall control. Section 22-24-1(F) pertains to setback requirements in the CCD (Civ) zone (City Center District Civic zone). The proposed amendment requires structures located in the civic zone to maintain at least forty-five percent of a building façade to comply with the maximum setback requirement.

The design of the new Library Hall with the curved façade along State Street required an amendment to the existing ordinance.

Potentially Affected Area:

Sharon

Attachments:

[Agenda-CityCenterDistrict-MaximumSetback \(1\).docx](#)

[ORD--CityCenterDistrictAmendment-MaximumSetbacks.docx](#)

[Location Map.pdf](#)

[Concept Site Plan.pdf](#)

CITY OF OREM
CITY COUNCIL MEETING
MARCH 26, 2019



REQUEST:	PUBLIC HEARING – Amending Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District.
APPLICANT:	Development Services
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Posted at utah.gov/pmn
- Noticed 227 neighbors within 1000ft of properties

SITE INFORMATION:

General Plan Designation:
Mixed-Use

Current Zone(s):
City Center District

Acreage:
CCD- Civ zone

Neighborhoods:
Sharon

**PLANNING COMMISSION
RECOMMENDATION**

Vote: 5-0 for approval

PREPARED BY:
Grant Allen
Orem City Planner

REQUEST: The Development Services Department requests that the City Council amend Section 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District.

BACKGROUND: The Development Services Department requests that the City Council adopt several amendments to Section 22-24-1 pertaining to the City Center District zones.

The first proposed amendment would amend Section 22-24-1(D) to specify that in case of any conflict between a provision contained in Section 22-24-1 and another section of the City Code, the provision contained in Section 22-24-1 would control. The language of this proposed amendment is as follows:

D. Default Standards.

Default Standards. With respect to the CCD-C, CCD-E and CCD-Civ zones, the standards of the C2 zone (including the “Zone Development Standards for the State Street Corridor Area” where applicable) shall apply to any regulation not specifically addressed in this Section 22-24-1. With respect to the CCD-Res (A & B) zones, the standards of the PRD zone shall apply to any regulation not specifically addressed in this Section 22-24-1. To the extent there is any conflict between the standards contained in this Section 22-24-1 and other provisions of the City Code, the provisions of this Section 22-24-1 shall control.

The second proposed amendment would amend Section 22-24-1(F) pertaining to setback requirements in the CCD (Civ) zone (City Center District Civic zone). The proposed amendment provides that where an addition to an existing building is made, only forty-five percent of a building façade must comply with the maximum setback requirements. It also provides that where a building addition is on a lot that has frontage on both State Street and a State Street Connector Street (any public street that intersects with State Street), the building addition only has to comply with the maximum setback requirement from either State Street or the State Street Connector Street. The text of this proposed amendment is as follows:

Section 22-24-1(F)(2)(d)(vi). **Exception to Maximum Setback Requirement.**

vi. Where at least twenty-five percent (25%) of the perimeter of a building addition is connected to an existing building in the CCD-Civ zone, the following exceptions apply:

(i) only forty-five percent (45%) of an applicable building façade is required to comply with the maximum setback requirement; and

(ii) where the building addition is on a lot that has frontage on both State Street and a State Street Connector Street, the building addition is only required to comply with the maximum setback (with respect to 45% of the applicable façade) from either State Street or a State Street Connector Street.

The final amendment would amend Section 22-24-1(F)(6)(b) pertaining to entrances for buildings on a corner lot. This proposed amendment would clarify that an addition to an existing building would not be required to have a building entrance at the corner of the lot where the elements of subsection 22-24-1(F)(2)(d)(vi) are met (the second amendment proposed above). The text of this proposed amendment is as follows:

b. Lots within the CCD-C zone with frontage on both State Street and Center Street shall have an entrance on the corner where the two streets meet. However, this requirement shall not apply for building additions that meet the elements of subsection 22-24-1(F)(2)(d)(vi).

The design of the new Library Hall with the curved façade along State Street required the amendments described above. The proposed amendments would allow this unique and attractive type of building façade while still meeting the intent of bringing new buildings up close to the back of sidewalk.

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to standards within the City Center District. Staff supports the recommendation.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE OF THE OREM CITY COUNCIL AMENDING SECTIONS 22-24-1(D) AND 22-24-1(F) OF THE OREM CITY CODE PERTAINING TO STANDARDS WITHIN THE CITY CENTER DISTRICT (CCD-CIV ZONE)

WHEREAS on March 4, 2019, the Orem City Development Services Department filed an application requesting the City amend Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to standards within the City Center District (CCD-Civ zone); and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on March 20, 2019, and the Planning Commission recommended approval of the request; and

WHEREAS a public hearing considering the subject application was held by the City Council on March 26, 2019; and

WHEREAS the agenda of the Planning Commission meeting and the City Council meeting at which the request was heard were posted at the Orem Public Library, on the Orem City webpage, at the City Offices at 56 North State Street and at utah.gov/pmn; 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 will allow a unique and attractive building design with a curved façade for a new library auditorium along State Street while still meeting the intent of bringing new buildings up close to the back of sidewalk.
2. The City Council hereby amends Section 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to standards within the City Center District (CCD-Civ zone) 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. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

DRAFT

PASSED, APPROVED and ORDERED PUBLISHED this 26th day of **March** 2019.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐
Debby Lauret	☐	☐	☐
Sam Lentz	☐	☐	☐
Tom Macdonald	☐	☐	☐
Mark Seastrand	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐

DRAFT

EXHIBIT A

Section 22-24-1(D) **Default Standards.**

Default Standards. With respect to the CCD-C, CCD-E and CCD-Civ zones, the standards of the C2 zone (including the “Zone Development Standards for the State Street Corridor Area” where applicable) shall apply to any regulation not specifically addressed in this Section 22-24-1. With respect to the CCD-Res (A & B) zones, the standards of the PRD zone shall apply to any regulation not specifically addressed in this Section 22-24-1. To the extent there is any conflict between the standards contained in this Section 22-24-1 and other provisions of the City Code, the provisions of this Section 22-24-1 shall control.

Section 22-24-1(F)(2)(d)(vi) **Design Standards.**

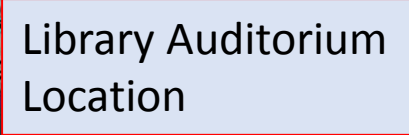
vi. Where at least twenty-five percent (25%) of the perimeter of a building addition is connected to an existing building in the CCD-Civ zone, the following exceptions apply:

(i) only forty-five percent (45%) of an applicable building façade is required to comply with the maximum setback requirement; and

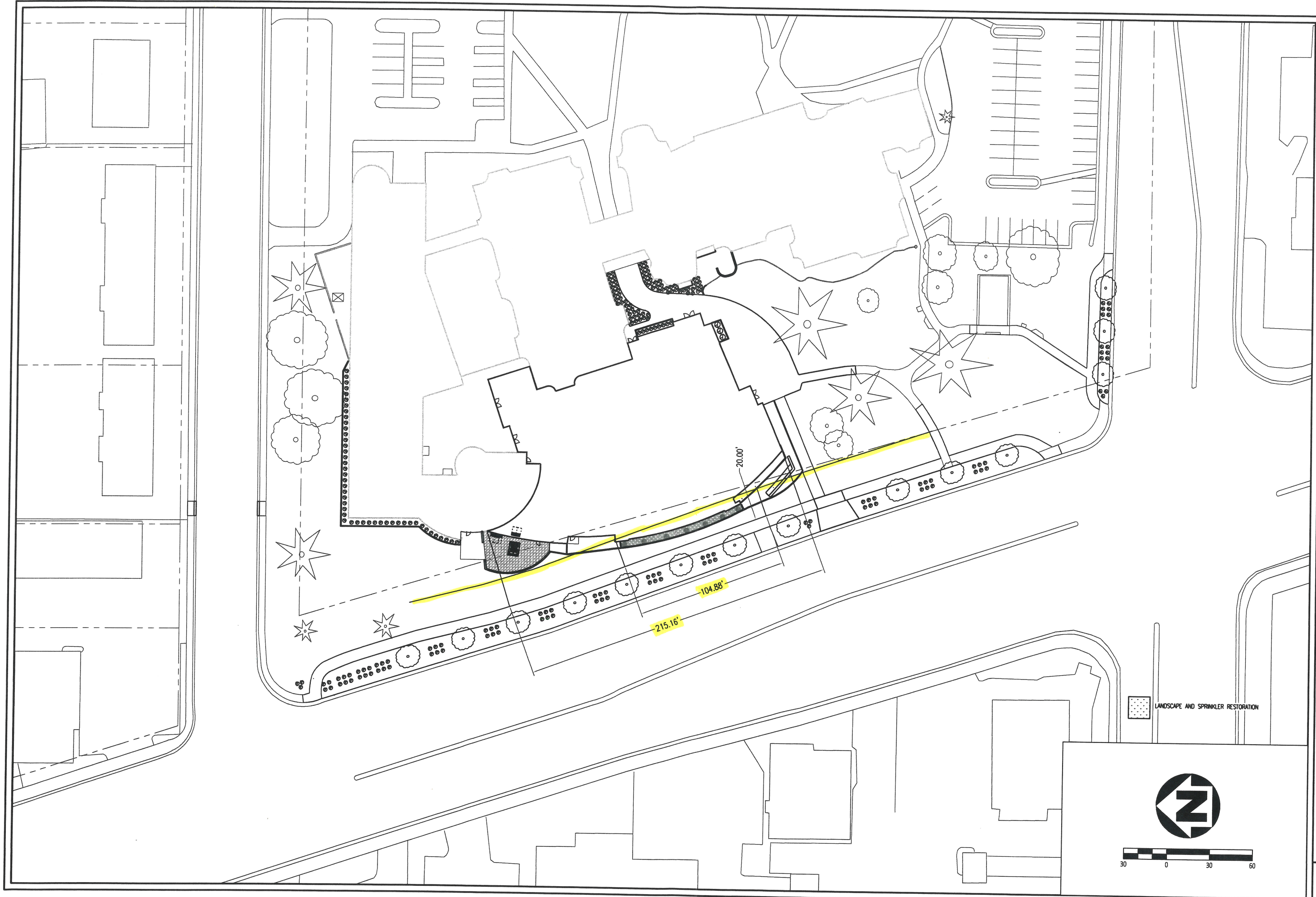
(ii) where the building addition is on a lot that has frontage on both State Street and a State Street Connector Street, the building addition is only required to comply with the maximum setback (with respect to 45% of the applicable façade) from either State Street or a State Street Connector Street.

Section 22-24-1(F)(6)(b)

b. Lots within the CCD-C zone with frontage on both State Street and Center Street shall have an entrance on the corner where the two streets meet. However, this requirement shall not apply for building additions that meet the elements of subsection 22-24-1(F)(2)(d)(vi).



City Center



L1	LIBRARY AUDITORIUM		CITY OF OREM				APPROVAL RECOMMENDED FEBRUARY 2019 FEBRUARY 2019 FEBRUARY 2019	
	X:\MISC\2018 LIBRARY AUDITORIUM\DWG\BASE_01.02.19 LANDSCAPE PLAN		DEVELOPMENT SERVICES ENGINEERING DIVISION 56 NORTH STATE ST OREM, UT 84057		DESCRIPTION DATE DATE DATE		APPROVED DATE DATE DATE	
						DEVELOPMENT SERVICES DIRECTOR		

Agenda Item 3.5 is a request by Development Services to request the City amend Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District.

Staff Presentation: The Development Services Department request the City amend two sections of the City Center District zone.

D. Default Standards.

Default Standards. With respect to the CCD-C, CCD-E and CCD-Civ zones, the standards of the C2 zone (including the “Zone Development Standards for the State Street Corridor Area” where applicable) shall apply to any regulation not specifically addressed in this Section 22-24-1. With respect to the CCD-Res (A & B) zones, the standards of the PRD zone shall apply to any regulation not specifically addressed in this Section 22-24-1. To the extent there is any conflict between the standards contained in this Section 22-24-1 and other provisions of the City Code, the provisions of this Section 22-24-1 shall control.

F. Design Standards.

2. **Setbacks.** Except as otherwise provided below, there are no minimum setbacks in the CCD zones.

a. **Maximum Setbacks.** Except as otherwise provided herein, the ground level story of all buildings shall be set back no more than ten feet from the back of a required sidewalk. However, buildings may be set back an additional ten feet (for a total of twenty feet) from the back of a required sidewalk if the entire additional setback area is utilized as a “space open to the public” such as a plaza or outdoor dining area that is designed to be utilized by the public on a regular basis. A “space open to the public” as described herein must meet the definition provided in Section 22-2-1. An illustration of the maximum setback as well as the additional ten foot setback for a space open to the public is provided below.

d. **Exception to Maximum Setback Requirement.** Except as otherwise provided herein, no building may be constructed on a lot that has frontage on a public street unless the building complies with the maximum setback requirements set forth above.

i. Notwithstanding the above, a building that does not meet the maximum setback requirements may be constructed on a parcel if at least 50% of that parcel’s street frontage is occupied by a building(s) facade that is located within twenty feet (20’) of the back of required sidewalk.

ii. A lot where less than fifty percent (50%) of the street frontage is occupied by a building(s) facade located within twenty feet (20’) of the back of required sidewalk may not be subdivided in such way that creates a new lot. (1) that has no street frontage, or (2) where the percentage of the street frontage of the original lot included in the new lot is less than the percentage of the area of the original lot included in the new lot. For example, if a lot has 200 feet of street frontage and 40,000 square feet of area, a lot that is subdivided off the original lot that has 50 feet of street frontage (25% of the total frontage of the original parcel) may not have a total lot area greater than 10,000 square feet (25% x 40,000). The intent of this requirement is to prevent circumvention of the maximum setback requirement. This example is demonstrated in the following graphics:

iii. The width of one required street access (up to a maximum of thirty feet (30’) may be subtracted from the total parcel width when calculating the 50% frontage occupancy requirement.

iv. A building that does not meet the maximum setback requirements may be constructed before the 50% frontage occupancy requirement is met provided that buildings that will bring the lot into compliance with the 50% frontage occupancy requirement are constructed concurrently with the building that does not meet the maximum setback requirement.

v. The maximum setback requirements do not apply to detached, single-family dwellings.

vi. Where at least twenty-five percent (25%) of the perimeter of a building addition is connected to an existing building in the CCD-Civ zone, the following exceptions apply:

(i) only forty-five percent (45%) of an applicable building façade is required to comply with the maximum setback requirement; and

(ii) where the building addition is on a lot that has frontage on both State Street and a State Street Connector Street, the building addition is only required to comply with the maximum setback (with respect to 45% of the applicable façade) from either State Street or a State Street Connector Street.

6. Entrances.

a. All primary buildings in the CCD-C, CCD-E and CCD-Civ zones shall have at least one entrance intended for public, daily customer, and/or resident use oriented toward a public street, public open space, or a privately-owned “space open to the public”, with first priority assigned to State Street, and second priority assigned to all other public streets.

b. Lots within the CCD-C zone with frontage on both State Street and Center Street shall have an entrance on the corner where the two streets meet. However, this requirement shall not apply for building additions that meet the elements of subsection 22-24-1(F)(2)(d)(vi).

c. Corner entrances at street intersections are encouraged throughout the CCD zones. An example of a desirable corner entrance is shown in the following image

Recommendation: Development Services recommends the Planning Commission forward a positive recommendation to City Council to amend Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District.

Mr. Cook asked if the Planning Commission had any questions for Mr. Bench. Mr. Spencer asked if this change will make someone mad. Mr. Bench said no, this only applies to the City Center District. In the future they may look at other options, but now it only affects this particular part of the ordinance. It is technical, but this allows the Library Hall to be built the way that it is proposed. Forty-five percent of the building meets the standard, but this allows the flared ends to be outside of the standard because it ties back into the City Center.

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

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

Planning Commission Action: Mr. Cochran moved to forward a positive recommendation to City Council to to amend Sections 22-24-1(D) and 22-24-1(F) of the Orem City Code pertaining to design standards within the City Center District. Ms. Jensen seconded the motion. Those voting aye: Mickey Cochran (remotely), Carl Cook, Camille Jensen, Barry Roberts and Ross Spencer (remotely). The motion passed unanimously.



City Council Agenda Item Report

Meeting Date: March 26, 2019

Submitted by: Richard Manning

Submitting Department: Administrative Services

Item Type: Ordinance

Agenda Section:

Subject:

CONTINUED ITEM

PUBLIC HEARING/ORDINANCE - FY 2018-2019 Budget Amendment of the Street Lighting Fees

Suggested Action:

It is recommended that the City Council, by ordinance, amend the street lighting fee from \$3.25 per Equivalent Lighting Unit (ELU) to \$2.34 per ELU according to the approved schedule.

Presenter:

Richard Manning and Brandon Nelson

Background:

In the March 12, 2019 meeting the City continued discussion of amending the Street Lighting fee to allow staff time to research a question that was brought up just prior to the discussion. The question has been answered and it does not affect the original proposal.

The City is proposing an amended Street Lighting fee to cover the operations and maintenance of the existing street lighting system. The fee will cover all residential, business and institutional customers in the City. Each customer will pay one ELU at \$2.34 per unit. Each residential home, apartment, condominium will be considered a separate unit and assessed a fee. Each business will pay the annual fee at the time they renew their business license (Home Occupations excepted) and each institutional customer will pay one ELU per month on their monthly utility bill. These charges will phase in over time according to the adopted schedule.

Potentially Affected Area:

Citywide

Attachments:

[ORD--Budget Amendment-Feb 2019.docx](#)

[Bond & Street Lighting Budget Amendment Exhibits A & B.pdf](#)

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF OREM, UTAH, AMENDING THE FISCAL YEAR 2018-2019 BUDGET

WHEREAS on May 22, 2018, the City Council adopted a final budget following State law; and

WHEREAS the City Council held a public hearing on March 12, 2019, to receive input from the public regarding proposed amendments to the Fiscal Year 2018-2019 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 2018-2019 Budget as shown in Exhibit “A” and Exhibit “B” which are 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 passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED and ORDERED PUBLISHED this **12th** day of **March** 2019.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD’Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	☐	☐	☐
Debby Lauret	☐	☐	☐
Sam Lentz	☐	☐	☐
Tom Macdonald	☐	☐	☐
Mark Seastrand	☐	☐	☐
David Spencer	☐	☐	☐
Brent Sumner	☐	☐	☐

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2018-2019

REVENUES

<u>Account Number</u>	<u>Note</u>	<u>Description</u>	<u>Previous Budget</u>	<u>Current Budget</u>
GENERAL FUND				
10-3316	1	Library - CLEF Grant	\$ 20,000.00	\$ 21,500.00
10-3414-002	2	Fees - Notices - Sign Replacement	250.00	689.00
10-3690-003	1	Misc Revenues - Police Department Donations	10,530.00	15,686.62
10-3995-013	1	Cont. From - Fund 73 - Orem Foundation	1,000.00	2,171.00
10-3995-028	3	Cont. From - Fund 23 - UP CDA - Overhead	-	44,738.84
Total			<u>\$ 31,780.00</u>	<u>\$ 84,785.46</u>
Net Fund Increase				<u>\$ 53,005.46</u>
MAJOR CRIMES TASK FORCE (MCTF)				
25-3424-004-002	1	MCTF - Forfeitures Revenues - Federal (Treasury)	\$ 77,428.72	\$ 87,428.72
25-3424-005	1	MCTF - Restitution/Seizure Revenues	29,060.00	66,060.00
Total			<u>\$ 106,488.72</u>	<u>\$ 153,488.72</u>
Net Fund Increase				<u>\$ 47,000.00</u>
CAPITAL IMPROVEMENT PROJECT FUND				
45-3995-013	1	Cont. From - Fund 73 - Orem Foundation	\$ 100,000.00	\$ 106,019.37
Total			<u>\$ 100,000.00</u>	<u>\$ 106,019.37</u>
Net Fund Increase				<u>\$ 6,019.37</u>
CAPITAL IMPROVEMENT PROJECT FUND - 2019 G.O. BONDS				
47-3000	4	Bond Proceeds - 2019 General Obligation Bonds	\$ -	\$ 24,500,000.00
47-3000	4	Bond Premium Proceeds/Discounts - 2019 G.O. Bonds	-	3,709,763.20
Total			<u>\$ -</u>	<u>\$ 28,209,763.20</u>
Net Fund Increase				<u>\$ 28,209,763.20</u>
OREM FOUNDATION TRUST FUND				
73-3910-003	1	Donations - Orem Library	\$ -	\$ 1,071.00
73-3910-004	1	Donations - Orem City	1,000.00	6,100.00
73-3910-005	1	Donations - Library Hall / Fitness Center	100,000.00	101,019.37
Total			<u>\$ 101,000.00</u>	<u>\$ 108,190.37</u>
Net Fund Increase				<u>\$ 7,190.37</u>
Total City Funds			<u>\$ 339,268.72</u>	<u>\$ 28,662,247.12</u>
Net City Funds Increase				<u>\$ 28,322,978.40</u>

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2018-2019

EXPENDITURES

Account Number	Note	Description	Previous Budget	Current Budget
GENERAL FUND				
Planning				
10-6020-430	2	Public Notice Sign Replacements	\$ 1,119.03	\$ 1,558.03
Support Services				
10-6550-250-012	1	Equipment - VIPS	-	3,500.00
Communications				
10-6551-230	1	Employee Development	7,400.00	9,056.62
Recreation / Outdoor Programs				
10-8100-130	1	Salaries & Wages - Temporary - Apple Inc Donation	48,000.00	48,100.00
Library Administration				
10-8510-250-010	1	Equipment - CLEF Grant	-	1,500.00
Patron Services				
10-8530-240-013	1	Supplies - Maker Space - Donations	-	1,071.00
Non-Departmental Expenditures				
10-9910-999-003	3	Contingency - Budget	267,164.10	311,902.94
Total			<u>\$ 323,683.13</u>	<u>\$ 376,688.59</u>
Net Fund Increase				<u>\$ 53,005.46</u>
MAJOR CRIMES TASK FORCE (MCTF)				
25-6531-250	1	Equipment	\$ 9,511.27	\$ 24,511.27
25-6531-250-005	1	Equipment - Forfeitures (Treasury)	10,000.00	20,000.00
25-6531-280	1	Telephone & Communications	80,000.00	100,000.00
25-6531-290	1	Maintenance & Repairs	6,723.14	7,723.14
25-6531-290-021	1	Maintenance & Repairs - Fleet	2,110.44	3,110.44
Total			<u>\$ 108,344.85</u>	<u>\$ 155,344.85</u>
Net Fund Increase				<u>\$ 47,000.00</u>
CAPITAL IMPROVEMENT PROJECT FUND				
45-6034-720-306		Fitness Center	\$ -	\$ 509.69
45-6034-720-445	1	Library Hall	100,000.00	100,509.68
45-6034-732-442	1	Geneva Park Renovation Project	-	5,000.00
Total			<u>\$ 100,000.00</u>	<u>\$ 106,019.37</u>
Net Fund Increase				<u>\$ 6,019.37</u>
CAPITAL IMPROVEMENT PROJECT FUND - 2019 G.O. BONDS				
47-8015-600	4	Bond Issuance Costs - 2019 G.O. Bonds	\$ -	\$ 327,825.00
47-8015-730-306	4	Fitness Center / Library Hall Capital Projects	-	27,881,938.20
Total			<u>\$ -</u>	<u>\$ 28,209,763.20</u>
Net Fund Increase				<u>\$ 28,209,763.20</u>
OREM FOUNDATION TRUST FUND				
73-8591-920-002		Cont. To - Fund 10 - Orem Library	\$ -	\$ 1,071.00
73-8591-920-004		Cont. To - Fund 10 - Orem City	1,000.00	1,100.00
73-8591-920-013	1	Cont. To - Fund 45 - Orem City	100,000.00	106,019.37
Total			<u>\$ 101,000.00</u>	<u>\$ 108,190.37</u>
Net Fund Increase				<u>\$ 7,190.37</u>
Total City Funds			<u>\$ 633,027.98</u>	<u>\$ 28,956,006.38</u>
Net City Funds Increase				<u>\$ 28,322,978.40</u>

EXHIBIT "A"
BUDGET AMENDMENTS
FISCAL YEAR 2018-2019

NOTES

These notes are attached to the budget amendments summary to describe the more unusual or extraordinary amendments to the Fiscal Year 2018-2019 City of Orem Budget that have been necessitated to this point in the fiscal year. Some of the amendments listed in the summary may be immaterial and/or are technical corrections that any organization of this size would expect to encounter during an operating year and therefore, no specific note has been given for these items. Please contact Brandon Nelson, Accounting Division Manager, at 801-229-7010, if you have any questions or concerns.

- 1) The City receives grant or donation funds during the year to aid many different operations such as the Police Department (Major Crimes Task Force Grants) and the City's new library hall (private donations). 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) Development notice signs need to be replaced and the funds received for this purpose exceed the budgeted revenue by this amount.
- 3) The University Place CDA received property tax funds and the City is to receive 5% of these funds as an administrative fee under the agreement. Since no funds were budgeted for this administrative fee, this amendment adds the transfer from the RDA to the General Fund.
- 4) The City issued 2019 General Obligation Bonds in February 2019 as authorized by a vote of the citizens of Orem in November 2018. The City received the funds from this bond sale on Tuesday, February 26, 2019. This amendment adds these funds into a Capital Project fund in order to account for the costs associated with the construction of a Library Hall and improvements and renovation of the City's Fitness Center.

Exhibit “B”

Street Lighting Fee

Current Fee:

	ELU
Billed per equivalent lighting unit	\$3.25/month

New Fee: \$2.34/month per equivalent lighting unit (ELU)

The New Fee will be implemented at various times according to the schedule set forth below. Until the New Fee is implemented, the City will continue assessing the Current Fee (\$3.25/month/ELU) according to the assessment methods previously used for the Current Fee. When the New Fee is implemented, it will be assessed according to the assessment methods described below.

Street Light Fee	Implementation Date	Rate
All Businesses (one ELU assessed per business license*)	July 1, 2019	\$2.34/month
All apartments, condos and townhomes (one ELU assessed per residential unit)	July 1, 2019	\$2.34/month
Institutional Accounts (Schools, Churches, Non-profits, etc.) (one ELU assessed per facility)	July 1, 2019	\$2.34/month

* Includes businesses that should have a business license by ordinance, but don't. Does not apply to home occupation businesses, which are billed the regular residential fee.

Single family residential homes will switch from the Current Fee to the New Fee by neighborhood, according to the schedule set forth below. The schedule reflects when each neighborhood has completed paying its portion of the street lighting bonds.:

April 1, 2019	July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022
Cherry Hill	Geneva Heights	Sunset Heights West	Sharon Park	Canyon View
Lakeview	Windsor	Aspen	Timpview	
	Orem	Sharon	Hillcrest	
	Orem North	Northridge	Cascade	
	Suncrest	Heatheridge	Orchard	
	Lakeridge			
	Stonewood			
	Sunset Heights East			
	Orem Park			

Exhibit “B”

Street Lighting Fee

- 1) The purpose of the fee is to maintain and replace the existing street lighting system.
- 2) The assessment method for the current fee is based on frontage. The assessment method for the New Fee is to charge one ELU per unit. Each residence, business, school, church, etc. will be considered one unit and charged one ELU.
- 3) Businesses will be assessed their portion of the street lighting fee with their business license.

Street Lighting Billing Policy

With the Street Lighting bond paid off the City has need to continue funding the day-to-day operation and maintenance of the system. The system is a benefit to all within the City without regard if there is a street light in front of a given home, business or apartment or within a private residential development neighborhood. The benefit is from the lowered crime rates, the improved ability to travel about the City after dark. Because of this each residence, business and institution equally benefits from a functioning street light system. Therefore, each residence, business or institutional unit in the City will be billed the same monthly fee. This will be referred to as an equivalent lighting unit (ELU).

This method of billing for the operational cost of the street lighting system was chosen for its overall ease in implementation as well its overall fairness to all who benefit from the system. By equally billing all who benefit from the system, the monthly bill is kept to a minimum while producing enough revenue to cover ongoing system expenses.

Businesses will be billed the street lighting fee when they renew their business license instead of on their monthly utility bill. This change will reach all licensed businesses even those that do not have a monthly utility bill. Licensed home occupation businesses will not have a street lighting fee in addition to their regular residential fee.

The following types of utility accounts will not be charged a street lighting ELU fee: sprinkling system accounts, HOA accounts not associated with a building unit, and vacant lots.