

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
September 17, 2019

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Debby Lauret, Sam Lentz, Tom Macdonald (participated electronically), Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Scott Gurney, Fire Chief; Gary Giles, Police Chief; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Director; Brandon Nelson, Finance Division Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Paul Goodrich, Transportation Engineer; Jon Ditto, Assistant City Attorney; and Jackie Lambert, Deputy City Recorder

DISCUSSION – Boards & Commissions Follow-up

Mr. Downs reminded the City Council of previous discussions about the desire to modify code as it related to boards and commissions. He said the majority of changes were broad and applicable to all commissions, though a handful of the proposed changes would be more specific to individual bodies. He then asked Mr. Ditto to review the proposal.

Mr. Ditto said the boards and commissions that would not be affected by these changes would be the Planning Commission, Board of Adjustments, and Board of Building and Fire Code Appeals. He said the rationale behind the changes included more flexibility for commissions, removing unnecessary or inapplicable language, and having code reflect what they were already doing. Mr. Ditto reviewed the proposed changes:

- When a member is replaced, the new member starts a new term rather than completing the old member's remaining time;
- Remove term limits;
- Eliminate "staggered" terms for initial members of the CARE, Heritage, Natural Resources, Public Works, and Arts Council commissions;
- If a member misses more than 25% of meetings, they may be removed but are not automatically removed;
- Define a quorum as a majority of the appointed members, with a minimum of three;

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- Chairpersons are appointed annually, rather than specifically in the “first meeting in January”; and
- Adjusting the number of members, length of term, and frequency of meetings according to commission preference.

Mr. Ditto then reviewed the specific changes proposed, and said they planned to eliminate four boards whose duties had been absorbed by other boards, or were now obsolete. There was discussion about the elimination on term limits, and the way they would allow for new commission members and keeping fresh eyes on the discussion. Mr. Downs said they would bring an ordinance to the Council as a consent item at a future meeting.

DISCUSSION – Rental Properties

Mr. Downs said the City had been looking into ways to improve code enforcement and utility billing challenges that existed with rental properties throughout the City. He said he would present information on staff’s research and asked the Council to consider the proposed changes. The goal was to strengthen neighborhoods, increase the accountability for landlords/property owners, and reduce the City’s costs associated with rentals. Mr. Downs clarified that the term landlord included property owners as well as property management companies. He said these issues were prevalent in college towns, like Orem, Provo, Logan, and St. George.

Mr. Downs shared the desired outcomes for introducing a rental licensing program, which included:

- Improving neighborhood contact information so the Neighborhood Preservation Unit (NPU) could proactively work with landlords pertaining to property issues;
- Giving the City “teeth” to prevent inattentive landlords from ignoring issues;
- Preventing the City from having to “absorb” uncollected utility bill costs on rental properties (approximately \$50,000 per year); and
- Reducing the disproportionate amount of time staff dealt with rental properties (changing names on accounts, collections, verifying lease agreements, work orders, etc.)

Mr. Downs added that a rental property licensing program, in addition to creating a better database for contacting landlords, would make it easier to identify illegal rental properties. Mr. Davidson said they were taking the approach that these rentals were a business, and should have similar licensing requirements as businesses.

Sgt. Eric Ahlborn, NPU, said the proposed program would assist his unit in resolving neighborhood issues more quickly. In response to question about property management companies, Sgt. Ahlborn said they were particularly difficult to work through. He said most tenants did not realize their rental violated code, and the landlords were ultimately responsible. He added that rental property issues were not only an issue around UVU but throughout the city.

There was discussion on the proposed program, and the success of surrounding cities with existing rental licensing programs. Mr. Downs said as currently proposed, the rental license would include a “base fee” to be a licensed landlord. They also hoped to apply a “per unit fee” but first a municipal study would be required to show the impact of each unit. The licensing fees

would go toward administering the licensing program, but the disproportionate costs study would need to be completed. After brief discussion on short-term rentals like Airbnb and VRBO, Mr. Downs asked for direction from the Council. The general consensus was to move forward with the study and continue to work on the licensing program.

DISCUSSION – Parking – State Street Districts

Mr. Bench led the discussion regarding State Street District parking standards in connection with the recently completed citywide parking study. He shared current parking requirements, and the recommendations from the parking study; he then shared the proposed parking changes. He clarified that this study was not in regards to student housing, but was for other residential developments. Mr. Bench said a common problem was that people given the choice of paying for a parking space or “opting out”, they were opting out and parking along the streets or in neighborhoods. If the cost of the parking was lumped in with rent, however, it seemed to be less of a problem. He told the Council that the Planning Commission had recommended the amendments.

There was discussion on the proposed changes. Mr. Spencer expressed concerns about lowering the ratio for residential uses. Mayor Brunst added that some large developments may be coming in and it was critical that the parking be adequate. Mr. Clark said finding the perfect ratio was like trying to hit a moving target. General discussion ensued regarding mixed use developments and best practices for determining adequate parking.

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

Mr. Sumner gave a report on his assignments as a City Council liaison to the Historic Preservation Advisory Commission, the Orem Youth Council, and the Senior Citizen Advisory Commission. He said the Historic Preservation group was a work in progress, as it had not been active for some years. He commented that he worked with some of the youngest and oldest volunteers in the City, and he enjoyed participating with both groups.

The Youth Council had attended a day at the legislature as well as conducting a mock trial, which had been interesting learning experiences. Mr. Sumner said the seniors had been adjusting to the sharing of the Senior Center with Fitness Center patrons, and he felt that accommodation was going well.

Preview Upcoming Agenda Items

The City Council briefly reviewed items that would be coming before the Council in future meetings. Mr. Bench shared a number of planning items that would be considered at the August 27, 2019 meeting. The Council discussed the upcoming items and related issues of concern.

Agenda Review

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The City Council and staff reviewed items on the evening's agenda. There was brief discussion with an applicant of a scheduled item that would be heard during the regular meeting.

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

CONDUCTING

Mayor Richard F. Brunst

ELECTED OFFICIALS

Debby Lauret, Sam Lentz, Tom Macdonald (participated electronically), Mark Seastrand, David Spencer, and Brent Sumner

APPOINTED STAFF

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INVOCATION /

INSPIRATIONAL THOUGHT

Mark Tippets

PLEDGE OF ALLEGIANCE

Steve Earl

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

UPCOMING EVENTS

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

REPORT – Library Advisory Commission

The Library Advisory Commission (LAC) provided an annual update of the Commission and Library activities for 2019. Mrs. Crozier introduced the commission members in attendance: Vice Chair Marsha Cerny, Ken Bonney, Courtney Burns, James Jones, and Mary Stovall Richards. She mentioned absent members Chair Suzanne Stratton and Terri Potts Smith, and specifically thanked Ms. Smith who had completed her second term and was retiring from the commission.

Mr. Bonney began, saying that when libraries succeed so does the community. They highlighted a few programs from the past year, including the summer reading program for school aged children, and various teen initiatives. They discussed library trends and the most popular programs, particularly the increased use of Makerspace and the popularity of e-books and e-audio. Another exciting highlight for the LAC was the beginning construction of the Library Hall. One commission member pointed out that the library was much more than books, but was a place to become culturally literate. They appreciated the support the Library received from the City and from the residents.

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.

Mark Tippets said the citizens demand safety and security, but that always comes at a cost. His concern was about Orem first responders and in particular the low morale in the police and fire departments. In speaking to a Provo Fire Captain, Mr. Tippets said he learned that Orem had once required paramedic certifications for each fire fighter, but believed that was no longer the requirement. Mr. Tippets also believed that Orem's reputation as a fire department had changed drastically, and people were warned not to apply there. He hoped the Council would consider making changes to bring Orem back to where they had been.

Eric Wilkey said he too was addressing issues with the Fire Department. He said many classes were unavailable for fire fighters hoping to qualify for raises with additional training. He felt like they were being told one thing, and yet another thing would happen. It seemed like the career ladder steps were just metaphorical carrots being dangled in front of them that they could never get. Mr. Wilkey said they should look at the pay scale system used in Salt Lake Valley that avoided some of the problems Orem was having. He also said his son Kevin Wilkey, former Orem fire fighter, had his equipment stripped from him during his final shift with Orem, which left that station "a man down" in the case of an emergency. He said this was wrong, and left the city unnecessarily vulnerable.

CONSENT ITEMS

- Approval of August 27, 2019 and September 3, 2019 City Council Meeting Minutes
- City Manager's Appointment of Haysam Sakar to Planning Commission and Reappointment of Stephen Frisby to Board of Building and Fire Code Appeals
- ORDINANCE – Amending City Code to reflect the change from "Department of Administrative Services" to the "Finance Department"
- Staff Appointment – City Manager's recommendation appointing Brandon M. Nelson as Finance Department Director

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

Ms. Lambert, Deputy Recorder, administered the Oath of Office for Mr. Nelson.

SCHEDULES ITEMS

PUBLIC HEARING

ORDINANCE – Amending Appendix U of the Orem City Code by updating the tree requirements in all zones

Mr. Bench said developers reached out to the City expressing concerns regarding the availability of tree species required in Appendix U of Orem's Code. Orem staff worked with the Public Works department and the City Arborist to review changes to the State Street approved tree lists. Groups A through G were evaluated. Staff worked collaboratively to select trees that were readily available, compatible with our region's climate, and aesthetically pleasing. Additionally, staff took the City Arborists recommendation to remove certain tree species from the entirety of Appendix U which did not survive well in the area. This included the Ash trees and the Red Maple. The Planning Commission held a public hearing on August 21, 2019 and recommended approval of the proposed amendment.

Mayor Brunst opened the public hearing at 6:31 p.m. No one came forward, so he then closed the public hearing.

Mr. Seastrand said he enjoyed the variety and beauty of trees within the city. Then **Mr. Seastrand moved**, by ordinance, to amend Appendix U of the Orem City Code by updating the tree requirements in all zones. **Mr. Sumner seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC HEARING

ORDINANCE – Amending Section 22-6-10(I) and Standard Land Use Code 4832 Water Storage Tanks in Appendix A of the Orem City Code pertaining to water storage tanks

Mr. Bench said as part of the City's water infrastructure improvements outlined in the Water Master Plan, the City would be constructing a new municipal water storage tank. The proposed location was still being determined, however, the ordinance needed to be modified to allow the new tank to be located below the elevation of 4910 feet above mean sea level as outlined in the current ordinance. Any new water tank would be required to comply with the standards outlined in the proposed ordinance. In addition, the Standard Land Use Code 4832 Water Storage Tanks would also need to be amended to allow a municipal water storage tank in the R7.5 and R8 zones.

The Planning Commission recommended that the City Council, by ordinance, amend Section 22-6-10(I) and Standard Land Use Code 4832 of the Orem City Code pertaining to water storage tanks. Staff supported the Planning Commission recommendation.

Mayor Brunst opened the public hearing at 6:34 p.m. No one came forward, so he then closed the public hearing.

Mr. Lentz moved, by ordinance, to amend Section 22-6-10(I) and Standard Land Use Code 4832 Water Storage Tanks in Appendix A of the Orem City Code pertaining to water storage tanks. **Mrs. Lauret seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. The motion **passed**.

PUBLIC HEARING

ORDINANCE – Rezoning the property located at 355 West University Parkway from the R8 zone to the PD-5 zone and amend the PD-5 zone to include Standard Land Use Code 5530 Gasoline Service Station With or Without Store as a permitted use

Mr. Bench said applicant Wright Group Development was seeking to rezone the current property to the PD-5 zone with a proposed hotel, retaining the existing office building and proposing a convenience store and gas station on the corner of 400 West and University Parkway. The proposed text amendment to the PD-5 zone would allow gas stations not only at this site but anywhere along the University Parkway corridor where it was zoned PD-5. One of the main purposes of the PD-5 zone was to promote planned commercial, retail developments along the University Parkway corridor. Since the PD-5 zone was created the University Parkway corridor had developed into a valued commercial corridor. Staff concluded that a gasoline Service Station did not meet the intent of the PD-5 zone and would not be in the best interest of the City.

With the UVX Bus Rapid Transit stop directly in front of this development, an office use or other commercial development with a high employment opportunity which took advantage of the direct transit benefit would be a better use for the property. Additional office or retail uses currently permitted in the PD-5 zone would be in the best interest of the city and meet the long-term vision for the corridor. Therefore, staff supported the Planning Commission recommendation to the City Council to deny the request to add Standard Land Use (SLU) Code 5530 as a permitted use to the PD-5 zone.

Mr. Bench invited Leslie Mascaro with Wright Development Group and Kevin Croshaw with Horrocks Engineers to come forward as representatives for the applicant. Mr. Bench said this was an important property along University Parkway and the UVX transit line, and he shared recommendations from the Provo Orem BRT/TOD Study about the potential for the property's future uses. It was because of the great potential of the property that staff recommended denying the request to add a gas station/convenience store; they felt there could be better uses.

Ms. Mascaro shared the Wright Development Group's vision for the property, which included the utilization of the existing office space and the addition of a hotel and Maverik convenience store. She said they also intended to retain the existing amphitheater and gardens, possibly creating a small pocket park on the property. Employees, guests of the hotel, and passengers of the UVX line could purchase amenities at the convenience store and enjoy the park and gardens.

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Ms. Mascaro discussed the “science” behind selecting locations for Maverik convenience stores and in particular the best locations for access. She added that the convenience store would have an excellent security system. She said many riders of the UVX line were between 18-24 years old, and likely did not work the kinds of jobs that would be in offices along University Parkway. It did not make financial sense to build additional office space.

The Council and staff discussed the ingress and egress of the property, and access on University Parkway. Mr. Goodrich spoke to the concerns of traffic and the synchronized intersections. He said he could not imagine a scenario where UDOT would alter the synchronized patterns for an office building, hotel, and Maverik. He said the access to a high-volume Maverik with many cars coming and going throughout the day was a concern, and could potentially cause queuing issues with the access to Krispy Kreme and the intersection. Mr. Goodrich felt the office building and hotel would accommodate one another, and parking would not likely be an issue. The proximity to the UVX bus line was appealing for a business/office location as employees could utilize transit to and from work.

Ms. Mascaro said typically a convenience store was not a destination location but captured existing traffic. The Wright Development Group felt the three uses were complimentary of each other. She said they could be open to providing a secondary access; Mr. Croshaw said the analysis showed little conflict with the access. Mr. Davidson said he was surprised to see Mr. Croshaw advocating for this project, in light of the work he was currently doing with Orem to improve the roundabout on 800 West to University Parkway, and the in-depth work he and Horrocks Engineers had done working with the City for the Transportation Master Plan. He felt they were opposing mindsets.

Mrs. Lauret said there was little or no support for a convenience store from the Planning Commission. This was a prime piece of real estate and they hoped for more.

Mr. Lentz said this was not what he would want next to a UVX station, but was confident they could find a best use. He was not opposed to the PD-5 designation, but did not want to add SLU 5530 to that zone. He noted that convenience stores required more service calls from public safety than most businesses, so Maverik’s need for an excellent security system was not necessarily a virtue. Mr. Lentz also disagreed with the comment that 18-24 year olds would not be working along University Parkway, and said many UVU students worked and chose to ride transit to work.

Mayor Brunst opened the public hearing at 7:25 p.m.

Linda Brown was concerned about the access to the property, and said that cars coming up University Parkway on a blind hill with a curve needing to make a quick right turn into a Maverik would be a hazard coming from the south.

Rae Georgie said she lived near the project property and hoped the zoning decision the Council made would consider the impact on the neighbors. She appreciated how well the Wright Development Group had worked with the neighbors. Ms. Georgie said she thought it unlikely that 18-24 year olds would give up their car to ride transit, especially when there were few other bus lines to connect to UVX across the city.

Martin Wright said traffic was unpredictable, and University Parkway was a major road. He expressed concern about lights from a gas station being at a height that could “blind” drivers. Mr. Wright felt there were other ways to configure the property, and said he did not believe there was adequate space for a gas station at that location. This stretch of University Parkway was an entryway to the city, so the question was what they wanted the city to look like. He personally did not think a Maverik was the way to welcome people to Orem.

Mayor Brunst closed the public hearing at 7:31 p.m.

Ms. Mascaro addressed some of the concerns mentioned during the public hearing, and thanked the neighbors for their attendance throughout the process. There was continued discussion between Ms. Mascaro and the Council. Mr. Seastrand added that he was not in favor of residential units or quick-serve restaurants (QSR), but liked the idea of additional office space. Mayor Brunst shared some creative alternatives to a convenience store which he felt were better uses for the beautiful property, including an upscale hotel and/or restaurants, or a family-friendly attraction like a museum. Discussion ensued regarding the hotel chains that were being considered for the property, and alternative options to a convenience store.

Mayor Brunst was hopeful that a creative solution could be found that worked for all parties. He suggested that they continue the discussion regarding the rezone of the project property from R8 to PD-5, and vote separately on the issue of adding SLU Code 5530 to the PD-5 zone. Ms. Mascaro said they would be open to continuing the discussion for a later date.

Mayor Brunst moved to continue the applicant’s request to rezone the property located at 355 West University Parkway from the R8 zone to the PD-5 zone to October 29, 2019 at 6:00 p.m. **Mrs. Lauret seconded** the motion. Those voting aye: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. **The motion to continue passed.**

Mayor Brunst then moved to deny the applicant’s request to amend the PD-5 zone to include Standard Land Use Code 5530 Gasoline Service Station With or Without Store as a permitted use. **Mr. Spencer seconded** the motion to deny the request. Those in favor of denial: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, David Spencer, and Brent Sumner. **The request was denied.**

PUBLIC HEARING

ORDINANCE – Amending the Orem City General Plan on approximately 16.72 acres of property located generally at 1577 South Geneva Road from the LDR (Low Density Residential) designation to the MDR (Medium Density Residential) designation

Mr. Bench reviewed the information in the full agenda packet regarding the request. He said based on the history of the area and the current plans that had been adopted by the City Council, staff recommended that the area stay low density as currently shown on the Orem General Plan map. Through a long public hearing process in 2015, the City Council determined that low-density residential and light industrial uses were the appropriate land use for the area. Although the area could be changed to a higher density subject to existing plans being updated, staff fully supports maintaining the area as low-density. The City Council could consider a PRD (Planned

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Residential Development) as an option for this property, however, staff would recommend that studies be completed prior to a future rezone to a PRD zone since the overall density of a PRD would be around seven (7) units per acre over the allotted 4.3 units per acre as outlined in the IFFA and IFA. The Planning Commission recommended that the City Council deny the applicant's request.

Mr. Bench reviewed the process by which the land was annexed into the City in 2015 and the zoning that was established. He invited applicant Ryan McDougal to speak to the request. Mr. McDougal said the proposed project was for attached units and single-family detached at approximately 11.6 units per acre. Some units would be 3 bedrooms and some 4 bedrooms, and each would have a 2-car garage. The price point they were targeting was around \$300,000. Mr. Bench wanted to remind the Council the impact a zone change would have in this area, and said any increase in allowed density would affect the lift stations that were needed and the whole area would require updated plans so fees could be adjusted.

There was discussion on the impact to traffic on Geneva Road, and Mr. Bench clarified that the future access to the north and south of the proposal were dependent on development. Mr. Goodrich said the regional transportation master plan identified Lakeview Parkway as a need in the next 10 years, and it would run along the proposed development. It would be a high capacity road, and Mr. Goodrich said it was difficult to know what traffic would be like without grid network roads that were not yet in place. Mr. McDougal felt there were multiple ways the traffic could be addressed and access could be provided along Geneva Road.

Mr. Lentz asked about the possibility of adjusting to the density of a PRD. Mr. McDougal said they would only be able to do single family homes, and the cost for each home would go up to around \$500,000. That was prohibitively expensive for people looking to move to Orem, and typically people did not want to spend that kind of money on a home near industrial developments and railroad tracks.

Mr. Macdonald said this was an issue of fairness. Impact fees were required of all, and granting this project more than its fair share of density was unfair to others looking at development in this area. It was not a small change but a phenomenal change for the area, and he did not want to go down that road. Mr. McDougal said between agricultural easements, charitable trusts, industrial zones, etc. only a handful of other parcels in the area even had the opportunity to develop, and it was unlikely any of them would develop at even the current density allowed. He felt this was a good location to create some more affordable housing in one of the least dense areas of the city.

Mr. Seastrand said it was not intended to be a high density area, and the zoning determined in 2015 had been to preserve low density and farm land. It was a unique area within the city, and they wanted to preserve the integrity of the rural nature of the area. Mr. McDougal said it was interesting to say that they wanted to preserve rural land, but had approved the Mansell development in 2015. Mr. Seastrand responded that the Mansell development had paid for the build out of infrastructure to get utilities to the area, and that it was still a lower density development. Mr. McDougal said he had made the same offer to pay for infrastructure. Mr. Seastrand said having rural land was not a negative, and he did not see the urgency to develop in the area.

Mayor Brunst opened the public hearing at 8:35 p.m.

Byron Taylor said he had been against high density development in the southwest area in 2015 and was still against it, but was encouraged by the comments from the Council so far. Years back, the mindset for the southwest area had been, “let developers develop and let farmers farm”, but there was a reason farms were established away from urban areas. Mr. Taylor did not understand why someone would purchase land for a purpose it was not zoned for. It made little sense to have large housing developments “shoehorned” in with family farms and agricultural easement areas.

Elaine Schofield said Mr. Seastrand’s comments summarized the neighbors’ feelings. She disagreed with the comment that no one wanted to live near railroad tracks, as there were several nice, permanent neighborhoods in Orem and Provo that were next to railroad tracks. She addressed the land owned by the Church of Jesus Christ of Latter-day Saints, and it would not be for residential development but meeting houses and recreation fields. Ms. Schofield said there were many rentals in the neighborhood that were intended to be owner-occupied but were not, and she did not want another development with the same problem.

Christian Clark said the current housing market made it difficult for people to purchase their own homes, and he agreed that building \$500,000+ single family homes would be prohibitively expensive. He hoped the Council would consider that when making zoning decisions.

Adele Leavitt said it was difficult for farms to operate as things developed around them. She worried that a large development would lead to more and more people coming onto farm land and using it as green space. She said listening to Mr. McDougal talk about why no one would build a large single family home in the area made her wonder why he thought building *any* housing there made sense. The proposal was not set up like a PRD with mixed uses for shopping and other amenities, but would be “packing them in like sardines”.

Ken Olsen said it was not a bad place to live, but would be a different place in the future as Lakeview Parkway was completed. There would be noise, traffic, and pollution that accompanied growth. He agreed that it was not a good location for expensive homes, and felt Mr. McDougal’s proposal was better for the expected growth in the area. Growth could not be stopped, but there were better ways to address it.

George Tucker said any time he was near the railroad tracks the train’s horn scared him to death. Even if he knew the train was coming, it still gave him quite a scare. He was unsure how people would feel about living so near railroad tracks.

Mayor Brunst closed the public hearing at 8:49 p.m.

Mr. Lentz said he had been a candidate for City Council in 2015 when the density was originally established for the area, and he took issue with how it was handled. He did not see why the Mansell project was approved but not Mr. McDougal’s project because it seemed like there were two different sets of principles that seemed to apply. He felt the proposal before them had too many question marks for him, and said he was more interested in something like a PRD development. Mr. Lentz asked about the possibility of a private sewer line, and Mr. Kelly said it was a complex situation to have a private sewer system running through the city to get to the plant. He only knew of one such private system in the city, and the reality of doing a private line

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would cost Mr. McDougal a great deal. Mr. Lentz continued that housing affordability had been identified as an area of focus for the Council, and they had the opportunity to make that happen in this area. Perhaps not the exact proposal before them, but he hoped a compromise could be found somewhere between cheap apartments and expensive mansions that would help people get into homes.

Mr. Spencer asked if there was adequate infrastructure for low density housing, and about the costs of a lift station to service the area. Mr. Kelly said inflation was hard to guess and it would cost more to build in the future, but they wanted to be sure they were building for the correct capacity. Mr. Spencer said he saw the value in building lift stations sooner rather than later, and wanted them to be done right. Mr. Kelly said the plans were right for now, but would need to be updated in the case of a density change.

Mr. Sumner expressed concerns about higher density developments and traffic in an already busy traffic area. He said he was comfortable with the current zoning, adding that the developer knew the zoning when the property was purchased.

Mayor Brunst said the annexation of the area was predicated on the developer taking the risk to invest in infrastructure, which Jeff Mansell had done in 2015 by investing \$8 million in infrastructure, recouping those costs as lots sold and impact fees were collected. Mayor Brunst said it was a conscious decision on the part of the city not to take that risk, and he did not feel it was a good idea to change that course now.

There was continued discussion on adequate infrastructure and the process of building lift stations to accommodate the currently planned densities. Mr. McDougal asked why the impact fee studies would need to be redone if they already included multiple densities. Mr. Davidson said by law they were required to update the study at a certain point anyway, but a change in density would trigger the update sooner. He added that increased density would require the City to build an additional lift station and update the treatment plant, which would affect the impact fees of the area.

Mr. Seastrand reiterated his position, and asked to make a motion regarding the request.

Mr. Seastrand moved to deny the applicant's request to amend the Orem City General Plan on approximately 16.72 acres of property located generally at 1577 South Geneva Road from the LDR (Low Density Residential) designation to the MDR (Medium Density Residential) designation. **Mr. Sumner seconded** the motion to deny the request. Those in favor of denial: Richard Brunst, Debby Lauret, Sam Lentz, Tom Macdonald, Mark Seastrand, and Brent Sumner. Those opposed to denial: David Spencer. **The request was denied.**

CITY MANAGER INFORMATION ITEMS

Mr. Davidson said had no additional information to share.

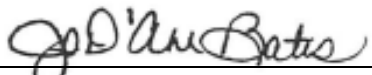
ADJOURNMENT

Mr. Spencer moved to adjourn the meeting. **Mr. Seastrand 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**.

The meeting adjourned at 9:27 p.m.

Approved: October 8, 2019




JoD'Ann Bates, City Recorder