



CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
July 9, 2013

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

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

AGENDA REVIEW

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

CITY COUNCIL - NEW BUSINESS

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

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

CALL TO ORDER

INVOCATION/INSPIRATIONAL THOUGHT: By Invitation

PLEDGE OF ALLEGIANCE: By Invitation

APPROVAL OF MINUTES

3. **MINUTES of City Council Meeting – June 11, 2013**
4. **MINUTES of Special City Council Meeting – July 1, 2013**

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

5. **UPCOMING EVENTS**
6. **UPCOMING AGENDA ITEMS**
7. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - Beautification Advisory Commission – 3 vacancies
 - Heritage Advisory Commission - 1 vacancy
 - Summerfest Advisory Committee – 1 vacancy

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Study Sessions,
please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 229-7074) (TDD # 229-7037)

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

8. **RECOGNITION OF NEW NEIGHBORHOODS IN ACTION OFFICERS**
9. **MAYOR PRO TEM – July 9, 2013 through December 31, 2013**
10. **OATH OF OFFICE – Jamie Davidson – City Manager**

CITY MANAGER’S APPOINTMENTS

11. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
Planning Commission – 1 appointment

CONSENT ITEMS

12. **MOTION - Appointment of Election Poll Workers and Approval of Voting Locations – 2013 Municipal Elections**

RECOMMENDATION: The City Recorder recommends the City Council, by motion:

- (1) **Appoint the receiving and alternate poll workers for the 2013 Municipal Elections**
- (2) **Approve the voting locations**

POTENTIALLY AFFECTED AREA: Citywide

BACKGROUND: Pursuant to Section 20A-5-602 of the Utah State Code, the City Council must appoint election poll workers at least fifteen days prior to the election.

Pursuant to Section 20A-5-403(1)(b) approval of the voting locations must also be approved by the City Council.

SCHEDULED ITEMS

6:00 P.M. PUBLIC HEARING

13. **ORDINANCE – Amending Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by Changing the Zone at Approximately 1040 North 1240 East from R12 to PD-18**

REQUEST: The applicant requests the City Council, by ordinance, rezone 37.15 acres located generally at 1040 North 1240 East from R12 to PD-18 for the purpose of developing large estate lots.

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Canyon View Neighborhood

BACKGROUND: The PD-18 zone is currently The Berkshires development accessible from south Carterville Road in the river bottom area. The applicant is requesting to apply the same zone to the subject property.

The PD-18 zone permits:

- Minimum lot size of ½ acre or 21,780 square feet
- Guest houses
- Private roads, which may be gated and no sidewalks
- Homes up to 55 feet high on lots larger than 1 acre or 43 feet for lots less than 1 acre
- Fences up to 10 feet high at least 29 feet from the front property line or 14 feet to the side property line adjacent to a street

Several neighborhood meetings were held to discuss this project and the City park.

Staff has no objections to the proposed rezone. The Berkshires development contains high-end homes and nothing less is expected from this development. The applicant is contemplating subdividing the property into two lots but the zoning would permit future development into several lots at least ½ acre in size.

The Planning Commission recommends the City Council approve this request.

6:00 P.M. PUBLIC HEARING

- 14. ORDINANCE - Enacting Section 22-11-49, PD-36 Zone *Orem Falls Business Park Zone*, and Appendix “DD” of the Orem City Code, and Amending Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by Rezoning Property Located Generally at 1300 North Geneva Road from the M2 zone to the PD-36 Zone, and Amending Appendix ‘A’ of the Orem City Code by Adding New Standard Land Use Codes**

REQUEST: The applicant requests the City Council, by ordinance:

- 1) Enact Section 22-11-49, PD-36 zone *Orem Falls Business Park Zone*, and Appendix “DD” of the Orem City Code;**
- 2) Rezone property located generally at 1300 North Geneva Road from the M2 zone to the PD-36 zone; and**
- 3) Amend Appendix A of the Orem City Code by adding new Standard Land Use (SLU) Codes**

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Timpview Neighborhood

BACKGROUND: The applicant owns a parcel of property consisting of 77.97 acres located at approximately 1300 North Geneva Road, which is known as the former Williams Farm property. Since the owners purchased the property a couple years ago, the property has been cleared of trees and other debris to make way for development.

The applicant proposes to create the PD-36 zone and to apply the PD-36 zone to the subject property. The proposed PD-36 zone would allow the development of a light industrial business or technology park.

Some of the key elements of the proposed PD-36 zone include:

- A mix of commercial, office, and light industrial uses
- A maximum building height of 125 feet
- Landscaping standards that are consistent with Section 22-9-7(A) of the Orem City Code BP and CM zones
- Parking standards require 1 stall per 750 square feet for the first 50,000 square feet of building, 1 stall per 1,000 square feet for the second 50,000 square feet, and 1 stall per 1,500 square feet for all square footage in excess of 100,000 square feet. This standard is similar to the M2 zone. In addition, 1 stall shall be required for every 250 square feet of retail or office space regardless of the size of the building
- The creation of 10 new SLU codes to permit uses that are not currently found in the City's SLU codes

The applicant is also requesting that two "I-15 Corridor Signs" be allowed in the PD-36 zone. The applicant desires to use these signs for both on and off premises advertising, so they would essentially be billboards. The City's sign ordinance does not currently allow any new billboards anywhere in the city. The applicant has had some meetings with City staff in which the possibility of opening up the I-15 corridor to new billboards has been discussed. State law regulates the location and spacing of billboards, and based on these restrictions, the City estimates that there are potentially 5-7 additional locations along the west side of the I-15 corridor where new billboards could be located.

However, should the City decide to allow new billboards along the I-15 corridor, staff believes it would be preferable to do so by amending the sign ordinance rather than doing so on a property specific basis through the PD-36 zone.

The sign ordinance amendment concerning off premise advertising (billboards) is on the Planning Commission agenda for the July 10th, 2013, meeting and will be heard at a City Council meeting in the near future.

According to the General Plan regarding Planned Development zones, "Planned Development zones are intended to allow freedom of design in order to obtain development which will be an asset to the City." Further they are to, "be located in commercial and industrial land use locations." The General Plan designation for this area is Regional Commercial and the requested zone change is more in alignment with the General Plan than the current M2 zone especially given the property location and access from I-15.

A neighborhood meeting was held on January 25, 2013, regarding the proposed rezone and business park development. There were six people in attendance, two of which were from Geneva Holdings. The others at the meeting expressed concerns with some boundary line and infrastructure issues.

Advantages:

- The PD-36 zone will develop an undeveloped property into one that has economic benefits for the city
- The development will promote traffic circulation through the property and includes plans for additional traffic connections with the property to the north when it develops
- With frontage along I-15 and Geneva Road, the development has visibility to thousands of vehicles a day
- Design elements for the project promote aesthetically pleasing improvements with increased attention to landscaping and building appearance

The Planning Commission recommends the City Council approve the PD-36 *Orem Falls Industrial Business Park* with the recommendation that the section dealing with the I-15 Corridor Signs be deleted and that a discussion about allowing new off premise advertising (billboards) along the I-15 corridor be held in connection with the future proposal to amend the sign ordinance. Staff agrees with the Planning Commission recommendation.

6:15 P.M. PUBLIC HEARING

15. ORDINANCE – Amending Section 22-14-7(B)(2) of the Orem City Code to Permit Gravel Driveways Along Carterville Road

REQUEST: The applicant requests the City Council, by ordinance, amend Section 22-14-7(B)(2) of the Orem City Code to permit gravel driveways along Carterville Road.

PRESENTER: Jason Bench

POTENTIALLY AFFECTED AREA: Sharon and Hillcrest Neighborhoods

BACKGROUND: The applicant purchased property on Carterville Road in 2011. At that time, the driveway was constructed of asphalt. After purchase of the home, the owner tore out the asphalt and replaced it with gravel. A resident called Orem City to see if what the applicant had done was acceptable or against the Orem City Code. According to Section 22-14-7, the first seventy feet of a driveway must be a paved (asphalt or concrete) surface. The applicant wishes to amend the Orem City Code as follows:

22-14-7 Conservation of values.

B. Any lot in any zone shall be improved and maintained as follows:

2. Driveways leading from a street to a parking lot, private garage, carport or other off-street parking space shall be a paved surface except that the paved surface need not extend more than seventy feet (70') from the street right-of-way line. The paved surface shall be completed within one year from the date of the occupancy of the building. Parking on grass or landscaped areas of the front yard or side yard adjacent to a street in residential zones is prohibited. Exception: gravel driveways shall be permitted along Carterville Road.

In the case of the applicant, it can be shown that an asphalt driveway existed while Section 22-14-7(B)(2) was in effect. There may be some driveways along Carterville Road that are gravel or dirt and have existed since before the ordinance to require asphalt/concrete was

adopted. The requirement to pave the first seventy feet of a driveway goes back to at least the 1975 Orem City Code. The number of driveways along Carterville Road that are not paved is twelve.

There are reasons why having a paved driveway is in the best interest of Orem City. If a driveway is not paved, the chance of carrying rock and mud onto the right-of-way is increased. Gravel on the road can also be a safety hazard for people on bicycles or runners. Gravel driveways require continued maintenance whereas asphalt or concrete are virtually maintenance free. Over time, gravel becomes compressed into the soil and the rock is replaced with dirt. This dirt can be tracked onto the road which is a concern with Public Works. During any construction project, measures must be taken to prevent rock and dirt from being carried onto the road. Another negative effect is dust, which is easily disturbed and can become a nuisance to neighbors.

This request will affect several thousand properties in the city and the potential for 114 new lots along Carterville Road. According to census projections, the total number of single-family dwellings in the City is 16,330. Should Carterville Road be permitted to have gravel driveways, there is the potential for property owners in other areas of the city to request the same. Staff is not in favor of this request as the proposal will have a negative effect on roadways and adjacent neighbors.

Advantages:

- None identified

Disadvantages:

- Gravel and debris is easily carried onto Carterville Road
- Other locations in the City are not permitted gravel driveways
- No legitimate governmental interest can be found as to why properties along Carterville Road should be permitted to have gravel driveways whereas other areas in the City are would be prohibited

The Planning Commission recommends the City Council deny the request to allow gravel driveways along Carterville Road.

PERSONAL APPEARANCES

- 16. Time has been set aside for the public to express their ideas, concerns, and comments on items not on the Agenda. (Please limit your comments to 3 minutes.)**

COMMUNICATION ITEMS

- 17. BUDGET REPORT – Month Ending May 2013**

CITY MANAGER INFORMATION ITEMS

- 18. 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.**

ADJOURNMENT

DRAFT

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
June 11, 2013

5:00 P.M. STUDY SESSION

CONDUCTING Mayor James Evans

ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner

APPOINTED STAFF Bruce Chesnut, City Manager; Jamie Davidson, Assistant City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Interim Development Services Director; Scott Gurney, Interim Public Safety Director; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Charlene Crozier, Interim Library Director; Donna Weaver, City Recorder; and Rachelle Conner, Deputy City Recorder

Transportation Update – Revising the Streets Master Plan

Paul Goodrich, Transportation Engineer, explained that the current street connection plan is over twenty years old and is outdated. He advised that staff would like to have neighborhood charettes to get the neighbors' input on how certain streets should connect and to educate them about why the streets need to be connected. After this process, staff will bring the recommendations back to the Council.

REVIEW OF AGENDA ITEMS

The Council and staff reviewed the agenda items.

CITY COUNCIL NEW BUSINESS

Councilmember Black

Mrs. Black noted that the Beautification Advisory Commission has been working hard to get the flower pots out on Center Street from State Street to 400 West. They have also been working to get contributions from local businesses for the watering of the pots. The Beautification Advisory Commission has gotten good feedback from the community in reference to this effort, and they have done this at no cost to the City. Mrs. Black said they should be commended for their hard work and effort.

Mayor Evans asked Mrs. Black to express the Council's appreciation to the members of the Beautification Advisory Commission.

DRAFT

1 The Council adjourned at 5:55 p.m. to the City Council Chambers for the regular meeting.

2
3 **6:00 P.M. REGULAR SESSION**

4
5 CONDUCTING Mayor James Evans

6
7 ELECTED OFFICIALS Councilmembers Hans Andersen, Margaret Black, Karen A.
8 McCandless, Mark E. Seastrand, Mary Street, and Brent
9 Sumner

10
11 APPOINTED STAFF Bruce Chesnut, City Manager; Jamie Davidson, Assistant
12 City Manager; Greg Stephens, City Attorney; Richard
13 Manning, Administrative Services Director; Bill Bell, Interim
14 Development Services Director; Scott Gurney, Interim Public
15 Safety Director; Karl Hirst, Recreation Director; Chris
16 Tschirki, Public Works Director; Charlene Crozier, Interim
17 Library Director; Donna Weaver, City Recorder; and
18 Rachelle Conner, Deputy City Recorder

19
20 **INVOCATION /**
21 **INSPIRATIONAL THOUGHT** Jason Bench

22
23 **PLEDGE OF ALLEGIANCE** Bill Bell

24
25 **APPROVAL OF MINUTES**

26
27 City Council Meeting of May 28, 2013

28 Mrs. Black **moved** to approve the minutes of the May 28, 2013, meeting of the Orem City Council.
29 Mr. Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret
30 Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The
31 motion **passed** unanimously.

32
33 **MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL**

34
35 Upcoming Events

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

37
38 Upcoming Agenda Items

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

40
41 Appointments to Boards and Commissions

42 There were no new appointments.

43
44 Recognition of New Neighborhoods in Action Officers

45 No new Neighborhood in Action officers were recognized.

DRAFT

REPORT – Senior Citizen Advisory Commission

1 Karl Hirst, Recreation Director, said the City has a very large and active senior community. He
2 introduced Gena Bertelsen, Senior Program Director, and Kay Bradford, chair of the Senior
3 Advisory Commission.
4

5
6 Ms. Bradford reviewed the many activities that take place at the Senior Friendship Center, such as
7 Tai Chi, ceramics, quilting, and bingo. They serve over 120 meals to the seniors each weekday, and
8 approximately 300 seniors come to the Senior Friendship Center. They have 800 people attending
9 bingo every month, and the seniors have over 900 volunteer hours each month. Ms. Bradford then
10 showed the Senior Friendship Center’s version of the “Harlem Shake.”
11

12 Mr. Hirst expressed appreciation for the support the City gives the seniors.
13

PRESENTATION – Division of Water Quality

14 Chris Tschirki, Public Works Director, introduced John Mackey and Paul Krauth of the Division of
15 Water Quality.
16

17
18 John Mackey indicated this is one of the best parts of his job. They loan a lot of money for water
19 projects, and it is nice to see the projects come to completion. He presented the City with a plaque
20 for their efforts in participating in the program and supporting clean water. He expressed
21 appreciation to everyone he worked with on this project.
22

Point of Personal Privilege

23 Mayor Evans indicated this is the last City Council meeting for City Manager Bruce Chesnut. Mayor
24 Evans read a resolution thanking Mr. Chesnut for his service to the City of Orem for the past thirty-
25 two years.
26

27
28 Mrs. McCandless **moved** to approve the resolution of appreciation for Mr. Chesnut. Mrs. Black
29 **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim
30 Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion
31 **passed** unanimously.
32

33 Mr. Chesnut thanked the City Council for their support. He expressed appreciation for the
34 employees and their efforts in making the city a great place to live. Mr. Chesnut also thanked the
35 residents for their input and for helping make Orem a great place.
36

CONSENT ITEMS

37
38
39 Mrs. McCandless **moved** to approve the following consent item. Mr. Seastrand **seconded** the
40 motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A.
41 McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.
42

ORDINANCE – Amending Chapter 7 of the Orem City Code Pertaining to Building, 43 Plumbing, Mechanical, Electrical, Fire and Abatement Codes 44 45 46

DRAFT

1 Mrs. McCandless **moved** to approve the following consent item. Mr. Sumner **seconded** the motion.
2 Those voting aye: Councilmembers Margaret Black, Jim Evans, Karen A. McCandless, Mark E.
3 Seastrand, Mary Street, and Brent Sumner. Those voting nay: Hans Andersen. The motion **carried**
4 with a majority vote of 6 to 1.

5
6 RESOLUTION - Approve HOME Investment Partnership Grant Final Statement of
7 Projected Uses of Funds – 2013-2014

8
9 Mr. Andersen **moved** to approve the following consent item. Mrs. Black **seconded** the motion.
10 Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A.
11 McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

12
13 MOTION – Canceling the June 25, 2013, City Council Meeting

14
15 **SCHEDULED ITEMS**

16
17 6:00 P.M. PUBLIC HEARING

18 ORDINANCE - Enacting Section 22-14-26 of the Orem City Code Pertaining to Public Utility
19 Facilities

20
21 Jason Bench, Interim Planning division Manager, presented a staff request that the City Council, by
22 ordinance, enact Section 22-14-26 of the Orem City Code pertaining to public utility facilities.

23
24 Many utility facilities such as water wells or natural gas regulators need only a very small area of
25 property to meet their needs. Often, the area of property needed for such utility facilities is much less
26 than the minimum lot size for the zone in which they are located. Since there is really no zoning
27 need to require such facilities to be located on a lot meeting the minimum lot size requirements, City
28 Staff propose to exempt lots containing such facilities from the minimum lot size requirements of the
29 ordinance. This would allow utility facility operators (including the City) to locate their facilities on
30 lots that meet their needs without having to acquire excess property that really serves no purpose

31
32 Under the proposed amendment, the minimum setback requirements would also not apply to
33 structures that are located on a lot that qualifies for the lot size reduction provided the structure does
34 not exceed 12 feet in height or 600 square feet in area. The proposed amendment also provides that a
35 fence may be installed in the front yard setback of a lot that qualifies for the minimum lot size
36 exemption provided the City Engineer determines that the fencing does not pose a safety hazard.

37
38 Advantages:

- 39
- 40 • Allows utility facilities and private water wells to be located on smaller lots to minimize the
41 impact of the facility in a neighborhood
 - 42 • Limits the overall height of the utility structure
 - 43 • Allows the utility facility the option to fence in the front yard if necessary to provide safety
44 for the facility and the general public

45 Disadvantages:

- 46
- 47 • None determined

1 The proposed amendment is as follows:
2

3 **22-14-26. Minimum Lot Size, Setbacks and Fencing for Designated Utility Facilities.**

4 A. The minimum lot size requirements of Chapter 22 shall not apply to a lot that is used solely for a public
5 utility facility that cannot be located in a public utility easement or private easement, or to a lot that is used solely
6 for a private water well facility.

7 B. The minimum setback requirements of Chapter 22 shall not apply to structures that are located on a lot
8 that qualifies for the lot size exemption above and which meet the following additional requirements:

9 1. The height of any structure does not exceed twelve feet (12') in height; and

10 2. The combined size of all structures on the lot does not exceed six hundred (600) square feet.

11 C. Fencing on a lot that qualifies for the minimum lot size exemption under subsection (A) above, shall not
12 be subject to the restrictions contained in Section 22-14-19(C)(2) pertaining to height restrictions on fences in a
13 front yard setback provided that the City Engineer determines that the fencing does not pose a safety hazard.
14

15 Mr. Bench displayed pictures showing examples of various public utilities.
16

17 Mayor Evans opened the public hearing. No one came forward to speak, so Mayor Evans closed the
18 public hearing.
19

20 Mrs. Street **moved**, by ordinance, to enact Section 22-14-26 of the Orem City Code pertaining to
21 public utility facilities with the addition of subsection (D). Mrs. Black **seconded** the motion. Those
22 voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless,
23 Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.
24

25 RESOLUTION – Approving a Resolution of Intent for a Boundary Line Agreement with the
26 City of Provo for Property Located Generally at 1465 South 1140 East
27

28 Mr. Bench presented a staff recommendation that the City Council, by resolution, consider a request
29 to approve a resolution of intent to adjust a common boundary line with the City of Provo for
30 property located generally at 1465 South 1140 East.
31

32 Utah Code Section 10-2-419 requires the governing bodies of the jurisdictions to approve
33 resolutions of intent to adjust the common boundary prior to approval of the change. The City
34 Council, at a later date, will formally consider approving the proposed boundary change. Currently,
35 the City of Provo is also processing the applicant's request and will consider the resolution of intent
36 in July.
37

38 The applicant owns two lots located at 1465 South and 1479 South 1140 East. He recently purchased
39 property previously owned by Riverside Country Club with the intent to add the parcel to his two
40 lots and then plat a single lot. The property purchased is in Provo City so the common boundary line
41 between Orem City and Provo City must be adjusted.
42

43 A public hearing concerning the boundary line adjustment will be held following a sixty day protest
44 period if this resolution is approved.
45

46 Mr. Seastrand **moved**, by resolution, to consider a request to approve a resolution of intent to adjust
47 a common boundary line with the City of Provo for property located generally at 1465 South
48 1140 East. Mrs. Street **seconded** the motion. Those voting aye: Councilmembers Hans Andersen,
49

DRAFT

1 Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent
2 Sumner. The motion **passed** unanimously.

3
4 RESOLUTION – Approving an Interlocal Cooperation Agreement for the HOME Investment
5 Partnership Program Consortium

6
7 Charlene Crozier, Community & Neighborhood Services Manager, presented a staff
8 recommendation that the City Council, by resolution, approve the Interlocal Cooperation Agreement
9 for the HOME Investment Partnership Program Consortium and authorize the Mayor to sign the
10 agreement.

11
12 Funding for low-income housing activities is available through the U.S. Department of Housing and
13 Urban Development’s HOME Investment Partnership Program. According to program regulations,
14 Orem is not entitled to receive HOME funds directly, so the City has been participating in a
15 consortium made up of local cities and Utah County to access these federal funds.

16
17 The consortium is made up of three entities: Utah County, the City of Orem, and Provo City.
18 Representation from these entities will review requests and make recommendations for the use of
19 HOME funds within the consortium boundaries. To continue its participation in the consortium, a
20 new Interlocal agreement must be approved. Legal staff from each entity has reviewed the proposed
21 agreement, and it is ready for approval.

22
23 Mrs. Black **moved**, by resolution, to approve the Interlocal Cooperation Agreement for the HOME
24 Investment Partnership Program Consortium and authorize the Mayor to sign the agreement. Mr.
25 Seastrand **seconded** the motion. Those voting aye: Councilmembers Margaret Black, Jim Evans,
26 Karen McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. Those voting nay: Hans
27 Andersen. The motion **carried** with a majority vote of 6 to 1.

28
29 RESOLUTION – Adopt Community Development Block Grant (CDBG) Final Statement of
30 Projected Uses of Funds – 2013-2014

31
32 Mrs. McCandless recused herself from the discussion and vote because she is employed by one of
33 the recipients of these funds.

34
35 ***Mrs. McCandless left the meeting at 6:48 p.m.*

36
37 Mrs. Crozier presented a staff recommendation that the City Council, by resolution, adopt the
38 updated Final Statement of Projected Uses of Funds for Orem’s 2013-2014 Community
39 Development Block Grant.

40
41 During the past few months, the CDBG Citizen Advisory Commission heard funding proposals from
42 various applicants who wish to receive CDBG funding. The Commission presented its
43 recommendations to the City Council in a work session on March 19, 2013. The City Council held
44 the first of two public hearings on March 26, 2013, and the second on April 30, 2013.

DRAFT

1 The final entitlement amount for the City of Orem was received from the U.S. Department of
2 Housing and Urban Development in June of 2013, and an updated resolution has been prepared to
3 reflect actual numbers for the CDBG Final Statement of Projected Uses of Funds for 2013-2014. The
4 CDBG Advisory Commission did have a contingency plan in case more funds were allocated, so that
5 plan was put into place with these recommendations.

6
7 Mrs. Street expressed appreciation to the commission for the time spent in hearing the proposals and
8 making their recommendations. It is important to distribute the funds wisely to the organizations in
9 the community that do so much good. She voiced her gratitude for the thought that went into this
10 process and for the organizations for their work.

11
12 Mrs. Street **moved**, by resolution, to adopt the updated Final Statement of Projected Uses of Funds
13 for Orem's 2013-14 Community Development Block Grant. Mr. Sumner **seconded** the motion.
14 Those voting aye: Councilmembers Margaret Black, Jim Evans, Mark E. Seastrand, Mary Street,
15 and Brent Sumner. Those voting nay: Hans Andersen. The motion **carried** with a majority vote of 5
16 to 1.

17
18 ***Mrs. McCandless returned to the meeting at 6:52 p.m.*

19 6:00 P.M. PUBLIC HEARING

20 ORDINANCE – Approving and Adopting a Budget for Fiscal Year 2013-2014, Adopting 21 Compensation Programs, Adopting Fees and Charges, Setting the Property Tax, Franchise Tax, 22 Municipal Energy Sales and Use Tax, Telecommunications License Tax, Transient Room Tax 23 and E-911 Fee Rates, and Amending the Fiscal Year 2012-2013 Budget

24
25
26 Bruce Chesnut, City Manager, presented a staff recommendation that the City Council, by
27 ordinance, approve and adopt the Fiscal Year 2013-2014 Budget, adopt the compensation programs,
28 adopt the fees and charges schedule, set the property tax, franchise tax, municipal energy sales and
29 use tax, telecommunications license tax, transient room tax and E-911 fee rates, and amend the
30 Fiscal Year 2012-2013 Budget.

31
32 On May 7, 2013, the City Council received the tentative budget for the Fiscal Year 2013-2014. A
33 budget work session was held on May 14, 2013, to discuss the budget. In addition, two public
34 hearings were held to review CDBG budget requests.

35
36 Mr. Chesnut expressed appreciation to the members of the Mayor's Citizens Budget Committee for
37 assisting with the budget process--Steve Shallenberger, Tom Macdonald, Tim Larsen, and Val Hale.
38 The purpose of this hearing is to consider the budget for Fiscal Year 2013-2014 along with the
39 compensation program and the fees, charges and tax rates of the City. Additionally, the City Council
40 is reviewing amendments to the Fiscal Year 2012-2013 Budget that were in addition to those already
41 approved at the council meeting on May 28, 2013.

42
43 The national and local economies have shown signs of improvement over the past year. The Fiscal
44 Year 2013-2014 Proposed Budget is a balanced budget that was formulated with this environment in
45 mind as it does not include requests for tax increases or personnel additions and includes only minor
46 raises in utility rates.

DRAFT

1 Personnel wages, including cost of living and merit raises, remain frozen for the 6th straight year.

2
3 Property taxes are not increased, the franchise tax and municipal energy sales and use tax rates
4 remain at 6 percent and the transient room tax stays at 1 percent. The telecommunications license tax
5 is 3.5 percent and the E-911 fee is \$0.61 per month. With the exception of some minor adjustments
6 to miscellaneous fees and charges, the only proposed fee increases are in the Water Fund, Storm
7 Water Fund and Solid Waste Fund.

8
9 Mr. Manning and Mr. Davidson explained that staff developed this budget using a set of guiding
10 principles, which included:

- 11 • Self-Sustaining
- 12 • One Time Money
 - 13 ○ One time projects
- 14 • City Council guides staff where they want them to go
- 15 • Ongoing Money
 - 16 ○ Use for ongoing expenses
- 17 • Asset Management
 - 18 ○ Develop Capital Facility Master Plans for buildings, utilities, and other significant
 - 19 City infrastructure
- 20 • Compensation
 - 21 ○ Develop and follow a market driven compensation plan that will entice and retain
 - 22 good quality employees
- 23 • Vehicle Replacement
 - 24 ○ Fund an annual vehicle replacement plan that prioritizes the replacement of
 - 25 qualified vehicles
- 26 • Revenue Sources – evaluate the health of revenue sources on a regular basis. The General
- 27 Fund should be supported by diverse and stable revenue sources that do not collectively
- 28 cause dramatic fluctuations over time.
- 29 • Reserves – Develop and maintain healthy Enterprise Fund reserves to sustain impacts of
- 30 emergencies. Manage the General Fund reserves according to the State Code.
- 31 • Planning - Plan ahead with the big picture in mind. Provide a means for employees across
- 32 department lines to consult with each other during the budget planning process.
- 33 • Debt – Debt will only be issued for projects that cannot be reasonably afforded through a
- 34 pay-as-they-go savings plan. As much as possible, debt will be planned as part of the
- 35 financial component of the Capital Master Plan.

36
37 Mr. Manning reviewed the various revenue sources for the City, which included:

- 38 • Sales Tax
 - 39 ○ Largest single source of revenue in the City of Orem
 - 40 ○ There will come a time that they will reach a peak with dependable sales tax
 - 41 ○ They need to make sure the General Fund is not relying too heavily on sales tax
- 42 • Other taxes
- 43 • Permits
 - 44 ○ Business licenses
 - 45 ○ Building fees

DRAFT

- 1 • Grants
- 2 • Fees for service
- 3 • Court fines
- 4 • Library fines

5
6 The City has five different funds, and they are accounted for as five distinct and separate units. That
7 way, people can track where money comes in, how it is spent, and a public hearing is required if
8 money is transferred from one account to another.

9
10 Mr. Manning indicated that every year they put together a comparison study to see how Orem stacks
11 up against neighboring cities and cities of similar size. The chart showed that Orem has the lowest
12 utility and property tax bill compared with the other cities. The average cost per resident is \$84.52
13 per month.

14
15 This is good because it is less expensive to live in Orem; however, if the City is not bringing in
16 enough money to maintain their assets, it will cost more in the future. Mr. Manning indicated this
17 chart shows Orem's proposed fees against other Cities current fees. Also, this chart was made before
18 the Auditor released the Certified Tax Rate, which has dropped, so the total amount will actually be
19 lower.

20
21 Mr. Chesnut noted the City is not asking for any type of property tax increase or franchise tax
22 increase in this budget.

23
24 Mr. Seastrand said the portion the City receives in property tax is basically the same they were
25 receiving back in 1978.

26
27 Mr. Manning agreed, noting that the tax bill may change depending on what happens with the other
28 taxing entities. However, Orem's portion is a small amount. The only change the City receives is
29 from new growth in the city in terms of new homes and new businesses.

30
31 Mrs. Black said the City has received the same amount of property tax, except for new growth, since
32 1978. Mr. Manning clarified that is has been since Truth in Taxation in the mid-80s.

33
34 Mr. Seastrand stated that there have been some voter-approved G.O. Bonds, and those do impact the
35 tax amount.

36
37 Mr. Manning said that is true, and those funds go toward specific projects. Orem is a very small
38 amount of the overall tax bill. The Alpine School District is the largest. If they change their rate, the
39 residents will feel that change.

40
41 Mr. Chesnut then reviewed the various fee increases, indicating the total increase of all fees to the
42 residents is \$1.27 per month. The tentative budget had a \$3 street lighting fee attached to it,
43 however, that has been removed from this budget and the Special Service Lighting District budget.
44 The reason for that is a special notice requirement through the State needed to be done and was not.
45 A \$0.62 per month water rate increase for a ¾" meter service (and a proportionate increase for all
46 other meter sizes) is proposed in the Water Fund. This rate increase is needed to cover the increasing
47

DRAFT

1 cost of using the City's allocation of Jordanelle water and increased operating costs at the Utah
2 Valley Water Treatment Plant that have been passed on to the City. A \$0.25 per month increase is
3 proposed in the Storm Water Fund to aid in the funding of capital improvements to the City's storm
4 water system. A \$0.40 per month fee increase for the first garbage can for residences and for all
5 garbage cans at multiple units, trailer courts and condominiums is proposed in the Solid Waste Fund
6 to cover increased costs to provide these services.

7
8 Mayor Evans asked if the transfer station indicated what caused their rate to go up. Mr. Davidson
9 explained that there are two pieces to the solid waste fee. The first is the service relationship with
10 Waste Management. The City has a service agreement with them that does include adjustments on
11 an annual basis, which is tied to the Consumer Price Index (CPI). The majority of the increase is tied
12 to the relationship they have with the landfill. The City chose to extend the current contract, and
13 there was an increase by doing so. Based on research, it was more advantageous for the City to
14 extend the contract rather than putting the contract out to bid. The City believes that the actual cost
15 would be higher with a different service provider.

16
17 Mr. Seastrand said it is his understanding that the storm water system is not really an optional thing
18 the City can choose or not choose to do. He asked for the history of when this came into play and at
19 what point they will have an adequate storm water system in place.

20
21 Mr. Chesnut explained that the Public Works Department had a Capital Facilities Plan completed by
22 a consultant when they incorporated the fee originally. They outlined specific projects with different
23 phases to construct and established a fee structure to accomplish the construction projects. The City
24 is in the process of following the Capital Facilities Plan to build the infrastructure to transfer the
25 storm water from the east side to the west side. Orem has a history of using a lot of sumps to
26 discharge the water into the ground. Because of the Safe Drinking Water Act, some of those sumps
27 have to be moved because they are too close to the ground water basins. The fee is actually lower
28 than what the consultant initially proposed in the 1980s when they started this process. The fee
29 should be larger because they need more infrastructure to handle the runoff water. This is a long-
30 range plan, and the goal in all of the utilities is to have a capital facilities plan and a financial plan to
31 compliment the go forward plan to keep the infrastructure adequate and up-to-date. There are federal
32 requirements the City has to meet in order to get rid of the storm water.

33
34 Mr. Seastrand asked how many more years they have for the Jordanelle water increase. Mr. Sumner
35 stated the annual increase will end in 2017.

36
37 Since the presentation of the Tentative Budget, the following changes have been proposed:

38 General Fund

- 39 • Contribution from the Street Lighting Fund (\$91,795)

40
41 Mr. Manning then reviewed what is not in the budget this year as follows:

- 42 • The referendum required the City to carve out \$1.7 million in addition to the \$1.6 million
43 that came out immediately in the Fiscal Year 2013 budget.
- 44 • Parks are down \$50,000
 - 45 ○ Fertilizer
 - 46 ○ Infrastructure improvements

DRAFT

- 1 • Firefighter SCBAs
 - 2 ○ The rollover is every five years, so one-fifth of that cost should be budgeted every year
- 3 • Senior Center HVAC needs work
- 4 • Self-Insurance Fund needs reserves
- 5 • Library needs carpet, HVAC, etc.

6
7 Mr. Manning advised that this budget is operationally sustainable. However, they lack adequate
8 capital to maintain their assets, and they lack the ability to adjust compensation to keep the City at
9 market levels. In other words, the City is living on the edge.

10
11 Mrs. Black read a statement she found when she was in Wyoming recently. It is the Four-Way Test
12 of Rotary International. It stated:

13 The Four-Way Test of the things someone thinks, says, or does:

- 14 1. Is it the truth?
- 15 2. Is it fair to all concerned?
- 16 3. Will it build goodwill and better friendships?
- 17 4. Will it be beneficial to all concerned?

18
19 Mrs. Black said she would like this entered into the record before they start this discussion.

20
21 Mr. Seastrand noted that he is concerned about the nature of the City's personnel. Based on the
22 competitive analysis of the City's compensation program, Orem is currently about nine percent
23 below market value. As he looks at the compensation program the City has, the City has not done
24 raises for the employees for six years, and the City has not made very many promotions or put new
25 employees up to grade.

26
27 Mr. Manning said that is correct. When someone is promoted, they have received the minimum of a
28 five percent pay increase, but the City has not made many promotions. When someone new has been
29 hired, they are hired at a certain rate, and they have been staying there rather than receiving the usual
30 step increases. Mr. Manning then explained how the Hay System works.

31
32 Mayor Evans indicated that he used the Hay System when he worked for the LDS Church. It is
33 widely used and is a good system.

34
35 Mr. Seastrand asked whether the benefit package is looked at as part of the overall compensation
36 analysis.

37
38 Mr. Manning said they only look at the pay. The problem with looking at a total compensation
39 package is that the different cities and organizations may pay totally different premiums for the exact
40 same health insurance plan. The City of Orem actually gets off quite well with its premium. The goal
41 of the benefits program is to entice someone to come work for the City, and then stay there long-
42 term. Employees are more valuable the longer they work here.

43
44 Mr. Davidson indicated that all municipalities are required to participate in the Utah State
45 Retirement System. There may be deviation in health insurance costs, but all of the retirement costs
46 are relatively the same. Orem does not participate in the Social Security Program, so they have a

DRAFT

1 different program that does a match of 4 percent that goes into a Deferred Comp Fund rather than a
2 6.2 match of Social Security. There are other things that suggest as they look at pay, and they are
3 looking at a fair comparable across multiple jurisdictions, and everything else seems to balance out.
4 They are all required to participate in the State Retirement System, Social Security or an alternate
5 benefit program. They all have worker compensation costs, unemployment costs, and most
6 municipalities offer some type of life insurance benefit.

7
8 Mr. Sumner requested clarification that the Hay System compares Orem with other cities of this size,
9 which is the best comparison they can get. Mr. Manning said that is correct. When it comes to
10 setting the rate of pay, they are only compared to cities. When it comes to looking at what value a
11 civil engineer brings to an organization, they do compare that across the marketplace.

12
13 Mrs. Black noted that a lot of the Hay comparisons are necessary because the private sector does not
14 have many of those jobs to compare. Mr. Manning agreed.

15
16 Mayor Evans opened the public hearing.

17
18 Bob Wright, resident, read a statement, asking for the City to include the taxpayer invested funds in
19 the budget. He said it is necessary for honesty and transparency. The total amount is \$40,425,409.
20 He then noted the increase of fees is not necessary and should not be imposed on the residents. There
21 are reserves that can be used to pay for the increases.

22
23 Rudy Isaacson, resident, thanked the Councilmembers for the good work they do. He thanked Mr.
24 Chesnut for his service to the city. Mr. Isaacson recommended that the Council give salary increases
25 to the employees rather than give the \$575,000 to pay for UTOPIA operations. The City could take
26 the top 200 key employees and give an average of \$100 per month to them. It would cost \$240,000,
27 and that would bless the employees' lives and recognize their efforts. They could put the rest in the
28 Rainy Day Fund. It makes no sense to him to take money outside of the organization and give it to
29 someone else. He said that, during the budget hearings last year, the City said they could not give
30 salary increases without raising the property tax. He noted that pitted the community against the
31 employees. Now the times have changed. The City Council does not need the residents approval
32 tonight to raise their hands and say they are going to keep this money here. He asked the City
33 Council to talk to the employees and explain why they would send the money outside of Orem rather
34 than use it to benefit the them. He asked the Council to follow the steps of Tremonton and Murray
35 and not pay the funds to UTOPIA.

36
37 David Spencer, resident, read a statement about the budget, which included a recent article written in
38 a local newspaper that addressed the City's needs. He recommended that the Council keep the
39 \$575,000 instead of giving it to UTOPIA for its operational costs. He recommended they use those
40 funds and lease police vehicles like Lindon and Payson do at \$100,000 a year. That would give the
41 City over \$1 million in savings to use for employee raises, to plant flowers, provide bullet proof
42 vests, and firefighter equipment, and they could also clean the bathrooms more than once a week and
43 water the ball fields. He said he came tonight to give them his perspective. As a citizen, he gets the
44 feeling that it is an "us against them" mentality, and that has to stop. They all need to come together
45 and be united to make Orem the best city in the United States.

DRAFT

1 Richard Brunst, resident, mentioned that Mr. Chesnut has been a tremendous asset to the City for
2 many years. He thanked him for everything he has done. Everyone enjoys having better drinking
3 water because of Mr. Chesnut's efforts. He agreed with previous comments that operating money
4 should be kept within the city for the residents and for raises to the employees. He indicated six
5 years without raises to him is unconscionable. They need to look at ways to do this. He said he had
6 the chance to meet with Mr. Davidson and Mr. Chesnut about the budget, and during that meeting he
7 expressed several concerns in terms of taxes and vehicles. He recommended they lease vehicles for
8 \$100,000 per year rather than buying new ones for \$600,000. Leasing vehicles gives the employees
9 new vehicles every three years, which brings their attitude up considerably. This is the only city he
10 knows that is driving 2001–2004 Ford Victorias with 80,000 to 100,000 miles on them while other
11 cities are driving new cars. He suggested that serious consideration be given to that and it be done
12 when and if it is determined that it meets the City's needs. He noted he also brought up several
13 concerns about how the lighting is paid for. Last year, the City was asking for an increase of \$2 and
14 this year they are asking for an increase of \$3.25. That has been pulled from the table, and he
15 expressed his hope that they can study this out as residents and Council.

16
17 Paul Reay, resident, seconded what Mr. Seastrand said in reference to being concerned about the
18 employees of the City. Right now, pay raises, if they are happening at all, are getting smaller and
19 consumer prices are getting larger. Mr. Reay noted that if this trend continues, it will stall consumer
20 spending and halt economic growth. He indicated he agrees with the possibility of perhaps
21 reorganizing the City budget, but he wants to make sure the residents of Orem also recognize that if
22 the ability to reorganize is not possible, they need to stand behind the City employees in terms of
23 giving them raises. Even if it means paying more taxes. At the end of the day, the words are great
24 but, unless people are willing to back up the employees, asking the Council to do anything is a waste
25 of time.

26
27 Steven Shallenberger, resident, complimented the City Council and administrative team for what
28 appears to him to be a responsible, well thought out budget. He cannot think of a better value for the
29 dollar with Orem compared to any other city in this country. Orem is at the top for what services
30 they provide at the cost for the residents. Orem is one of the best cities, has the best services, it is the
31 best place to live, it is safe, and it is all done at a reasonable cost. He is happy to hear the comments
32 and the commitment to the employees. The City needs to retain and maintain good employees. It
33 appears the City is between a rock and a hard place with finding a longer-term solution of having a
34 stable tax base. That would help address the employee compensation issue. If there is a way to do it
35 without breaking any other agreement, they need to do it. He suggested that, in the upcoming
36 referendum, the residents consider the importance of the employees and solve the problems for the
37 long term and not just a stop gap. They also have to fix the issue with capital expenditures. He
38 expressed his hope that the budget would pass tonight, and the City will continue to look at the
39 bigger picture with employee compensation. It is important that they retain the best employees
40 around.

41
42 Leslie Nelson, resident, echoed the sentiments of the many in support of the employees. She said the
43 residents are getting an unreasonably good deal. She stated it is not reasonable to put the request of a
44 \$4 a month property tax increase on the backs of the employees. It was a poor decision by people
45 who signed the petition because they were uninformed or misinformed. She expressed her hope that
46 when the residents are allowed to vote on the question in November, that the City will have that \$1.7
47 million available to them. She wondered if the City were to bring in more sales tax than was

DRAFT

1 anticipated this year, if those funds could be used beyond what is written in the budget and if a
2 budget resolution that is passed tonight could allow for that flexibility. She would encourage that
3 because no one has a crystal ball to see the future. If it is brighter than anticipated, she would
4 recommend they make allowances for it in the current budget. Mrs. Nelson then asked why Mr.
5 Andersen voted against the three federal grant items on the budget. He did not give a reason for
6 voting no, and it seems to her that it is not money that is coming directly out of Orem residents'
7 pockets, but rather from federal taxes that are paid by people all over the country. Mrs. Nelson then
8 thanked Mr. Chesnut for everything he has done for the city.

9
10 Chris Howlett, resident, stated that he is the great grandson of former Mayor Emil Hansen and is the
11 nephew of Senator Watkins. He said he appreciates the opportunity to attend the Council meetings,
12 and he wants to get involved in the community and to learn.

13
14 Paul Goodrich, resident and City employee, noted that Orem used to be “the” regional shopping
15 center, and University Parkway was called the “miracle mile.” It is no longer the miracle mile, and
16 the City needs to focus on economic development. He expressed appreciation for the comments
17 about compensating employees. When he came to work for Orem eight years ago from Sandy City,
18 he took a cut in pay because he wanted to work for the community where he had been born and
19 raised. He said it is a great honor to work for the City. He stated his wife makes a lot of money, so
20 he does not have to worry about making enough money working here; however, he sees valued
21 employees who work for the City of Orem who are not in the same circumstance he is in. He asked
22 the Council to focus on economic development for the future.

23
24 Sharon Anderson, resident, asked for clarification on the what the total of the other small proposed
25 fees are and whether the \$3 street lighting fee will be included in the budget at a later date. She said
26 she appreciates the value of the City employees and the service they give the residents; however, the
27 residents are also experiencing financial difficulties. There needs to be a balance before taxes and
28 fees are increased. They would all like to see more sales tax, so these tough decisions do not have to
29 be made. She said she is mystified by the sign ordinance because it takes away the small businesses'
30 opportunity to advertise and increase their revenue.

31
32 Tom Macdonald, resident, said he does not have new things to say, but was afraid that his silence
33 would make people think that he disagrees with the comments made tonight. It has been refreshing
34 to him to see so many people come forward and say there needs to be a long-range plan to
35 compensate the employees and to build the city. They need an infrastructure that will allow them to
36 grow and develop to be the place they want Orem to be. He said economic development will raise
37 that ship. He said he is running for City Council and will do all he can to help economic
38 development here. He would like to encourage good businesses that will bring in sales tax. As Mrs.
39 Anderson noted before him, there are some who are in hardships, and the City cannot be unaware of
40 their concerns and issues. The City can build the Orem economically, so they have additional
41 resources that will build the city greater and compensate great employees for great work.

42
43 Mayor Evans closed the public hearing.

44
45 Mrs. McCandless thanked the residents for their comments. She asked staff what would happen to
46 the City's investment with UTOPIA if the City were to not pay the operating expenses, and what

DRAFT

1 will happen with Murray and Tremonton since they are not paying the operating expenses. She also
2 asked about the possibility of leasing the police vehicles.

3
4 Mr. Davidson said the challenge with UTOPIA is the need to keep the organization and the fiber lit.
5 The consequences become more dire and increasingly challenging if they start to turn off the system
6 because they would not be generating any money. If the City did not participate in the ongoing
7 operational expenses of the network, they would be responsible for the entire UTOPIA payment, the
8 UIA payment, and the potential law suits of residents who have signed up and will no longer receive
9 the services. UTOPIA has been feverishly working on ways to reduce the operational shortfall
10 within their system. The Board is having very pointed conversations with their partners about the
11 consequences of failing to participate in the funding of ongoing operations of the network. He has
12 not sat on the sidelines and simply bypassed this conversation. This is a very heated, very direct and
13 pointed conversation every time they meet. There needs to be consequences associated with their
14 failure to participate like every other member of this cooperative. The Board will continue to
15 evaluate which options they will take to remind those cities of their obligation and responsibility to
16 pay.

17
18 Mr. Davidson then indicated that staff has been looked at leasing vehicles. It is a good question and
19 is worthy of review. Several comments were made relative to other communities. Staff has contacted
20 those agencies and received information from them. The City has also had conversations with the
21 same companies those cities do business with to better understand how the system and operations
22 work. Lindon and Payson, for example, have ten to twelve marked police cars. Orem has sixty
23 marked police cars. The numbers are going to vary, but the City is not opposed to looking at that
24 option and evaluating it. The preliminary estimates suggest that this is not going to generate the
25 savings that everyone had hoped for. It could lead to some savings, but it also could not. As it relates
26 to sales tax, he cautiously reminded the Council that, to a certain degree, the City's interest and
27 excitement of relying on sales tax in the past is what has put them in the situation they are currently
28 in. Given the elasticity of sales tax, if the City over relies on sales tax and they live to a point that
29 they increase budgets based on anticipated sales tax revenue, the City could be in trouble if the
30 economy were to turn in a negative direction again. They need to be cautious in their approach. The
31 City has under estimated revenues and overestimated expenditures, so they find themselves with a
32 very conservative budget. A budget is a guiding document. It is not set in stone. As the Council has
33 experienced, the budget can be adjusted and amended. However, it serves as a guiding document as
34 the City navigates through the fiscal year. They do not anticipate everything to go exactly as
35 prescribed in the budget. In reference to the question about the other small fee increases, there is a
36 copy of the fee schedule that specifically notes the adjustments to all of the fees in the budget
37 document, and he would be happy to provide Mrs. Anderson with a copy of those fee adjustments.

38
39 Mrs. McCandless asked whether the \$1.27 per month fee includes the miscellaneous fees. Mr.
40 Chesnut replied that the main miscellaneous fee increases have to do with development projects. The
41 fee increases are just to try to cover the City's cost to perform the services. These increases are not
42 for the general residents. They mainly impact developers.

43
44 Mr. Manning noted that Mrs. Nelson had asked if the budget can be amended once it is adopted. The
45 particular concern was what would happen if the residents approve the property tax increase. Mr.
46 Manning advised that the City would not receive that property tax increase this year, due to the

DRAFT

1 timing of the November election and when the County mails out the property tax bill. The City
2 would start receiving those funds in Fiscal Year 2015. The budget can be amended with other
3 revenue increases. The City intends to start amending the budget every quarter. This will primarily
4 be for grants the City has received. Mr. Wright had talked about the invested money the City has.
5 The City does have approximately \$40 million that is invested in three different locations. That
6 money consists of all of the cash the City has on hand. It also includes the bonds the City is holding
7 for developers, any deposits the City has from utility payers, and cash reserves the City has. There
8 are numerous reasons for the City to have reserves. In the Water Fund, the City has set aside
9 millions for future projects. That is part of the \$40 million. The reason this is not listed in the budget
10 is because the City's balance in the Public Treasurer's Investment Fund changes every month. Every
11 governmental entity has the ability to invest in this fund. The City moves money in and out of that
12 constantly, to meet weekly check runs. It is held in that account because it earns a little more interest
13 than the bank account does. This money is accounted for in the yearly Audit Report. The Audit
14 Report is a report of where the City has been and how they did with the previous year's budget. The
15 budget is a plan of where the City wants to go. If the City were to spend the \$40 million, which is
16 one-time money, it would just be gone and so would the interest earnings and reserves.

17
18 Mr. Davidson noted that the reserves also speak toward the debt guiding principle they were
19 discussing earlier. As the City sets aside money over time, those proceeds become the money used to
20 accomplish projects and to replace or expand the infrastructure. There is a purpose for these funds,
21 and these reserves are not overly aggressive.

22
23 Mrs. Street expressed appreciation for the thoroughness staff has used in going through the expenses
24 and incomes of the City. She then responded to the comments made about the funds set aside for the
25 UTOPIA operations payments. She said she does not admire what Murray or Tremonton are doing,
26 because it puts a greater burden on the other cities. Orem *is* UTOPIA, so by saying they are wanting
27 to "stick it to UTOPIA", they are actually sticking it to themselves. There is a way to help Orem
28 without hurting the rest of the UTOPIA cities. In the future, she would love to see this Council move
29 toward a model where UTOPIA is like an Enterprise Fund. She would like the UTOPIA obligation
30 to be self-sustaining by having the revenues off set the payment. As they increase the subscriber
31 base, the revenues increase, so they will reach a point where there are more revenues than expenses.
32 The City will not get there by "cutting off their nose to spite their face." They cannot change the
33 decision to become UTOPIA; however, they can change the way the City moves forward with
34 UTOPIA by changing the funding mechanism. That will require Orem working together with the
35 UTOPIA partners, and for the Council to work together to change the funding mechanism. She said
36 she would like to see the day when there can be a fee to pay for UTOPIA, similar to the Enterprise
37 Fund, that separates it out from the current program they have. Mrs. Street said she is glad there are
38 no residents here tonight saying the City should let go of the employees because there are fifteen
39 people here that would do their job for half the money. She is glad she is not hearing people say the
40 City should let the Boy Scouts take care of the cemetery because the City does not need employees
41 doing that. She does not think those kinds of comments make any sense. It is important for the
42 residents to recognize that Orem is UTOPIA, and they have to continue to meet that obligation. It is
43 not a City employee versus UTOPIA question. Both things need to be taken care of.

44
45 Mr. Seastrand thanked staff for looking into the leasing of vehicles issues. He asked when that
46 would take place. Mr. Davidson explained that the money is set aside in the fleet fund and can be
47

DRAFT

1 used to either buy or lease the vehicles. The cost to lease 10 vehicles in the first year may be
2 \$100,000. The residents might look at that \$100,000 and say they are going to reap \$400,000 in
3 savings. However, the following year they will have to replace another 10 cars, so there is \$200,000
4 in payments. They would continue down the line until they replace all 60 vehicles, and then they are
5 up to \$500,000 to \$600,000 over a six-year period. That savings can be realized, but it is just one-
6 time savings. The City is reaping the savings within a given fiscal year, and to take that one time
7 savings and roll it into an ongoing expenditure that needs to be met beginning this year and forever,
8 it might not yield the kind of savings and ongoing monies that are necessary to fund the many things
9 the City needs ongoing money for. Every year there is a State contract put together, and the City has
10 the opportunity to purchase vehicles through that contract at better pricing.

11
12 Mr. Seastrand said Mr. Isaacson, Mr. Brunst, and Mr. Spencer all recommended the City not pay the
13 operating expenses for UTOPIA. The City Council had a meeting a few months ago where the
14 options for going forward with UIA were presented. The City Council was to give feedback to Mr.
15 Manning as to how he should vote on this issue. The Council was given four or five options to look
16 at. One of those options was to go dark. To go dark meant they would turn out the lights, shut down
17 the system, stop the revenue coming in, and not only have the UIA bonding responsibility, but also
18 assume the additional liabilities of the UIA as well as any other stimulus funding or other packages
19 that would greatly increase the cost to the City of Orem and the residents. He said he does not recall
20 anyone on the City Council who expressed an interest in going dark. There was some interest in
21 selling the network if that were a possibility, but the recommendation was to go forward with the
22 UIA plan because it is making progress. It is not perfect, but it is covering its cost, and it is covering
23 the debt. The City of Orem is not paying any money on the UIA debt. That is being paid for by the
24 individuals who borrow money for the hookup in order to have access to the service. Their
25 obligation is to pay the \$2,500 over a period of years. The revenue that comes in completely covers
26 the cost of the bonds. If the City were to shut UTOPIA down, those individuals would say the City
27 made a commitment, and they no longer have access to that fiber service. The City would then have
28 to cover those UIA payments.

29
30 Mr. Seastrand then stated that the second question from that discussion was how the operational
31 payment was handled in the past.

32
33 Mr. Davidson explained that it was through debt. The original bonding through UTOPIA and the
34 original bonding of UIA has payments negotiated in as part of the debt to pay those operational
35 deficits.

36
37 Mr. Seastrand said there was discussion that continuing on that path was not prudent because using
38 debt to pay for operational expenses does not work. It is not as transparent as they would want to be,
39 and they want to keep UTOPIA and the UIA responsible for reducing those deficits and to come into
40 compliance with operational self-sufficiency. The second part of the decision a few months ago was
41 to not finance operational costs. That is why the \$575,000 is part of the budget this year. The
42 decision coming from the Council after that discussion was to continue on with UIA and to not
43 borrow money for operational expenses. The amount for Fiscal Year 2015 will be \$575,000 and after
44 that it will be \$390,000 and then \$143,000. It will get to a point where the revenue generated from
45 new customers will be sufficient to cut down the operational costs to where it can become self-
46 sufficient and will at some point pay the UTOPIA debt. Mr. Seastrand noted that all of those who are
47

DRAFT

1 advocating that the City Council not pay the \$575,000 are saying the City should let UTOPIA go
2 dark and assume the liability of all of the UIA bonding. That is a greater expense to the City, it shuts
3 down the possibility of being able to sell the network, and it removes the possibility to have a
4 product that continues to offer that service to the customers that have made the commitment to go
5 forward. It is his understanding that the two cities that voted not to pay the operational costs are
6 rethinking that decision because the consequences are questionable as to whether that was the right
7 decision for them.

8
9 Mr. Davidson noted that they are getting to the point as UTOPIA cities where they will tie a
10 consequence to such decisions. Based on the consequences that may result, those two cities may feel
11 differently about their obligations to meet those operational requirements. It will be based on the
12 access they have to other like services, which in other communities is nonexistent. He said he cannot
13 speak for them; however, he does think they will have a change of heart once they understand the
14 full ramification of their decision.

15
16 Mr. Seastrand noted that this is why he is supportive of the \$575,000 expense this year and the
17 subsequent payments for the next few years. This is the pathway for improvement, and the
18 consequence of not doing it has a much greater significance financially to the City of Orem, which
19 makes the picture even more bleak. He asked whether anyone on the Council disagrees with this. No
20 one said they did.

21
22 Mrs. Black complimented Mr. Seastrand on his brilliant presentation. She thanked him and seconded
23 everything he said.

24
25 Mr. Seastrand then noted for the record that when the Council had the discussion about the tax
26 increase, the original proposal was a \$3.5 million increase. He was one of the Councilmembers who
27 backed off on that and went for the \$1.7 million. As he looks at the budget, the City is not
28 maintaining the resources it has. They do not have the capital improvement funds they need to
29 adequately maintain Orem's infrastructure. He said he feels strongly that the tax increase is needed
30 to help the City. If the tax increase is not approved, the City will be looking at many significant
31 challenges. It is not a matter of saying they are just trying to make this painful. It is the reality of
32 what the City is seeing from a budgetary standpoint. He said part of the reason he was okay with
33 reducing the tax increase to \$1.7 million is because he felt the economy was improving. A strong
34 vibrant economy is a key aspect to succeeding. They have to continue offering the services and
35 amenities that make people want to come to live and shop in Orem. He said he is counting on a
36 continued extraordinary effort from the City employees and from the community so they can see the
37 positive in what is going on. They can recognize that things are improving, and they are working to
38 find solutions to move forward. This budget addresses many issues; although, they still see
39 themselves lacking in many areas. He said he is worried about the employees. The City is having a
40 hard time attracting temporary employees this season, and the City is going to have to address that.
41 He is not sure what the solution is. They are dealing with the budget they have, but that is a concern
42 in moving forward. He observed that, while in business school, he had a wise professor who taught
43 him the importance of employees. Mr. Seastrand said the greatest asset in the City is not the roads; it
44 is the asset of the employees who service the community to make the roads drivable and keep the
45 City operating. The employees are a wonderful asset, and the City should do what they can to take
46 care of that asset.

DRAFT

1 Mayor Evans said there are some residents who say a community should not do recreation, or arts, or
2 a library, and there are others who say the community should do those things. The referendum
3 outcome will come down to what the voters feel they want the City to do for them. When he talks to
4 out-of-state business associates about what Orem tried to do with the property tax increase, they just
5 laugh. They cannot believe the residents would try to stop the City from doing it, knowing what the
6 money would go for.

7
8 Mr. Andersen responded to Mrs. Nelson's questions as to why he voted no on the federal housing
9 issue. He gave an example of the Ten Commandments. He said there are a couple of them, "thou
10 shalt not steal", if they get caught doing that one, they pay for it. If someone gets caught killing
11 someone, they pay for that. The rest of them--"keep the Sabbath day holy, do not worship graven
12 images, bear false witness, honor parents, get a longer life," they cannot prove any of that. "Do not
13 commit adultery, do not covet, do not takes God's name," none of those can be proven that they will
14 make a hill of beans difference in someone's life. However, a lot of people believe those things are
15 the way they should live their lives. He said he thinks that is why they have the safest city in Utah
16 because they have more people who think that. He said he was also taught that God not only has
17 rules for morality and lying and honoring parents, but he also has economic laws and political laws
18 that he favors. Unfortunately, it is a 1 to 6 vote again and again and again because he is the only one
19 who thinks that way. That is the reason he votes that way. He thinks that God will help someone if
20 they adopt certain economic laws and walk away from others. He gave the example of UTOPIA. The
21 City is in debt millions of dollars. He likes to beat up on UTOPIA because the government has no
22 business being there. He can tout that as "here is where the City is where they had no business
23 going." Mr. Andersen said that when they had the discussion back on February 26, 2013, he asked
24 three times whether or not the Council was going to vote on it, and he was told no. He did not get to
25 vote on it. Then they had three more meetings after that where he said he wanted it on the record that
26 if he had the ability to vote he would have voted no. UTOPIA is an example of where the
27 government has no business going. They had a big discussion on Midtown Village last meeting. It
28 started at 10:30 p.m. and he wished more people had been there. The April 26, 2005, minutes show
29 City-owned parking garages. He said he beats up on that because it is another example of where the
30 City government put up money, borrowed it from over here, put it over here, and loaned it to them to
31 build those garages. He can say here is another example, and those are all 7-0 votes. He beats up on
32 those things to say that is who they are associating with. That is where they are going and it is the
33 wrong direction. He looks at it that if everyone started thinking the way he does, they would have
34 less holes in the road, more air in their tires, and they would get blessed. They might not see like the
35 other 8 of 10 commandments, but if they believe it they are going to live longer and healthier and
36 will be blessed. But he is a 6-1 believer that God has certain economic principles that they ought to
37 follow. He said Ms. Nelson asked why he votes that way, and that is why. He thinks they get blessed
38 if they go over here, and they get cursed if they go over here as long as they keep going the wrong
39 direction. He said he has these wonderful examples saying that is where they should not be, but the
40 City keeps going there. That is why he votes that way. There was a thing on the news a while back
41 that talked about loan modifications. This is where he is trying to use reason and not just morality.
42 Over half of the people getting loan modifications still cannot make their house payment. To him,
43 whether it is \$10,000 federal housing assistance in Orem or a \$750,000 housing project in Orem
44 from federal funds, they are going in the wrong direction. They will get cursed for it someday. He
45 said they might not even see it because he cannot point it out. If he could point it out, he would do it.

46

DRAFT

1 Then they would have 7-0 votes going the other way on his side. Right now it is 6-1 because he is
2 alone.

3
4 Mrs. McCandless declared that, according to Mr. Andersen's comments, her husband must have died
5 because she voted for UTOPIA. She said it is inappropriate for Mr. Andersen to bring in God's laws
6 and morality. Every person on this Council is a good person and they are doing what they feel is best
7 for the community. For Mr. Andersen to say two times that there are 6-1 votes because he follows
8 God's law and morality is an implication that the rest of the Council are bad people, and she does
9 not appreciate that. Mrs. McCandless said she received a phone call this morning from a resident
10 who asked her what the most pressing issue is in Orem. Mrs. McCandless said she told this person it
11 is not UTOPIA's past. What is done is done. When she ran for Council last time, one of the big
12 issues was Midtown Village; however, she does not think that is the biggest issue in the community.
13 That is a private enterprise at this point. The City did enter into a Special Improvement District, and
14 the developers are current on their payments, and the City is not in a position to lose any money on
15 that. As she talked to the resident, she said the most pressing issue in the community is the possible
16 decline of the quality of life the residents currently enjoy in Orem. At recent Council meetings, they
17 have seen reports on how and why the utilities need to be replaced, but there is no money for
18 replacement. The potential loss in the quality of life is that they do not have the economic
19 development tools needed in the community. Some Orem residents are opposed to the economic
20 development tools they do need to make this community strong. Right now, the State government
21 has set up a tax structure that creates competition between cities for sales tax revenue. That is really
22 the only variable tax and revenue source the City has. They have the franchise tax and property tax
23 and things like that, but the sales tax varies, and a sales tax increase does come at a price. Other
24 communities have used redevelopment areas, and Provo is looking at doing a Community
25 Redevelopment Area. These are things that people might be fundamentally opposed to in Orem, but
26 those might be tools the City needs to grow its economic base to have more sales tax. The City is
27 now competing with other communities in the county that they have not had to before. She
28 expressed concern with facility maintenance, such as the parks and the buildings. She said she has a
29 responsibility to help maintain the assets that make this community great. She has a fiscal
30 responsibility to do that. Mrs. McCandless advised that she feels the potential decline in the quality
31 of life in the community can happen because the City is not taking care of the employees. She does
32 not believe taking money out of UTOPIA is a long-term solution. She was at lunch today and
33 someone complained to her about the paint coming off the police cars. She talked to him about the
34 City budget for a few minutes. The employees are the spirit of the organization. They are the spirit
35 of the city. Some will be sad and some will be happy, but she has chosen not to run for reelection.
36 She has been here for a long time, and when she came here, employee spirit and morale was a lot
37 different than it is now. It is not the fault of the employees, but the circumstances are different. If she
38 had not had a pay raise in as many years, as they have not, but her workload had increased, her
39 morale would be down too. Her biggest concern is the decline of the quality of life in the
40 community. She said she does not believe they have even started to see the impact of not having the
41 money the City needs to provide services. If they do not pay now, they will pay more later. She
42 expressed appreciation for this budget, and she hopes they can get another \$1.7 million in
43 November. She supported the whole tax increase last year. She is very concerned about what the
44 future holds. She voiced gratitude to the staff for what they have done with the limited funds
45 available.

DRAFT

1 Mayor Evans noted that he loses employees because he can only give them a three percent increase
2 each year. He has lost nine or ten employees this year because they can get a seven to ten percent
3 increase somewhere else. To him, what hurts the most is the inability to give the City employees
4 raises.

5
6 Mr. Andersen said he was misunderstood with his comments. He does not think that is why Mrs.
7 McCandless's husband died. Mr. Andersen said he was trying to say that they discovered electricity
8 and things got better. They discovered combustion engines and had medical improvements and
9 things got better. The founding fathers gave them the Constitution. There was not a Mormon in the
10 place, and they gave the citizens the greatest political document ever written. His fear is that they are
11 now hurting that document and are destroying the economic engine that it created with Socialism.
12 That is the direction they are going, and Orem is a mini-thing. Fascism is where the government
13 chooses which businesses they will help, and that is how they got into UTOPIA, Midtown, and
14 North Pointe. There are items that help make life better, but there are economic principles the
15 founding fathers discovered which are now being destroyed. In 1890, less than one percent of the
16 federal budget would be considered redistribution of wealth. Now it is fifty-six percent. To him, that
17 is going in the wrong direction. He thinks he has discovered certain economic principles, and he is
18 trying to keep them alive. That is his perception. He thinks someone will be blessed by going in this
19 direction. God has his commandments, and if people live by them, they will be blessed. He has
20 economic principles and principles for the proper role of government. The residents should seek that
21 type of direction or counsel. That is why he has the strange votes. He said he does not think the rest
22 of the Council are all sinners.

23
24 Mrs. Black asked Mr. Andersen if he believes the City should let UTOPIA go dark. That was the
25 determining question of whether or not to fund the operations. She asked if he wants UTOPIA to go
26 dark and whether he wants the City to be facing litigation and the debt for UIA and UTOPIA in the
27 future with nothing to show for it. She said she wants a yes or no answer.

28
29 Mr. Andersen said he cannot answer that as yes or no because, in the first place, that is the only
30 option she is giving.

31
32 Mrs. Black asked Mr. Andersen if he does not believe UTOPIA will go dark if they do not give the
33 operation funding.

34
35 Mr. Andersen said he does not know. What he does know is the only people who are dealing with it
36 are the people who want the City to stay in UTOPIA and keep it going. The experts who are running
37 it do not want to lose their jobs. They do not have people involved in this who are trying to figure
38 out how to get out of it. They are trying to figure how to hang on to it.

39
40 Mrs. Street objected to Mr. Andersen's statement.

41
42 Mrs. Black indicated that when they started this discussion she gave four points about whether or not
43 it is the truth, it is fair to all concerned, will it build good will and friendships, and will it be
44 beneficial to all concerned. She said she is concerned about the truth getting out in orem. The truth
45 about the real facts and the truth about UTOPIA is that the City is in it. They cannot spend their lives
46 debating about whether or not they should have gotten into it. They are in it. What they need to
47

DRAFT

1 spend their time doing is working on making it successful and moving it forward. That is what the
2 Council has been trying to do. It is a difficult process. It is not like the Council is just throwing
3 \$575,000 to them. They have examined the issues very carefully, and they have determined that it is
4 the best course of action they can take at this time given all the parameters and all of the options that
5 could happen with the different choices. She said Orem is a great place, and she is getting a little
6 tired of hearing how awful Orem is when it is one of the best places in the United States to live.
7 They have some of the lowest taxes and fees of the comparable cities around, and people are
8 complaining. She asked everyone to look at the positive and be thankful for the blessings, assets, and
9 the well-managed city they have. She said she cannot say enough about the staff, the employees, and
10 the efforts they make to make things good in the city. As the Council attempts to solve the problems
11 and move forward, they should have a positive attitude. She wants everyone to say good things
12 about the City and work to make it better. She said she disagrees with Mr. Andersen on many
13 respects. She thinks municipalities are good things. Government is important, and the services that
14 are provided in the city are welcome, needed, and appreciated by the majority of the residents. This
15 includes the library, the parks, the recreational programs, and the cemetery, even those services
16 might be found in the yellow pages. Mr. Andersen talked about electricity being discovered, it was
17 municipalities that installed it. The community does things together in order to make the residents'
18 lives better. It is not evil. They need to be careful and cautious with the things they do, but she
19 believes that Orem is a great place, with a great staff, and this City Council is doing its very best to
20 make good decisions.

21
22 Mr. Seastrand stated that he would like some clarification. As the City Council struggles to find
23 solutions and go-forward plans, he questioned what other alternatives the Council had. Mr. Andersen
24 expressed his concern with UTOPIA. Mr. Seastrand asked what it is about this budget that Mr.
25 Andersen does not like. Mr. Seastrand said he assumes this will be another 6-1 vote. Mr. Seastrand
26 said he is giving Mr. Andersen the chance to say he why he is not voting for this budget. Individuals
27 have said there is a challenge for transparency when Mr. Andersen votes “no” but does not give the
28 reason why he is voting no.

29
30 Mr. Andersen said he just spent about ten minutes explaining why, which is less than the other took.
31 He said Mr. Seastrand can rehash that in his mind, and he would have his answer.

32
33 Mr. Seastrand said Mr. Andersen elaborated after he was asked. At the time of the vote, he did not
34 explain why he was voting against the motion. Mr. Seastrand said he assumes Mr. Andersen will
35 vote no on the budget, so Mr. Seastrand said he is asking Mr. Andersen in advance what he would
36 change about this budget to make it something Mr. Andersen feels is a good solution for going
37 forward in the city.

38
39 Mr. Andersen said he could go through a lot of things. He has already gone through the federal fund
40 things.

41
42 Mr. Seastrand asked whether there are federal funding items in this budget that should be taken out.
43 Mr. Andersen said there are. That is one of the things he does not like, which is the redistribution of
44 wealth.

45
46 Mr. Seastrand questioned whether there is a specific line item Mr. Andersen could identify as being
47 one that should be removed or stricken. Mr. Andersen said if he thought he had a 4-3 possibility, he

DRAFT

1 would have prepared something like that. Last year when they were going through the budget, he
2 had 11 ways to cut the budget, and he could not get a second on even 1 of those motions. That
3 discourages him from spending a lot of time outlining it.

4
5 Mr. Seastrand said this is Mr. Andersen's chance to give them his solutions. Part of the problem last
6 time was Mr. Andersen's methodology in how he approached it. Mr. Seastrand asked Mr. Andersen
7 what his UTOPIA, Midtown, and budget solution are so the Council has something else to consider.
8 Last time most of Mr. Andersen's recommendations were to strap the burden of UTOPIA on the
9 employees by reducing their benefits and taking away certain aspects of their employment
10 compensation. Mr. Seastrand said Mr. Andersen followed up with that by making comments that Mr.
11 Seastrand did not believe were accurate in terms of what the employees were making and what they
12 were costing the City. Part of the discussion of Midtown Village as was explained earlier was that
13 Mr. Andersen said the City is giving Midtown taxpayer's money. It was clarified that it was not true.
14 Mr. Orullian's concern last year was the Mr. Andersen says things on his radio show, such as the
15 City is giving these businesses money, and that was not a true statement.

16
17 Mr. Andersen said two weeks ago they were discussing Midtown Village, and Mrs. McCandless
18 looked up Mr. Andersen's webpage and said the information said "gave or loaned" the money.

19
20 Mr. Seastrand indicated that that is not what Mr. Andersen said in the previous Council meeting with
21 Mr. Orullian. Mr. Andersen told Mr. Orullian that the City gave Midtown the money. The minutes
22 show that is exactly what Mr. Andersen said.

23
24 Mr. Andersen said maybe they are misinterpreting it. They can use the word gift if they want, but it
25 is a loan. They took taxpayers money and loaned it to this organization.

26
27 Mr. Seastrand clarified that he did not say it was a gift; Mr. Andersen did.

28
29 Mr. Andersen asked how the City ended up owning parking garages in Midtown Village. Mr.
30 Seastrand said they explained that last week. The City facilitated a Special Improvement District
31 bond that was being paid for by the developer. The City is not paying a dime on the bond. The
32 complete bond and expenses and all obligations are being paid for by the developer.

33
34 Mr. Andersen asked where the money comes from. Mr. Seastrand said the developer pays the City,
35 and the City pays the bond.

36
37 Mr. Andersen asked where the City got the money from to loan the money from. Mr. Seastrand said
38 the money came from the bond company.

39
40 Mr. Andersen said the City borrowed money and then started making payments to build those
41 garages.

42
43 Mayor Evans clarified that the money came from the developer. It was not paid from the City's
44 money.

DRAFT

1 Mr. Andersen said the City put the money up to begin with. They have a twenty year bond they are
2 making payments on. Mr. Seastrand corrected Mr. Andersen saying the developer is making the
3 payments. The bank loaned the developer the money, and the developer is making all of the
4 payments.

5
6 Mr. Andersen asked how the City can foreclose on the project. Mr. Davidson explained the City
7 allowed the developer to use their credit rating for the transaction.

8
9 Mayor Evans noted the Council needs to get back to the budget discussion. The Council has asked
10 Mr. Andersen the question, and if he has anything else to add about what he would change, he can
11 do that. Mr. Andersen did give some philosophical reasons.

12
13 Mr. Andersen said one of the complaints he has had with the City is that in 1998 the City debt was
14 \$25 million, and now it is up to \$117 million. During that time, the population has grown less than
15 6 percent, but the debt has grown over 400 percent. He thinks the City has a big problem with the
16 direction they are going in.

17
18 Mr. Sumner stated that he is addressing the whole Council with his comments. At Utah Valley
19 University he teaches First Amendments rights, which this country guarantees. People can say
20 anything they want. That is why this is such a great country. However, there is also a federal law
21 against mixing church and state. The Councilmembers can do whatever they want when they are
22 outside of this forum, but it is important that they adhere to the federal laws when they are in formal
23 meetings. He joked that he is the best Sunday School teacher in Orem, but he thinks it is important
24 when they are talking about honoring laws, that they not violate federal laws by mixing church and
25 state especially in a public forum.

26
27 Mrs. McCandless **moved**, by ordinance, to approve and adopt the Fiscal Year 2013-2014 Budget,
28 adopt the compensation programs, adopt the fees and charges schedule, set the property tax,
29 franchise tax, municipal energy sales and use tax, telecommunications license tax, transient room tax
30 and E-911 fee rates, and amend the Fiscal Year 2012-2013 Budget. Mrs. Black **seconded** the
31 motion. Those voting aye: Councilmembers Margaret Black, Jim Evans, Karen A. McCandless,
32 Mark E. Seastrand, Mary Street, and Brent Sumner. Those voting nay: Hans Andersen. The motion
33 **carried** with a majority vote of 6 to 1.

34
35 Mayor Evans said there are a lot of great people in the community, and he knows how Mr. Andersen
36 feels about things. Mayor Evans said he has made the comment before that the Council has to be
37 respectful of everyone in the community. They need to be careful with the language they use,
38 because they are the City Council for every religion and creed in Orem. Mayor Evans said he
39 understands philosophically where Mr. Andersen is coming from, but they all need to be careful.

40 **PERSONAL APPEARANCES**

41
42
43 Time was allotted for the public to express their ideas, concerns, and comments on items not on the
44 agenda.

DRAFT

1 Judy Cox, resident, commented that the Council has just reminded the residents that what they were
2 supposed to be talking about during the public hearing portion of the budget was the budget. She
3 said she feels that a lot of her personal time was wasted and thanked Mrs. Nelson for that. Mrs. Cox
4 said the Mayor allowed Mrs. Nelson to talk about something that was not on the budget. Mrs.
5 Nelson asked Mr. Andersen a question about why he voted no on the HOME program, which is not a
6 part of the budget.

7
8 Mayor Evans clarified that it is a part of the budget. All of the money that flows in and out of the
9 City is part of the budget.

10
11 Mrs. Cox said it was a separate item on the agenda. Mayor Evans said the agreement was, but all of
12 the funds used are part of the budget.

13
14 Mrs. Cox stated that the vote Mrs. Nelson was referring to was something that was done prior to the
15 discussion on the budget. She asked specifically why Mr. Andersen voted no, which had nothing to
16 do with the budget. It set off a very large discussion about Mr. Andersen. Mrs. Cox said she is not
17 defending him or anything he said; however, she came here to hear about the budget, and they spent
18 a whole lot of time talking about God, Midtown Village, and there was a lot of City Council in-
19 fighting that occurred. Going back to Mrs. Nelson's question and her comment that Mr. Andersen is
20 running for mayor, Mrs. Cox said Mrs. Street and Mr. Sumner are running for council, so she wants
21 to know why they voted yes on the HOME item. Mrs. Cox noted that she does not think this is an
22 extremely important issue, but the point was that Mrs. Nelson was trying to personally attack Mr.
23 Andersen. Mrs. Cox noted the issue was not even discussed, so as a resident, she does not even
24 know what it is about.

25
26 Mrs. Street said she voted in favor of that item because Orem is part of a Consortium with Utah
27 County and Provo City. There are federal funds that come into the community that are based on
28 algorithms. If Orem says it does not want the money, there are other communities standing in line
29 that would be thrilled to take the funds. This money benefits the residents, and it gets spent on
30 projects such as making low-interest loans available to senior citizens to do energy improvements
31 with their homes or to do emergency repairs. There are numerous loan programs and housing-related
32 programs that help residents in the community. This is a good thing. She has seen the benefits of this
33 program. She has seen funds used by Habitat for Humanity, and Orem—standing alone—does not
34 qualify for these funds. In the Consortium with Utah County and Provo City, they get to participate
35 and receive the benefit.

36
37 Mr. Sumner gave a specific example of how a good friend of his was able to benefit from these
38 funds. Four years ago this friend's roof was leaking, and through one of these federal programs, he
39 was able to get funds to fix his roof. They had seven kids, so this was helpful. If Orem turns that
40 money away, he is not sure how his friend could have gotten the roof fixed. They were low-income
41 and were in dire straits. Mr. Sumner said if Orem does not take the funds, the rest of the cities would
42 be happy to. As Councilmembers, they have been in about four work sessions going over this budget
43 with a fine-tooth comb. They have made corrections. They have asked questions, and they thought it
44 was a fair and balanced budget for everyone. He would like to give the employees a pay raise, but
45 the money is just not there. This budget is for the community. It is not for the Councilmembers. It is
46 to make the community better.

DRAFT

1 Leslie Nelson, resident, said she wanted to defend her question to Mr. Andersen. She was asking
2 about a fund the City has, and that means it is part of the budget. She was not attacking Mr.
3 Andersen. She would say that she has been rather direct with Mr. Andersen in the past on things that
4 did not have to do with the budget, and this was a simple question, wondering what, if the City is not
5 raising taxes on the individual residents, his objection could possibly be. She said she bears Mrs.
6 Cox no personal animosity, and she hopes the feeling is mutual. Mrs. Nelson said she really would
7 like to see everyone participate in these discussions with a spirit of cooperation, neighborliness,
8 truth, and productivity. That is important. She does not see any good reason for the residents to do
9 anything that would be destructive or disruptive of the good feelings that are had there. There has
10 been a lot of that lately, and she sees no justification for it and no good reason for it. She apologized
11 that people may have misunderstood her intent, and that Mrs. Cox feels that an honest discussion is a
12 waste of her time. Mrs. Nelson said she thought the discussion as very informative, and she
13 appreciates the feedback that the members of the City Council gave.

14
15 Bob Wright, resident, said he has been a little upset about the arguments that have been going back
16 and forth. The purpose of the Council meeting is to have a discussion on issues and to get an
17 understanding on issues and for each member to have a vote. He does not believe it is necessary to
18 have anyone say why they voted differently. That is their right as a member of the City Council to
19 vote their feelings. He made a request that they include the investment funds in the budget, and that
20 was not even discussed. The City Council has the right not to discuss anything that is proposed.
21 They just ignore it and let it go.

22
23 Mrs. Crozier clarified for the audience that Orem is part of the consortium board. They have
24 representatives from a variety of different cities. They listen to many different proposals from the
25 community to spend that money for special or low-income population housing activities. Without the
26 benefit of all of the applications, the City does have to rely on the recommendation of that board and
27 that individual representative. They can look at a different system of representation on that
28 consortium board. She happens to be the representative for Orem. That is the reason the item was
29 presented as sort of a ratification vote rather than a consideration vote. The City Council would have
30 to have the benefit of all of the applications that were presented in order to judge the funding
31 package and make recommendations.

32 33 **COMMUNICATION ITEMS**

34
35 There were no communication items.

36 37 **CITY MANAGER INFORMATION ITEMS**

38
39 There were no information items.

40 41 **ADJOURNMENT**

42
43 Mrs. Street **moved** to adjourn to a Municipal Building Authority of Orem meeting. Mr. Seastrand
44 **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim
45 Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion
46 **passed** unanimously.

DRAFT

1 The meeting adjourned at 9:31 p.m.

DRAFT

CITY OF OREM
SPECIAL CITY COUNCIL MEETING
July 1, 2013

5:00 P.M. SPECIAL SESSION

CONDUCTING Mayor James T. Evans

ELECTED OFFICIALS Councilmembers Margaret Black, Karen A. McCandless,
Mark Seastrand, Mary Street, and Brent Sumner

APPOINTED STAFF Jamie Davidson, City Manager; Greg Stephens, City
Attorney; Scott Gurney, Interim Public Safety Director; Bret
Larsen, Fire Marshal, and Rachele Conner, Deputy City
Recorder

ABSENT Councilmember Hans Andersen

INVOCATION /
INSPIRATIONAL THOUGHT Brent Sumner

PLEDGE OF ALLEGIANCE Karen McCandless

**MOTION – Approving Fireworks Restrictions on the Most Dangerous Locations in the City of
Orem**

Bret Larsen, City of Orem Fire Marshal, presented a staff recommendation that the City Council, by resolution, approve fireworks restrictions for the most potentially dangerous locations in the City of Orem.

The City of Orem has a long history of not prohibiting the use of fireworks, but with the recent approval of aerial shells and the very hot weather forecast for the week of July 4th, the Fire Marshal is asking to prohibit them from a small portion of the city. The State Legislature changed the law this year, so the legislative body must now approve the restrictions.

Mrs. McCandless asked whether these restrictions are only through July. Mr. Larsen explained yes, because the firework season ends on July 27th.

Mrs. Street asked how these restrictions line up with Provo, since Orem and Provo share many boundaries. Mr. Larsen noted Provo has limited fireworks for the areas east of University Avenue for the past ten years. He has not seen their map this year, but they would have to follow the same procedures Orem is doing. Lindon will be doing restrictions as well.

Mayor Evans stated he lives in a restricted area, and his neighbors have been concerned with the dangers. They were very appreciative of the firefighters bringing the flyers door-to-door last year. It was a great public relations thing.

DRAFT

1 Scott Gurney, Interim Public Safety Director, stated they can do the same thing this year to make the
2 residents aware of what is going on. The firefighters love interacting with the residents, and this is
3 another opportunity to do that.

4
5 Mrs. Black questioned whether the restricted areas are the same as last year. Mr. Larsen advised they
6 are, and they did not receive any complaints last year. They will have door hangers and place signs
7 in the area.

8
9 Mrs. McCandless **moved**, by resolution, to approve fireworks restrictions for the most potentially
10 dangerous locations in the City of Orem. Mrs. Black **seconded** the motion. Those voting aye:
11 Margaret Black, Jim Evans, Karen A. McCandless, Mark Seastrand, Mary Street, and Brent Sumner.
12 The motion **passed** unanimously.

13 14 CITY COUNCIL NEW BUSINESS

15 16 *Councilmember Street*

17 Mrs. Street indicated she represented Orem and the UTOPIA Board at a recent US Ignite conference
18 she attended in Chicago. There were about 300 attendees at this conference, and it was sponsored by
19 the Office of Science and Technology Policy (OSTP) of the White House. UTOPIA is one of the
20 very first municipal broadband organizations that was contacted by OSTP about three years ago to
21 help promote the national broadband initiative. Mrs. Street said she came away from the conference
22 feeling a renewed vigor and hope for municipal broadband initiatives because she saw what
23 communities far smaller than Orem were doing. She also realized that in faraway lands, there are
24 people that actually admire what the UTOPIA cities are trying to accomplish.

25
26 Mrs. Street stated Chicago brings together libraries, technology, and citizens to help promote
27 education. The initiative they have there is a software lending library, and it requires broadband to
28 be able to do this. The library maintains licenses for expensive software applications that not all
29 families can afford to buy. They make those available for anyone to check out if they have access the
30 public library. Every school student in Chicago is given a library card. The idea is that these people
31 do not need a powerful computer at home to be able to run the advanced software packages. They
32 establish a remote desktop on the libraries computers, and it requires broadband high speed Internet
33 connectivity to be able to do it. Chicago also has instituted a 311 service where residents can
34 interactively communicate with the City. They are using it as a way for the residents to better
35 communicate with government and to help government be better able to respond to the residents.
36 The 311 system allows the residents to have statistics and information about what is going on in
37 their neighborhoods and report problems in the neighborhoods. They are also instituting open access
38 to all of the government records. They are making everything that can be GRAMA requested
39 available through the broadband connectivity. Those are just some examples of what is happening,
40 and she would like to explore this further at a future point. She wanted to let the Council know this
41 was a great conference. UTOPIA is well respected in other parts of the country, and there are people
42 that came up to her and asked whether the residents understand the value of what the City has with
43 this system. Nowhere else in the country is there such a large initiative going, and the UTOPIA cities
44 should be grateful and proud.

DRAFT

1 Mayor Evans said that will be a great work session discussion and asked Mrs. Street to keep the
2 Council updated on UTOPIA's progress.

3

4 **ADJOURNMENT OF MEETING**

5

6 Mr. Seastrand **moved** to adjourn the meeting. Mrs. Black **seconded** the motion. Those voting aye:
7 Margaret Black, Jim Evans, Karen A. McCandless, Mark Seastrand, Mary Street, and Brent Sumner.
8 The motion **passed** unanimously.

9

10 Mayor Evans thanked everyone for reading their emails and realizing there was a special meeting
11 tonight.

12

13 The meeting adjourned at 5:13 p.m.

UPCOMING EVENTS

DATE	BUSINESS AND LOCATION	TYPE
JULY 11	OREM CITY – NIA 7:00 PM Orem Sr. Friendship Center	MEET THE CANDIDATES NIGHT
AUG 13	PRIMARY ELECTION	
AUG 29 – 31	OREM CITY / FRIENDS OF LIBRARY	TIMPANOGOS STORYTELLING FESTIVAL
SEPT 11 – 13	ULCT	ANNUAL CONFERENCE
NOV 5	GENERAL ELECTION	

UPCOMING AGENDA ITEMS

JULY 30, 2013

4:30 p.m. pre mtg – Street Lighting Discussion

Mayor's Items

- Walter C. Orem Award
- Waste Management Award
- Recreation Volunteer of the Year
- Recognition – Life Guard

6:00 p.m.

- ORD – SLU 4850 Not Permitted in M1-M2 Zones
- ORD - Billboards

AUGUST 27, 2013 *New Date*****

Mayor's Items

- Report – Justice Court – Judge Parkin
- Report – Metropolitan Water District

Scheduled Items

- Canvass Municipal Primary
- Appointing Justice Court Judges

Public Hearings

6:00 p.m.

- ORD – Berkshires Boundary Line Adjustment
- ORD – Solid Waste Disposal

6:00 p.m.

- ORD – Potter Rezone to R8 – 775 E 1600 N

SEPTEMBER 10, 2013

Mayor's Items

- Report – Library Advisory Commission
- Report – Orem Arts Council

Public Hearings

6:00 p.m.

- ORD – Amending Sections 12-2, 12-3, 12-5-11, 12-5-8

SEPTEMBER 24, 2013

Mayor's Items

- Waste Management Award
- Report – Historical Preservation Advisory Commission

OCTOBER 8, 2013

Mayor's Items

- Report – Recreation Advisory Commission

OCTOBER 22, 2013

NOVEMBER 12, 2013

Mayor's Items

- Waste Management Award

NOVEMBER 19, 2013 *New Date*****

(Premtg in Library Media Auditorium)

Scheduled Items

- Canvass Municipal Primary

DECEMBER 10, 2013

Mayor's Items

- Mayor Pro Tem

Report Schedule:

January Walter C. Orem
February Beautification
March Sleepy Ridge Golf Course
..... CDBG
April Open Meetings Training
May SummerFest
..... Heritage
June Senior Advisory Commission
..... Annual Review--Gang Loitering Free Areas
..... Mayor Pro Tem
..... City Manager Evaluation
July Walter C. Orem
..... Waste Management Award
August Metropolitan Water Board
September Library
..... Orem Arts Council
..... Historic Preservation
..... Waste Management Award
October Recreation
November Waste Management Award
December Mayor Pro Tem

Upcoming Work Sessions:

- Strategic Plan
- General Plan
- Good Landlord Program
- United Way

Business Recognition List:

- One On One Marketing
- Moxtek
- Garff Dealerships
- Security Metrics

LYNNETTE LARSEN

I have lived in Orem since 1967. I attended Scera Park Elementary, Lincoln Jr. High, and graduated from Orem High School in 1977. I also attended BYU from 1977-1981.

I was employed at the BYU Traffic Office from 1977-1988, and then continued working on-call for several years helping at the beginning of each semester with vehicle registrations and fee payments. I have also been employed at Orem High School helping in the Counseling Center, administering the ACT and AP tests, and collecting fees and assisting with student registrations. I have been active in neighborhood and community events and enjoy living in Orem.

I have been married for 33 years to Michael Larsen. We have three children (two of them live in Orem) and five grandchildren. We currently reside in northeast Orem, but have lived in various parts of the City. I enjoy quilting, scrapbooking, and gardening.

CITY OF OREM
CITY COUNCIL MEETING
JULY 9, 2013



REQUEST:	MOTION - Appointment of Election Poll Workers and Approval of Voting Locations – 2013 Municipal Elections
APPLICANT:	Donna Weaver, City Recorder
FISCAL IMPACT:	\$83,000 approximately

NOTICES:

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

SITE INFORMATION:

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

PREPARED BY: Donna Weaver City Recorder
APPROVED BY:

RECOMMENDATION:

The City Recorder recommends the City Council, by motion:

- (1) Appoint the receiving and alternate poll workers for the 2013 Municipal Elections**
- (2) Approve the voting locations**

BACKGROUND:

Pursuant to Section 20A-5-602 of the Utah State Code, the City Council must appoint election poll workers at least fifteen days prior to the election.

Pursuant to Section 20A-5-403(1)(b) approval of the voting locations must also be approved by the City Council.

Election Poll Worker List 2013

Serving in C-Dist	Own Precinct	Name	Con District	Address	Zip Code	Phone	Email
1	29	*Starr, Gary	2				
	29	Starr, Jennifer	2				
(OR39)	15	Edwards, Carole	6				

Aspen Elementary - 945 W 2000 N - 227-8700

Serving in C-Dist	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
2	24	*Eddington, Karen	8				
(OR02, 29)	40	Allen, LuAnn	5				
(OR38)	40	Woodall, Meredith	5				
	41	Cox, Doug	7				

Windsor Elementary – 1315 N Main – 227-8745

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
3	41	*Black, Michael	7				
	5	Ketcheson, Linda (Primary)	13				
(OR01)	36	Weitzeil, Joan (General)	4				
(OR10)	13	Benson, Rebecca (Primary)	18				
	41	Luke, Kathryn (General)	7				

Timpanogos High School – 1450 N 200 E – 223-3120

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
4	50	*Marsh, Tawna	4				
(OR36, 48)	50	Hanson, Marcia	4				
(OR50)	30	Orullian, Aaron	12				

Northridge Elementary – 1660 N 50 E – 227-8720

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
5	21	*Crabb, Vicki	5				
(OR21,22)	22	Schlappi, Alane	5				
(OR40)	22	Schlappi, Roger	5				
	18	Bennett, Robert	6				

Bonneville Elementary – 1245 N 800 W – 227-8703

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
6	20	*Fogth, Amy	6				
(OR15, 18)	18	Newell, Paula	6				
(OR20)	15	Tolman, Sheri	6				
	22	Chabot, Brenda	5				

Orem Junior High – 765 N 600 W – 227-8756

* Indicates Supply Poll Worker

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
7	32	*Barksdale, Kirsten	12				
(OR04)	32	Barksdale, Morgan	12				
(OR41)	04	Felt, Sally	7				

Sharon Elementary – 525 N 400 E – 227-8733

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
8	24	*Clement, Debbie	8				
(OR03)	03	Payne, Valerie	8				
(OR24)	30	Lund, Kathleen	12				

Foothill Elementary – 921 N 1240 E – 227-2465

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
9	49	*Hornabrook, Elisabeth	13				
(OR34)	14	King, Lance	16				
(OR42)	27	McKittrick, Teresa	14				

Vineyard Elementary – 620 East Holdaway Road, Vineyard - 801-227-8739

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
10	06	*Clark, Dennis	11				
(OR17)	02	Christiansen, Jeanne	2				
(OR43)	47	Cox, Judy (Primary)	19				
	05	Bledsoe, Janet (General)	13				

Suncrest Elementary – 668 W 150 N – 227-8736

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
11	03	*Clayton, Kelvin	8				
(OR06)	28	Boley, Sandi	28				
(OR25)	46	Koller, Marilyn	16				

Noah Webster Academy - 205 E 400 S – 426-6624

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
12	19	*Edmonds, Kathleen	12				
(OR19, 30)	19	Lynn, Lynne	12				
(OR32)	32	Louder, Darrell	12				

Orchard Elementary – 1035 N 800 E – 227-8723

* Indicates Supply Poll Worker

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
13	05	*Gubler, Sharon	13				
(OR05, 45)	05	Gubler, Deon	13				
(OR49)	17	Stevenson, Nada	10				
	28	Brandow, Julie	14				

Orem City Center – 56 N State St. – 229-7298

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
14	24	*Clegg, Diane	8				
(OR27, 28)	23	Benson, Geraldine	16				
(OR44)	47	Johnson, Ernest	19				
	47	Johnson, Dianne	19				

Orem Elementary – 450 W 400 S – 227-8727

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
15	16	*Powell, Marilyn	15				
(OR16)	44	Hickman, Adele	14				
(OR35)	44	Payne, Marie	14				

Seville Retirement Center – 325 W Center – 224-8044

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
16	42	*Mathews, Kena	9				
(OR14, 23)	35	Madsen, Paul	15				
(OR26, 46)	23	Beus, Jill	16				
	35	Howse, Janis	15				

Lakeridge Jr. High – 951 S 400 W – 227-8752

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
17	31	*Cameron, James	17				
(OR07)	31	Cameron, Lalah	17				
(OR31)	49	Winkelman, Arthur	13				

Orem High School – 175 S 400 E – 227-8774

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
18	28	*Pett, Georgia	14				
(OR13)	08	Norman, Tina					
	09	Thoreson, Lillian Kay					

Westmore Elementary – 1150 S Main – 227-8742

* Indicates Supply Poll Worker

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
19	49	*Johnson, David	13				
(OR12)	37	Seamons, Debbie	21				
(OR47)	49	Wallace, Gloria	13				

Hillcrest Elementary – 651 E 1400 S – 227-8717

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
20	49	*Thomson, Ralph	13				
(OR08, 09)	49	Zollinger, BarDonna	13				
(OR33)	49	Worden, Glenn	13				

Scera Park Elementary – 420 S 400 E – 227-8730

Serving in C-Dist.	Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
21	47	*Livingstone, Linda	19				
(OR11)	49	Loveridge, Mary Ellen	13				
(OR37)	02	Marshall, Kris	2				

Cherryhill Elementary – 250 E 1650 S – 227-8710

Standby Poll Workers

Own Precinct	Name	Con. District	Address	Zip Code	Phone	Email
18	Bennett, Helen					
03	Rollins, Alan					
06	Browning, Diane					

Election Night Poll Workers

Name	Address	Zip Code	Phone	Email	Comments
Pusey, John R					
Pusey, Shauna S					
Peterson, Reginald					
Peterson, Sharon					

* Indicates Supply Poll Worker

2013 Alternate Poll Worker List

Name	Own Prec.	Con Dist.	Address	Zip	Phone	Supply	All Areas	Email
Anderson, Annette								
Allred, Shirley								
Ketcheson, Linda (G)								
Master, Darlene								
Lyman, Thora Lyn								
Arnoldsen, Marilee								
Kadish, Sandy								
Benson, Lindalie								

* Indicates Supply Poll Worker

2013 Polling Locations

Polling Location	Consolidated District	Precincts	Address			
Aspen Elementary	1	OR39	945 W 2000 N	Orem	UT	84057
Bonneville Elementary	5	OR21, OR22, OR40	1245 N 800 W	Orem	UT	84058
Cherry Hill Elementary	21	OR11, OR37	250 E 1650 S	Orem	UT	84097
Foothill Elementary	8	OR03, OR24	921 N 1240 E	Orem	UT	84097
Hillcrest Elementary	19	OR12, OR47	651 E 1400 S	Orem	UT	84097
Lakeridge Jr. High	16	OR14, OR23, OR26, OR46	951 S 400 W	Orem	UT	84058
Noah Webster Academy	11	OR06, OR25	205 E 400 S	Orem	UT	84058
Northridge Elementary	4	OR36, OR48, OR50	1660 N 50 E	Orem	UT	84057
Orchard Elementary	12	OR19, OR30, OR32	1035 N 800 E	Orem	UT	84097
Orem City Center	13	OR05, OR45, OR49	56 N State St	Orem	UT	84058
Orem Elementary	14	OR27, OR28, OR44	450 W 400 S	Orem	UT	84058
Orem High School	17	OR07, OR31	175 S 400 E	Orem	UT	84058
Orem Jr. High	6	OR15, OR18, OR20	765 N 600 W	Orem	UT	84057
Scera Park Elementary	20	OR08, OR09, OR33	450 S 400 E	Orem	UT	84057
Seville Retirement Ctr	15	OR16, OR35	325 W Center St	Orem	UT	84057
Sharon Elementary	7	OR04, OR41	525 N 400 E	Orem	UT	84057
Suncrest Elementary	10	OR17, OR43	668 W 150 N	Orem	UT	84058
Timpanogos High School	3	OR01, OR10	1450 N 200 E	Orem	UT	84057
Vineyard Elementary	9	OR34, OR42	620 E Holdaway	Orem	UT	84058
Westmore Elementary	18	OR13	1150 S Main St	Orem	UT	84097
Windsor Elementary	2	OR02, OR29, OR38	1315 N Main St	Orem	UT	84057

CITY OF OREM
CITY COUNCIL MEETING
 JULY 9, 2013



REQUEST:	6:00 P.M. PUBLIC HEARING ORDINANCE – Amending Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by Changing the Zone at Approximately 1040 North 1240 East from R12 to PD-18
APPLICANT:	Todd Pedersen
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspapers
- Emailed to newspapers
- Posted on State website
- Mailed 70 notices on June 27, 2013
- Posted Property on June 28, 2013

SITE INFORMATION:

- General Plan
Low Density Residential
- Current Zone
PD-18
- Acreage
37.15
- Neighborhood
Canyon View
- Neighborhood Chair
Stewart Cowley

PREPARED BY: David Stroud, AICP Planner
APPROVED BY:

REQUEST:

The applicant requests the City Council, by ordinance, rezone 37.15 acres located generally at 1040 North 1240 East from R12 to PD-18 for the purpose of developing large estate lots.

BACKGROUND:

The PD-18 zone is currently The Berkshires development accessible from south Carterville Road in the riverbottom area. The applicant is requesting to apply the same zone to the subject property.

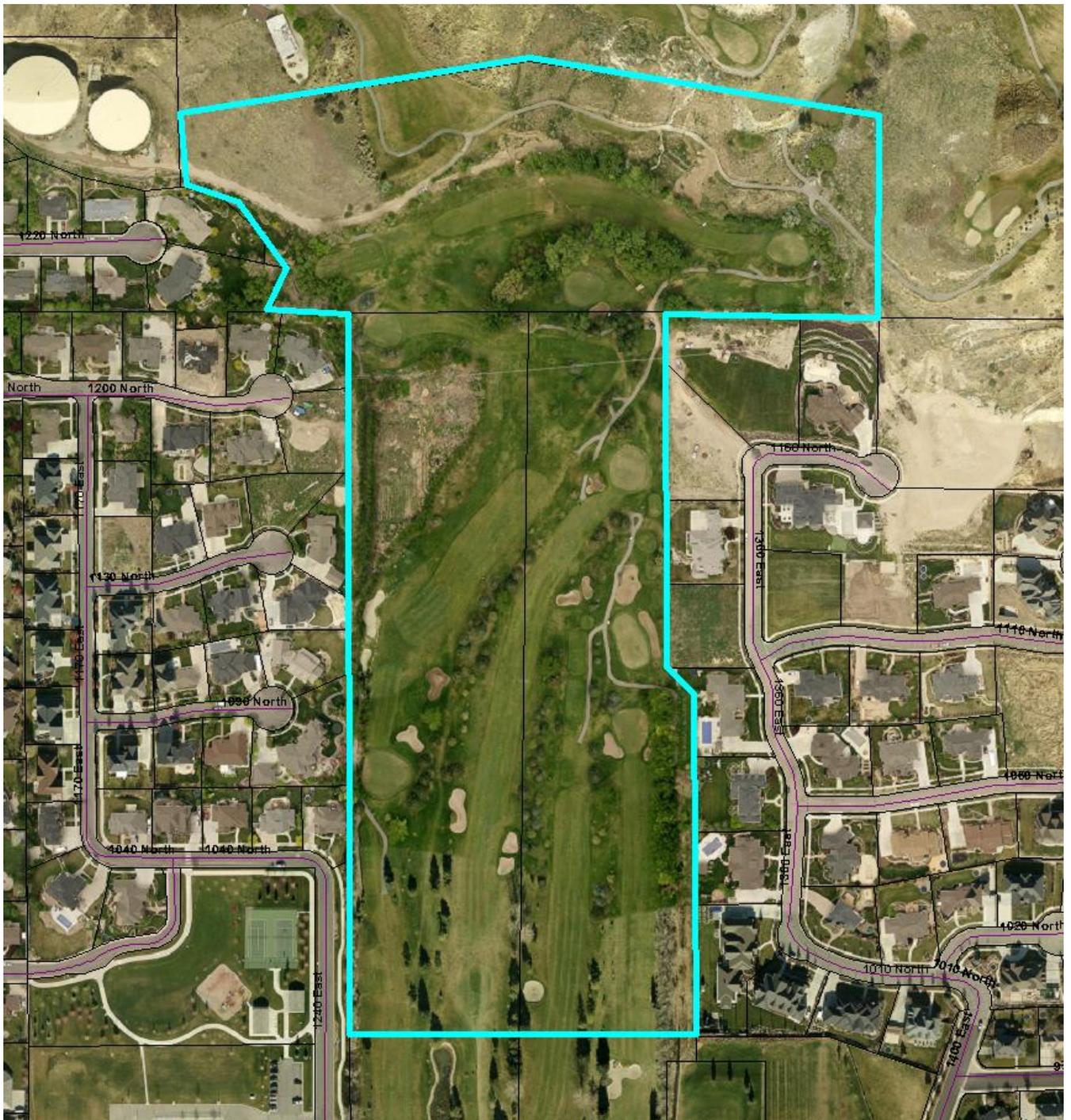
The PD-18 zone permits:

- Minimum lot size of ½ acre or 21,780 square feet
- Guest houses
- Private roads, which may be gated and no sidewalks
- Homes up to 55 feet high on lots larger than 1 acre or 43 feet for lots less than 1 acre
- Fences up to 10 feet high at least 29 feet from the front property line or 14 feet to the side property line adjacent to a street

Several neighborhood meetings were held to discuss this project and the City park.

Staff has no objections to the proposed rezone. The Berkshires development contains high-end homes and nothing less is expected from this development. The applicant is contemplating subdividing the property into two lots but the zoning would permit future development into several lots at least ½ acre in size.

The Planning Commission recommends the City Council approve this request.



DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING SECTION 22-5-3(A) OF THE OREM CITY CODE AND THE ZONING MAP OF OREM, UTAH, BY REZONING PROPERTY LOCATED GENERALLY AT 1040 NORTH 1240 EAST FROM R12 TO PD-18

WHEREAS on May 13, 2013, Todd Pedersen filed an application with the City of Orem requesting the City Council amend Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by rezoning property located generally at 1040 North 1240 East from R12 to PD-18; and

WHEREAS the applicant requests the zoning be changed to PD-18 for the purpose of developing large residential estate lots; and

WHEREAS on July 9, 2013, the City Council held a public hearing to consider the subject application; and

WHEREAS notices were mailed to all property owners within three hundred feet of the subject property and the property was posted; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the city; the orderly development of land in the city; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan; and the special conditions applicable to the request.

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

1. The City Council hereby finds this request is in the interest of the public in that it will not harm adjacent residential neighborhoods.

DRAFT

2. The City Council hereby amends Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by changing the zone on property located generally at 1040 North 1240 East from R12 to PD-18 as shown on Exhibit ‘A,’ which is attached and incorporated by reference.

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

4. All other ordinances in conflict herewith are hereby repealed.

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

PASSED, APPROVED, and ORDERED PUBLISHED this 9th day of July 2013.

James T. Evans, Mayor

ATTEST:

Donna R. Weaver, City Recorder

COUNCILMEMBERS VOTING “AYE”

COUNCILMEMBERS VOTING “NAY”

PD-18 RESIDENTIAL ESTATE ZONE.

A. **Purpose.** The purpose of the PD-18 Zone is to provide an area within the City where residential estate uses on lots of at least five tenths (.5) of an acre may be developed and that may develop with a guest house and/or enclosed recreation facilities as regulated in this section.

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

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

If there are any conflicts between the aforementioned articles and this Article, this Article shall take precedence.

C. **Zone Boundary.** The boundaries of the PD-18 Zone are designated on the Zone Map of the City of Orem, Utah.

D. **Permitted Uses.** Single-family residential dwellings and associated accessory uses and structures shall be permitted uses in the PD-18 Zone.

E. **Conditional Uses.** A property owner shall obtain a conditional use permit for any accessory structure that is one thousand (1000) square feet in area or greater and/or twenty-four feet (24') above finished grade.

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

G. **Lot Size.** The minimum lot size shall be five-tenths (.5) acre. The minimum lot width shall be eighty-five feet (85').

H. Building Heights

1. Residential dwellings shall not exceed fifty-five feet (55') in height above the average grade of the earth at the foundation wall on lots one (1) acre or larger in size and forty-three (43) feet on lots less than one (1) acre in size.
2. Accessory buildings/structures shall not exceed thirty-five feet (35') in height.

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

1. Front and side facing a dedicated or private street: Thirty feet (30') from the back of the curb.
2. Rear: Twenty-five feet (25'), or equal to the height of the building, whichever is greater.
3. Side: Ten feet (10'), or equal to one half (1/2) of the height of the building, whichever is greater.

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

1. Front and side facing a dedicated or private street: Thirty feet (30') from the back of the curb.
2. Rear and Side: Five feet (5'). For accessory building or structures requiring a conditional use permit the City Council may require greater setback distances for rear and side yards.
3. The total footprint of all accessory buildings/structures shall not exceed ten (10%) percent of the area of the parcel on which they are located.

K. **Guest House.** A guest house is a particular type of accessory building and shall be placed on the same lot as the primary structure. One guest house per lot may be permitted, and each of the following shall apply:

1. The guest house shall be of the same architectural design and materials as the main residential dwelling.
2. The guest house shall be no larger than twenty-five percent (25%) of the above grade finished floor area of primary dwellings, nor larger than four thousand (4,000) square feet.
3. The guest house shall not be sold or rented separately from the main residence.
4. A property owner shall obtain a conditional use permit for a guest house prior to its erection.

L. Fences.

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

M. Streets

1. **Private Streets and Gates.** Subdivisions in the PD-18 Zone may be developed with private streets.

Private streets may be gated, however public streets shall not be gated. Gates shall be designed in such a way that vehicles accessing the private street do not queue into the public street. To accomplish this, gates shall be set back at least forty feet (40') from the right of way line of the intersecting public street to allow for safe queuing at the gate. Gates shall be operated in a safe manner, shall be maintained so they function properly, and shall allow for emergency access. Gates securing a fire apparatus access road shall contain the following criteria:

- a. When a fire apparatus access road is provided for ingress and egress, the minimum gate width shall be twenty feet (20').
- b. Gates may be of swing or sliding type.
- c. Construction of gates shall be of materials that will allow for manual operation by one (1) person.
- d. All gate components shall be maintained in an operative condition at all times and shall be replaced or repaired when defective.
- e. Electric gates shall be equipped with a means of opening the gate by fire personnel for emergency access. Emergency opening devices shall be approved by the fire chief.
- f. Manual opening gates may be locked with a padlock or chain and padlock as long as it is accessible to be opened by means of forcible entry tools.
- g. Locking device specifications shall be submitted for approval by the fire chief.
2. **Street Design.** Private streets in the PD-18 Zone may be designed and built with a thirty-two foot (32') right of way and twenty-eight feet (28') of pavement, with rolled curb on each side.
3. **Street landscaping.** Landscaped islands may be approved in a private street. They shall be designed, maintained, and located to allow safe traffic flow.
4. **Deep Lots on a private street.** Deep lots may be created on a private street.
5. **Driveways.** Driveways shall be paved with concrete, asphalt or stone.

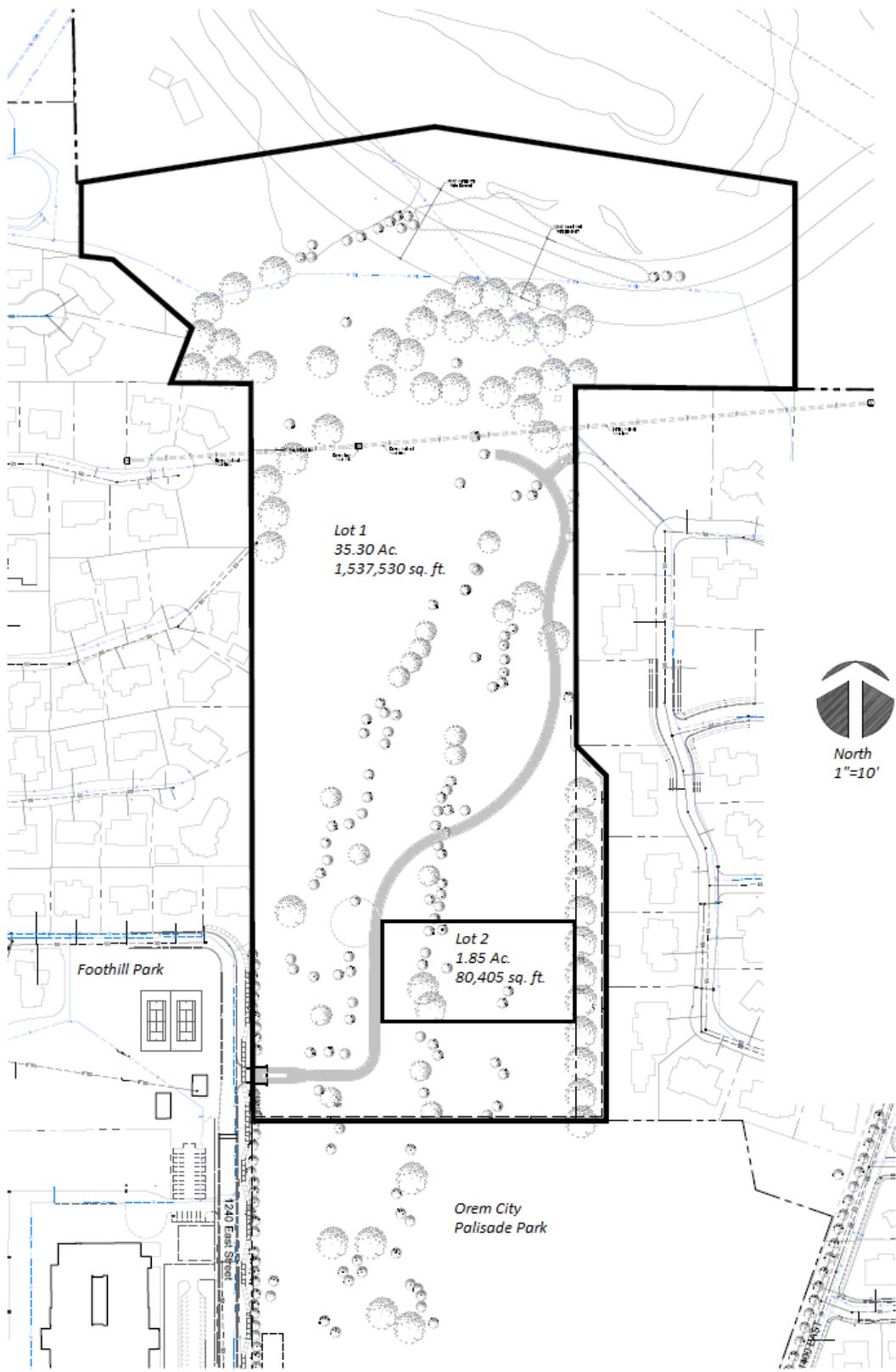
N. **Homeowner Association to be Formed.** An association shall be formed by the owners of lots served by the private street. The association shall maintain all common areas, including gates, landscaping and private streets. The city shall not be responsible for snow removal, street repair, street sweeping, signage, etc.

O. **Animals.** Animals are allowed in the PD-18 Zone only if the following conditions are met:

1. The area of the lot on which the animals are kept must be at least three (3) acres except for rabbits, pigeons, ducks and household pets.
2. Permitted animal shall include:

Maximum No. Per <u>No. Per</u>	<u>Acre</u>	Minimum distance of barns, pens, or corrals from any <u>dwelling or public street</u>
Cattle	5	100 ft.
Horses	5	100 ft.
Sheep or	6	40 feet from any dwelling
Goats:		on the same lot, and 85 feet from any neighboring dwelling.
Poultry,	20	40 feet from any dwelling
Fowl, and		on the same lot and 85 feet
Turkeys		from any neighboring dwelling.
Rabbits:	4	20 ft.
Pigeons:	12	20 ft.
Ducks:	2	20 ft.
3. The maximum number of dogs or cats four months of age or older shall not exceed two (2) each per lot.
4. The number of animals in Subparagraph (2) above shall be reduced geometrically if the resident desires to keep and maintain more than one species of permitted animals. Example: If two species are desired, then the number of each species shall be reduced to one-half (1/2). If three species are desired, then the number of each species shall be reduced to one-third (1/3), etc.
5. No animal shall be kept in the PD-18 Zone for commercial production.

P. **Additional Requirements.** In areas where the PD-18 Zone does not have specific requirements, the requirements of the R20 Zone shall apply.



Foothill
Elementary



Project Timeline

Project: Rezone R12 to PD18

1. DRC application date: 5/13/2013
2. Neighborhood meeting held by applicant on: 5/6/2013
3. Obtained Development Review Committee clearance on: 5/15/2013 by: David
4. Publication notice for PC sent to Records office on: 5/23/2013 by: David
5. Neighborhood notice for Planning Commission mailed on: 6/10/2013 by: David
6. Planning Division Manager received neighborhood notice on: 6/11/2013
7. Planning Commission recommended approval on: 6/19/2013
8. Publication notice for CC sent to Records office on: 6/13/2013 by: David
9. Neighborhood notice (all PD15) for City Council mailed on: 6/26/2013 by: David
10. Planning Division Manager received neighborhood notice on: 6/27/2013
11. Property posted for City Council on: 6/28/2013 by: David
12. City Council approved/denied on: 7/9/2013

DRAFT PLANNING COMMISSION MINUTES – JUNE 19, 2013

AGENDA ITEM 4.2 is a request by Todd Pedersen to amend **SECTION 22-5-3(A) AND CHANGE THE ZONE FROM R12 TO PD18 (TERRA DEL SOL REZONE)** for property generally at 1040 North 1240 East of the Orem City Code.

Staff Presentation: David Stroud said the subject property was recently acquired by the applicant in a revised agreement with the Orem City Council and the previous lease holder; the Stratton family. In the agreement, the applicant consents to fully improve a 20 acre park on the south end of the golf course. In return, the applicant obtains the north property for development and is now requesting to rezone the property from R12 to PD18.



The PD18 zone is currently The Berkshires development off south Carterville Road in the River Bottom area. The applicant is requesting to apply the same zone to the subject property.

The PD18 zone permits:

- Minimum lot size of ½ acre or 21,780 square feet
- Guest houses
- Private roads which may be gated and no sidewalk
- Homes up to 55 feet high on lots larger than one acre or 43 feet for lots less than one acre
- Fences up to 10 feet high at least 29 feet from the front property line or 14 feet to the side property line adjacent to a street

Staff has no objections to the proposed subdivision. The Berkshires development contains high-end homes and nothing less is expected from this development. The applicant is contemplating a subdivision from 2 to 12 lots.

Chair Brewer asked if the Planning Commission had any questions for Mr. Stroud.

Vice Chair Colledge asked if animal rights are different than what is currently allowed. Mr. Stroud said they would need an acre to have large animals.

Mr. Walker asked who approves the zone. Mr. Stroud said the Planning Commission recommends to the City Council, who will approve/disapprove the zone change. If approved, the Planning Commission will approve the site plan.

Chair Brewer invited the applicant to come forward. Bruce Dickerson introduced himself.

Mr. Dickerson said he represented Todd Pedersen. Mr. Pedersen said he wants an estate and has only decided to invite his sister to be included. They have talked to the fire department about access roads, etc. The roads and sidewalks will be private.

Mr. Moulton asked if the access road meets with 1380 East. Mr. Stroud said it will be part of the driveway.

Mr. Dickerson said there were 14 lots originally, but Mr. Pedersen only wants two now.

Ms. Jeffreys asked if it can have a private road, Mr. Stroud said that this is a rezone only and Mr. Pedersen will then resubmit a preliminary that will have to show utilities that are approved by the City.

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

Mr. Walker noted this is the American dream.

Chair Brewer called for a motion on this item.

Planning Commission Action: Vice Chair Colledge said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then moved to recommend the City Council amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning property located at 1040 North 1240 East from the R12 zone to the PD-18 Residential Estate Zone. Mr. Moulton seconded the motion. Those voting aye: John Brewer, Mike Colledge, Karen Jeffreys, David Moulton, and Michael Walker. The motion passed unanimously.

DRAFT



June 27, 2013

Public Hearing Notice

Todd Pedersen requests the City rezone 37 acres generally at 1040 North 1240 East from R12 to PD18 for the purpose of developing a single-family subdivision. The proposed text requires lots to be at least ½ acre in size. A copy of the proposed plat is on the reverse of this notice. Two lots are contemplated at this time with access via a private road. The zoning would permit subdivision in the future with lots at least 21,780 square feet. The surrounding zoning requires lots to be at least 12,000 square feet.

The City Council will hold a public hearing on **Tuesday, July 9, 2013, at 6:00 PM** in the City Council chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

If you have questions, please contact David Stroud at 229-7095 or Jason Bench at 229-7238.

This notice has been mailed to all property owners and residents within 300 feet of the subject properties. If you are aware of other persons who would be interested in this matter, it would be appreciated if you make them aware of this public meeting. If you are not the owner of the residence, please notify the owner regarding this notice.

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

ALPINE SCHOOL DISTRICT
575 N 100 E
AMERICAN FORK, UT 84003

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

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

BROWN, JOSEPH A
443 BRAIDHILL DR
DRAPER, UT 84020

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

CENTRAL UTAH WATER
CONSERVANCY DISTRICT
335 W 1300 S
OREM, UT 84058

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

CENTRAL UTAH WATER
CONSERVANCY DISTRICT
--OR CURRENT RESIDENT--
1600 N 1000 WEST
OREM, UT 84097

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

STEWART COWLEY
CANYON VIEW NEIGHBORHOOD
VICE CHAIR
928 N 510 EAST
OREM, UT 84097

WESTOVER, CHARLES DAVID &
RAQUEL RUTH
1195 E 1040 N
OREM, UT 84097

SMART, ALLAN & DENISE
1209 E 1040 N
OREM, UT 84097

MABEY, DIANE D
1225 E 1040 N
OREM, UT 84097

CLARK, JAY A & JILL F
1237 E 1040 N
OREM, UT 84097

FAIRCLOUGH, DENNIS A & MARILYN
1210 E 1090 N
OREM, UT 84097

CONNELLY, LYNN (ET AL)
--OR CURRENT RESIDENT--
1194 E 1090 NORTH
OREM, UT 84097

DEUCHER, LESLIE
1197 E 1090 N
OREM, UT 84097

ROBERTS, JOHN L & JANET I
1231 E 1090 N
OREM, UT 84097

ANDERSON, CHRISTOPHER G
1215 E 1090 N
OREM, UT 84097

BLACK, CARL M & NAN S
1226 E 1090 N
OREM, UT 84097

EVANS, JACK
1212 E 1130 N
OREM, UT 84097

HELLEWELL, P LANCE
1196 E 1130 N
OREM, UT 84097

PAYNE, VALERIE ANN & GLENN
REED
1199 E 1130 N
OREM, UT 84097

HULME, JAMES W & AMY L
1230 E 1130 N
OREM, UT 84097

WEST, DAVID L & KATHERYN
DUVAL
1213 E 1130 N
OREM, UT 84097

HILL, JEFF & SHERRIE
--OR CURRENT RESIDENT--
1227 E 1130 NORTH
OREM, UT 84097

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

MAUGHAN, J PETER & SHIRLEY
1238 E 1130 N
OREM, UT 84097

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

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

POELMAN, KIRSTEN HALL & JAY
GARRETT
1173 E 1200 N
OREM, UT 84097

REESE, JOHN B & ANGELA H
1211 E 1200 N
OREM, UT 84097

DURRANS, DENISE C
--OR CURRENT RESIDENT--
1234 E 1200 NORTH
OREM, UT 84097

HARTVIGSEN, DANI
1163 E 1220 N
OREM, UT 84097

PREECE, DEREK A & RITA
1180 E 1220 N
OREM, UT 84097

JOYFUL HOME LLC
1019 N 1360 E
OREM, UT 84097

CRUMP, AMY S
1065 N 1360 E
OREM, UT 84097

PEDERSEN, TODD & ANDREA
1122 N 1360 E
OREM, UT 84097

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

COOK, KRISTIAN SUMNER
--OR CURRENT RESIDENT--
1376 E CANTERBURY LA
OREM, UT 84097

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

MINSHEW, KAY-DAWN
--OR CURRENT RESIDENT--
1189 E 1200 NORTH
OREM, UT 84097

RICHARDS, JENNIFER ANN
HANCOCK & MATTHEW THOMAS
1216 E 1200 N
OREM, UT 84097

BAILEY, LAURA RICHARDSON &
ALAN KENT
1235 E 1200 N
OREM, UT 84097

DEWEY, RYAN P & MELANIE Q
1166 E 1220 N
OREM, UT 84097

MULLEN, MELONIE T & DONALD E
(ET AL)
1196 E 1220 N
OREM, UT 84097

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

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

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

MAG
586 EAST 800 NORTH
OREM, UT 84097

MARCO, SHAWN & CAROLYN
1198 E 1200 N
OREM, UT 84097

VANWAGENEN, STEVEN J &
SAMANTHA
1221 E 1200 N
OREM, UT 84097

LEAVITT, MELVIN WAYNE & PEGGY
JEAN (ET AL)
1125 E 1220 N
OREM, UT 84097

LEE, SANG HO (ET AL)
1175 E 1220 N
OREM, UT 84097

CHRISTENSEN, R BRYANT &
CHERILYN D
1201 E 1220 N
OREM, UT 84097

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

SANTIAGO, TODD
--OR CURRENT RESIDENT--
1113 N 1360 EAST
OREM, UT 84097

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

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

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

SANTIAGO, STEPHANIE PEDERSEN &
TODD MATTHEW
--OR CURRENT RESIDENT--
1369 E LANCASTER WY
OREM, UT 84097

CONNELLY, LYNN (ET AL)
PO BOX 971000
OREM, UT 84097

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

SEDDIE LLC
605 N 100 E
SPRINGVILLE, UT 84663

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

HILL, JEFF & SHERRIE
%JEFF HILL CONSTRUCTION
1002 HILLSIDE DR
PROVO, UT 84604

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

DURRANS, DENISE C
582 E 3125 N
PROVO, UT 84604

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

MINSHEW, KAY-DAWN
599 W 2925 S
MAPLETON, UT 84664

Attendance Roll

Orem City Neighborhood Meeting – March 18th, march 23, march 25
 march 24, march 30, April 1, April

NAME	ADDRESS
Kristina Williams	649 E. 1280 N. Orem 84097
KYLE BOWLER	981 W 1420 N OREM
JORGE LACERDA	1686 S. 350W. OREM
EARL MOIT	1131 N 1360 E OREM 84097
Kelli Lacerda	1686 S. 350W. Orem
STEPHAN BOWLER	1422 N 770 W OREM
Jill Bowler	1422 N. 770 W., Orem
Ryan + Kristin Beckstead	115 N 750 E Orem 84097
Tyra Cook	1184 E. 1040 N. Orem 84097
SABRINA WESTOVER	1195 E. 1040 N. OREM 84097
RAQUEL WESTOVER	1195 E. 1040 N. OREM 84097
Bruce Gilchrist jabg1c@comcast.net	1089 E 1010 N OREM 84097
Tim Hulme	1230 E 1130 N Orem UT 84097
Amy Hulme	1230 E 1130 N Orem UT 84097
<u>Discussions</u>	
#	Fields - number
#	Location of the fields
#	Park + Landscaping, Trees, Fences, Access to Park
#	Parking # Stalls
#	Pavilion + Restrooms

want update plat copy + 10 yr pass @ sleepy rid



- # Subdivision lay-out
- # Traffic + signal light on 8th North
- # Financial considerations.

Attendance Roll

Orem City Neighborhood Meeting – March 18th, 2013

NAME	ADDRESS
D. C. Edwards	183 Ellis Dr. Orem
Louise Chatterley	796 E 400 So. Orem
BOB SHIRLEY FARCHMAN	1455 E. 860 N. OREM
Joy Patten	1019 N 1360 E Orem
Aimee Wolsey	872 N. Canyon Hills Dr.
Janet Roberts	1231 E. 1090 N. OREM
Dorothy Westover	1468 E 880 N. OREM
Paul Westover	✓ ✓ ✓
Steve Van Wageningen	1221 E. 1200 N. Orem
Samantha Van Wageningen	1221 E. 1200 N. Orem
ALAN BAILEY	1200 N 1235 E OREM
Chris Howell	99 N. Palisade Drive, Orem
Robb Howell	99 N. Palisade Drive, Orem
Nota Palfreyman	1047 E 1010 N Orem
Will Graham	786 W. 1200 N. Orem
Karl Hirst	1103 E. 720 N Orem
Jeff Hill	1230 N. 1127 E OREM
Sybil Greer	1041 North 1360 East Orem
Greg Greer	1041 North 1360 East Orem
May Young	1083 N. 1360 E Orem
Fessie Deucher	1197 E. 1090 N. Orem UT. 84097
Jon Keller	1187 N. 1170 E. Orem, UT 84097
STEVEN NYHUS	1181 E. 1040 N. OREM, UT. 84097
SUE NYHUS	1181 E. 1040 N. OREM UT 84097

UVU
GOLF →
COACH

Attendance Roll

Orem City Neighborhood Meeting – March 18th, 2013

NAME	ADDRESS
Chris, Marcia, Ashley, Valerie ^{Lundquist}	477 N. Palisades Dr. Orem
ROBERT LOTT	1976 N. 400 W. Orem
Alex Lott	1835 N 800 W Orem
BRANDON BLACK	387 N. 1100 E. Orem.
ERIC NELSON	780 W 100 S. Linda ut
Steve Maglby	415 E Center Blvd, UT
Jagons van Langen	483 W 25 N, Orem, UT
KEID CURTBERG	439 S. 100 W. Orem UT
Brad Geary	Orem ut
Gene Stobbe	562 E 700 W Orem
Jon Pack	1078 E. 440 N. Orem ut
Chari Pack	1078 E. 440 North Orem, UT
Dan, Andrew Nelson	953 N. Main St. Orem
Jim & Gina Anderson	1215 E. 1090 N. Orem
W Clark	1237 E 1040 N Orem
Brian & Brianna Coker	219 W. 1030 N. Orem
Cheri & Bry Christensen	1201 E 1220 N Orem
Kristian Cook	1376 E 1010 N Orem
BRANDT SAXEY	683 N MAIN ST ALPINE



DRC APPLICATION

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

www.orem.org

APPLICANT INFORMATION

FORM EXPIRES: 06-30-2013

Name: TODD PETERSEN Phone: _____
 Address: 1142 N. 1360 E FAX: _____
 City: OREM State: UT Zip: 84097 e-mail: _____

PROJECT INFORMATION

Project Name: TERRA DEL SOL (PD-18 Zone) REZONE
 Project Address: 1000 N. 1200 EAST

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

SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$500 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$200 + \$20/lot or unit, not including recording fees <input type="checkbox"/> Vacation/Amendment \$400 + \$25 sign fee, not including recording fees <input type="checkbox"/> Final PRD \$200 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign \$400 <input type="checkbox"/> Subdivision \$400 <input type="checkbox"/> Zoning, Text \$400 +25 sign fee for PD zone <input checked="" type="checkbox"/> Rezone \$400 + \$25 sign fee	<input type="checkbox"/> Land Use Map Change \$525 + \$25 sign fee <input type="checkbox"/> Text Change \$525	<input type="checkbox"/> Site Plan Admin. Approval \$300 <input type="checkbox"/> Site Plan \$1,000 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$400.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit + \$25 sign fee, + \$30 building inspection fee/Unit	<input type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$400 <input type="checkbox"/> Annexation \$750 + \$25 sign fee & cost of legal noticing <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$100/review After three reviews <input type="checkbox"/> Other \$200

FILING FEES AND REQUIRED COPIES

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

REQUIRED COPIES: Two (2) full size copies 24" by 36", one (1) copy reduced to an 11" by 17", and one (1) copy reduced to an 8½" by 11" shall be submitted with each application for Subdivision Plats, Conditional Use Permits, Site Plans, and Condominium Conversions.

APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature: [Signature] Contact Person Name: BRUCE DICKINSON Phone: 801-572-8393

OFFICE USE ONLY

Date Filed: 5-13-12 Fees Paid: 425.00 Received By: TS

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

CITY OF OREM
CITY COUNCIL MEETING
 JULY 9, 2013



REQUEST:	6:00 P.M. PUBLIC HEARING ORDINANCE - Enacting Section 22-11-49, PD-36 Zone Orem Falls Business Park Zone, and Appendix “DD” of the Orem City Code, and Amending Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by Rezoning Property Located Generally at 1300 North Geneva Road from the M2 zone to the PD-36 Zone, and Amending Appendix ‘A’ of the Orem City Code by Adding New Standard Land Use Codes
APPLICANT:	Brent Skinner, Geneva Holdings
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspapers
- Emailed to newspapers
- Mailed invitation letters to neighborhood chairs
- Mailed 60 notices to property owners within 300 feet of the proposed rezoned property.

SITE INFORMATION:

- General Plan
Regional Commercial
- Current Zone
M2
- Acreage
77.97
- Neighborhood
Timpview
- Neighborhood Chair
N/A

**PLANNING
 COMMISSION
 RECOMMENDATION:**
 6-0 for approval

PREPARED BY:
 Clinton A. Spencer
 Planner

APPROVED BY:

REQUEST:

The applicant requests the City Council, by ordinance:

- 1) Enact Section 22-11-49, PD-36 zone Orem Falls Business Park Zone, and Appendix “DD” of the Orem City Code;**
- 2) Rezone property located generally at 1300 North Geneva Road from the M2 zone to the PD-36 zone; and**
- 3) Amend Appendix A of the Orem City Code by adding new Standard Land Use (SLU) Codes**

BACKGROUND:

The applicant owns a parcel of property consisting of 77.97 acres located at approximately 1300 North Geneva Road, which is known as the former Williams Farm property. Since the owners purchased the property a couple years ago, the property has been cleared of trees and other debris to make way for development.

The applicant proposes to create the PD-36 zone and to apply the PD-36 zone to the subject property. The proposed PD-36 zone would allow the development of a light industrial business or technology park.

Some of the key elements of the proposed PD-36 zone include:

- A mix of commercial, office, and light industrial uses
- A maximum building height of 125 feet
- Landscaping standards that are consistent with Section 22-9-7(A) of the Orem City Code BP and CM zones
- Parking standards require 1 stall per 750 square feet for the first 50,000 square feet of building, 1 stall per 1,000 square feet for the second 50,000 square feet, and 1 stall per 1,500 square feet for all square footage in excess of 100,000 square feet. This standard is similar to the M2 zone. In addition, 1 stall shall be required for every 250 square feet of retail or office space regardless of the size of the building
- The creation of 10 new SLU codes to permit uses that are not currently found in the City’s SLU codes

The applicant is also requesting that two “I-15 Corridor Signs” be allowed in the PD-36 zone. The applicant desires to use these signs for both on and off premises advertising, so they would essentially be billboards. The City’s sign ordinance does not currently allow any new billboards anywhere in the city. The applicant has had some meetings with City staff in which the possibility of opening up the I-15 corridor to new billboards has been discussed. State law regulates the location and spacing of billboards, and based on these restrictions, the City estimates that there are potentially 5-7 additional locations along the west side of the I-15 corridor where new billboards could be located.

However, should the City decide to allow new billboards along the I-15 corridor, staff believes it would be preferable to do so by amending the sign ordinance rather than doing so on a property specific basis through the PD-36 zone.

The sign ordinance amendment concerning off premise advertising (billboards) is on the Planning Commission agenda for the July 10th, 2013, meeting and will be heard at a City Council meeting in the near future.

According to the General Plan regarding Planned Development zones, “Planned Development zones are intended to allow freedom of design in order to obtain development which will be an asset to the City.” Further they are to, “be located in commercial and industrial land use locations.” The General Plan designation for this area is Regional Commercial and the requested zone change is more in alignment with the General Plan than the current M2 zone especially given the property location and access from I-15.

A neighborhood meeting was held on January 25, 2013, regarding the proposed rezone and business park development. There were six people in attendance, two of which were from Geneva Holdings. The others at the meeting expressed concerns with some boundary line and infrastructure issues.

Advantages:

- The PD-36 zone will develop an undeveloped property into one that has economic benefits for the city
- The development will promote traffic circulation through the property and includes plans for additional traffic connections with the property to the north when it develops
- With frontage along I-15 and Geneva Road, the development has visibility to thousands of vehicles a day
- Design elements for the project promote aesthetically pleasing improvements with increased attention to landscaping and building appearance

The Planning Commission recommends the City Council approve the PD-36 *Orem Falls Industrial Business Park* with the recommendation that the section dealing with the I-15 Corridor Signs be deleted and that a discussion

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL ENACTING SECTION 22-11-49 PD-36, *OREM FALLS BUSINESS PARK*, ZONE AND APPENDIX “DD”, OF THE OREM CITY CODE, EXCLUDING SECTION 22-11-49(F)(7)(B) OF THE OREM CITY CODE REGARDING I-15 CORRIDOR SIGNS, AND AMENDING SECTION 22-5-3(A) OF THE OREM CITY CODE AND THE ZONING MAP OF OREM, UTAH, BY REZONING PROPERTY LOCATED GENERALLY AT 1200 NORTH GENEVA ROAD FROM THE M2 TO THE PD-36 ZONE

WHEREAS on December 28, 2012, Brent Skinner filed an application with the City of Orem requesting that the City Council enact Section 22-11-49 PD-36, *Orem Falls Business Park Zone*, and Appendix “DD” of the Orem City Code, and amend Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by rezoning the property located generally at 1200 North Geneva Road from the M2 to the PD-36 zone; and

WHEREAS Section 22-11-49, PD-36 *Orem Falls Business Park Zone*, of the Orem City Code establishes development standards for the PD-36 zone including the addition of Standard Land Use codes as shown on Exhibit “B,” not currently listed in Appendix “A” of the Orem City Code, and enacts Appendix “DD”, which shows the street design and concept plan for development within the PD-36 zone as shown on Exhibit “C”; and

WHEREAS the PD-36 zone and Appendix “DD” outline development standards; and

WHEREAS a public meeting considering the subject application was held by the Planning Commission on June 6, 2013; and

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

WHEREAS a public meeting considering the subject application was held before the City

DRAFT

Council on July 9, 2013; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the city; the orderly development of land in the city; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan; and the special conditions applicable to the request.

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

1. The City Council hereby finds this request:

A. Is in the best interest of the City in that it will more fully promote the objectives and purposes of the City's zoning ordinances by enacting development standards and establishes land uses compatible with the surrounding area; and

B. Will promote the general welfare of the community in that it increases the amount of commercial manufacturing areas within the city.

C. Is in harmony with the Orem General Plan.

2. The City Council hereby enacts Section 22-11-49, PD-36 zone, *Orem Falls Business Park Zone*, and Appendix "DD" of the Orem City Code, excluding approval of Section 22-11-49(F)(7)(b) of the Orem City Code regarding "I-15 Corridor Signs", and amends Section 22-5-3(A) of the Orem City Code and the Zoning Map of Orem, Utah, by rezoning property located generally at 1200 North Geneva Road from the M2 zone to the PD-36 zone as shown in Exhibit "A," which is attached hereto and incorporated herein by reference.

DRAFT

3. The City Council hereby amends Appendix "A" of the Orem City Code to add Standard Land Use Codes enacted by Section 22-11-49, PD-36 zone, as shown in Exhibit "B," which is attached hereto and incorporated herein.

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

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

6. This ordinance shall take effect immediately upon passage.

PASSED, APPROVED, and ORDERED PUBLISHED this 9th day of July 2013.

Jim Evans, Mayor

ATTEST:

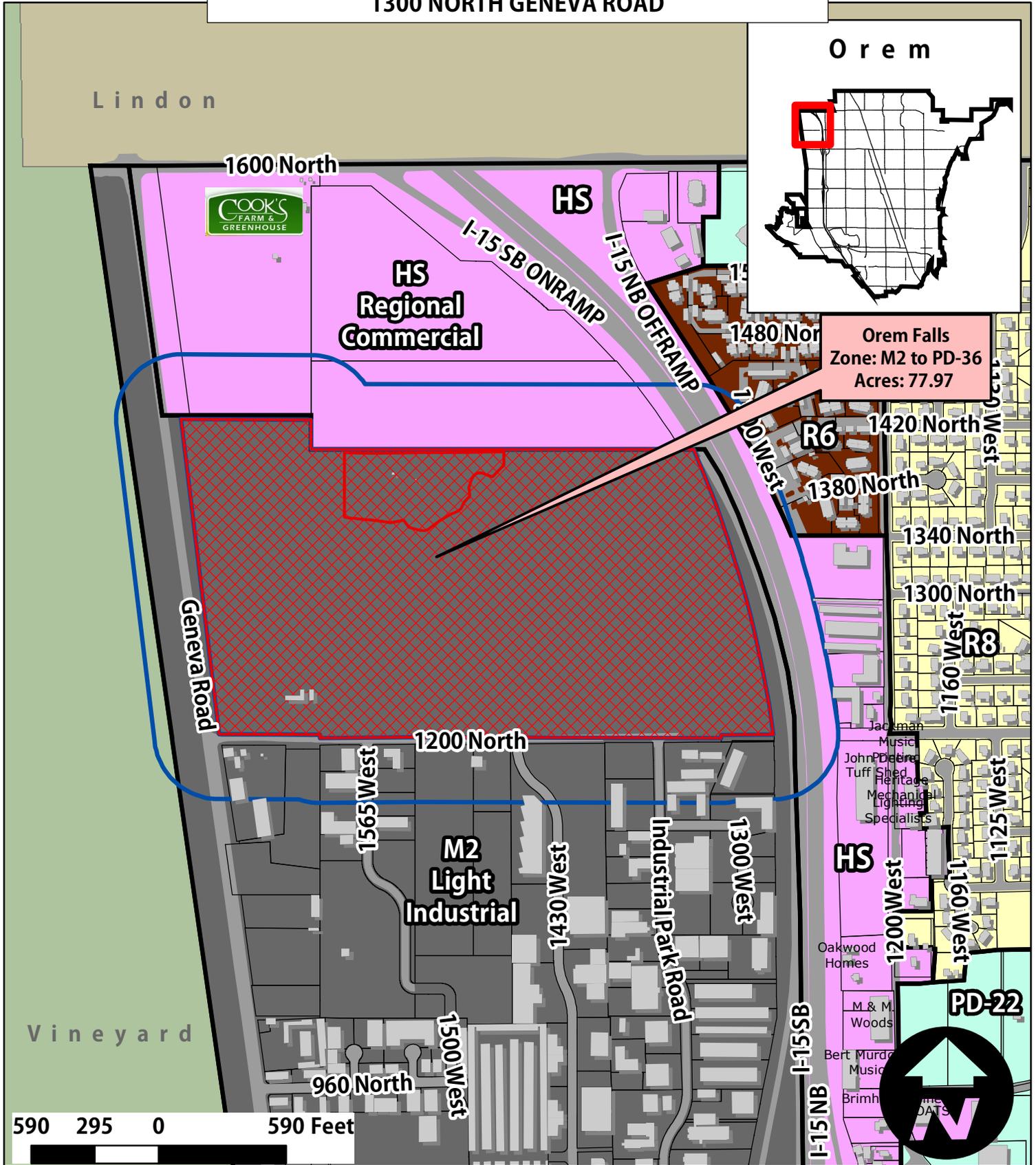
Donna R. Weaver, City Recorder

COUNCILMEMBERS VOTING "AYE"

COUNCILMEMBERS VOTING "NAY"

Orem Falls Rezone to PD-36

1300 NORTH GENEVA ROAD



◆ Orem Falls Rezone to PD-36:
M2 Zone; 77.97 Acres.

NIA CONTACT:
Timpview Neighborhood
Brian and Lisa Kelly

- Legend**
- Buildings
 - Orem Falls - PD36
 - Notification Boundary
 - Parcels

This drawing is the property of Beecher, Walker & Associates, L.L.C. and shall remain the property of Beecher, Walker & Associates, L.L.C. No part of this drawing shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Beecher, Walker & Associates, L.L.C.

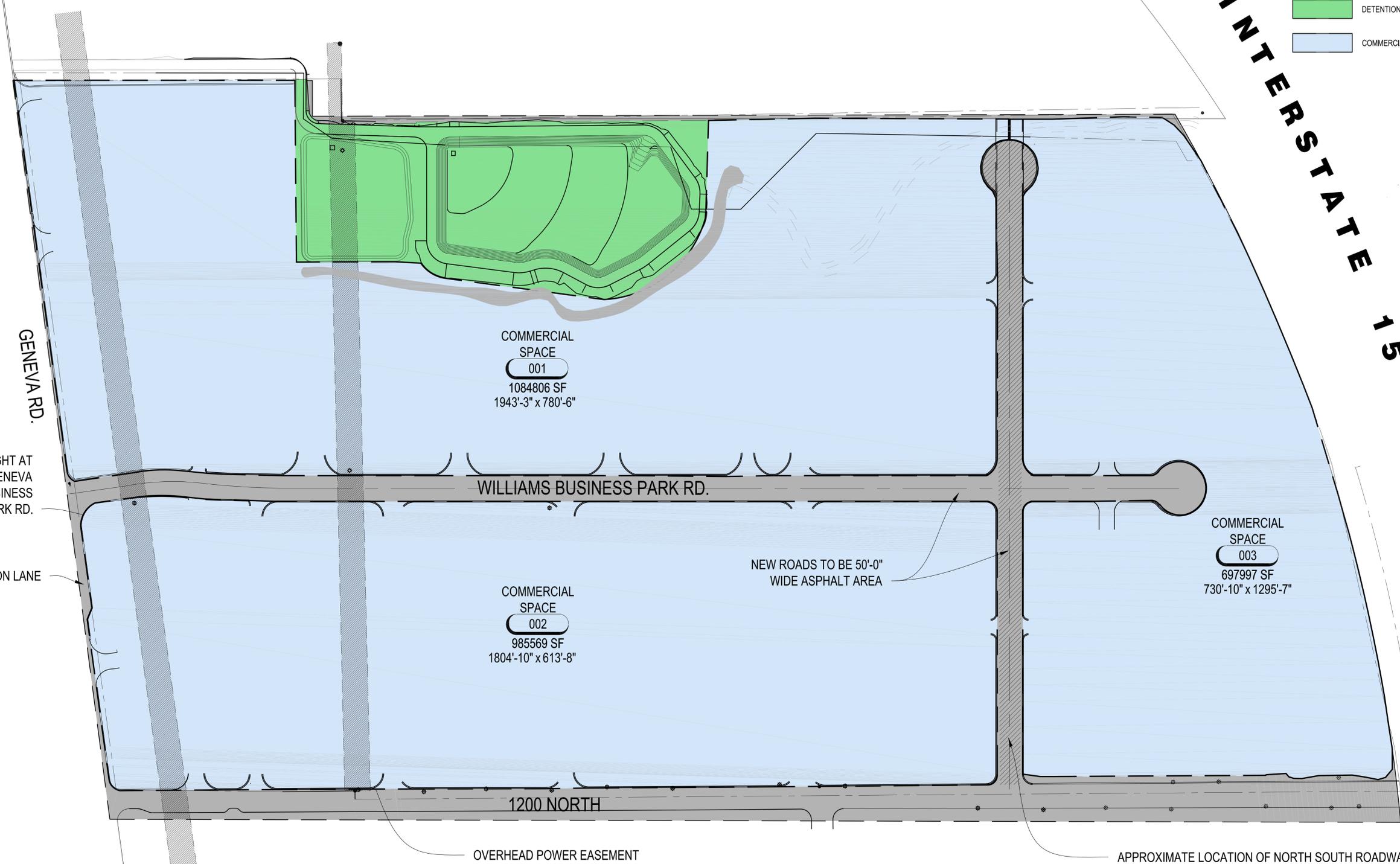
BWA ARCHITECTS
 3115 EAST LION LANE, #200
 HOLLADAY, UTAH 84121
 T 801 438 9500
 F 801 438 9501
 BEECHERWALKER.COM

EXHIBIT "A" 2 of 3

LEGEND

- DETENTION BASIN
- COMMERCIAL

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV. DATE



A1 GENERAL ZONING MAP
AS103 SCALE: 1" = 100'-0"

OREM TECHNOLOGY PARK
 GENEVA RD AND 1200 NORTH
 OREM, UT

BWA
 ARCHITECTS
 T 801 438 9500
 F 801 438 9501
 3115 EAST LION LANE, #200
 HOLLADAY, UTAH 84121
 BEECHERWALKER.COM

PROJECT NUMBER
 DWN BY
 CHKD BY

GENERAL ZONING PLAN

DRAWING NUMBER
AS103

Orem Falls Elevation Photos



22-11-49. PD-36 Zone, Orem Falls Business Park

A. Purpose. The purpose of the PD-36 zone is to allow the development of a light industrial business or technology park that will accommodate a variety of commercial and light industrial uses in an environment that reflects a high level of concern for architectural, landscaping and urban design principles. The PD-36 zone is designed to be applied only to a parcel of property located north of 1200 North Street, south of 1600 North Street, west of Interstate 15 and east of Geneva Road, as shown in Appendix "DD." The PD-36 zone may only be applied to an area of at least 75 acres.

B. Concept Plan. Property in the PD-36 zone shall be developed in conformance with the concept plan included as Appendix "DD" of the Orem City Code which is incorporated herein by reference and made a part hereof. The street designated as "Williams Business Park Road" and the north-south road shown on the concept plan shall be located generally as designated in Appendix "DD" but the exact location and name of either road may be adjusted as development needs may require.

C. Permitted Uses. The following shall be permitted uses within the PD-36 zone:

Standard Land Use Code (SLU)

- 2120 Meat & Dairy
- 2130 General Food Manufacturing
- 2140 Grain Mill Products-Manufacturing
- 2160 Candy & Other Confectionery Products
- 2180 Liquor & Spirits
- 2181 Other Beverage Manufacturing
- 2200 All Textile Mill Products, NEC
- 2300 All General Apparel, NEC
- 2400 All Lumber and Wood Products, NEC
- 2820 Plastics, Materials and Synthetic Resins, Synthetic Rubber, Synthetic and Other Man Made Fibers (Except Glass) – Manufacturing
- 2830 Drug-Manufacturing
- 2840 Soap, Detergent and Cleaning Preparations, Perfumes, Cosmetics and Other Toilet Preparations-Manufacturing
- 3200 All Stone, Clay, Glass & Associated Products, NEC (all manufacturing activities must be indoors but outdoor storage is allowed if obscured by a fence in accordance with Orem City Code Section 22-9-8(C))
- 3410 All Fabricated Metal Products, Indoor Only
- 3420 Machinery (Except Electrical)-Manufacturing
- 3430 Electrical Machinery, Equipment and Supplies-Manufacturing
- 3440 Transportation Equipment-Manufacturing

- 3500 All Professional, Scientific, Photographic, Optical Instruments & Associated Equipment, NEC
- 4222 Motor Freight Garaging & Equipment Maintenance
- 4710 Telephone Communications
- 4711 Telephone Exchange Stations
- 4741 Television Broadcasting Studios
- 4742 Television Transmitting Stations & Relay Tower
- 4751 Radio & Television Broadcasting Studios, Only (Combo Systems)
- 4921 Freight Forwarding Services
- 4922 Packing & Crating Services
- 4990 Other Transportation, Communications, and Utilities, NEC
- 51xx (all uses in Appendix "A" from 5111 to 5198 inclusive are permitted)
- 5211 Lumber Yards
- 5220 Building Materials, Equipment Supplies & Hardware (Indoor Only)
- 5251 Farm Equipment
- 5261 Home Improvement Centers
- 5310 Department Stores
- 5391 Dry Goods & General Merchandise
- 5393 Arts, Crafts & Hobbies
- 5511 Motor Vehicles (new & used)
- 5512 Motor Vehicles (used)
- 5520 Tires, Batteries and Accessories
- 5591 Marine Craft & Accessories
- 5592 Aircraft & Accessories
- 5600 Clothing, Apparel, & Accessories
- 5710 Furniture & Home Furnishings
- 5810 Restaurants
- 5811 Fast Food
- 5820 Drinking Places-Bars & Taverns shall be at least 500 feet from any church, school, sexually oriented business, or other alcoholic drinking place
- 5910 Drug & Related Drug Dispensing
- 5931 Antiques
- 5933 Secondhand Merchants
- 5935 Jewelry
- 5941 Books
- 5942 Stationery
- 5951 Sporting Goods
- 5952 Bicycles
- 5953 Toys
- 5960 Farm and Garden Supplies

- 6110 Banking and Credit Services
- 6120 Security & Commodity Brokers, Dealers, Exchanges
- 6130 Insurance Agents, Brokers, & Related Services
- 6150 Real Estate Agents, Brokers and Related Services
- 6211 Laundering, Dry Cleaning, & Dyeing Services (Except Rugs)
- 6231 Beauty and Barber Shops
- 6251 Apparel Repair, Alterations, Laundry/Dry Cleaning Services (pick-up only)
- 63xx (all uses in Appendix "A" from 6310 to 6398 inclusive are permitted except for SLU 6378 (Stockyard) which is not permitted)
- 6413 Automobile Repair
- 6400 All Automobile & Repair Services, NEC
- 65xx (all uses in Appendix "A" from 6510 to 6599 inclusive are permitted except for SLU 6517 (Kennel) which is not permitted)
- 6610 General Contractor, Office Only
- 6615 Building construction-General contractor, Office & Storage
- 6620 Landscaping Services, Office Only
- 6625 Landscaping Services, Office & Storage
- 6710 City of Orem Governmental Services, Executive, Legislative, and Judicial Functions
- 6711 Non-City of Orem Governmental Services, Executive, Legislative, and Judicial Functions
- 68xx (all uses in Appendix "A" from 6812 to 6837 inclusive are permitted)

D. Prohibited Uses. Any use not specifically permitted above shall be prohibited.

E. Final Plat and Site Plan. A final plat that conforms to all development standards and requirements of Chapter 17 must be approved and recorded by the City prior to any development in the PD-34 zone. All development standards and site plan requirements of Section 22-14-20 shall apply to any development in the PD-34 zone.

F. Development Standards. The standards and requirements applicable to the CM zone shall apply to the PD-36 zone except as expressly modified as follows:

1. **Height.** The maximum height for all buildings/structures shall be one hundred twenty-five feet (125'). The height limitation shall not apply to architectural features not used for human occupancy such as belfries, cupolas, domes, chimneys, ventilators, sky lights, cornices, antennas, or properly screened mechanical appurtenances, provided that such architectural features do not exceed an additional height of thirty feet (30').

2. **Setbacks.** All buildings shall be set back a minimum of twenty feet (20') from all public streets and from all other property lines.

3. **Parking.** The standards and requirements of Article 22-15 of the Orem City Code shall apply to all parking in the PD-36 zone except as expressly modified herein. One parking stall per 750 square feet shall be required for the first 50,000 square feet of building area or portion thereof. One parking stall per 1,000 square feet shall be required for the second 50,000 square feet of building area or portion thereof. One parking stall per 1,500 square feet of

building area shall be required for building space in excess of 100,000 square feet. Notwithstanding the foregoing, the parking requirement for office and retail space is one (1) parking stall per 250 square feet regardless of the size of the building. The parking standards for the specific use exceptions described in Orem City Code section 22-15-4(G) shall also apply in the PD-36 zone.

4. **Architectural Style.** Development in the PD-36 zone shall incorporate a unique and aesthetically pleasing architectural and design theme that conforms to the style and quality shown in Appendix “DD.”

5. **Landscaping.** All landscaping shall comply with the requirements applicable to the CM zone.

6. **Streetscapes.** All public streets in the PD-36 zone shall be designed, constructed and maintained in conformance with the sample streetscape included in the concept plan including sidewalks and landscaped strips as shown in the concept plan.

7. **Signs.** The provisions of Chapters 14 and 22 shall apply to signs in the PD-36 zone except as expressly modified below.

a. A maximum of one freestanding monument or freestanding pole sign shall be allowed per parcel. A freestanding monument or freestanding pole sign shall comply with the following requirements with respect to size, height and location:

REQUIREMENTS FOR SIGNS		
Distance From Street Right-of-Way Line (feet)	Maximum Height Above Grade (feet)	Maximum Area Allowed per Side (square feet)
10	6	50
15	13	81
20	17.5	125
25	21.9	150
30	26.3	175
35	30.6	200
40	35	225

b. A total of two “I-15 Corridor Signs” may be located within the PD-36 zone. An “I-15 Corridor Sign” means a sign structure with a maximum of two faces, which may be electronic, tri-vision, glass or vinyl displays, each face of which may not be larger than 672 square feet in size and may advertise activities occurring on or off of the property where the sign is located. The following standards shall apply to I-15 Corridor Signs:

- i. The sign structure may be a monopole structure or a multi-poled structure.
- ii. An I-15 Corridor Sign must be located within one hundred fifty (150) feet of Interstate 15 and cannot exceed a height of thirty-five (35) feet or twenty-five (25) feet above the Interstate’s traveled way grade level, whichever is higher.
- iii. Each I-15 Corridor Sign must meet and operate in accordance with all applicable requirements of the Utah Department of Transportation, but a permit

from the Utah Department of Transportation is not required before issuing a permit to build an I-15 Corridor Sign.

c. When electrical service is provided to any sign, all such electrical service shall be underground.

G. Miscellaneous Regulations.

1. All manufacturing activities shall be conducted entirely within a building, except for loading and unloading, vehicle parking and refueling, itinerant merchants, and the sale of Christmas trees, plant materials, or other seasonal items. Maintenance equipment may also be stored outside of buildings within an area enclosed with a sight-obscuring fence. Any alternate location must be approved by the body approving the site plan

2. The storage of merchandise outside an approved building shall be within an area enclosed with a sight-obscuring fence of at least six feet (6') in height; provided, however, that promotional displays and plant materials may be displayed outside of an approved building or enclosed area so long as they are placed appurtenant to a building wherein the business displays the bulk of its goods for sale. This subsection shall not apply to the sale of Christmas trees.

3. No excessive or offensive dust, odor, smoke, intermittent light, or noise shall be emitted which is discernible beyond the zone boundary lines, except that which emanates from the movement of automobiles. All property shall be maintained in such a manner as to avoid unreasonable interference with adjacent uses and to avoid public nuisances.

4. All off-street areas, loading areas, and vehicular traffic ways shall be paved.

5. No person shall store junk, partially or completely dismantled vehicles, or salvaged materials except as authorized on an approved site plan. Any such authorized storage shall be done entirely within a building or an area enclosed by an eight foot (8') sight obscuring fence.

6. All solid waste storage facilities shall be located at the rear of the main building or within an area enclosed with a sight obscuring fence or wall measuring one foot (1') higher than the height of the solid waste container. The minimum access width to a solid waste storage facility shall be fifteen feet (15')

Project Timeline

Project: OREM FALLS PD-36 REZONE - 1300 N GENEVA RD.

1. Neighborhood Meeting held by applicant on: JAN. 25, 2013
2. DRC Application Date: DEC. 28, 2012
3. Obtained Development Review Committee Clearance on: 5/27/13 by: EAR
4. Publication notice for PC sent to Recorders office on: 5/16/13 by: EAR
5. Neighborhood notice (300') for Planning Commission mailed on: 5/29/13 by: EAR
6. Planning Division Manager received neighborhood notice on: 5/30/13
7. Property posted for PC on: 5/29/13 by: EAR Removed on: _____
8. Planning Commission recommended approval / denial on: JUNE 5, 2013
9. Publication notice for CC sent to Recorders office on: 6/19/13 by: EAR
10. Neighborhood notice (300') for City Council mailed on: 7/2/13 by: EAR
11. Planning Division Manager received neighborhood notice on: _____
12. Property Posted for City Council on: 7/2/13 by: EAR Removed: _____
13. City Council Approved / Denied on: _____

PLANNING COMMISSION MINUTES – JUNE 5, 2013

AGENDA ITEM 3.1 is a request by Brent Skinner, Geneva Holdings to recommend the City Council ENACT SECTION 22-11-49 PD-26 (OREM FALLS INDUSTRIAL BUSINESS PARK), AMEND SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING PROPERTY LOCATED AT 1300 NORTH GENEVA ROAD FROM THE M2 ZONE TO THE PD-36 ZONE, AND AMEND APPENDIX ‘A’ OF THE OREM CITY CODE ADDING NEW STANDARD LAND USE (SLU) CODES LOCATED AT 1300 NORTH GENEVA ROAD.

Staff Presentation: Clinton Spencer said the applicant owns a parcel of property consisting of 77.97 acres located at approximately 1300 North Geneva Road which is known as the former Williams Farm property. Since the owners purchased the property a couple years ago, the property has been cleared of trees and other debris to make way for development.

The applicant proposes to create the PD-36 zone and to apply the PD-36 zone to the applicant’s property. The proposed PD-36 zone would allow the development of a light industrial business or technology park.

Some of the key elements of the proposed PD-36 zone include:

- A mix of commercial, office and light industrial uses are permitted.
- A maximum building height of one hundred twenty-five (125’) feet.
- Landscaping standards that are consistent with Section 22-9-7(A) *BP and CM zones*
- Parking standards require one stall per 750 square feet for the first 50,000 square feet of building, one stall per 1,000 square feet for the second 50,000 square feet, and one stall per 1,500 square feet for all square footage in excess of 100,000 square feet. This standard is similar to the M2 zone. However, one stall shall be required for every 250 square feet of retail or office space regardless of the size of the building.
- The creation of several new SLU codes to permit uses that are not currently found in the City’s SLU codes.

The applicant is also requesting that two “I-15 Corridor Signs” be allowed in the PD-36 zone. The applicant desires to use these signs for both on and off premises advertising so they would essentially be billboards. The City’s sign ordinance does not currently allow any new billboards anywhere in the City. The applicant has had some meetings with City staff in which the possibility of opening up the I-15 corridor to new billboards has been discussed. State law regulates the location and spacing of billboards, and based on these restrictions, the City estimates that there are potentially 3-5 additional locations along the I-15 corridor where new billboards could be located.

However, should the City decide to allow new billboards along the I-15 corridor, staff believe it would be preferable to do so by amending the sign ordinance rather than doing so on a property specific basis through the PD-36 zone. Therefore, staff will be proposing an amendment to the City’s sign ordinance in the near future so that a discussion may be had as to whether new billboards should be permitted along the I-15 corridor.

The request includes the following:

1. The creation of the PD-36 (Orem Falls Industrial Business Park – 1300 North Geneva Road) zone text and Appendix “DD”; and
2. The rezone of the property located generally at 1300 North Geneva Road to the PD-36 zone.
3. Amending Appendix ‘A’ of the Orem City Code by adding new Standard Land Use codes the applicant proposes for the project (attached below).

GENERAL PLAN: According to the General Plan regarding Planned Development zones, “Planned Development zones are intended to allow freedom of design in order to obtain development which will be an asset to the City.” Further they are to, “be located in commercial and industrial land use locations.” The General Plan designation for this area is Regional Commercial and the requested zone change is more in alignment with the General Plan than the current M2 zone especially given the property location and access from I-15.

NEIGHBORHOOD MEETING: A neighborhood meeting was held on January 25, 2013 regarding the proposed rezone and business park development. There were six (6) people in attendance, two of which were from Geneva Holdings. The others at the meeting expressed concerns with some boundary line and infrastructure issues. The comments are attached.

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

Advantages of the proposal:

- The PD-36 zone will develop an undeveloped property into one that has economic benefits for the City.
- The development will promote traffic circulation through the property and includes plans for additional traffic connections to the property to the north when it develops.
- With frontage along I-15 and Geneva Road the development has visibility to thousands of vehicles a day.
- Design elements for the project promote aesthetically pleasing improvements with increased attention to landscaping and building appearance.

Disadvantages of the proposal:

Some people may see the addition of two potential new billboards as a negative.



RECOMMENDATION:

Staff recommends the Planning Commission forward a positive recommendation to the City Council for the approval of the PD-36 *Orem Falls Industrial Business Park* with the suggestion that the section dealing with the I-15 Corridor Signs be deleted and that a discussion about allowing new billboards along the I-15 corridor be had in connection with a future proposal to amend the sign ordinance.



The property after some of the trees has been cleared.

New SLU codes proposed:

SLU		R5	R6	R6.5	R7.5	R8	R20	OS5/ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
<u>2140</u>	<u>Grain Mill Products - Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>											
<u>2181</u>	<u>Other Beverage Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>											
<u>2820</u>	<u>Plastics, Materials and Synthetic Resins, Synthetic Rubber, Sythetic and Other Man Made Fivers (Except Glass) - Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>											
<u>2830</u>	<u>Drug - Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>											
<u>2840</u>	<u>Soap, Detergent and Cleaning Preparations, Perfumes, Cosmetics and Other Toilet Preparations- Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>											
<u>3420</u>	<u>Machinery (Except Electrical)- Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>											
<u>3430</u>	<u>Electrical Machinery, Equipment and Supplies- Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>											
<u>3440</u>	<u>Transportation Equipment- Manufacturing</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>											
<u>4990</u>	<u>Other Transportation, Communications, and Utilites NEC.</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>										
<u>5935</u>	<u>Jewelry</u>	<u>N</u>	<u>P</u>	<u>N</u>													

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

Ms. Buxton asked if there was another building in Orem that is 125 feet. Mr. Bench said Midtown Village is 96 feet and Security Metric is 75 feet. Mr. Spencer said the way the property is situated with I-15 being raised, the property down low would make the building look different.

Mr. Moulton asked where the Land Use codes come from. Mr. Spencer said some came from the applicant who would like to keep his options open for future development.

Chair Brewer invited the applicant to come forward. Brent Skinner introduced himself.

Mr. Skinner said this is a 70-acre parcel, There will be close to 1,000,000 square feet of office/retail/industrial space that will become available and will bring a huge tax base to Orem City. Wasatch Property Management will be the developer on the site. They want to be upfront and legal in all areas and have met with many staff members discussing different issues. They are okay with the City's thoughts on the corridor signs, and will continue to work with the City. The signs are helpful in filling the retail space. Having freeway signage will provide a huge advantage in securing long term tenants. Mr. Skinner also noted that if the project was near residential he would be more concerned about signage, but this is on I-15. There are only five potential locations for billboards left. This will not open up a wildfire, but allow those along the corridor to have exposure. Also, they are currently working together with the City on the storm drain.

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

Alice Johansson, owner of Dwayne's Wrecking, said she did not know the City had purchased the retention pond from the developers. She wondered why it was so big and how did the City pay for it. Mr. Kelly said it is a regional detention facility. It is set up to take a lot of the flow off the Lindon Hollow area. The money came out the storm water enterprise fund. Ms. Johansson said there will be a lot of retention ponds in this area. Mr. Kelly said the storm water master plan's intent is to take off a lot of the sumps that the City has. Currently, sumps handle probably 50-75% of the drainage. In order for that to happen, there needs to be a place for the water to go. It now goes down into the ground into the aquifer.

Ms. Johansson asked what was paid for the property. Mr. Earl said the sale is a matter of public record and Ms. Johansson can call the City Recorder's office.

Ms. Johansson said she is supportive. She wondered what will happen to her property taxes when this develops and how will the City ensure that this development happens. She wanted more information. Mr. Earl said there is no way to answer all the questions at this point in the development. It will be up to the developer to determine how long it will take to build, and a lot depends on the market conditions.

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

Ms. Buxton said she is not a fan of tall buildings in Orem. In her opinion, part of the character of Orem is the view and wide open feel. She understands the property level is low and so it the building can go higher, until you are on ground level and it is going to be really big. Ms. Jeffreys said the elevation suggestions remind her of buildings in the Riverwoods area in Provo. Chair Brewer said that is a nice area and would hope that similar structures would be built in this area since it is a gateway to the City.

Mr. Whetten asked the applicant if there is a potential for a 120-foot building, which would be 9-10 stories tall or is he just trying to keep all options open. Mr. Skinner said they want to keep all options open. He thinks it will be around five stories, which is 75 feet maximum. Many of the buildings could be two stories and the bigger buildings would be closer to I-15 and probably about 75 feet.

Chair Brewer called for a motion on this item.

Planning Commission Action: Mr. Whetten said he is satisfied that the Planning Commission has found this request complies with all applicable City codes. He then recommended the City Council enact Section 22-11-49 PD-36 (Orem Falls Industrial Business Park – 1300 North Geneva Road) zone and Appendix “DD”; and amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning property located at 1300 North Geneva Road from the M2 zone to the PD-26 zone and amend Appendix “A” of the Orem City Code adding new Standard Land Use (SLU) codes with the exception for the two corridor signs. Ms. Buxton seconded the motion. Those voting aye: John Brewer, Becky Buxton, Mike Colledge, Karen Jeffreys, David Moulton, and Derek Whetten. The motion passed unanimously.



CITY OF OREM

DEPARTMENT OF DEVELOPMENT SERVICES

July 2, 2013

PUBLIC NOTICE

To Whom It May Concern:

Brent Skinner with Geneva Holdings has requested the City Council rezone the property at 1300 North Geneva Road (Williams Farm Property) from the M2 zone to a new Planned Development (PD) zone. The applicant proposes to build a commercial manufacturing business park. A copy of the proposed site plan is on the reverse of this notice.

The City Council will hold a public meeting at **6:00pm on Tuesday, July 9, 2013**, in the City Council Chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

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

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

**The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7035.**



May 29, 2013

PUBLIC NOTICE

To Whom It May Concern:

Brent Skinner with Geneva Holdings has made an application to rezone the property at 1300 North Geneva Road (Williams Farm Property) from the M2 zone to a new Planned Development (PD) zone. The applicant proposes to build a commercial manufacturing business park. A copy of the proposed site plan is on the reverse of this notice.

The Planning Commission will hold a public meeting at **5:00pm on Wednesday, June 5, 2013**, in the City Council Chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

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

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

**The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7058 or TDD: 229-7146.**





CITY OF OREM

DEPARTMENT OF DEVELOPMENT SERVICES

July 2, 2013

PUBLIC NOTICE

To Whom It May Concern:

Brent Skinner with Geneva Holdings has requested the City Council rezone the property at 1300 North Geneva Road (Williams Farm Property) from the M2 zone to a new Planned Development (PD) zone. The applicant proposes to build a commercial manufacturing business park. A copy of the proposed site plan is on the reverse of this notice.

The City Council will hold a public meeting at **6:00pm on Tuesday, July 9, 2013**, in the City Council Chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

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

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

**The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7035.**



May 29, 2013

PUBLIC NOTICE

To Whom It May Concern:

Brent Skinner with Geneva Holdings has made an application to rezone the property at 1300 North Geneva Road (Williams Farm Property) from the M2 zone to a new Planned Development (PD) zone. The applicant proposes to build a commercial manufacturing business park. A copy of the proposed site plan is on the reverse of this notice.

The Planning Commission will hold a public meeting at **5:00pm on Wednesday, June 5, 2013**, in the City Council Chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

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

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

**The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7058 or TDD: 229-7146.**



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

JACOB LAND DEVELOPMENT LLC
923 N 290 E
AMERICAN FORK, UT 84003

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

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

REYNOLDS, MARION E & TERRILYN
R (ET AL)
2562 GREEN OAKS DR
BOUNTIFUL, UT 84010

PRE LLC
2516 ORCHARD DR
BOUNTIFUL, UT 84010

C & S PROPERTIES LLC
11576 S STATE ST # 204
DRAPER, UT 84020

PARRY, JOEL K
704 E 400 N
LINDON, UT 84042

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

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

NEWELL, PAULA
570 N 450 W
OREM, UT 84057

ASPEN NEIGHBORHOOD CHAIR
1833 N 760 WEST
OREM, UT 84057

KIRK LAND & INVESTMENT LC
1644 N 850 W
OREM, UT 84057

CLEGG STEEL INC
--OR CURRENT RESIDENT--
1161 & 1163 NORTH UNITED PARK RD
OREM, UT 84057

JACOB LAND DEVELOPMENT LLC
--OR CURRENT RESIDENT--
1304 W 1170 NORTH
OREM, UT 84057

ALLEN, RICHARD
--OR CURRENT RESIDENT--
1307 W 1170 NORTH
OREM, UT 84057

ASPEN VENTURES LLC
--OR CURRENT RESIDENT--
1187 N 1200 WEST
OREM, UT 84057

UTAH VALLEY FAMILY SUPPORT
CENTER
1255 N 1200 W
OREM, UT 84057

REYNOLDS, MARION E & TERRILYN
R (ET AL)
--OR CURRENT RESIDENT--
1275 N 1200 WEST
OREM, UT 84057

PRE LLC
--OR CURRENT RESIDENT--
1305 N 1200 WEST
OREM, UT 84057

RAM ROCK DEVELOPMENT LLC (ET
AL)
165 N 1300 W # B-1
OREM, UT 84057

PROCTOR PROPERTIES LLC
--OR CURRENT RESIDENT--
1133 N 1430 WEST
OREM, UT 84057

FINCH PARTNERS LP
--OR CURRENT RESIDENT--
1140 N 1430 WEST
OREM, UT 84057

BONHAM, RALPH
893 W 1500 N
OREM, UT 84057

EWELL, WILLIAM P & MARY F (ET
AL)
--OR CURRENT RESIDENT--
1146 N 1565 WEST
OREM, UT 84057

CLEGG STEEL INC
1147 N 1565 W
OREM, UT 84057

PARRY, JOEL K
--OR CURRENT RESIDENT--
1164 N 1565 WEST
OREM, UT 84057

DOUBLE D BOLT INC
1165 N 1565 W
OREM, UT 84057

SUMMIT MACHINING
TECHNOLOGIES INC
1182 N 1565 W
OREM, UT 84057

DAJ PROPERTIES LC
--OR CURRENT RESIDENT--
1190 N 1600 WEST
OREM, UT 84057

EWELL, MERRILL R
--OR CURRENT RESIDENT--
1175 N INDUSTRIAL PARK RD
OREM, UT 84057

C & S PROPERTIES LLC
--OR CURRENT RESIDENT--
1184 N INDUSTRIAL PARK RD
OREM, UT 84057

NEWELL, PAULA
--OR CURRENT RESIDENT--
1192 N INDUSTRIAL PARK RD
OREM, UT 84057

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

DAWNIE LARSEN
56 N STATE STREET
OREM, UT 84057

DOUBLE D BOLT INC
--OR CURRENT RESIDENT--
1165 N UNITED PARK RD
OREM, UT 84057

GENEVA NITROGEN INC
1165 N 1600 W
VINEYARD, UT 84057

GENEVA NITROGEN INC
--OR CURRENT RESIDENT--
1165 N GENEVA RD
VINEYARD, UT 84057

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

EWELL, MERRILL R
1475 W 1100 N
PLEASANT GROVE, UT 84062

COMCAST
9602 SOUTH 300 WEST
SANDY, UT 84070

ALLEN, RICHARD
1472 THISTLEDOWN DR
SANDY, UT 84092

KOJO ENTERPRISES LLC
11536 LIZZIE CV
SOUTH JORDAN, UT 84095

MAG
586 EAST 800 NORTH
OREM, UT 84097

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

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

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

UTOPIA
2175 S REDWOOD ROAD
WEST VALLEY CITY, UT 84119

GENEVA HOLDINGS LLC
95 W 100 S # 380
LOGAN, UT 84321

HALLMARK BROKERAGE INC
190 W 800 N # 100
PROVO, UT 84601

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

EWELL, WILLIAM P & MARY F (ET
AL)
1193 W 1460 N
PROVO, UT 84604

ASPEN VENTURES LLC
1270 E 2000 N
PROVO, UT 84604

COOKS LAND AND INVESTMENT
4264 N CANYON RD
PROVO, UT 84604

STONEBROOK LC
2230 N UNIVERSITY PKY # 7B
PROVO, UT 84604

CENTURY LINK
75 EAST 100 NORTH
PROVO, UT 84606

DAJ PROPERTIES LC
1095 S 2100 E
SPRINGVILLE, UT 84663

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

PROCTOR PROPERTIES LLC
%HAKES, BEN
448 E FOOTHILL
SAN DIMAS, CA 91773

FINCH PARTNERS LP
PO BOX 181140
CORONADO, CA 92178

Geneva Holdings, LLC
595 South Riverwoods Parkway, Suite 400
Logan, UT. 84321

January 16, 2013

Dear Adjacent Property Owner:

Orem City has requested that we send you an invitation to a neighborhood meeting as part of our rezoning application we have submitted to the City.

Since you have property adjacent or within 300 feet of the proposed property to be rezoned, you are being notified. Our property is located at approximately 1300 North Geneva Road in Orem. Attached is a general map for your information.

If you wish to attend, the neighborhood meeting is set for Thursday January 24th at 6 p.m. We will meet at 56 North State Street Orem, UT 84057 (City Council Chambers conference room).

During the meeting, you will have the opportunity to present comments about the rezone. The property is currently zoned M2. M2 zone "is established to provide areas where heavy intensity industrial activities and uses can be developed". We plan to rezone the property to a PD zone or Planned Development zone that can facilitate the flexible development of office, retail and other commercial uses in and around a light industrial business or technology park.

If you cannot make the meeting but wish to comment, please submit comments in writing to the Logan Geneva Holdings address above. If you have any questions, please call me at (435) 755-2077.

Sincerely,

Brent Skinner
Geneva Holdings, Manager

RECEIVED

JAN 28 2013

By _____
CITY OF OREM

Geneva Holdings, LLC
595 South Riverwoods Parkway, Suite 400
Logan, UT. 84321

January 25, 2013

Neighborhood Meeting Minutes

Those who attended:

- Brent Skinner (Geneva Holdings)
- Mike Neilson (Geneva Holdings)
- Verl Cook (Cook's Farm & Greenhouse)
- Tony Cook (Cook's Farm & Greenhouse)
- Ralph Bonham (Property touches Geneva Holdings land at the Southeast corner)
- Robert Fillerup (Attorney for Ralph Bonham)

Brent Skinner opened the meeting by stating the desire of Geneva Holdings to rezone the property. The property is currently zoned M2. M2 zone "is established to provide areas where heavy intensity industrial activities and uses can be developed". We plan to rezone the property to a PD zone or Planned Development zone that can facilitate the flexible development of office, retail and other commercial uses in and around a light industrial business or technology park.

Ralph Bonham commented that all he was there for was to note that there is a discrepancy between the deed line and the fence line where his property meets Geneva Holdings property. We took each other's contact information and both agreed that we would work that out as Geneva Holdings progresses and specifically when we have an updated boundary survey done on the property.

Verl & Tony Cook commented that they were there to further understand what Orem City's intentions are on the land they just purchased from Geneva Holdings and also the intentions of Geneva Holdings land. Specifically mentioning that they feel that development infrastructure from Orem and/or Geneva Holdings may affect certain artesian wells on their property. It was stated that Orem would be constructing a 20 acre foot storm water detention basin and that Geneva Holdings has looked into developing anything from a warehousing and distribution business park to an office park but nothing has been settled on as of yet.

RECEIVED

JAN 28 2013

By _____
CITY OF OREM



DRC APPLICATION

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

www.orem.org

APPLICANT INFORMATION			FORM EXPIRES: 06-30-2013
Name:	GENEVA HOLDINGS, LLC		Phone: 435-755-2077 & 757-6154
Address:	595 SOUTH RIVERWOODS PARKWAY, SUITE 400, MORGAN,		FAX: 435-888-2045
City:	LOGAN	State: VT	Zip: 84321
			e-mail: bskinner@netwasatch.com

PROJECT INFORMATION	
Project Name:	OREM FALLS BUSINESS PARK
Project Address:	APPROX 1200 NORTH GENEVA ROAD

Nature of Request (Check all that apply) and Filing Fee Amount				
SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$500	<input type="checkbox"/> Sign \$200	<input type="checkbox"/> Land Use Map Change \$525 + \$25 sign fee	<input type="checkbox"/> Site Plan Admin. Approval \$300	<input type="checkbox"/> To City Council \$100
<input type="checkbox"/> Preliminary deep lot sign fee \$25	<input type="checkbox"/> Subdivision \$200	<input type="checkbox"/> Text Change \$525	<input type="checkbox"/> Site Plan \$1,000 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21	<input type="checkbox"/> To Planning Commission \$100
<input type="checkbox"/> Final \$200 + \$20/lot or unit + recording fees	<input type="checkbox"/> Zoning, Text \$400 + \$25 sign fee for PD zone		<input type="checkbox"/> Concrete/Masonry Fence \$50	<input type="checkbox"/> Street Vacation \$400
<input type="checkbox"/> Vacation/Amendment \$400 + \$25 sign fee + recording fees	<input checked="" type="checkbox"/> Rezone \$400 + \$25 sign fee		<input type="checkbox"/> Temporary Site Plan Approval \$100	<input type="checkbox"/> Annexation \$750 + \$25 sign fee
<input type="checkbox"/> Final PRD \$200 + \$30/lot or unit + recording fees			<input type="checkbox"/> Conditional Use Permit \$400.00 + \$25 sign fee	<input type="checkbox"/> Driveway Entrance Modification \$175
			<input type="checkbox"/> Fence Modification/Waiver \$100	<input type="checkbox"/> Resubmittal Fee \$100/review After three reviews
			<input type="checkbox"/> Condominium Conversion \$300.00 + \$25/Unit + \$25 sign fee; + \$30 building inspection fee/Unit	<input type="checkbox"/> Other \$200

FILING FEES AND REQUIRED COPIES

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

REQUIRED COPIES: Two (2) full size copies 24" by 36", one (1) copy reduced to an 11" by 17", and one (1) copy reduced to an 8½" by 11" shall be submitted with each application for Subdivision Plats, Conditional Use Permits, Site Plans, and Condominium Conversions.

APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature:	Contact Person Name: BRENT SKINNER	Phone: 435-757-6154
------------------------	------------------------------------	---------------------

OFFICE USE ONLY		
Date Filed:	Fees Paid: 425	Received By:

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

CITY OF OREM
CITY COUNCIL MEETING
 JULY 9, 2013



REQUEST:	6:15 P.M. PUBLIC HEARING ORDINANCE – Amending Section 22-14-7(B)(2) of the Orem City Code to Permit Gravel Driveways Along Carterville Road
APPLICANT:	Mary Ann Saiz
FISCAL IMPACT:	None

NOTICES:

- Posted in 2 public places
- Posted on City webpage
- Posted on City hotline
- Faxed to newspapers
- Emailed to newspapers
- Posted on State website
- Mailed 216 notices on May 29, 2013

SITE INFORMATION:

- General Plan
Low Density Residential
- Current Zones
R12 and R20
- Acreage
N/A
- Neighborhood
Sharon and Hillcrest
- Neighborhood Chair
Shelly Parcel and Dewon Holt

PREPARED BY: David Stroud, AICP Planner
APPROVED BY:

REQUEST:

The applicant requests the City Council, by ordinance, amend Section 22-14-7(B)(2) of the Orem City Code to permit gravel driveways along Carterville Road.

BACKGROUND:

The applicant purchased property on Carterville Road in 2011. At that time, the driveway was constructed of asphalt. After purchase of the home, the owner tore out the asphalt and replaced it with gravel. A resident called Orem City to see if what the applicant had done was acceptable or against the Orem City Code. According to Section 22-14-7, the first seventy feet of a driveway must be a paved (asphalt or concrete) surface. The applicant wishes to amend the Orem City Code as follows:

22-14-7 CONSERVATION OF VALUES.

B. Any lot in any zone shall be improved and maintained as follows:

2. Driveways leading from a street to a parking lot, private garage, carport or other off-street parking space shall be a paved surface except that the paved surface need not extend more than seventy feet (70') from the street right-of-way line. The paved surface shall be completed within one year from the date of the occupancy of the building. Parking on grass or landscaped areas of the front yard or side yard adjacent to a street in residential zones is prohibited. Exception: gravel driveways shall be permitted along Carterville Road.

In the case of the applicant, it can be shown that an asphalt driveway existed while Section 22-14-7(B)(2) was in effect. There may be some driveways along Carterville Road that are gravel or dirt and have existed since before the ordinance to require asphalt/concrete was adopted. The requirement to pave the first seventy feet of a driveway goes back to at least the 1975 Orem City Code. The number of driveways along Carterville Road that are not paved is twelve.

There are reasons why having a paved driveway is in the best interest of Orem City. If a driveway is not paved, the chance of carrying rock and mud onto the right-of-way is increased. Gravel on the road can also be a safety hazard for people on bicycles or runners. Gravel driveways require continued maintenance whereas asphalt or concrete are virtually maintenance free. Over time, gravel becomes compressed into the soil and the rock is replaced with dirt. This dirt can be tracked onto the road which is a concern with Public Works. During any construction project, measures must be taken to prevent rock and dirt from

being carried onto the road. Another negative effect is dust, which is easily disturbed and can become a nuisance to neighbors.

This request will affect several thousand properties in the city and the potential for 114 new lots along Carterville Road. According to census projections, the total number of single-family dwellings in the City is 16,330. Should Carterville Road be permitted to have gravel driveways, there is the potential for property owners in other areas of the city to request the same. Staff is not in favor of this request as the proposal will have a negative effect on roadways and adjacent neighbors.

Advantages:

- None identified

Disadvantages:

- Gravel and debris is easily carried onto Carterville Road
- Other locations in the City are not permitted gravel driveways
- No legitimate governmental interest can be found as to why properties along Carterville Road should be permitted to have gravel driveways whereas other areas in the City are would be prohibited

The Planning Commission recommends the City Council deny the request to allow gravel driveways along Carterville Road.

DRAFT

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL
AMENDING SECTION 22-14-7(B)(2) OF THE OREM CITY
CODE AS IT PERTAINS TO REQUIREMENTS FOR
DRIVEWAY CONSTRUCTION

WHEREAS on April 10, 2013, Mary Ann Saiz filed an application with the City of Orem requesting the City Council amend Section 22-14-7(B)(2) of the Orem City Code; and

WHEREAS the proposed amendment would permit driveways along Carterville Road to be constructed of gravel; and

WHEREAS on July 9, 2013, the City Council held a public hearing to consider the subject application; and

WHEREAS notices were mailed to all property owners along Carterville Road; and

WHEREAS the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety, and general welfare of the city; the orderly development of land in the city; the effect upon the surrounding neighborhood; the compliance of the request with all applicable City ordinances and the Orem General Plan; and the special conditions applicable to the request.

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

1. The City Council hereby finds this request is in the interest of the public and that it will not harm residential neighborhoods.
2. The City Council hereby amends Section 22-14-7-(B)(2) of the Orem City Code to read as follows:
 2. Driveways leading from a street to a parking lot, private garage, carport or other off-street parking space shall be a paved surface except that the paved surface need not extend more than seventy feet (70') from the street right-of-way line. The paved surface shall be completed within one year from the date of the occupancy of the building. Parking on grass or landscaped areas of

DRAFT

the front yard or side yard adjacent to a street in residential zones is prohibited. Exception: gravel driveways shall be permitted along Carterville Road.

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

4. All other ordinances in conflict herewith are hereby repealed.

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

PASSED, APPROVED, and ORDERED PUBLISHED this 9th day of July 2013.

James T. Evans, Mayor

ATTEST:

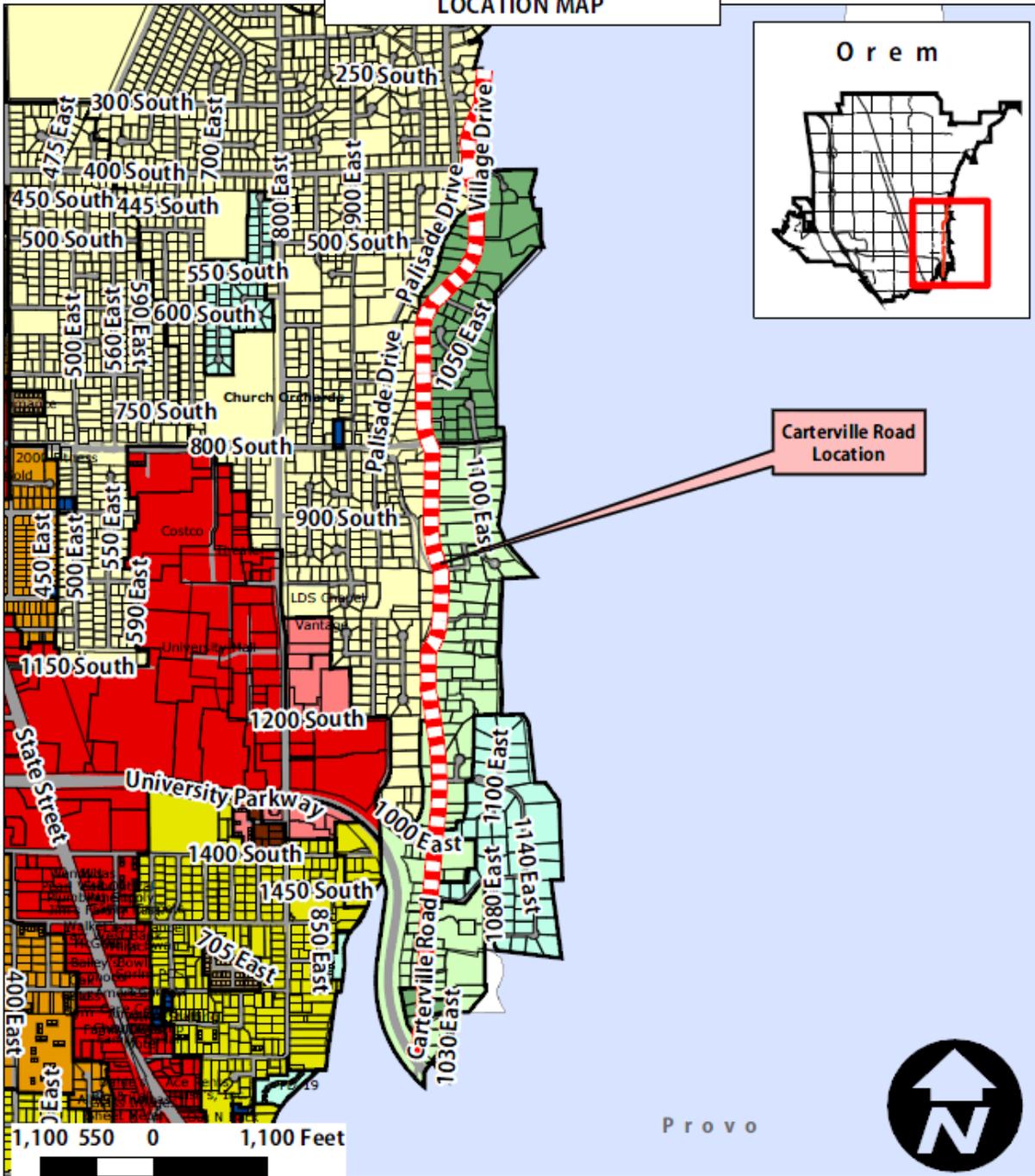
Donna R. Weaver, City Recorder

COUNCILMEMBERS VOTING "AYE"

COUNCILMEMBERS VOTING "NAY"

Carterville Road

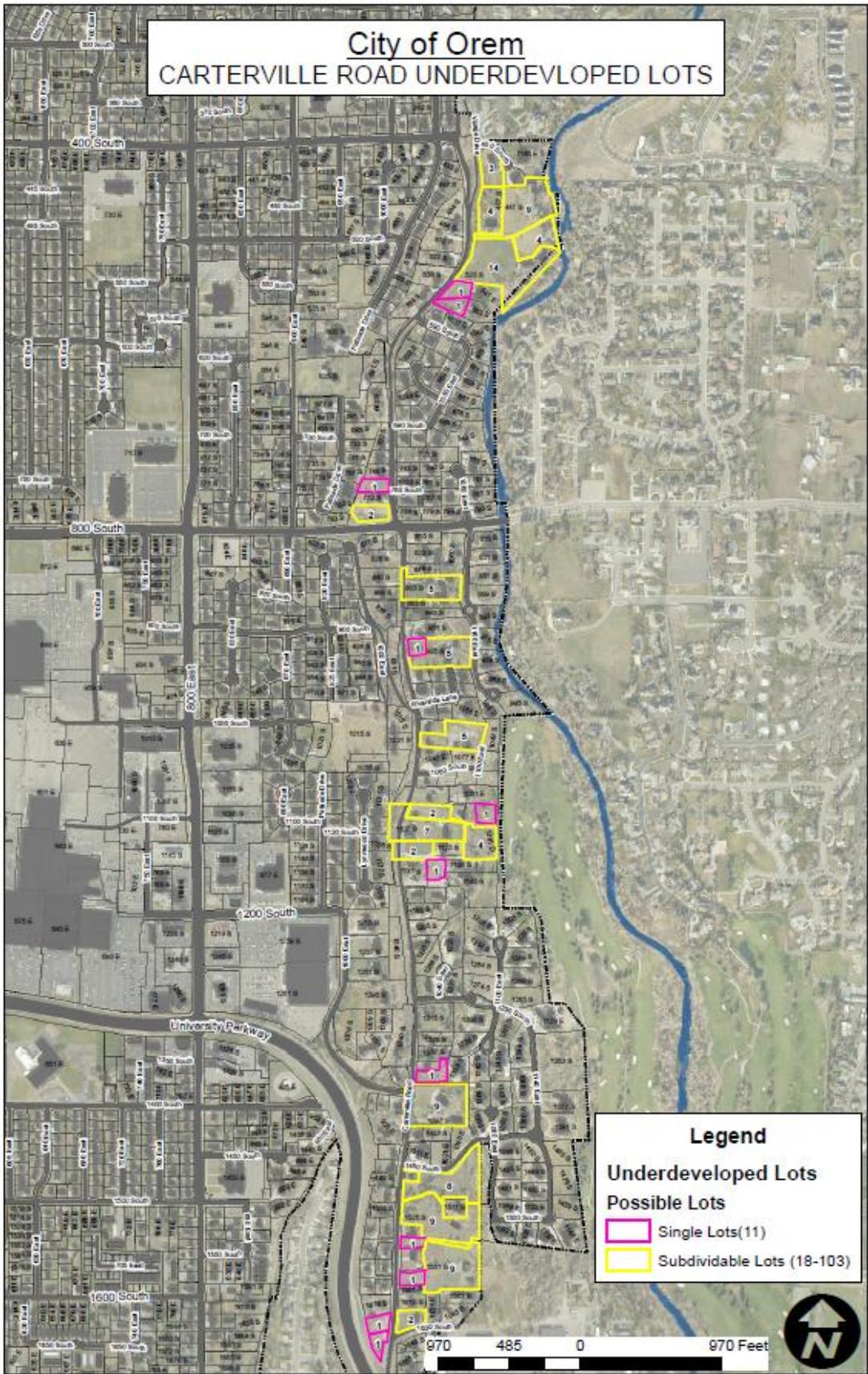
LOCATION MAP



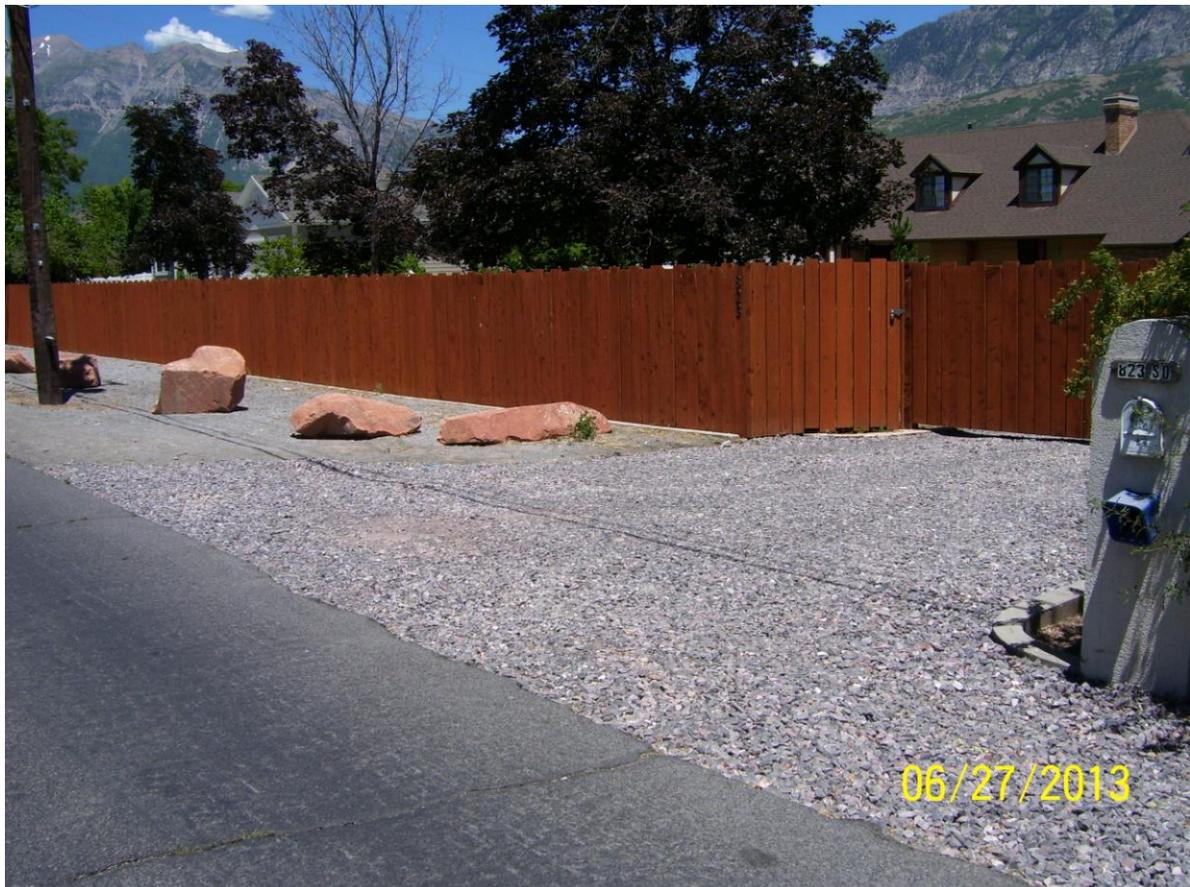
◆ Carterville Road Location.

- Legend
-  Carterville Road
 -  Parcels

City of Orem CARTERVILLE ROAD UNDERDEVELOPED LOTS



Applicant's Property



Other Carterville Road properties





Project Timeline

Project: 22-14-7(B)(2) Gravel Driveways on Carterville Road

1. Notice of zoning code violation sent to owner on 3/27/2013 by: David
2. DRC Application Date: 4/10/2013
3. Obtained Development Review Committee clearance on: 4/18/2013 by: David
4. Publication notice for PC sent to Records office on: 5/9/2013 by: David
5. Carterville Road notice for Planning Commission mailed on: 5/28/2013 by: David
6. Planning Division Manager received neighborhood notice on: 5/31/2013
7. Planning Commission recommended denial 5-1 on: 6/5/2013
8. Publication notice for CC sent to Records office on: 6/13/2013 by: David
9. Carterville Road notice for City Council mailed on: 5/28/2013 by: David
10. Planning Division Manager received neighborhood notice on: 5/31/2013
11. City Council approved/denied on: 7/9/2013

AGENDA ITEM 3.3 is a request by Mary Ann Saiz to recommend the City Council amend **SECTION 22-14-7(B)(2) PERTAINING TO GRAVEL DRIVEWAYS ADJACENT TO CARTERVILLE ROAD** in the Orem City Code.

Staff Presentation: Clinton Spencer said the applicant purchased property on Carterville Road in 2011. At that time, the driveway was constructed of asphalt. After purchase of the home, the owner tore out the asphalt and put down rock. A resident called Orem City to see if gravel driveways were permitted. According to Section 22-14-7, the first seventy (70) feet of a driveway must be asphalt or concrete. This limits the amount of rock and debris that is carried onto a public street. The applicant wishes to amend the Orem City Code as follows:

22-14-7 Conservation of values.

B. Any lot in any zone shall be improved and maintained as follows:

2. Driveways leading from a street to a parking lot, private garage, carport or other off-street parking space shall be a paved surface except that the paved surface need not extend more than seventy feet (70') from the street right-of-way line. The paved surface shall be completed within one year from the date of the occupancy of the building. Parking on grass or landscaped areas of the front yard or side yard adjacent to a street in residential zones is prohibited. **Exception: gravel driveways shall be permitted along Carterville Road.**

In the case of the applicant, it can be shown that an asphalt driveway existed while Section 22-14-7(B)(2) was in effect. There may be some driveways along Carterville Road that are gravel or dirt which have existed since before the ordinance to require asphalt/concrete was adopted. The requirement to pave the first seventy (70) feet of a driveway goes back to at least the 1975 Orem City Code to prevent debris from being carried onto a public road. The number of driveways along Carterville Road that are not paved is twelve (12).

Advantages of the proposal include:

- None identified

Disadvantage of the proposal include:

- Gravel and debris is easily carried onto Carterville Road
- Other locations in the City are not permitted gravel driveways
- No reason can be found why properties along Carterville Road should be permitted to have gravel driveways

Recommendation: Staff recommends the Planning Commission forward a negative recommendation to the City Council.

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

Chair Brewer invited the applicant to come forward. Steve Saiz introduced himself.

Mr. Saiz said his driveway was crumbling and a mess. He put in crushed rock and week later he got a notice saying that the ordinance does not permit that. The problem is that all along Carterville Road there is gravel along the road. The pressure rock on the driveway does not get into tires because it is larger than gravel. There is nothing on the road. Carterville Road is a unique road. No other properties have had no problem with the gravel. It was an anonymous complain, which triggered the city official investigation. Because the ordinance has not changed since his home was built, this change should be grandfathered in with all the other homes.

Mr. Moulton asked when the house was built. Mr. Saiz said it was built in 1978.

Chair Brewer inquired how long the driveway is. Mr. Saiz said it is 150 feet long.

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

Sharon Anderson, Orem, said there are advantages to allowing gravel along Carterville Road. Carterville Road has a unique character to it. Requiring it to abide by the same zoning requirements as the rest of the city is unnecessary. A lot of the driveways that are gravel and dirt are grandfathered in. It is wrong to require people to go to the expense of paving them; it is an infringement on their property rights. As the applicant stated, there is gravel along both sides of Carterville Road for almost the entire length of the road. Gravel and rock are not on the road at the end of the driveway. Both of her neighbors have either dirt or rock and the house to the south is owned by the BYU Motion Picture Studio and they have recently brought in rock in the last couple of months. Two other homes next her have dirt driveways and have had for a long time. There is an orchard and pasture along Carterville Road. The road maintains the rural atmosphere of that area of the City, which is a valuable thing to do.

Peter Anderson, Orem, said Mr. Saiz's driveway is a long driveway and if he had to put cement driveway in it could cost up to \$50,000. That is an unreal expectation. There is a neighbor that has carpet on the driveway to protect the road from the gravel. There is discussion about debris being carried into the possible waterway. That is a false statement. Debris and contamination goes into the waterways by way of the curbs and gutters. It has been proven that curb and gutters are not sustainable anymore. They are not supposed to be put in in certain parts of the country. That would save the City a lot of money if that is eliminated.

Kent Baker, Orem, said the gravel adds to the look of Carterville Road. It is very rural area with an irrigation ditch with grass on one side and gravel on the other side. He does not think it detracts, but enhances the look of Carterville Road.

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

Mr. Whetten said he loves the rural nature of the neighborhood and would like to see it preserved. He is also sympathetic to the safety concerns and realizes they are important. Given the fact there is already a lot of gravel along the side of the road for a long way, it feels a little disingenuous for the City to require paved driveways when the full road width is not paved.

Ms. Buxton asked Mr. Whetten if his reasoning is based on this one driveway being the only one required to pave and all the other ones not being required to remove their gravel will not make much difference in safety. Mr. Whetten said that until more is done to pave the road width and reduce the gravel along the road, this will not really contribute to the safety of the road.

Chair Brewer asked if there are any current plans to curb and gutter Carterville Road. Mr. Stroud said no.

Mr. Whetten indicated his support of allowing gravel driveways would change if there is curbing.

Ms. Buxton said the City is not requiring the whole driveway be paved, but only 75 feet of driveway. She does not care if there is a gravel driveway. She does not want others to tear out their asphalt driveway to put in gravel driveways.

Mr. Moulton said his concern is excusing a portion of the City out of an ordinance that the vast majority has to conform to.

Chair Brewer said he has been on the scene of many crashes involving many two wheel vehicles that have spun out on gravel. He did drive the length of Carterville Road and did see areas of gravel in the road that could contribute to spin outs. His concern is in keeping the gravel down.

Ms. Buxton asked if the size of gravel make a difference. Chair Brewer said no.

Ms. Buxton said the issue is that they had asphalt and they tore it out. That is the reason for the discussion. Mr. Spencer said it was paved, but as the material started to deteriorate and the applicant decided not to redo the asphalt, but to bring in gravel.

Mr. Saiz said it was necessary to take out the asphalt because it was crumbling and was a safety hazard. He has lived there three years and drives Carterville Road all the time and the neighborhood and there are many gravel

driveways. He was dumbfounded to find out that this was not something permissible. The crushed rock does not go out into the road, because they are larger than tire treads. With a car driving over it, it becomes flattened out.

Chair Brewer called for a motion on this item.

Planning Commission Action: Vice Chair Colledge moved to forward a positive recommendation to the City Council to amend Section 22-14-7(B) of the Orem City Code to permit gravel driveways along Carterville Road. Mr. Whetten seconded the motion. Those voting aye: Derek Whetten. Those voting nay: John Brewer, Becky Buxton, Mike Colledge, Karen Jeffreys, and David Moulton, The motion failed.

Planning Commission Action: Vice Chair Colledge moved to forward a negative recommendation to the City Council to amend Section 22-14-7(B) of the Orem City Code to permit gravel driveways along Carterville Road. Ms. Jeffreys seconded the motion. Those voting aye: John Brewer, Becky Buxton, Mike Colledge, Karen Jeffreys, and David Moulton. Those voting nay: Derek Whetten. The motion passed.

STEVE & MARYANN SAIZ

April 8, 2013

City of Orem
David Stroud, AICP
56 N. State Street
Orem, UT 84057

CC: Bob Church, City Attorney

Dear Mr. Stroud:

We would like to again know why we have been "Singled Out" per the attached letters.

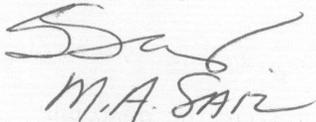
I have taken pictures of (15) Fifteen other driveways that have gravel and even one Street that is entirely gravel as it abuts Carterville Rd.

We were "singled out" when we improved our front fencing and now that we have improved our driveway, we are again the only property that is in question?

The asphalt was completely deteriorated, cracked and full of holes. We have a motorhome with Disabled License plates and it would crack any concrete or asphalt as a replacement. The American Disabilities Act states that we should have access to our property.

I ask again, why are we being "Singled Out" by a City Code that does not include the other fifteen properties. Why does this "anonymous" complaint not include the rest of the "Violators". Is this not, again, somewhat prejudicial?

Sincerely,



M.A. SAIZ

Steve Saiz

Mary Ann Saiz



May 29, 2013

Public Meeting Notice

Mary Ann Saiz requests the City amend Section 22-14-7(B)(2) of the Orem City Code to allow gravel driveways along Carterville Road. The current code requirement for driveways, applicable since at least 1975, requires the first seventy (70) feet of driveway to be asphalt or concrete. A copy of the proposed text is on the reverse of this notice.

The Planning Commission will hold a public hearing on **Wednesday, June 5, 2013, at 4:30 PM** in the City Council chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

The City Council will hold a public hearing on **Tuesday, July 9, 2013, at 6:00 PM** in the City Council chambers at 56 North State Street. This meeting is open to the public and you are invited to attend.

If you have questions, please contact David Stroud at 229-7095 or Jason Bench at 229-7238.

This notice has been mailed to all property owners and residents within 300 feet of the subject properties. If you are aware of other persons who would be interested in this matter, it would be appreciated if you make them aware of this public meeting. If you are not the owner of the residence, please notify the owner regarding this notice.

The public is invited to participate in all public meetings.
If you need special accommodations to participate, please contact the City at
Phone: 229-7058 or TDD: 229-7146.



SYKES, MARK ALLEN
987 MELBOURNE CT
FARMINGTON, UT 84025

STEWART, MONTE NEIL & ANNE
LILLYWHITE
5053 N LEATHER PL
BOISE, ID 83713

TAX SALE INVESTMENT GROUP LLC
629 QUALITY DR STE 103
AMERICAN FORK, UT 84003

DEWON HOLT
HILLCREST NEIGHBORHOOD CHAIR
1442 S 605 EAST
OREM, UT 84057

LITTLE WONDERS DEVELOPMENTS
LLC
199 N 290 W # 100
LINDON, UT 84042

CHESAPEAKE HOLDINGS UT LLC
6985 UNION PARK CTR # 465
MIDVALE, UT 84047

BOSWELL, ANNA MARIE RICHINS
325 S 280 W
OREM, UT 84058

JASON BENCH
1911 N MAIN STREET
OREM, UT 84057

DAWNIE LARSEN
56 N STATE STREET
OREM, UT 84057

KALLAS, TERRY W
581 S PALISADE DR
OREM, UT 84058

SHELLY PARCELL
SHARON NEIGHBORHOOD CHAIR
657 E 750 SOUTH
OREM, UT 84058

CROWLEY, SCOTT
1014 E 590 S
OREM, UT 84097

STEWART, MONTE NEIL & ANNE
LILLYWHITE
--OR CURRENT RESIDENT--
1002 E 590 SOUTH
OREM, UT 84097

OLE MAC DEVELOPMENT CORP
311 N STATE ST
OREM, UT 84058

JORGENSEN, NORMAN GREEN
--OR CURRENT RESIDENT--
1012 E 660 SOUTH
OREM, UT 84097

SOUTAS, MICHAEL KELLY &
BEVERLY C
1037 E 590 S
OREM, UT 84097

HOPINS, GORDON & JANNA
1013 E 590 S
OREM, UT 84097

SORENSEN, DAVID K & BONNIE L
--OR CURRENT RESIDENT--
1025 E 690 SOUTH
OREM, UT 84097

YALDEN, JACK G & BARBARA K
--OR CURRENT RESIDENT--
1025 E 660 SOUTH
OREM, UT 84097

MEYERS, JONATHAN T
--OR CURRENT RESIDENT--
1000 E 660 SOUTH
OREM, UT 84097

SUMTER COUNTRY RIVER ESTATES
902 N 750 E
OREM, UT 84097

SIMMONS, ROBERT A & JULYNN M
1028 E 690 S
OREM, UT 84097

LAWRENCE, A KEITH & TRACY
--OR CURRENT RESIDENT--
1012 E 690 SOUTH
OREM, UT 84097

COOMBS, BRUCE L & BONNY L
1060 E 800 S
OREM, UT 84097

ANDERSON, BENNETT W &
ROCHELLE T
1023 E 760 S
OREM, UT 84097

LAWRENCE, A KEITH & TRACY
1054 E 690 S
OREM, UT 84097

DAVIS, BETTY P
1015 S 1000 E
OREM, UT 84097

ADAMS, STANLEY D & THELMA Y
664 S 900 E
OREM, UT 84097

JENSEN, DENNIS P & CONNIE S
1024 E 760 S
OREM, UT 84097

WILSON, LISA M
1237 S 1000 E
OREM, UT 84097

WATKINS, RICHARD R & FRANCES G
1031 S 1000 E
OREM, UT 84097

PROPERTY RESOURCES INC
820 S 920 E
OREM, UT 84097

BOWN, BRUCE V & CAROL O
1309 S 1000 E
OREM, UT 84097

BYERS, BRYCE C & DANIELLE M
1261 S 1000 E
OREM, UT 84097

WATKINS, RICHARD R & FRANCES G
--OR CURRENT RESIDENT--
1056 S 1000 EAST
OREM, UT 84097

JENSEN, DENNIS P & CONNIE S
--OR CURRENT RESIDENT--
778 S 1030 EAST
OREM, UT 84097

SHALLENBERGER, ROXANNE H &
STEVEN R
1330 S 1000 E
OREM, UT 84097

SUMSION, LANA
--OR CURRENT RESIDENT--
1295 S 1000 EAST
OREM, UT 84097

ARCHIBALD, JOHN
--OR CURRENT RESIDENT--
1266 S 1040 EAST
OREM, UT 84097

JACKSON, RODNEY L & ROSE E
--OR CURRENT RESIDENT--
779 S 1030 EAST
OREM, UT 84097

FULLER, COLLEEN O (ET AL)
761 S 1030 E
OREM, UT 84097

SKIP DUNN INVESTMENTS
1047 E 1060 S
OREM, UT 84097

JACKSON, RODNEY L & ROSE E
182 N 1040 E
OREM, UT 84097

STAUFFER, SHANE C
1648 S 1030 E
OREM, UT 84097

KAMDAR, KIRAN P
748 S 1080 E
OREM, UT 84097

MESERVY, THOMAS O & SUNDAY J
1278 S 1040 E
OREM, UT 84097

JACOBSEN, ROBERT LEE & KAREN K
--OR CURRENT RESIDENT--
1223 S 1040 EAST
OREM, UT 84097

DUCKWORTH, BRETT L (ET AL)
--OR CURRENT RESIDENT--
1336 S 1100 EAST
OREM, UT 84097

SKIP DUNN INVESTMENTS LC
--OR CURRENT RESIDENT--
1062 E 1060 SOUTH
OREM, UT 84097

COLLINS, SUSAN LEE
--OR CURRENT RESIDENT--
680 S 1050 EAST
OREM, UT 84097

ROSE, KEVIN G
--OR CURRENT RESIDENT--
1011 E 1450 SOUTH
OREM, UT 84097

R AND I INVESTMENTS LLC
1386 S 1080 E
OREM, UT 84097

SKIP DUNN INVESTMENTS LC
--OR CURRENT RESIDENT--
1077 E 1060 SOUTH
OREM, UT 84097

RIDDLE, CHAUNCEY C & BERTHA A
--OR CURRENT RESIDENT--
1035 E 1630 SOUTH
OREM, UT 84097

SMITH, RODGER H
1338 S 1100 E
OREM, UT 84097

MORTON, CARYN S
1308 S 1100 E
OREM, UT 84097

LORIS, CHARLES A & RUBY F
--OR CURRENT RESIDENT--
1555 S CARTERVILLE RD
OREM, UT 84097

R AND I INVESTMENTS LLC
--OR CURRENT RESIDENT--
1045 E 1450 SOUTH
OREM, UT 84097

SAIZ, MARY ANN
877 E 1200 S #971118
OREM, UT 84097

JOHNSON, JAMES DELYLE & SHAURI
487 S CARTERVILLE RD
OREM, UT 84097

GEAKE, DENNIS E & JOANNE
--OR CURRENT RESIDENT--
1494 S CARTERVILLE
OREM, UT 84097

COLLETTE, JASON & STEPHANIE
--OR CURRENT RESIDENT--
447 S CARTERVILLE RD
OREM, UT 84097

PRESTWICH, J SCOTT & SHERRIE L
496 S CARTERVILLE RD
OREM, UT 84097

BUNDY, GEORGE WENDELL
538 S CARTERVILLE RD
OREM, UT 84097

FORD, T MICHAEL & CHARLEEN A
--OR CURRENT RESIDENT--
550 S CARTERVILLE RD
OREM, UT 84097

BREERETON, GLADE H & BELVA R
725 S CARTERVILLE RD
OREM, UT 84097

COCKRELL, CHRISTOPHER A &
MICHELE J
746 S CARTERVILLE RD
OREM, UT 84097

PEW, CARL L & SUZANNE E
814 S CARTERVILLE RD
OREM, UT 84097

CARTERVILLE LLC
826 S CARTERVILLE RD
OREM, UT 84097

REEVES, LISA M
--OR CURRENT RESIDENT--
863 S CARTERVILLE RD
OREM, UT 84097

CORP OF PRES BISHOP CHURCH OF
JESUS CHRIST OF LDS
--OR CURRENT RESIDENT--
1021 E 1630 SOUTH
OREM, UT 84097

DOBSON, DENNIS L
--OR CURRENT RESIDENT--
926 S AUSTIN AV
OREM, UT 84097

BISCHOFF, VICKIE J
--OR CURRENT RESIDENT--
1400 S CARTERVILLE DR
OREM, UT 84097

JOHNSON, PAUL T
--OR CURRENT RESIDENT--
484 S CARTERVILLE RD
OREM, UT 84097

JOHNSON, PAUL T
512 S CARTERVILLE RD
OREM, UT 84097

HAFEN, MARIE K
--OR CURRENT RESIDENT--
541 S CARTERVILLE RD
OREM, UT 84097

MOODY, LESTER Y & JOAN M
662 S CARTERVILLE RD
OREM, UT 84097

LEWIS, NATHAN & SANDRA
730 S CARTERVILLE RD
OREM, UT 84097

OLSEN, NANCY A & DAVID W
772 S CARTERVILLE RD
OREM, UT 84097

BURNS, JEREMY T & ASHLEY B
815 S CARTERVILLE RD
OREM, UT 84097

PECK, SHAYLIN L
522 S CARTERVILLE RD
OREM, UT 84097

JOHNSON, BOYD R & DAWNA R
544 S CARTERVILLE RD
OREM, UT 84097

BYRD, JAMES B & JO DEE
702 S CARTERVILLE RD
OREM, UT 84097

VAN CAMP, KRISTA G
743 S CARTERVILLE RD
OREM, UT 84097

OLSEN, NANCY A & DAVID W
--OR CURRENT RESIDENT--
790 S CARTERVILLE RD
OREM, UT 84097

SAIZ, MARY ANN
--OR CURRENT RESIDENT--
823 S CARTERVILLE RD
OREM, UT 84097

BAKER, KENT & NATASHA
849 S CARTERVILLE RD
OREM, UT 84097

KOFFORD, KEITH R & BONNIE B
876 S CARTERVILLE RD
OREM, UT 84097

ROBISON, GENE B & KAREN T
--OR CURRENT RESIDENT--
919 S CARTERVILLE RD
OREM, UT 84097

DILLMAN FAMILY LLC
--OR CURRENT RESIDENT--
931 S CARTERVILLE RD
OREM, UT 84097

GROW, JUDITH W
895 S CARTERVILLE RD
OREM, UT 84097

ROBISON, GENE B
--OR CURRENT RESIDENT--
925 S CARTERVILLE RD
OREM, UT 84097

WOLFERTS, EDGAR & JANE
937 S CARTERVILLE RD
OREM, UT 84097

COX, BOYD DEAN
1015 S CARTERVILLE RD
OREM, UT 84097

SCHMUTZ, EVAN A & CINDY
1081 S CARTERVILLE RD
OREM, UT 84097

BRUUN, B DALLIN & SARAH M
--OR CURRENT RESIDENT--
1123 S CARTERVILLE RD
OREM, UT 84097

LLOYD, EUGENE W & RONALD P
1167 S CARTERVILLE RD
OREM, UT 84097

YOUNG, JACK RICHARD & LAURA
1185 S CARTERVILLE RD
OREM, UT 84097

LUDLOW, MELVIN J & ALICE L
--OR CURRENT RESIDENT--
1315 S CARTERVILLE RD
OREM, UT 84097

PROPERTY RESOURCES INC
--OR CURRENT RESIDENT--
1347 S CARTERVILLE RD
OREM, UT 84097

FALDMO, NORMAN & CAOLYN (SIC)
840 S CARTERVILLE RD
OREM, UT 84097

HARRIS, RUTH B & DAVID J
864 S CARTERVILLE RD
OREM, UT 84097

REEVES, LISA M
909 S CARTERVILLE RD
OREM, UT 84097

ROBISON, GENE & KAREN (ET AL)
929 S CARTERVILLE RD
OREM, UT 84097

SUTORIUS, BENJAMIN F & SHANNON
969 S CARTERVILLE RD
OREM, UT 84097

SKIP DUNN INVESTMENTS
--OR CURRENT RESIDENT--
1063 S CARTERVILLE RD
OREM, UT 84097

CARTER, RUTH C & SAMUEL C
1089 S CARTERVILLE RD
OREM, UT 84097

COCANOUR, ROBERT A & SHARON K
--OR CURRENT RESIDENT--
1131 S CARTERVILLE RD
OREM, UT 84097

METAXAS, BARBARA JANE
1171 S CARTERVILLE RD
OREM, UT 84097

BELLISTON, CARL J & MICHELLE
1205 S CARTERVILLE RD
OREM, UT 84097

CONNORS, JARED MICHAEL &
JESSICA PROCTOR
--OR CURRENT RESIDENT--
999 S CARTERVILLE RD
OREM, UT 84097

CARTER, SAMUEL C
1075 S CARTERVILLE RD
OREM, UT 84097

ASAY, WAYNE WORTHAM
1107 S CARTERVILLE RD
OREM, UT 84097

PETERSON, LINDA LEE (ET AL)
1145 S CARTERVILLE RD
OREM, UT 84097

UNICE, ROBERT & PHYLLIS
1175 S CARTERVILLE RD
OREM, UT 84097

CLARKE, SAMUEL K & REBECCA W
1225 S CARTERVILLE RD
OREM, UT 84097

LUDLOW, MELVIN J & ALICE L
--OR CURRENT RESIDENT--
1340 S CARTERVILLE RD
OREM, UT 84097

FILLMORE, LYNN C
1360 S CARTERVILLE RD
OREM, UT 84097

WATSON, BRIAN L & BRIAN L
1437 S CARTERVILLE RD
OREM, UT 84097

BERKSHIRES LC THE
--OR CURRENT RESIDENT--
1475 S CARTERVILLE RD
OREM, UT 84097

CHAPMAN, BRUCE & CERI
1421 S CARTERVILLE RD
OREM, UT 84097

ANDERSON, CLARK & PATRICIA
1337 S CARTERVILLE RD
OREM, UT 84097

SIMMERMAN, SUSAN
1508 S CARTERVILLE RD
OREM, UT 84097

EDWARDS, KATHLEEN A
1448 S CARTERVILLE RD
OREM, UT 84097

HUGHES, LYNN (ET AL)
1355 S CARTERVILLE RD
OREM, UT 84097

WILCOX, CHRISTINE N
1538 S CARTERVILLE RD
OREM, UT 84097

GEAKE, DENNIS E & JOANNE
1492 S CARTERVILLE RD
OREM, UT 84097

TAYLOR, RICHARD S
1436 S CARTERVILLE RD
OREM, UT 84097

KALLBACKA, JESSE & VEONE C
1564 S CARTERVILLE RD
OREM, UT 84097

BERKSHIRES LC THE
--OR CURRENT RESIDENT--
1511 S CARTERVILLE RD
OREM, UT 84097

MC KINLEY, RON B & LYNNE M
1468 S CARTERVILLE RD
OREM, UT 84097

LAMBERT, KAY G & LOU ANN R
1581 S CARTERVILLE RD
OREM, UT 84097

HOLMES, RODNEY L & LUCILLE R
1545 S CARTERVILLE RD
OREM, UT 84097

CROSS, LAURIE & JERROLD L
1494 S CARTERVILLE RD
OREM, UT 84097

BOSWELL, ANNA MARIE RICHINS
--OR CURRENT RESIDENT--
1616 S CARTERVILLE RD
OREM, UT 84097

DOUGLAS, MARK
--OR CURRENT RESIDENT--
1558 S CARTERVILLE RD
OREM, UT 84097

OLGUIN, CUAUHTEMOC M
1528 S CARTERVILLE RD
OREM, UT 84097

SECURITY NATIONAL LIFE
INSURANCE COMPANY
--OR CURRENT RESIDENT--
1638 S CARTERVILLE RD
OREM, UT 84097

ASHBY, GAYLON H & VICKI H
1572 S CARTERVILLE RD
OREM, UT 84097

GUALOTUNA, JULIO F
1548 S CARTERVILLE RD
OREM, UT 84097

RODEMEYER, DARYL & ELIZABETH
1685 S CARTERVILLE RD
OREM, UT 84097

PEAVLER, JERRY & TAMMIE
--OR CURRENT RESIDENT--
1588 S CARTERVILLE RD
OREM, UT 84097

RIDDLE, CHAUNCEY C & BERTHA A
--OR CURRENT RESIDENT--
1561 S CARTERVILLE RD
OREM, UT 84097

PETERSON, SHERRY S
--OR CURRENT RESIDENT--
1125 S LYNNWOOD DR
OREM, UT 84097

WIXOM, CLYDE & ANNETTE
1625 S CARTERVILLE RD
OREM, UT 84097

YORK, DEAN W & JEANETTE
1580 S CARTERVILLE RD
OREM, UT 84097

ASHTON, ADAM C & ANNALORA
--OR CURRENT RESIDENT--
641 S PALISADE DR
OREM, UT 84097

REEDER, ROBERT VAUGHN &
JUANITA RUTH
--OR CURRENT RESIDENT--
1660 S CARTERVILLE RD
OREM, UT 84097

ANDERSON, PETER L & SHARON P
1615 S CARTERVILLE RD
OREM, UT 84097

HEBER, KEITH MARVIN & KAY
--OR CURRENT RESIDENT--
693 S PALISADE DR
OREM, UT 84097

LITTLE WONDERS DEVELOPMENTS
--OR CURRENT RESIDENT--
563 S CARTERVILLE RD
OREM, UT 84097

WESTFALL, HEATH & REBEKAH
--OR CURRENT RESIDENT--
515 S PALISADE DR
OREM, UT 84097

JACKMAN, JENIFER C
--OR CURRENT RESIDENT--
681 S PALISADE DR
OREM, UT 84097

ARCHIBALD, JOHN
163 N PALISADES DR
OREM, UT 84097

FORD, T MICHAEL & CHARLEEN A
577 S PALISADES DR
OREM, UT 84097

MUTAGUCHI, NOBUTAKA & AKIKO
PO BOX 970639
OREM, UT 84097

HENRIE, ROBERT A
--OR CURRENT RESIDENT--
749 S RIVER BREEZE DR
OREM, UT 84097

CONNORS, JARED M
--OR CURRENT RESIDENT--
1036 E RIVERSIDE LA
OREM, UT 84097

DILLMAN FAMILY LLC
3206 OLD MILL CIR
SALT LAKE CITY, UT 84121

SJS PROPERTIES LLC - CARTERVILLE
999 BEN LOMOND AV
OGDEN, UT 84403

MORTENSEN, MARY LINDA &
PHOEBE ANNA
--OR CURRENT RESIDENT--
1626 S CARTERVILLE RD
OREM, UT 84097

REEDER, ROBERT LEE
1665 S CARTERVILLE RD
OREM, UT 84097

KALLAS, TERRY W
--OR CURRENT RESIDENT--
581 S PALISADE DR
OREM, UT 84097

HEBER, KEITH MARVIN & KAY
CAMILLE
691 S PALISADE DR
OREM, UT 84097

SUMSION, LANA
PO BOX 971342
OREM, UT 84097

THOMPSON, SHARLEEN & ROBERT
--OR CURRENT RESIDENT--
1024 E RIVER HAVEN CIR
OREM, UT 84097

HUBER, VIRGINIA MARILYN
--OR CURRENT RESIDENT--
1047 E RIVERSIDE LA
OREM, UT 84097

JACOBSEN, ROBERT LEE & KAREN K
1222 S WILLOWSRING
OREM, UT 84097

CORP OF PRES BISHOP CHURCH OF
JESUS CHRIST OF LDS
50 E NORTH TEMPLE ST
SALT LAKE CITY, UT 84150

LUDLOW, MELVIN J & ALICE L
590 E 5400 S
OGDEN, UT 84405

BUFFINGTON, ALLEN K & DEE A
555 S PALISADES DR
OREM, UT 84097

WARD, JERRY & NANCY
--OR CURRENT RESIDENT--
1048 E RIVERSIDE LA
OREM, UT 84097

HENRIE, ROBERT A
837 E SOUTH TEMPLE
SALT LAKE CITY, UT 84102

SECURITY NATIONAL LIFE
INSURANCE COMPANY
PO BOX 57220
SALT LAKE CITY, UT 84157

UTAH COMMUNITY CREDIT UNION
PO BOX 1900
PROVO, UT 84603

HAMMOND, ROY A
452 W 4150 N
PROVO, UT 84604

MORTENSEN, MARY LINDA &
PHOEBE ANNA
1001 CEDAR AV
PROVO, UT 84604

HAFEN, MARIE K
440 S 200 E
SAINT GEORGE, UT 84770

LUNDQUIST, MARK & LEANNE
PO BOX 69
CLOVIS, CA 93613

COLLETTE, JASON & STEPHANIE
300 AVENIDA D LAS PALMERAS
SAN CLEMENTE, CA 92672

OLSEN, ROBERT B & ROBERT B
--OR CURRENT RESIDENT--
525 S CARTERVILLE RD
OREM, UT 84604

BISCHOFF, VICKIE J
3923 N 300 W
PROVO, UT 84604

BERKSHIRES THE LC
PO BOX 921
SPANISH FORK, UT 84660

BRUUN, B DALLIN & SARAH M
1095 ASH AV
PROVO, UT 84604

RIDDLE, CHAUNCEY C & BERTHA A
1146 BIRCH LA
PROVO, UT 84604

COCANOUR, ROBERT A & SHARON K
1865 CANOGA CT
SPARKS, NV 89431



DRC APPLICATION

www.orem.org

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

APPLICANT INFORMATION

FORM EXPIRES: 06-30-2013

Name: MARY ANN SAIZ Phone: 801-875-9382
 Address: 823 S. CARTERVILLE RD FAX: _____
 City: OREM State: UT Zip: 84697 e-mail: M.SAIZ@AOL.COM

PROJECT INFORMATION

Project Name: ALLOW GRAVEL DRIVEWAYS ON CARTERVILLE RD
 Project Address: 823 S. CARTERVILLE RD

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

SUBDIVISION PLATS/LOT LINE ADJUSTMENT	ORDINANCE AMENDMENTS	OREM GENERAL PLAN AMENDMENTS	MISCELLANEOUS	APPEALS/OTHER
<input type="checkbox"/> Preliminary/PRD \$500 + \$20/lot or unit <input type="checkbox"/> Preliminary deep lot sign fee \$25 <input type="checkbox"/> Final \$200 + \$20/lot or unit, not including recording fees <input type="checkbox"/> Vacation/Amendment \$400 + \$20/lot or unit + \$25 sign fee, not including recording fees <input type="checkbox"/> Final PRD \$200 + \$30/lot or unit + recording fees <input type="checkbox"/> Lot Line Adjustment \$400 + \$25 sign fee, not including recording fees	<input type="checkbox"/> Sign \$400 <input type="checkbox"/> Subdivision \$400 <input checked="" type="checkbox"/> Zoning, Text \$400 + 25 sign fee for PD zone <input type="checkbox"/> Rezone \$400 + \$25 sign fee	<input type="checkbox"/> Land Use Map Change \$525 + \$25 sign fee <input type="checkbox"/> Text Change \$525	<input type="checkbox"/> Site Plan Admin. Approval \$300 <input type="checkbox"/> Site Plan \$1,000 + \$25 sign fee for following PD Zones: 1,4,5,15,16,21 <input type="checkbox"/> Concrete/Masonry Fence \$50 <input type="checkbox"/> Temporary Site Plan Approval \$100 <input type="checkbox"/> Conditional Use Permit \$400.00 + \$25 sign fee <input type="checkbox"/> Fence Modification/Waiver \$100 <input type="checkbox"/> Condominium Conversion \$300.00 + \$55/Unit + \$25 sign fee; + \$30 building inspection fee/Unit	<input type="checkbox"/> To City Council \$400 <input type="checkbox"/> To Planning Commission \$400 <input type="checkbox"/> Street Vacation \$400 <input type="checkbox"/> Annexation \$750 + \$25 sign fee & cost of legal noticing <input type="checkbox"/> Driveway Entrance Modification \$175 <input type="checkbox"/> Resubmittal Fee \$100/review After three reviews <input type="checkbox"/> Other \$200

FILING FEES AND REQUIRED COPIES

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

REQUIRED COPIES: Two (2) full size copies 24" by 36", one (1) copy reduced to an 11" by 17", and one (1) copy reduced to an 8½" by 11" shall be submitted with each application for Subdivision Plats, Conditional Use Permits, Site Plans, and Condominium Conversions.

APPLICANT NOTES, SIGNATURE, AND CONTACT PERSON

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

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

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

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

Applicant's Signature: Mary Ann Saiz Contact Person Name: MARY ANN SAIZ Phone: 801-875-9382

OFFICE USE ONLY

Date Filed: 4-10-13 Fees Paid: 400.00 Received By: [Signature]

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

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED MAY 2013

Percent of Year Expired: 92%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2013	% To Date FY 2012	Notes
10 GENERAL FUND								
Revenues	41,132,978	2,922,429	36,764,543			89%		
Appr. Surplus - Current	2,642,785		2,642,785			100%		
Appr. Surplus - Prior Year	524,833		524,833			100%		
STD Interfund Transactions	4,572,898		4,572,898			100%		
Total Resources	48,873,494	2,922,429	44,505,059		4,368,435	91%	89%	
Expenditures	48,873,494	3,813,583	42,305,204	691,244	5,877,046	88%	89%	
20 ROAD FUND								
Revenues	2,400,000	468,583	1,960,440			82%		
Appr. Surplus - Current	600,000		600,000			100%		
Appr. Surplus - Prior Year	823,700		823,700			100%		
Total Resources	3,823,700	468,583	3,384,140		439,560	89%	91%	
Expenditures	3,823,700	50,603	2,065,329	518,530	1,239,841	68%	76%	
21 CARE TAX FUND								
Revenues	1,675,000	165,383	1,305,990			78%		
Appr. Surplus - Current	371,459		371,459			100%		
Appr. Surplus - Prior Year	4,292,811		4,292,811			100%		
Total Resources	6,339,270	165,383	5,970,260		369,010	94%	95%	
Expenditures	6,339,270	479	1,193,429	306	5,145,535	19%	22%	
30 DEBT SERVICE FUND								
Revenues	7,236,472	658,956	6,523,815			90%		
Appr. Surplus - Current	2,067,415		2,067,415					
Appr. Surplus - Prior Year	165,060		165,060			100%		
Total Resources	9,468,947	658,956	8,756,290		712,657	92%	113%	1
Expenditures	9,468,947	2,563,608	6,791,018		2,677,929	72%	99%	1
45 CIP FUND								
Revenues	760,000		816,094			107%		
Appr. Surplus - Prior Year	278,889		278,889			100%		
Total Resources	1,038,889		1,094,983		-56,094	105%	100%	
Expenditures	1,038,889	17,424	189,670	49,162	800,057	23%	53%	2
51 WATER FUND								
Revenues	10,360,285	869,957	10,027,527			97%		
Appr. Surplus - Current	2,004,342		2,004,342			100%		
Appr. Surplus - Prior Year	1,544,408		1,544,408			100%		
Total Resources	13,909,035	869,957	13,576,277		332,758	98%	97%	
Expenditures	13,909,035	526,164	8,254,152	635,405	5,019,478	64%	74%	
52 WATER RECLAMATION FUND								
Revenues	7,121,601	567,865	6,615,429			93%		
Appr. Surplus - Prior Year	1,125,336		1,125,336			100%		
Total Resources	8,246,937	567,865	7,740,765		506,172	94%	93%	
Expenditures	8,246,937	507,525	5,344,383	51,357	2,851,197	65%	70%	
55 STORM SEWER FUND								
Revenues	2,710,290	244,886	2,630,895			97%		
Appr. Surplus - Prior Year	1,752,698		1,752,698			100%		
Total Resources	4,462,988	244,886	4,383,593		79,395	98%	98%	
Expenditures	4,462,988	96,183	2,799,344	932,393	731,251	84%	44%	3
56 RECREATION FUND								
Revenues	1,672,103	213,155	1,459,116			87%		
Appr. Surplus - Current	4,500		4,500			100%		
Appr. Surplus - Prior Year	98,926		98,926			100%		
Total Resources	1,775,529	213,155	1,562,542		212,987	88%	93%	
Expenditures	1,775,529	193,229	1,506,502	52,907	216,120	88%	84%	
57 SOLID WASTE FUND								
Revenues	3,127,950	278,633	2,958,350			95%		
Appr. Surplus - Prior Year	699		699			100%		
Total Resources	3,128,649	278,633	2,959,049		169,600	95%	91%	

**CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED MAY 2013**

Percent of Year Expired: 92%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2013	% To Date FY 2012	Notes
Expenditures	3,128,649	224,937	2,541,725		586,924	81%	84%	

CITY OF OREM
BUDGET REPORT FOR THE MONTH ENDED MAY 2013

Percent of Year Expired: 92%

Fund	Current Appropriation	Monthly Total	Year-To-Date Total	Encumbrances	Balance	% To Date FY 2013	% To Date FY 2012	Notes
61 FLEET MAINTENANCE FUND								
Interfund Transactions	695,000		695,000			100%		
Total Resources	695,000		695,000			100%	100%	
Expenditures	695,000	41,522	651,159	7,043	36,798	95%	94%	
62 PURCHASING/WAREHOUSING FUND								
Revenues		15	165			100%		
Appr. Surplus - Prior Year	322		322					
Interfund Transactions	360,000		360,000			100%		
Total Resources	360,322	15	360,487		-165	100%	100%	
Expenditures	360,322	30,034	278,138		82,184	77%	82%	
63 SELF INSURANCE FUND								
Revenues	585,000	255,344	684,403			117%		
STD Interfund Transactions	1,070,000		1,070,000			100%		
Total Resources	1,655,000	255,344	1,754,403		-99,403	106%	99%	
Expenditures	1,655,000	17,124	1,434,631	6,722	213,647	87%	92%	
74 CDBG FUND								
Revenues	797,356	37,310	555,390			70%		
Appr. Surplus - Prior Year	129,283		129,283			100%		
Total Resources	926,639	37,310	684,673			74%	125%	4
Expenditures	926,639	17,578	557,636	1,013	367,990	60%	79%	
CITY TOTAL RESOURCES	104,704,399	6,682,516	97,427,521		7,034,912	93%	94%	
CITY TOTAL EXPENDITURES	104,704,399	8,099,993	75,912,320	2,946,082	25,845,997	75%	80%	

NOTES TO THE BUDGET REPORT FOR THE MONTH ENDED MAY 2013:

- 1) The current year revenues & expenditures have a lower percentage when compared to the prior year due to the large Canyon River SID assessment that was received (catch-up from several years of non-payment) and corresponding bond payments made in the prior year while only the regular payment has been received and payment made in the current year.
- 2) The current year expenditures have a lower percentage due to a larger budgeted balance (\$1,038,889) than the prior year while actual expenditures and encumbrances were relatively equal when compared to the prior year.
- 3) Current year expenditures are higher in comparison to the prior year due to approximately \$150,000 more in capital project costs & \$884,501 more encumbered in the current year YTD than in the prior year YTD.
- 4) Current year revenues are lower in comparison to the prior year due to the current year budget increasing significantly due to the addition of the CDBG & EDA loan revenues from CEDO.

Note: In earlier parts of a fiscal year, expenditures may be greater than the collected revenues in a fund. The City has accumulated sufficient reserves to service all obligations during such periods and does not need to issue tax anticipation notes or obtain funds in any similar manner. If you have questions about this report, please contact Richard Manning (229-7037) or Brandon Nelson (229-7010).