CITY OF OREM
CITY COUNCIL MEETING
56 North State Street, Orem, Utah
November 10, 2020

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

NOTICE OF ALL-ELECTRONIC MEETING & OPPORTUNITY FOR PUBLIC PARTICIPATION

Pursuant to Mayor Richard F. Brunst's Proclamation dated November 1, 2020, the Orem City Council meeting on November 10, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

To view the meeting: please go to orem.org/meetings.

To make a comment: Please submit your comment through: orem.org/comments

Written comments will be accepted before and during the meeting. All written comments received will be entered into the record and forwarded to each City Council member for review. Written comments will also be read aloud during the live meeting when required by law or when time permits. As technology permits, the City Council may also accept oral comments. Once an item has been voted on, that item will be closed to additional comments.

Thank you for your cooperation during these challenging times.

4:15 P.M. WORK SESSION - CITY COUNCIL CONFERENCE ROOM

DISCUSSION - Proposed City Council Meeting Schedule 2021 (5 min)
The Council and staff will discuss the proposed City Council meeting schedule for 2021. The schedule will be adopted at the final Council meeting of the year on December 8, 2020.
Presenter: Jody Bates, City Recorder
2021-cc mtgs. calendar.doc
DRAFT Legal Notice Meetings 2021.docx

MAYOR PRO TEM - January through June, 2021 (5 min)
Mayor and Council will appoint a Mayor Pro Tem to serve January through June, 2021.
Presenter: Mayor Brunst
MAYOR PRO TEM--2010 to current.pdf

DEMONSTRATION - "Hey Orem"

Review and Discuss
Presenter: David Ulbrich & Pete Wolfley

DISCUSSION - Public Works Utility Master Plan
Review and Discuss
Presenter: Keith Larson and Bowen Collins and Associates

1. AGENDA REVIEW & PREVIEW OF UPCOMING AGENDA ITEMS

The City Council will review the items on the agenda.

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

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

Presenter: Debby Lauret

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

3. CALL TO ORDER

4. INVOCATION/INSPIRATIONAL THOUGHT: BY INVITATION - BRENT SUMNER

5. PLEDGE OF ALLEGIANCE: BY INVITATION - KENA MATHEWS

6. MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

6.1. REPORT - Metropolitan Water District of Orem
2020 Annual Report
Presenter: Neal Winterton

7. PERSONAL APPEARANCES – 15 MINUTES

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

8. CONSENT ITEMS

8.1. APPROVAL OF MEETING MINUTES
Minutes of City Council Meeting - October 27, 2020
10.27.2020.ccmin--Draft.pdf

8.2. APPOINTMENTS TO BOARDS AND COMMISSIONS

Orem Neighborhood Advisory Commission:
- Jayna Bauer
- Angela Cottrell
- Murray Low

Jayna Bauer_NAC.pdf
Angela Cottrell_NAC.pdf
Murray Low_NAC.pdf

8.3. RESOLUTION - Approval of certain sections of the City of Orem City Manager's Department Retention Schedule

The City Recorder recommends the City Council adopt the Resolution.

RES--Records_Retention_Schedule_Approval.docx
3.Recorders.pdf

9. SCHEDULED ITEMS

9.1. PUBLIC HEARING

RESOLUTION - The City will receive Public Comment on the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and consider approval of a substantial amendment to the 2019-2020 Annual Action Plan

The Community Services Manager recommends that the City Council hold a public hearing to receive public comment on the projected uses of the funds for the CARES ACT CDBG-CV funding, adopt the recommendations of the CDBG Advisory Commission, and approve a substantial amendment to the 2019-2020 Annual Action Plan.

Presenter: Ken Ransom, CDBG Advisory Commission Chairperson, and Kena Mathews, Community Services Manager

CDBG-CV RESOLUTION #5.pdf

9.2. PUBLIC HEARING

ORDINANCE – Amending Appendix A of the Orem City Code by amending Standard Land Use Code 6413 from Automobile Repair to Automobile Repair (Mechanical Only) and enacting Standard Land Use Code 6414 Auto Body Repair and Paint

The Planning Commission recommends the City, by ordinance, amend Appendix A of the Orem City Code by amending Standard Land Use Code 6413 Automobile Repair to Automobile Repair (Mechanical Only) and enact Standard Land Use Code 6414 Auto Body Repair and Paint as permitted uses in the C2, HS, M1 and M2 zones.

Presenter: Jason Bench

Agenda-SLUAutobodyrepair.docx
PC minutes SLU Code Auto Repair 10.21.20.docx
Resolution-SLU6414autorepair.docx

9.3. PUBLIC HEARING

ORDINANCE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zoning of approximately 2.16 acres from the OS5 zone to the C2 zone at

approximately 2000 South Geneva Road

The City Council will consider, by ordinance, amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.

Presenter: Jason Bench

Agenda-Rezone-2000SGeneva.docx
Aerial Imagery.pdf
Map.pdf
General Plan - Vicinity.pdf
Existing Zoning - Vicinity.pdf
Proposed Zoning - Close Up.pdf
General Plan - Close Up.pdf
Reason for Zone Change.pdf
Concept Site Plan.pdf
Street View - From 2000 S.pdf
Street View - From Geneva.pdf
Elevation Image 1.jpeg
Elevation Image 2.jpeg
Elevation Image 3.jpeg
Elevation Image 4.jpeg
Elevation Image 5.jpeg
Traffic Study_Recommendations.pdf
DRAFT PC Minutes 10.21.2020.docx
Neighborhood Meeting Minutes.pdf
Neighborhood Meeting Roster.pdf
Mailer Front.pdf
Mailer Back.pdf
Mailer Labels
Orem CC Meeting Letter_10282020.pdf
Resident Letter.pdf
OremPlaningCommission - Rezoning Letter.pdf
Resolution-Rezone-2000SGeneva.docx

9.4. PUBLIC HEARING

ORDINANCE – Amending portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.

The Planning Commission recommends the City Council, by ordinance, amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted

uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.
Presenter: Jason Bench
Resolution-HubZone-EdgeZone.docx
Proposed Text-HubZone_Exhibit A.docx
THE HUB DISTRICT_Exhibit B.pdf
20201014_1_MailerFront_one page.pdf
20201021_2_MailerFront_one page.pdf
20201021_2_MailerBack.pdf
20201021_2_Labels.docx
Agenda-HubZone-EdgeZone.docx
Planning Commission_Minutes_11.4.2020_HUB District.docx

10. COMMUNICATION ITEMS

11. CITY MANAGER INFORMATION ITEMS

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

12. ADJOURN

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS.
If you need a special accommodation to participate in the City Council Meetings and Study Sessions, please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 801-229-7000)

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

Agenda Item No:

City Council Agenda Item Report

Meeting Date: November 10, 2020
Submitted by: Jackie Lambert
Submitting Department: City Manager' s Office
Item Type: Discussion Item
Agenda Section:

Subject:
DISCUSSION - Proposed City Council Meeting Schedule 2021 (5 min)

Suggested Action:
The Council and staff will discuss the proposed City Council meeting schedule for 2021. The schedule will be adopted at the final Council meeting of the year on December 8, 2020.

Presenter:
Jody Bates, City Recorder

Background:

Potentially Affected Area:

Attachments:
2021-cc mtgs. calendar.doc

DRAFT Legal Notice Meetings 2021.docx

2021

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NOTICE OF ANNUAL MEETING SCHEDULE
OREM CITY COUNCIL

Public Notice is hereby given that the 2021 Annual Meeting Schedule of the Orem City Council is as follows:

Regular Meeting Dates
January 12, 26
February 9, 23
March 9, 23
April 13, 27
May 11, 25
June 15, 29
July 13
August 10, 24
September 14, 28
October 12, 26
November 16
December 14

City Council meetings are held in the Orem City Council Chambers in the Orem City Center, 56 North State Street, Orem, Utah, commencing at 6:00 p.m.

The City Council will hold a work session in the City Council Conference Room prior to the regular session. Work session commencement times may vary.

If the Mayor determines that conducting a meeting in person presents a substantial risk to the health and safety of those who may be in attendance, the meeting may be held electronically with no public access to the City Council Chambers or the City Council Conference Room.

The City Council has the ability to adjust this meeting schedule as necessary.

MAYOR PRO TEM

2010 — Current

Year	*January-June*	*July-December*
2010	Margaret Black	Karen McCandless
2011	Brent Sumner	Carl Hernandez
2012	Mary Street	Mark Seastrand
2013	Karen McCandless	Margaret Black
2014	Brent Sumner	Hans Andersen
2015	Tom Macdonald	David Spencer
2016	Mark Seastrand	Brent Sumner
2017	Debby Lauret	Sam Lentz
2018	Tom Macdonald	Mark Seastrand
2019	David Spencer	Brent Sumner
2020		

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CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
October 27, 2020

This meeting was held electronically
to allow Councilmembers and Staff to participate.

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

CONDUCTING	Mayor Pro Tem Terry Peterson and Mayor Richard F. Brunst
ELECTED OFFICIALS	Jeff Lambson, Debby Lauret, Tom Macdonald, David Spencer, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Pete Wolfley, Communications Specialist; and Jackie Lambert, Deputy City Recorder

NOTE: The referenced report and presentation documents for each discussion may be viewed at orem.org/meetings under "City Council Presentations"

DISCUSION – Commercial Day Care Services Ordinance

Mr. Bench presented possible updates to the Commercial Day Care ordinance for commercial day care facilities located in a residential zone, including parking requirements and other modifications. He shared the conditions for commercial day care centers in residential zones, including the parking ratio of 0.24 parking stalls per child, plus one parking stall per full time caregiver/teacher. Mr. Bench said the condition also required that parking be located on site and on-street parking may not be counted toward the parking requirements.

The Council discussed the Smiling Faces Day Care Center and current enrollment and parking; Mr. Bench said they were meeting current standards. Mr. Bench said part of the discussion had been centered on eliminating the conditional use permit and making Smiling Faces a permitted use. In response to Mr. Spencer's question, Mr. Earl said they liked to eliminate general use permits if they could determine the use to be approved. He said it helped with the perception that the

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Council had more discretion than they actually did, and helped avoid public clamor. It was safer legally to set up the standards and change it to a permitted use.

General discussion ensued. Mr. Spencer said his concern had always been for safety, and the elimination of on-street parking addressed that for him. Mr. Lambson asked about day care or preschool businesses operated within people's homes; Mr. Bench said those types of businesses would be subject to different standards and the parking ratio did not apply. He said they planned to bring the proposed ordinance change before the Council at the next scheduled meeting.

DISCUSSION – Utility Capital Improvement Project Funding

Mr. Tschirki introduced the discussion on funding for utility capital improvement projects, then turned the time over to Laura Lewis with Lewis Young Robertson & Burningham, Inc. (LYRB) to give the presentation. Ms. Lewis said the City currently had four outstanding utility system revenue bonds; two would pay off in 2026, one would pay off in 2029, and the 2010 Issue was a state loan at 0% maturing in 2032. She said the City's utility systems had capital improvement plans in place that had not been fully funded, but the City had saved significant balances for many of the projects. Paying for multi-million-dollar pay-as-you-go multi-generational projects required years of saving and could be perceived as unfair, so they evaluated funding options other than pay-as-you-go.

Ms. Lewis shared information on construction buildings costs like inflation indices and the Municipal Bond Index. The current estimated True Interest Cost (TIC) for an Orem City utility system revenue bond was approximately 2.98% for a 25-year maturity. She provided the estimated aggregate water, sewer, and storm water project costs, and said when municipal bonds were issues the construction proceeds were required to be spent within three years. Ms. Lewis said they had planned on two bond issues due to anticipated construction timelines; one issues in 2021 and the other in 2024. The City would utilize approximately $31 million that had been saved in the utility funds to help pay for these projects. She shared a table with bond statistics for the two bond issuances as well as debt service coverage considerations. In response to a question from Mr. Macdonald, Ms. Lewis said the City had significant capacity to issue additional bonds and it appeared at the moment it would be without the need to increase utility rates.

Ms. Lewis shared assumptions and summary analysis information, and utility fees and tax rate comparisons to selected Utah cities. She said if the City aimed to continue with pay-as-you-go plans and tried to pay for all of the needed improvements, they would spend more than currently spending and would need to save more than currently saving. Mr. Tschirki said the projects they were targeting had 50, 75, even 100 year lifetimes. Ms. Lewis said she understood the desire and tendency to avoid debt, but for long-life projects it was more prudent to issue bonds with current construction inflation and interest rates. The analysis of bonding with current rates showed a savings of approximately $55 million to the City and residents.

Discussion ensued. Mr. Macdonald said he was not necessarily concerned over rates but rather evenly spreading the costs of construction for the life of the project so the rates were not overly burdensome for residents. Mrs. Lauret felt the numbers in the analysis made sense and said it seemed prudent to move forward with bonding. Mayor Brunst said he was also in favor of bonding. Mr. Davidson clarified that the current discussion was an update regarding capital facility plans and impact fees, not a request for a decision from the Council.

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DISCUSION – HUB District Zone Amendments

Mr. Bench presented amendments to the HUB District zone pertaining to the creation of an Edge zone adjacent to University Parkway. He said the purpose of the HUB District was the center of commercial activity in Orem, filled with vibrant shopping, restaurants, and entertainment destinations. Existing structures in the zone were legal, non-conforming. Mr. Bench said the current design standards for the HUB District zone required that all buildings have a minimum of three stories. The proposal for the Edge Zone removed the height requirement; Mr. Bench said the existing shopping center buildings were one story and redevelopment in the future would mean each lease would need to be renegotiated. He reviewed the setback requirements and the proposed permitted retail uses for the Edge Zone within the HUB District.

Mr. Peterson said there were similar issues with existing businesses along State Street and asked if this kind of modification could be considered along that corridor. Mr. Bench said they could consider that, and they would use this proposed change to see how the modification worked going forward. He said they planned to bring the proposed ordinance change before the Council at the next scheduled meeting.

DISCUSION – City Retention Schedule

Ms. Lambert said this was the next section of the ongoing approval for the overall retention schedule. This would cover the Recorder's Office division from the City Manager's Department, many of which had lengthy retention periods or were to be kept permanently.

Mayor Brunst asked about the archive rooms within the City. Ms. Lambert said there were four archive rooms within the campus: two in the City Center building, and two in the Justice Court building. As more and more city departments moved toward paperless files, the goal was to eliminate the need for all four archive rooms and consolidate the physical location of city records.

UPDATE – Range Fire in Orem

Chief Sanderson said the fire that began at the City's public safety range originated at 11:56 a.m. on October 17, with all four Orem stations responding, along with several other agencies including Provo, Pleasant Grove, American Fork, Utah County, Forestry Service, and the Division of Natural Resources (DNR). Acting Battalion Chief Captain Dunn served as the incident commander, and Chiefs Earl, Hirst, and Myers were all on site that first day. Chief Sanderson expressed his gratitude to the leadership team for their hard work and dedication, not only day to day but with this incident specifically. Eventually the State stepped in but they made it clear that it was an Orem fire and the State would follow the direction of the incident Liaison Chief Shaun Hirst.

Chief Hirst provided information about the day by day growth of and response to the fire. He shared photos of the fire, and showed the area the fire had spread to which triggered the possibility of an evacuation of Sundance. He said approximately 150 fire personnel had worked tirelessly to contain the incident, which was currently at 93% containment. In response to a question from Mrs.

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Lauret, Chief Hirst said one personal vehicle had been in the damage zone, but no structures had been lost. Mr. Davidson added that there was some damage to the City's water infrastructure but the extent of the damage was yet to be determined. Chief Hirst said the Water Section of Public Works had been incredibly responsive and helped provide map layers to avoid further damage to the water infrastructure as they fought the fire.

Mr. Lambson asked about the need to evacuate the foothills and mountain areas where deer hunters might be. Chief Hirst said they called Utah County Search and Rescue, who rode the area looking for people. A helicopter was dispatched to pick up two hunters that were stuck above the fire line.

Emergency Manager Heath Stevenson provided information about the plans in the next few years to mitigate issues caused by the fire. With all the vegetation gone, a Burned Area Emergency Response (BAER) Team was called in to assess the damage and come back with recommendations for mitigation strategies. Mr. Stevenson said he and other experts would monitor the area through the next three years or so. Mr. Davidson added that they anticipated the incident would result in a broad discussion about the shooting range and safety protocols to implement going forward. The range was an important city asset for law enforcement personnel, so they would be evaluating and determining what improvements they would include at the range to avoid any future incidents.

Mr. Peterson and Mr. Macdonald both expressed their pride in how Orem's Fire Department team had represented the city on the news and social media. Chief Sanderson echoed his appreciation for capable colleagues that were able to step up in a big way with this incident.

DISCUSION – Purchase of Hillcrest Elementary Property

Mr. Davidson shared an update and property details about the 9.33 acres the City had the opportunity to purchase at approximately 650 East 1400 South. He said the property transaction included the assignment of two cell phone tower lease agreements. The Alpine School District Board of Education had unanimously approved a resolution of sale to the City of Orem on October 13, 2020, at a purchase price of $5,605,000. Mr. Davidson said the plan to fund the property purchase was the use of Redevelopment Agency (RDA) dollars, park impact fees, and reimbursements from the RDA to the General Fund for past completed projects. He reviewed the following:

- Outstanding issues to resolve
- Park considerations
- 2017 Level of Service (LOS) Analysis
- Park development costs & details (for 9 acres)
- Steps going forward

Mr. Davidson reviewed the inventory of Orem parks, and identified three specific types of parks owned by the City: 1) regional/community, 2) neighborhood, and 3) mini parks. He said there were unique amenities at the various parks in Orem, like sport facilities including futsal courts, pickle ball courts, and baseball fields, splash pad, skate park, dog park, and more. Those unique amenities created regional draw to those parks, even if they were smaller in terms of acreage.

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Discussion continued regarding costs, concepts and park amenities, and ADA requirements for restroom facilities. Mr. Davidson said Landmark Design would develop a few park concepts for the Council to consider. He also mentioned that there was an interested party that wanted to purchase half of the land and the existing building for a business opportunity. Mayor Brunst added that if the interested party purchased the building, any need improvements would be at their own expense and not the City. Mr. Sumner asked about the possibility of problems with putting the property to bid for the interested party. Mr. Davidson said the Council would still determine the uses for the property and could be quite pointed in what the expectations were.

Several Council members expressed their thoughts on the future of the park property and the best way to move forward in the process. They wanted to explore options and consider the feasibility of those options so decisions could be made when the time came. Mr. Peterson, who lived in the general area, said green space was a critical need for residents. Particularly during the COVID-19 pandemic, when many places and programs were unavailable, people could still utilize green space and enjoy some time outdoors. He said the old real estate adage emphasizing the importance of "location, location, location" would make this a destination park based on its proximity to the second busiest intersection in Utah, two major bus lines with students from two large universities and other riders, residential, commercial, and office buildings, etc. Mr. Peterson said this was a rare opportunity for the Council to create another beautiful park within Orem for residents and visitors to enjoy.

Mr. Davidson said they anticipated bringing approval of the purchase before the City Council at the December 8, 2020 meeting. If the purchase is approved, they looked forward to closing on the property before the end of 2020.

Agenda Review & Preview of Upcoming Agenda Items

The City Council reviewed the evening's agenda. Discussion ensued regarding the scheduled items that would be considered.

City Council Reports & City Manager Information Items

Mr. Davidson reviewed the following items with the City Council:

- They were nearing the completion of the Library Hall building, and planned for a ribbon cutting on November 10, 2020. While not entirely completed, the building would be substantially complete with only a small number of finishing touches on the inside. There would be a small in-person gathering for invited guests; the event would also be live streamed.
- COVID-19 rising case counts presented continued challenges, as Utah County remained a "high transmission area". The City planned to keep the building open with staggered shifts for staff and limited entry, typically by appointment. Masks were required, as was social distancing and limited or no in-person meetings. They were doing everything they could to protect the public and staff while trying to "flatten the curve" and serve the city.

- Mr. Sumner asked about the Senior Center temporary fitness center. Interim Recreation Director Debbie Boone said they were still open but with the same restrictions as most businesses, i.e. wearing masks and limiting class sizes. She said they had not had to move to an appointment only operational phase, but the leisure pool hours had been limited by the availability of lifeguards.
- Dr. Shane Farnsworth was recently appointed the new superintendent for the Alpine School District, effective July 1, 2021. Superintendent Sam Jarmon would be retiring. The City had a great relationship with the ASD, particularly with the new Family Fitness Center project. Mr. Davidson expressed well wishes to both Superintendent Jarmon and Dr. Farnsworth.

Mr. Davidson lastly wished Council members Mr. Macdonald and Mr. Sumner a happy birthday, as both had upcoming birthdays. Mayor Brunst jokingly suggested they refrain from singing to them this time around, which was met with enthusiastic support from those on the call. Mayor Brunst then adjourned the meeting at 5:48 p.m.

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

CONDUCTING	Mayor Richard F. Brunst
ELECTED OFFICIALS	Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, City Manager; Brenn Bybee, Assistant City Manager; Steven Downs, Deputy City Manager; Greg Stephens, City Attorney; Marc Sanderson, Fire Chief; Karl Hirst, Interim Police Department Manager; Ryan Clark, Development Services Director; Charlene Crozier, Library Director; Chris Tschirki, Public Works Department Manager; Brandon Nelson, Finance Department Manager; Debbie Boone, Interim Recreation Department Manager; Jason Bench, Planning Division Manager; Steve Earl, Deputy City Attorney; Pete Wolfley, Communications Specialist; JoD'Ann Bates, City Recorder; and Jackie Lambert, Deputy City Recorder

CALL TO ORDER

INVOCATION / INSPIRATIONAL THOUGHT	Debby Lauret
PLEDGE OF ALLEGIANCE	Jim Lauret

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Mayor Brunst read the following to begin the meeting:

"Pursuant to Mayor Richard F. Brunst's Proclamation dated October 5, 2020, the Orem City Council meeting on October 27, 2020 will be an all-electronic meeting. There will be no anchor location for the meeting. The City cannot ensure the recommended minimum of six feet of social distancing for meeting participants at the usual anchor location in the Orem City Council Chambers. Therefore, holding the meeting at the City Council Chambers would present a substantial risk to the health and safety of those who may be present at the meeting and may contribute to the spread of COVID-19. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically.

To view the meeting please go to orem.org/meetings.

To make a comment please submit your comment through:
orem.org/comments
OR
CityCouncilPublicComments@orem.org

Comments will be accepted before and during the meeting. All comments received will be entered into the record and forwarded to each City Council member for review. Comments will also be read aloud during the live meeting when required by law or when time permits. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times."

REPORT – Recreation Advisory Committee

Skip McWhorter, Chair of the Recreation Advisory Commission (RAC), listed the members of the RAC, including Mr. Spencer as the City Council liaison. Mr. McWhorter said the differing backgrounds and perspectives of the RAC members was a great mix in seeking how to best serve Orem residents. The biggest project the RAC had been working on for some time was the new Orem Family Fitness Center. He said the construction was on track and shared a video with time lapse footage of the facility's constructions. He also shared a photo taken from the second story of the Fitness Center with a beautiful, scenic view of the mountains. Mr. McWhorter said he was impressed with Method Studio, the firm which designed the building, and the construction crew for their attention to detail and desire to create an attractive and functional center the whole community could be proud of.

Mr. McWhorter said people loved the recreational offerings in Orem, including parks and open green space, playgrounds, sport courts and amenities, and the splash pad. He talked about the early success of the Fitness Founders Grassroots Fundraising efforts, which had already raised more than $16,000. Mr. McWhorter personally expressed gratitude that Orem had been able to have youth sports programs during recent months. He felt it had been a blessing in people's lives during the COVID-19 pandemic where so many had been quarantined and unable to recreate.

Mayor Brunst thanked Mr. McWhorter and the RAC for their efforts with the new Fitness Center and recreation opportunities in Orem.

DRAFT

PERSONAL APPEARANCES

Time was allotted for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the agenda. Those wishing to make a comment provided staff with written comments.

No personal appearances were received.

CONSENT ITEMS

- APPROVAL OF MEETING MINUTES
  - Minutes of City Council Meeting – October 13, 2020
- APPOINTMENT TO BOARDS AND COMMISSIONS
  - CDBG Advisory Commission:
    - Eileen Black
    - Ashley Gil
  - Orem Neighborhood Advisory Commission:
    - Margaret Black
    - Reed Farnsworth
- RESOLUTION – Approval of certain sections of the City of Orem City Manager's Department Retention Schedule
- STAFF APPOINTMENT – Police Department Director – Chief Josh Adams

Mayor Brunst moved to approve the Consent Agenda as listed. **Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed.**

OATH OF OFFICE – Chief Josh Adams

Mr. Davidson invited Police Chief Josh Adams to introduce his family and said his first official day would be November 2, 2020. He said Chief Adams was a consummate professional and had the support of those he would be working with. Lindon Mayor Jeff Acerson had given the highest endorsement of Chief Adams, who had most recently served as Lindon Police Chief. Mr. Davidson said Chief Adams understood where police service was heading and had the energy to do great things into the future. Mr. Davidson also thanked Interim Chief Karl Hirst for helping bridge the gap until Chief Adams had been hired.

Chief Adams introduced his family and expressed his excitement to be back working in Orem. City Recorder Jody Bates then gave Chief Josh Adams the oath of office. Mr. Davidson presented Chief Adams with his new Orem police badge.

SCHEDULES ITEMS

PUBLIC HEARING

DRAFT

RESOLUTION – The City will receive Public Comment on the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and consider approval of a substantial amendment to the 2019-2020 Annual Action Plan

Ken Ransom, Chair of the CDBG Advisory Commission, stated the City of Orem initially received a grant for $411,983. At present the amount remaining for allocation was $197,532.66. The city would receive additional dollars but not until the end of the year, at which time the CDBG Commission would make further recommendations. The funds must be used to prevent, prepare for, and respond to the COVID-19 pandemic and related issues and the City had four priorities which were:

- Projects serving Orem residents
- First Responder support
- Mental Health
- Domestic Violence

Mr. Ransom said they were recommending $12,000 be donated to the Alpine School District for touchless drinking fountains for eight Title 1 schools in Orem. The City had an additional allocation of $287,940 for CDBG-CV projects. He said they would continue to bring recommendations as projects were identified for the community.

Mayor Brunst opened the public hearing at 6:31 p.m. Hearing no public comments, the Mayor closed the public hearing and brought the item back to the City Council for further discussion.

Mayor Brunst moved, by resolution, to approve a substantial amendment to the 2019-2020 Annual Action Plan of the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding**. Mr. Macdonald seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, David Spencer, and Brent Sumner. The motion **passed.**

COMMUNCIATION ITEMS

The monthly financial summaries for August and September 2020 were included in the agenda packet for review.

CITY MANAGER INFORMATION ITEMS

The City Manager had no additional Information Items to share.

ADJOURNMENT

Mayor Brunst moved to adjourn the meeting**. Mr. Spencer seconded** the motion. Those voting aye: Richard F. Brunst, Jeff Lambson, Debby Lauret, Tom Macdonald, Terry Peterson, David Spencer, and Brent Sumner. The motion **passed.**

DRAFT

The meeting adjourned at 6:34 p.m.

Neighborhood Advisory Application

City of Orem

Submitted On:
October 4, 2020 12:53pm
America/Denver

Full Name	Jayna Bauer
Email	[redacted]
Full Address	[redacted] [redacted] Orem UT 84057
Phone Number	[redacted]
Which neighborhood do you live in?	Geneva/Suncrest/Orem Park
Briefly explain your current & prior experience volunteering/working with the City of Orem.	I was on the Neighborhood committee representing Geneva Heights previously. I am a member of the Orem Neighborhood Association and have attended and spoken during City Council meetings a few times
Briefly explain the happenings in the City of Orem that are especially interesting to you.	The Hillcrest property purchase that has the potential to provide that area with a needed park that will help improve the neighborhoods for those who live there, and provide incentive for families to move there and enjoy the benefits of low cost housing. This will really help improve that area. Maintaining neighborhoods by careful planning of increasing high density housing placement. Public safety. Fiscal responsibility in light of the pandemic which has had a detrimental effect on our economy.
Briefly explain how you provide constructive feedback & participate as part of a team.	I am willing to become informed on the issues, and participate in discussions that will lead to our ability to give our city government suggestions for improvements that will help Orem become all that it can be for our citizens now and into the future.

Neighborhood Advisory Application

City of Orem

Submitted On:
October 24, 2020 9:41pm
America/Denver

Full Name	Angela Cottrell
Email	[redacted]
Full Address	[redacted] [redacted] Orem UT 84058
Phone Number	[redacted]
Which neighborhood do you live in?	Stonewood/Lakeridge
Briefly explain your current & prior experience volunteering/working with the City of Orem.	PTSA President, Lakeridge Jr. High. PTSA Treasurer, Orem Elementary. School Community Council: Mountain View High School (7 years), Lakeridge Jr. High (4 years), Orem Elementary (5 years), served as Community Council secretary for several years for all schools. BSA merit badge counselor for all 3 Citizenship merit badges (27 years). BSA Eagle Scout Review Committee member, 3 years. BSA Committee Chair, 3 years. Started home reaching program at Orem Elementary, 5 years. Helped chair Mountain View Grad Night for 7 years. Helped chair Orem Elementary Fundraising Carnival, 8 years and Cherry Hill Elementary Fundraising Carnival, 3 years. Timpanogos Storytelling Festival volunteer, 1 year.
Briefly explain the happenings in the City of Orem that are especially interesting to you.	Future building plans. Roads and other infrastructure. Water. Public education.
Briefly explain how you provide constructive feedback & participate as part of a team.	I am interested in details and researching best practices. I prefer making educated decisions with input from those experienced in the area. I like to ask, "Why do we do that?" and hopefully not find that it's just because we've always done things that way. Are there better ways that have been proven in similar communities? What are our strengths and how do we better utilize them? Are we using our best personnel? Do we value the opinions and practices of those who have experience? I steer away from self-interest. We must consider our children's future as well as the quality of life of our current citizens.

Neighborhood Advisory Application

City of Orem

Submitted On:
October 3, 2020 2:35pm
America/Denver

Full Name	Murray Low
Email	[redacted]
Full Address	[redacted] Orem UT 84058
Phone Number	[redacted]
Which neighborhood do you live in?	Sunset Heights East/West
Briefly explain your current & prior experience volunteering/working with the City of Orem.	Ran for Orem city Council. Neighborhood plan.
Briefly explain the happenings in the City of Orem that are especially interesting to you.	Neighborhood development
Briefly explain how you provide constructive feedback & participate as part of a team.	Gain feedback from my area. Connect that to the vision of this commission.

DRAFT

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL OF OREM, UTAH
APPROVING A RECORDS RETENTION SCHEDULE

WHEREAS pursuant to Utah Code § 63G-2-701, the City of Orem has enacted Article 2-26 Records Access and Management establishing information practices for the City including classification, designation, access, denials, segregation, appeals, management retention and amendment of City records; and

WHEREAS Orem City Code Section 2-26-15.B. requires the City Records Officer to classify, designate and schedule City records for retention; and

WHEREAS the City is in the process of scheduling its records for retention; and

WHEREAS this scheduling is an ongoing process that will be periodically submitted to the City Council of Orem, Utah (Orem City Council) for approval; and

WHEREAS the Orem City Council has reviewed the proposed records retention schedule attached hereto as Exhibit A and hereby finds that adopting the proposed records retention schedule to be in the best interest of the public's health, safety and general welfare.

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

1. The Orem City Council hereby adopts the City Records Officer's proposed records retention schedule which is attached hereto as Exhibit A and incorporated herein by reference.

2. This resolution shall take effect immediately upon passage.

3. All other resolutions and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this **10th** day of **November 2020**

_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

DRAFT

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

SCHEDULE 1 – CITY MANAGER'S DEPARTMENT

Section 3: Recorder's Records

1.301: AGENCY HISTORY RECORDS

These records document the organization and reorganization of governmental entities. Information includes history, functional information, organizational files and related records.

RETENTION - Permanent, may be transferred to the State Archives

1.302: ANNEXATION AND BOUNDARY ADJUSTMENT FILES

These files document the annexation and boundary adjustments of property into and out of municipal boundaries. They usually contain correspondence, citizens' petitions, maps, and the official annexation action approved by City Council.

RETENTION - Permanent, may be transferred to the State Archives

1.303: CAMPAIGN FINANCIAL DISCLOSURE STATEMENT FILES

These are financial reports required to be submitted by all candidates and political parties running for an elected office. Information includes donors and contributions, and campaign expenditures.

RETENTION - Permanent, may be transferred to the State Archives

1.304: CITY CHARTER

These files contain the constitution, bylaws and all amendments to city charters approved by the State Legislature.

RETENTION - Permanent, may be transferred to the State Archives

1.305: CITY SCRAPBOOKS

These are a chronological record of the activities of the municipality or individual municipal departments. They include photographs, newspaper clippings, flyers, program notes, brochures, and other items pertaining to city activities and actions and reactions of the municipality's citizens.

RETENTION – Permanent

1.306: CLOSED MEETING RECORDINGS

Recordings are required for the closed portion of meetings of a public body, except as provided by statute. The recording is the official record of a closed meeting.

RETENTION - Permanent, may be transferred to the State Archives

1.307: COMMITTEE MINUTES

These are the required meeting minutes of all open meetings of city committees, boards and commissions. Minutes include date, time, place of meeting, name of members present and absent, and the substance of all matters discussed.

RETENTION – Permanent

1.308: CONTRACTS AND AGREEMENTS

These records document contractual agreements for products or services, and may include preliminary requirements, contractor payroll records, bids, and the signed contract. These files contain official agreements and contracts between Orem City and other entities or individuals includes name, date, description of service to be rendered or terms of agreements and signature. May include additional documentation or reference as per the agreement.

RETENTION – Retain for 10 years, then destroy

1.309: CONSTITUTION AND BYLAWS

These are the constitution and bylaws of municipal governing/advisory boards. They establish the organization and operational procedures for the board. They usually include date of adoption and amendments, description and purpose of the board, membership, description and responsibilities of board's positions, meeting frequency, voting procedures, explanation of what constitutes a quorum, and the establishment of procedural rules (e.g., Robert's Rules of Order, etc.).

RETENTION – Permanent

1.310: DEEDS

These are the deeds, quit claim or warranty, which provide evidence of city ownership of property. Deeds include name of grantor or grantee, description of property, date of property transfer, and signatures.

RETENTION - Permanent

1.311: EASEMENT FILES

These files contain documents executed by property owners granting the city rights of access to

their property for public works or other municipal purposes. They include the names of parties, purposes and terms of access, and terms of easement. They are used to provide legal access to enter or modify private property.

RETENTION - Permanent

1.312: ELECTION BALLOTS, RECORDS, & RETURNS

These are packets of official ballots of municipal elections cast by voters. Election officer shall preserve ballots for 22 months after the election or until the time has expired during which the ballots could be used in an election contest. If the election is not contested, after that time, destroy the ballots without opening or examining them. This also includes all other records and forms (excluding ballots, canvasses, and returns) required in municipal elections, and the books of tabulations counted by the election judges. They serve as the official tally of votes for municipal elections.

RETENTION - Retain for 22 months after the election, then destroy

1.313: ELECTION CANVASSES

These are the official canvasses of primary, municipal, or special elections. They contain a tabulation of votes cast by combined election districts. They include the date, office, names of candidates, number of votes, and totals.

RETENTION – Permanent

1.314: GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT (GRAMA) APPEALS CASE FILES

These files document all appeals submitted to records appeals boards. These case files include requests, denials, appeals, decisions, and any other documentation concerning the appeals process.

RETENTION - Permanent, may be transferred to the State Archives

1.315: GOVERNMENT RECORDS ACCESS REQUESTS

These records are access requests as provided under the Government Records Access and Management Act (GRAMA) under UCA 63G-2-204. Included with the access requests are any notice of denial, appeals, or any other records relating to the request.

RETENTION – Retain for 2 years if all appeals are exhausted, then destroy

Section 3: Recorder's Records

1.316: INTERLOCAL AGREEMENTS

These are agreements between municipalities and other government agencies or municipalizes to provide join services and/or financial responsibilities between the entities

RETENTION – Retain for 5 years after expiration of the contractual agreement, then destroy

1.317: LEASE FILES

These files contain copies of leases, subleases, assignments of leases, and memoranda of leases for property which the city leases. They show the name and addresses of lessor and lessee; description of property; rent; purpose for which property may be used; and indicate any additional conditions or terms (determination of payment of utilities, taxes, insurance, maintenance and repair, and alterations to the property during the term of the lease), as well as any options to renew.

RETENTION - Retain for 5 years after contract expires, then destroy

1.318: MEETING RECORDINGS

These are audio, or audio/video, recordings of the proceedings of a meeting that can be used to review the proceedings of the meeting. A recording of an open meeting shall (1) be a complete and unedited record of all open portions of the meeting from the commencement of the meeting through adjournment of the meeting, and (2) be properly labeled or identified with a date, time, and place of the meeting.

RETENTION – Permanent

1.319: MUNICIPAL PUBLIC DISLOSURE STATEMENTS

These statements are required to be filed by elected or appointed municipal officials to disclose any actual or potential conflict of interest. They include date, employees' name and address, name and address of person or business entity being assisted, or in which appointed or elected official has a serious substantial conflict; and a brief description of the transaction as to which service is rendered or is to be rendered and the nature of service performed or to be performed.

RETENTION – Retain for 5 years, then destroy

1.320: OATHS

Section 3: Recorder's Records

These files contain copies of signed oaths required of all officials of municipal offices, whether elected or appointed, before entering the duties of their respective offices.

RETENTION - Permanent, may be transferred to the State Archives

1.321: MEETING AGENDAS

These are copies of notices of regular and special meetings of the city council and other pertinent committees. They may include date, time, location of meeting, list of items to be discussed by committee members at regular, special, and emergency public meetings. These include minutes from city boards and commissions.

RETENTION – Permanent

1.322: NOTICES OF INTENTION

The city council shall give notice of its intention to make the improvements and to levy assessments to pay all or part of the costs of the improvements before a special improvement district is created.

RETENTION - Retain for 2 years after final payment made, then destroy

1.323: OPEN MEETING MINUTES AND PUBLIC MATERIALS

Approved minutes of an open meeting are the official record of the meeting of a public body. Contained in or with the minutes shall be the substance of all matters proposed, discussed or decided and votes taken. This includes the agenda, notices, and any public materials distributed at the meeting.

RETENTION - Permanent, may be transferred to the State Archives

1.324: ORDINANCES

These books contain the legislative action of city council to regulate, require, prohibit, govern, control, or supervise any activity, business, conduct, or condition authorized by Utah Code. An ordinance includes a number, a title, preamble, an ordaining clause, the body or subject of ordinance, when applicable penalty of violation, effective date, signature of mayor or acting mayor, and municipal seal.

RETENTION - Permanent, may be transferred to the State Archives

SCHEDULE 1 – CITY MANAGER'S DEPARTMENT

Section 3: Recorder's Records

1.325: OATH OF OFFICE

These files contain copies of signed oaths required of all officials, whether elected or appointed, before entering the duties of their respective offices.

RETENTION - Permanent, may be transferred to the State Archives

1.326: PETITIONS

These files contain formal written petitions from citizens or municipal departments. Petitions state the issue of concern and list names and signatures of citizens requesting a particular action.

RETENTION – Retain for 3 years, or until after issue resolved or final decision is made

1.327: PROOF OF PUBLICATION RECORDS

These files contain evidence of the publication of a document or public notification appearing in a local newspaper, usually for hearings, sale of bonds, budget, and council meetings.

When a statute, court order, or judge requires ***publication*** of a document or notice in a local newspaper (UCA 78B-5-613 (2009)) evidence of the ***publication*** may be given by the affidavit of the publisher along with a copy of the document or notice and specification of the dates of ***publication***. These files may contain ***proof*** of ***publication*** affidavits, copies of actual newspaper notices and related evidence of the ***publication***.

RETENTION - Retain for 6 years, then destroy

1.328: PROTEST FILES

These are written protests by owners of property to be assessed in a special improvement district. The governing body hears protests and approves changes or cancels districts.

RETENTION - Retain for 2 years after resolution or end of all litigation, then destroy

1.329: REAL ESTATE ACQUISITION FILES

These records document the purchase of real property by the municipality. They include the contract and related correspondence.

RETENTION - Retain for 7 years after unconditional sale of property, then destroy

1.330: RECORDS DESTRUCTION LOG

SCHEDULE 1 – CITY MANAGER'S DEPARTMENT

Section 3: Recorder's Records

This is a list of documents which have met their scheduled retention and have been destroyed.

RETENTION – Retain for 5 years, then destroy

1.331: RESOLUTIONS

These are formal statements of a decision, or expression of opinion put before or adopted by the city council. They may perform the same function as an ordinance. Resolutions may include the following: establishing water and sewer rates, charges for garbage collection and fees charged for municipal services, establishing policies and guidelines, and regulating the use and operation of municipal property.

RETENTION - Permanent, may be transferred to the State Archives

1.332: REQUESTS FOR PROPOSALS

These are proposals submitted by private vendors in response to bid requests by the municipality. They are used to make decisions on purchasing equipment or adopting new systems. The proposals usually include the name, address, and telephone number of the company submitting the proposal; the proposal; advantages over other similar equipment or programs; costs; and estimates of conversion costs and time.

RETENTION – Retain for 6 years, then destroy

1.333: SERVICE ON CITY LOG(S)

This is a log that documents claims and lawsuits being served on the City to the Recorder's Office. Examples include bankruptcies, garnishments, notices of appeal, notices of claim, summons, subpoenas, and court orders. The log is used for internal use only and should not be released.

RETENTION – Retain for 10 years, then destroy

Agenda Item No: 9.1

City Council Agenda Item Report

Meeting Date: November 10, 2020
Submitted by: Kena Mathews
Submitting Department: City Manager' s Office
Item Type: Action Item
Agenda Section:

Subject:
PUBLIC HEARING
RESOLUTION - The City will receive Public Comment on the Community Development Block Grant (CDBG) Projected Use of Funds for CARES ACT CDBG-CV funding and consider approval of a substantial amendment to the 2019-2020 Annual Action Plan

Suggested Action:
The Community Services Manager recommends that the City Council hold a public hearing to receive public comment on the projected uses of the funds for the CARES ACT CDBG-CV funding, adopt the recommendations of the CDBG Advisory Commission, and approve a substantial amendment to the 2019-2020 Annual Action Plan.

Presenter:
Ken Ransom, CDBG Advisory Commission Chairperson, and Kena Mathews, Community Services Manager

Background:
In response to the Coronavirus Pandemic (COVID-19), the U.S. Department of Housing and Urban Development Community Development Block Grant provided the City of Orem with a CDBG allocation of $411,983 to be used to prevent, prepare for, and respond to COVID-19. Based on the recommendations from the CDBG Advisory Commission, the City of Orem would like to allocate $7,200 of the previously allocated $185,532.66 CDBG-CV funding for public service projects to the Orem City Public Library for the purchase of 30 wireless hotspots to be loaned out to low-income households in need of internet access in the City of Orem and allocate $75,000 to capital improvements for the City's Critical Home Repair and Home Rehabilitation Program for very critical home repair projects. The City of Orem has also received a notice from Kids of the Move terminating their agreement for $5,000 in CDBG-CV funding for Personal Protective Equipment. The Commission recommends that the City reallocate the funding to public service projects at this time.

Potentially Affected Area:
Citywide

Attachments:
CDBG-CV RESOLUTION #5.pdf

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING A PROJECT AND A SUBSTANTIAL AMENDMENT TO THE CITY OF OREM ANNUAL ACTION PLAN FOR FISCAL YEAR 2019-2020

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), signed in March 2020 authorized Community Development Block Grant Coronavirus (CDBG-CV) Funds made available from the United States Department of Housing and Urban Development (HUD) to be allocated to prevent, prepare for, and respond to the COVID-19 Pandemic; and

WHEREAS the City of Orem, a CDBG entitlement, has been allocated CDBG-CV funding in the amount of $411,983; and

WHEREAS, the City of Orem Community Services Manager proposed and the Orem City Council approved a Substantial Amendment to the City of Orem's Annual Action Plan and budget for FY 2019-2020 on October 13, 2020, Resolution No. 2020-0029; and

WHEREAS, the approved amendment allocated $197,532.66 of CDBG-CV Funds to public service projects; and

WHEREAS, the City of Orem Community Services Manager seeks approval to allocate $7,200 of the public services amount to the Orem City Public Library to purchase 30 wireless hotspots to be loaned out to Low-to-Moderate-Income households in need of internet access living in the City of Orem.

WHEREAS, the City of Orem Community Services Manager seeks approval to allocate $75,000 of the public services amount to capital improvements for the City's Critical Home Repair and Home Rehabilitation Program for very critical home repair projects.

WHEREAS, the City of Orem Community Services Manager seeks approval to re-allocate $5,000 in CDBG-CV funding previously allocated to Kids on the Move for Personal Protective Equipment to public service projects.

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

1. That the City Council will authorize the use of CDBG-CV funds described above by adopting this Resolution and will approve the proposed Substantial Amendment to the City of Orem's Annual Action Plan.

2. This Resolution shall take effect immediately upon passage.

3. All other resolutions and policies in conflict herewith, either in whole or in part, are hereby repealed.

PASSED AND APPROVED this **10th** day of **November** 2020.

_____

Richard F. Brunst, Jr., Mayor

ATTEST:

_____

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

Agenda Item No: 9.2

City Council Agenda Item Report

Meeting Date: November 10, 2020
Submitted by: Cheryl Vargas
Submitting Department: Development Services
Item Type: Public Hearing
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – Amending Appendix A of the Orem City Code by amending Standard Land Use Code 6413 from Automobile Repair to Automobile Repair (Mechanical Only) and enacting Standard Land Use Code 6414 Auto Body Repair and Paint

Suggested Action:
The Planning Commission recommends the City, by ordinance, amend Appendix A of the Orem City Code by amending Standard Land Use Code 6413 Automobile Repair to Automobile Repair (Mechanical Only) and enact Standard Land Use Code 6414 Auto Body Repair and Paint as permitted uses in the C2, HS, M1 and M2 zones.

Presenter:
Jason Bench

Background:
Business Licensing requests the City amend Appendix A of the Orem City Code amending Standard Land Use Code 6413 Automobile Repair to Automobile Repair (Mechanical Only) and enacting Standard Land Use Code 6414 Auto Body Repair and Paint as permitted uses in the C2, HS, M1 and M2 zones.

Potentially Affected Area:

Attachments:
Agenda-SLUAutobodyrepair.docx

PC minutes SLU Code Auto Repair 10.21.20.docx

Resolution-SLU6414autorepair.docx

CITY OF OREM

CITY COUNCIL MEETING

NOVEMBER 10, 2020

REQUEST:	**6:00 P.M. SCHEDULED ITEM** **ORDINANCE**–Amending Appendix A of the Orem City Code by amending Standard Land Use Code 6413 from *Automobile Repair* to *Automobile Repair (Mechanical Only)* and enacting Standard Land Use Code 6414 *Auto Body Repair and Paint*.
APPLICANT:	Business Licensing
FISCAL IMPACT:	None

NOTICES:
-Posted in 2 public places
-Posted on City webpage
-Posted on the State noticing website
-Faxed to newspapers

SITE INFORMATION:
General Plan Designation: **Varies**
Current Zone: **C2, HS, M1, M2**
Acreage: **Varies**
Neighborhood: **Varies**

PLANNING COMMISSION RECOMMENDATION
6-0 for Approval

PREPARED BY:
Cheryl Vargas
Associate Planner

RECOMMENDATION: The Planning Commission recommends the City Council, by ordinance, amend Appendix A of the Orem City Code by amending Standard Land Use Code 6413 from *Automobile Repair* to *Automobile Repair (Mechanical Only)* and enacting Standard Land Use Code 6414 *Auto Body Repair and Paint*.

BACKGROUND: Business Licensing requests the City Council clarify standard land use code 6413 Automobile Repair by adding the parenthetical "(Mechanical Only)" to clarify that this SLU applies to mechanical repair only and not auto body or paint work. Business Licensing also requests that the City Council enact SLU Code 6414 (Auto Body Repair and Paint) to apply to repair shops that focus on auto body repair and paint work.

This change is requested because auto body repair and painting businesses have additional state permit requirements that don't apply to mechanical auto repair businesses. This amendment will help the Business License division determine specific permitting requirements for the two different types of businesses at the time of licensing and will also aid in enforcement efforts in an area where some businesses have been less than cooperative with Neighborhood Preservation Officers.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5/ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6413	Automobile Repair (Mechanical Only)	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	N
6414	Auto Body Repair and Paint	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	N

Agenda Item 3.1 is a request by Business Licensing for the City to amend Appendix A of the Orem City Code by amending Standard Land Use Code 6413 Automobile Repair to Automobile Repair (Mechanical Only) and enacting Standard Land Use Code 6414 Auto Body Repair and Paint as permitted uses in the C2, HS, M1 and M2 zones.

Staff Presentation: There is currently a Standard Land Use (SLU) Code for Automobile Repair (6413) in Appendix A of the Orem City Code which has covered all auto repair. It has recently been brought to the attention of Business Licensing that auto body work needs a special license from the State and they have special safety restrictions that are not required with mechanical auto repair.

After working with several businesses who are less than cooperative with the Neighborhood Preservation Officer, it was decided that a separate SLU code was needed to help mitigate the potential issues from non-licensed paint booths to operate without proper approvals. Several businesses are doing auto painting that is getting overspray on vehicles in the area, they are not getting permits for their paint booths, they do not have the proper ventilation, they do not have the required State license and they do not have health department regulations in place. It is a nuisance to neighboring businesses and can cause property damage.

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5/ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6413	Automobile Repair (Mechanical Only)	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	N
6414	Auto Body Repair and Paint	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	N

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Standard Land Use Code 6413 Automobile Repair to Automobile Repair (Mechanical Only) and enact Standard Land Use Code 6414 Auto Body Repair and Paint as permitted uses in the C2, HS, M1 and M2 zones.

There was discussion on the item. Some of the key issues that were discussed were:

- How does this text amendment affect current businesses?
- The actual enforcement of the issue would be with Business Licensing.
- There are currently people who run auto shops out of their house. That is not permitted.

Planning Commission Action: Mr. Cook moved to forward a positive recommendation to the City Council to amend Standard Land Use Code 6413 Automobile Repair to Automobile Repair (Mechanical Only) and enact Standard Land Use Code 6414 Auto Body Repair and Paint as permitted uses in the C2, HS, M1 and M2 zones. Mr. Spencer seconded the motion. Those voting aye: Mickey Cochran, Camille Jensen, Carl Cook, Haysam Sakar, Ross Spencer, and Mike Staker. The motion passed unanimously.

D R A F T

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING APPENDIX A OF THE OREM CITY CODE BY AMENDING STANDARD LAND USE CODE 6413 FROM *AUTOMOBILE REPAIR* TO *AUTOMOBILE REPAIR (MECHANICAL ONLY)* AND ENACTING STANDARD LAND USE CODE 6414 *AUTO BODY REPAIR AND PAINT* AS A PERMITTED USE IN THE C2, HS, M1 AND M2 ZONES

WHEREAS on October 5, 2020, Business Licensing filed an application to amend Appendix A of the Orem City Code by amending Standard Land Use Code 6413 from *Automobile Repair* to *Automobile Repair (Mechanical Only)* and enacting Standard Land Code 6414 *Auto Body Repair and Paint* as a permitted use in the C2, HS, M1,and M2 zones; and

WHEREAS the applicant proposes to create a new land use code to differentiate between auto repair businesses that do mechanical work only and auto repair businesses that do body and paint work for business licensing purposes; and

WHEREAS auto body and paint businesses require a State license whereas mechanical auto repair does not, and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on October 21, 2020 and the Planning Commission recommended approval of the application; and

WHEREAS a public hearing considering the subject application was held by the City Council on November 10, 2020; and

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

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

1. The City Council finds this request is in the best interest of the City because it will create a separate SLU code for auto repair businesses that are limited to mechanical work and auto repair businesses that do auto body and paint work which will allow the Business Licensing Division to more effectively process business licenses for these different types of businesses.
2. The City Council hereby amends Appendix A of the Orem City Code by amending Standard Land Use Code 6413 from *Automobile Repair* to *Automobile Repair*

D R A F T

(Mechanical Only) and enacting Standard Land Use Code 6414 *Auto Body Repair and Paint* as a permitted use in the C2, HS, M1 and M2 zones as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.

3. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
4. This ordinance shall take effect immediately upon passage and publication in a newspaper of general circulation in the City of Orem.

PASSED, APPROVED and ORDERED PUBLISHED this **10th** day of **November** 2020.

_____
Richard F. Brunst, Jr., Mayor

ATTEST:

_____
JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

D R A F T

EXHIBIT A

SLU		R5	R6	R6.5	R7.5	R8	R12	R20	OS5/ROS	PO	C1	C2	C3	HS	M1	M2	CM	BP
6413	Automobile Repair (Mechanical Only)	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	N
6414	Auto Body Repair and Paint	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	N

Agenda Item No: 9.3

City Council Agenda Item Report

Meeting Date: November 10, 2020
Submitted by: Jake Harding
Submitting Department: Development Services
Item Type: Zoning Map Amendment
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE - Amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zoning of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road

Suggested Action:
The City Council will consider, by ordinance, amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.

Presenter:
Jason Bench

Background:

Potentially Affected Area:
Lakeview

Attachments:
Agenda-Rezone-2000SGeneva.docx

Aerial Imagery.pdf

Map.pdf

General Plan - Vicinity.pdf

Existing Zoning - Vicinity.pdf

Proposed Zoning - Close Up.pdf

General Plan - Close Up.pdf

Reason for Zone Change.pdf

Concept Site Plan.pdf

Street View - From 2000 S.pdf

Street View - From Geneva.pdf

Elevation Image 1.jpeg

Elevation Image 2.jpeg

Elevation Image 3.jpeg

Elevation Image 4.jpeg

Elevation Image 5.jpeg

Traffic Study_Recommendations.pdf

DRAFT PC Minutes 10.21.2020.docx

Neighborhood Meeting Minutes.pdf

Neighborhood Meeting Roster.pdf

Mailer Front.pdf

Mailer Back.pdf

Mailer Labels

Orem CC Meeting Letter_10282020.pdf

Resident Letter.pdf

OremPlaningCommission - Rezoning Letter.pdf

Resolution-Rezone-2000SGeneva.docx

CITY OF OREM

CITY COUNCIL MEETING

NOVEMBER 10, 2020

REQUEST:	**ORDINANCE**-Amending Article 22-5-3(A) and the zoning map of the City of Orem by changing the zoning of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.
APPLICANT:	Davies Design Build
FISCAL IMPACT:	None

NOTICES:
- Posted in 2 public places
- Posted on City webpage and City hotline
- Faxed to newspapers
- E-mailed to newspapers
- Mailed 125 notices within 500 feet of the property.
- Posted at utah.gov/pa

Site Information	
General Plan	CC
Current Zone	OS5
Proposed Zone	C2
Acreage	2.16
Neighbor-hood	Lake-view

PLANNING COMMISSION RECOMMENDATION
Vote: 3-3; no recommendation

PREPARED BY:
Jake Harding
Associate Planner

RECOMMENDATION:
The Planning Commission makes no recommendation as to the request to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.

BACKGROUND:
The applicant requests that the City Council rezone property at 2000 South Geneva Road to C2 to allow for a neighborhood convenience store and gas station. The proposed gas station will be patterned after the existing gas station at approximately 1700 West Main Street in Lehi. It is proposed to have internal restaurants, a convenience store, and eight gas pumps (16 filling stations).

The properties in question were originally designated in the General Plan as low density residential (LDR). However, a recent amendment to the General Plan designated this corner as Community Commercial (CC). That change was made based on the applicant's interest in developing this property as commercial.

The subject property sits at the corner of Geneva Road and 2000 South. The Development Review Committee requested the applicant go through preliminary review from both Provo and UDOT regarding access since 2000 South is a Provo street and Geneva Road is a UDOT road. Preliminary UDOT and Provo City reviews have been completed. Once the applicant applies for site plan approval, they will need to get full approval from both jurisdictions in addition to the City for the curb cuts. UDOT plans to put in a traffic signal at the intersection in the near future.

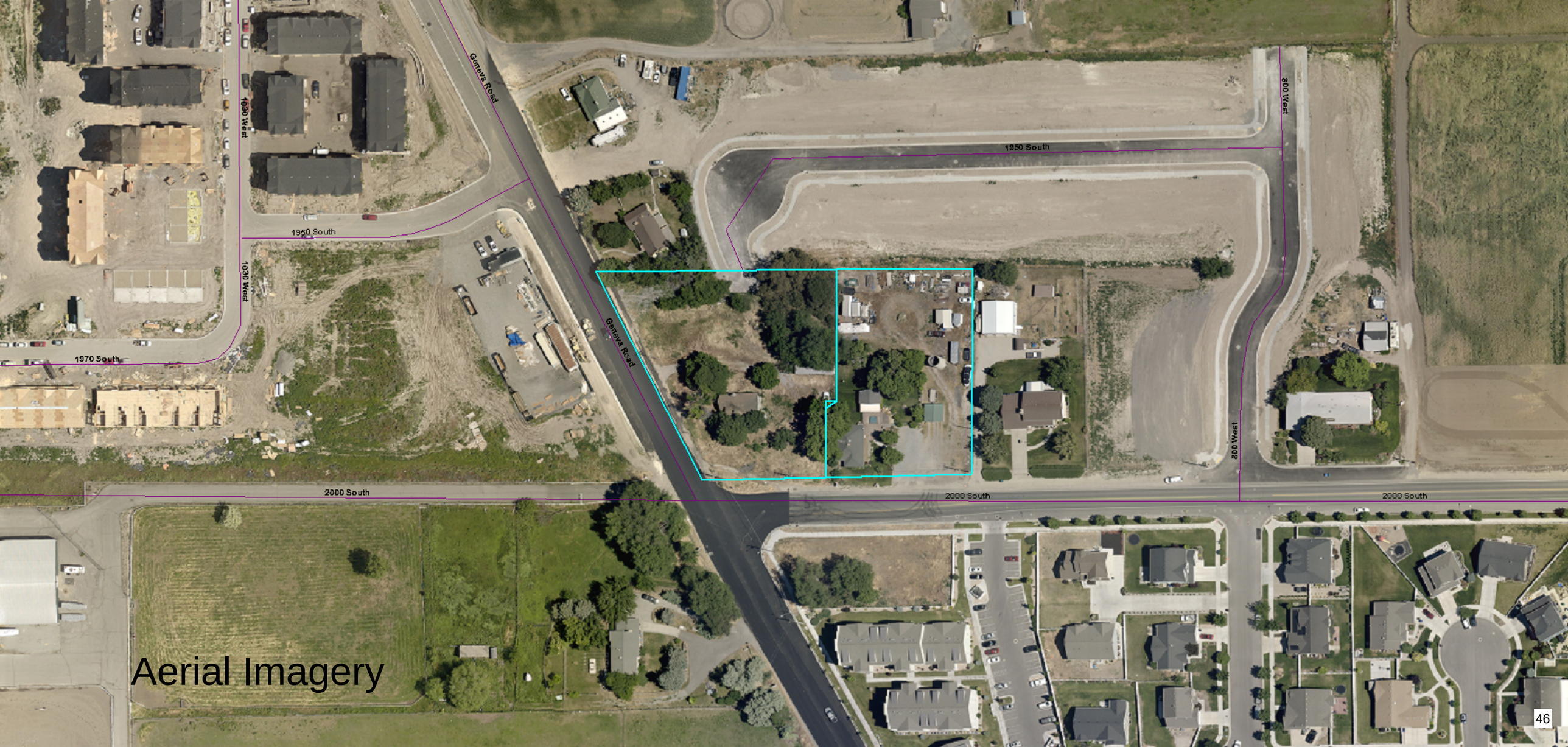
As the property was originally planned to be residential, the water and sewer infrastructure was also originally planned to go through this property to service the future residential properties to the east of this corner. In order to be able to still accommodate that plan, staff will require the applicant to continue those utilities through the property to the east when they apply for site plan approval. The applicant has been made aware of this and has updated the concept plan to reflect these utilities going through the north-east portion of the property.

The applicant was required to hold a neighborhood meeting prior to applying for the rezone. 44 residents attended the meeting. Below is a list of some prominent

concerns with the applicant's response to each one.

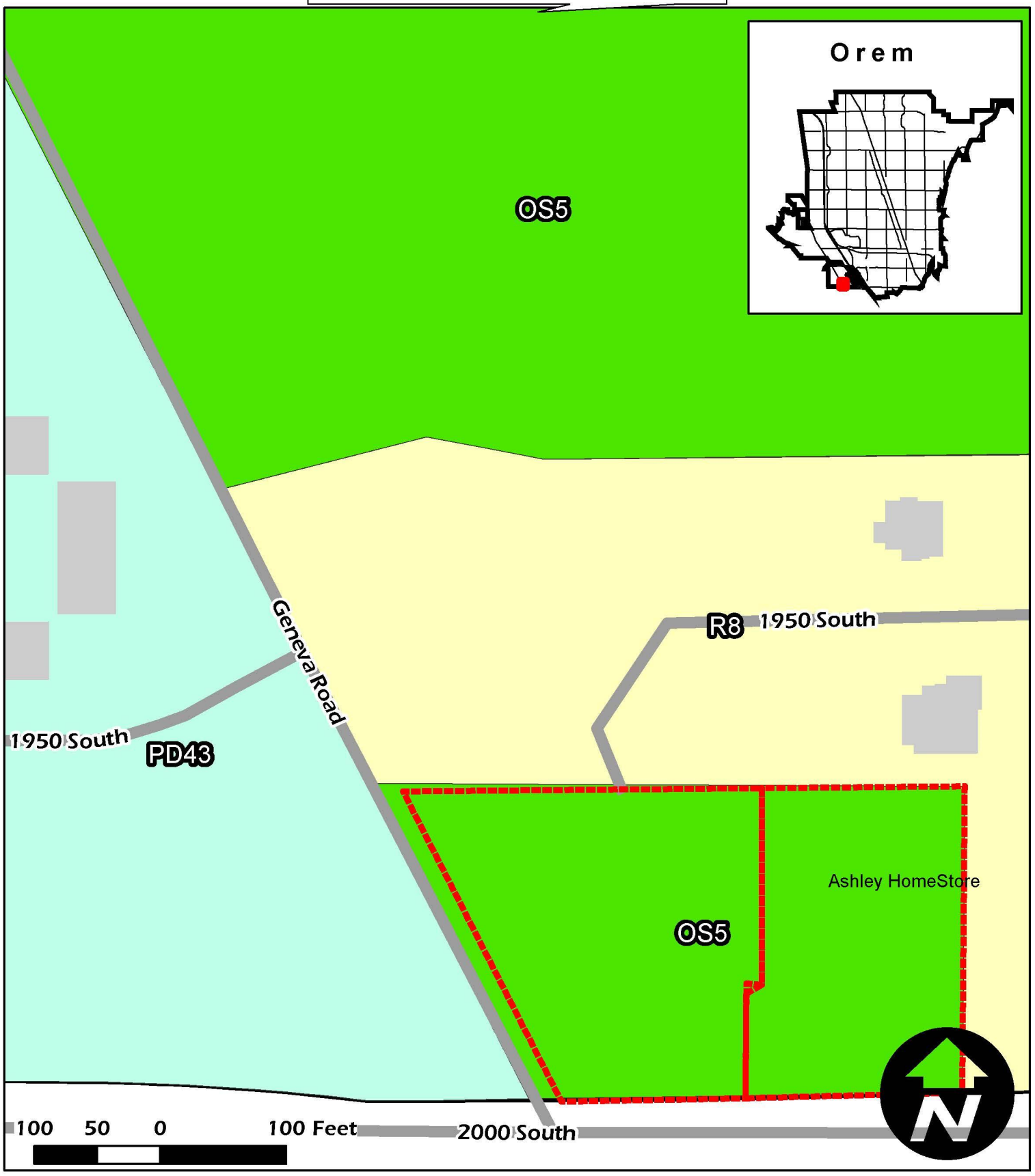
- Why this particular location instead of elsewhere?
    - Demand for a convenience store in this area is increasing. The closest commercial to this location is at Geneva Road and University Parkway.
- What kind of fence will border the gas station?
    - An 8' stamped concrete wall.
- If approved for the zone change, what is the likelihood of something other than a gas station going into the property?
    - The cost of the land would prohibit anything other than a gas station from going in.
- How tall will the structure be?
    - 32 feet.

The Planning Commission voted 3-3 on a motion to recommend approval of the proposed rezone which resulted in no recommendation being made to the City Council.



Aerial Imagery

Lakeview Corner



Lakeview Corner
OS5
2.16 Acres

NEIGHBORHOOD
Lakeview

Legend
Parcels Selection
Buildings

LI

CC

LI

LDR-SW

LI

Conservation Easement

Future Lakeview Pkwy

Future Geneva Rd Widening

Conservation Easement

MDR

PS

CC

LDR-SW

CC

General Plan

Future Trail

Future Highway

OS5

M2

OS5

PD43

Utah County

OS5

R8

OS5

Provo City

Existing Zoning

OS5

R8

PD43

C2

Utah County

Provo City

Proposed Zoning

MDR

CC

LDR-SW

General Plan

Orem Zone Change Reason for Change
(2000 N. & Geneva Rd. Gas Station)

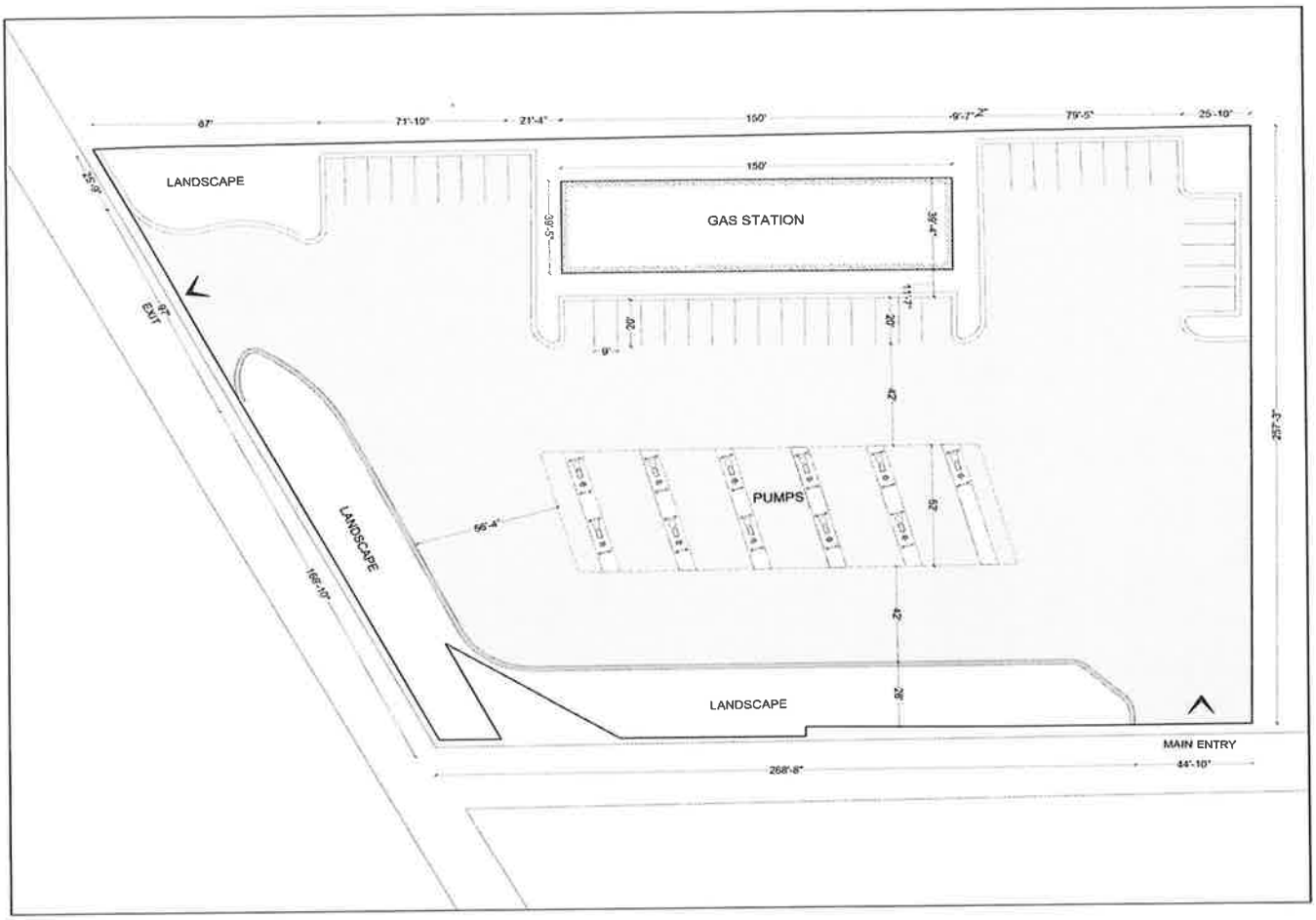
We are requesting consideration and possible approval for a zone change for the subject parcels to Neighborhood Commercial that would allow a convenience store and gas station.

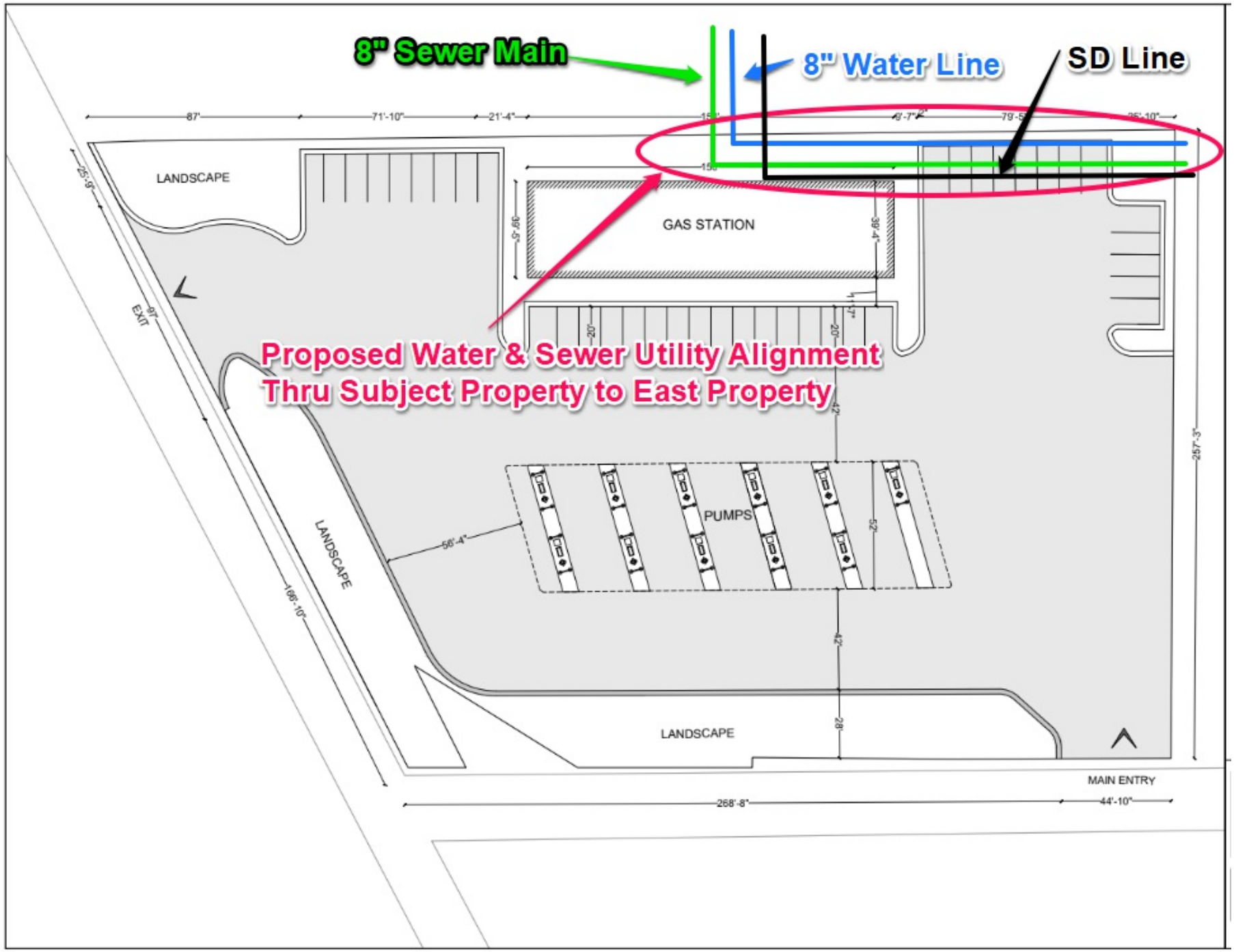
There is new demand and population for this area.

There is a signaled intersection being constructed August of 2020 per UDOT, at 2000 South and Geneva Rd.

We believe that this zone change meets the vision of the changing needs in the southwest quadrant of Orem.

We recognize that the subject property and area was slated to be residential and we believe a well designed convenience store will better serve the needs of the patrons and surrounding community, allowing those in this area to avoid adding additional congestion to area to the north and east of town.


LANDSCAPE
GAS STATION
PUMPS
LANDSCAPE
LANDSCAPE
EXIT
MAIN ENTRY
150'
39'-4"
257'-3"
268'-8"
44'-10"
166'-10"
56'-4"
87'
71'-10"
21'-4"
150'
9'-7"-2"
79'-5"
25'-10"
25'-9"
97'
11'-7"
20'
9'
47'
25'
21'
26'


8" Sewer Main
8" Water Line
SD Line
Proposed Water & Sewer Utility Alignment
Thru Subject Property to East Property
LANDSCAPE
GAS STATION
PUMPS
LANDSCAPE
LANDSCAPE
EXIT
MAIN ENTRY
87'
71'-10"
21'-4"
39'-5"
39'-4"
20'
20'
42'
52'
42'
28'
257'-3"
56'-4"
166'-10"
268'-8"
44'-10"


Google


UT-114
©2020 Google
Google
56











VIII. Conclusions

The proposed Lakeview Corner site is located on the northeast corner of Geneva Road and 2000 South in Orem, Utah. The site is planned to include a 22 pump gas station and is projected to generate 274 AM and 308 PM peak hour trips with 4,518 daily trips.

The following comments are made about the site:

- Geneva Road / 2000 South operates with critical WBL at LOS C in the AM peak period and LOS F in the PM peak period. This is maintained with the addition of the site in 2020. In 2025 with and without the site the intersection operates with critical WBL at LOS D in the AM peak period and LOS F in the PM peak period. If a signal is built at this location it will operate with LOS A in 2025 with and without the site. The site traffic increases traffic at the intersection by 5.2% in the AM and 4.3% in the PM peak period.
- 3100 West / 2000 South operates with critical NBL at LOS B in the AM peak period and LOS B in the PM peak period. This is maintained with the addition of the site in 2020. In 2025 without the site the intersection operates with critical NBL at LOS B in the AM peak period and LOS B in the PM peak period. With the addition of the site the intersection operates with critical NBL at LOS C in the AM peak period and LOS B in the PM peak period.
- Multifamily Access / Geneva Road operates with critical WBL at LOS C in the AM peak period and LOS C in the PM peak period. With the addition of the site the intersection operates with critical WBL at LOS C in the AM peak period and LOS D in the PM peak period. In 2025 with and without the site the intersection operates with critical WBL at LOS C in the AM peak period and LOS D in the PM peak period.
- The site access along 2000 South operates with NBL delay at LOS B with and without the site. The SBL movement for site traffic leaving the site operates at LOS C throughout 2025.
- The site access along Geneva Road operates with WBL delay at LOS C in the AM and LOS D in the PM peak period. In 2025 the access operates with WBL delay at LOS C in the AM and LOS E in the PM peak period. If a signal is not built at Geneva Road / 2000 South, delay for egress traffic to the south will begin to experience high delay by 2025. With a signal at this location, traffic headed to the south from the site can use the access on 2000 South and the signal to travel to the south.
- The queue analysis indicates that there are no expected queue overlap locations between the accesses and the surrounding intersections and accesses.
- Based on this analysis the signal is warranted per Method 1 in both the AM and PM peak periods and per Method 2 in the PM peak period.
- This segment of State Street has a Safety Index of 4 out of 10 with a crash rate 40% of the average and a severe crash rate 40% of the average.

IX. Recommendations

The following non-site related improvements are recommended:

- Due to the existing volumes at the intersection of Geneva Road / 2000 South, a signal is warranted in the AM and PM peak period and the intersection operates at high side street delay. Once the signal is installed at this location, the congestion concerns are mitigated.

The following site related improvements are recommended:

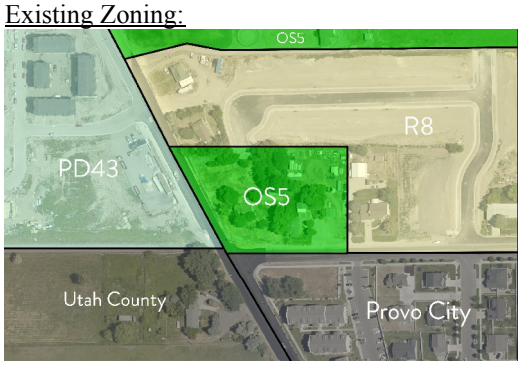
- Access 1 on 2000 South does not meet the required access spacing per Orem City Guidelines. The misalignment of the apartment access and the proposed access are offset with the north leg to the west and the south leg to the east, this a better type of offset as there is no shared storage location overlap required for the EBL at the site and the WBL at the apartments. This offset will however increase the size of the conflict area for NBL and SBL when compared to a typically aligned access. It is recommended that the access be built with an eastbound left deceleration lane. This can be accommodated by restriping 2000 South as a three lane facility between Geneva Road and 3100 West with a center turn lane and restricting parking along both sides of the street.
- Access 2 does not meet the required access spacing and will require a variance through UDOT. Per UDOT standards, this access will requires a NBR deceleration land and a SBL deceleration lane. The center lane on Geneva Road provides the left turn deceleration. The expected site frontage improvements along Geneva Road should include a shoulder area that can be used as the right turn deceleration lane.

It should be noted that when the signal is installed at 2000 North and Geneva Road it will be a UDOT intersection and both accesses are considered to be within the functional area of the intersection which may restrict them to right-in / right-out operations depending if raised median islands are installed to protect the turn lane area of the intersection.

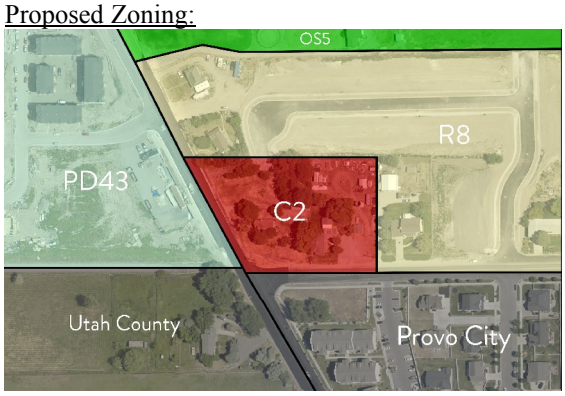
Chair Cochran asked Mr. Bench to introduce **Agenda Item 3.4**:

Agenda Item 3.4 is a request by Davies Design Build to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zoning of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.

Existing Zoning:



Proposed Zoning:



Staff Presentation: The applicant is requesting the zone change to allow for a neighborhood convenience store and gas station. The proposed gas station will be patterned after the existing gas station at approximately 1700 West Main Street in Lehi. It is proposed to have internal restaurants, a convenient store, and 6-12 gas pumps.

The properties in question were originally designated in the General Plan as LDR residential. However, a recent change was made to the South-West area in the General Plan that designates this corner as Community Commercial (CC). This change was made understanding that this applicant was interested in this rezone.

The proposed rezone sits at the corner of Geneva Road and 2000 South. The Development Review Committee requested that the applicant go through preliminary review for his curb cuts since 2000 South is a Provo street and Geneva Road is a UDOT road. Preliminary UDOT and Provo City reviews have been completed. Provo is very likely to grant the request. However, UDOT has not indicated whether or not the request will be granted. Once the applicant applies for site plan approval, he will need to get full approval from both jurisdictions in addition to Orem City for the curb cuts. UDOT is planning on putting in a light at the intersection in the near future.

As the property was originally planned to be residential, the water and sewer infrastructure was also originally planned to go through this property to service the future residential properties to the east of this corner. In order to be able to still accommodate that plan, staff will require the applicant to continue those utilities through the property to the east

when they apply for site plan approval. The applicant has been made aware of this and has updated the concept plan to reflect these utilities going through the north-east portion of the property.

The applicant was required to hold a neighborhood meeting prior to applying for the rezone. 44 residents attended the meeting. Below is a list of some prominent concerns with the applicant's response to each one.

- Why this particular location instead of elsewhere?
    - Demand for a convenience store in this area is increasing. The closest commercial to this location is at Geneva Road and University Parkway.
- What kind of fence will border the gas station?
    - An 8' stamped concrete wall.
- If approved for the zone change, what is the likelihood of something other than a gas station going into the property?
    - The cost of the land would prohibit anything other than a gas station from going in.
- How tall will the structure be?
    - 32 feet.

During the neighborhood meeting, the applicant asked for an informal vote of all in attendance as to whether they approved of the proposal or not. The vote was 42 in favor, 1 abstained, and 1 against. The general feel from the meeting was that the residents were excited about the proposal.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.

There was discussion on the item. Some of the key issues that were discussed were:

- Traffic and access. The applicant received preliminary approval from Provo City Engineering for access on 2000 South. The applicant has not yet received such approval from UDOT for access on Geneva Road, but has had a conversation with them regarding it and anticipates receiving that approval if granted site plan approval from Orem City.
- Where was the future Lakeview Parkway going to go in relation to this site? About a third of a mile west of this corner.
- Had the applicant considered this future road in his traffic study? Yes.
- Had a market study been conducted to determine if this site was viable for a gas station? Yes. The applicant conducted a market study and determined that this site was very viable for a gas station.
- The annexation of this property in the City happened about five years ago. At that time, residential uses made sense for this corner. What changed? The Church of Jesus Christ announced a temple to be placed near this site. The City changed the general plan recently for this area to attempt to be more in harmony with that site. As part of that change, this corner was designated to be commercial.
- What did the previous general plan designate this corner to be? Low Density Residential.
- Did the buyers of the new homes to the north of this site know that a gas station was potentially going in at this corner? The applicant indicated that the realtors and contractors of many of those homes attended the neighborhood meeting back in March and were aware of the change. The developer of those homes also attended that meeting and indicated that he was afraid that this gas station might compromise the closing of the sales of those homes. Most of these homes were not built at the time that neighborhood meeting was held. There is no way of knowing for sure, but these realtors and contractors may or may not have communicated that information to the home buyers. It is evident in the many public comments these residents made that they were probably not informed.
- Public Comments included some of the following concerns:
    - Many of the neighboring Provo residents expressed strong opposition to the change.
    - Many of the neighboring residents from the Peyton's Crossing Development to the north expressed opposition to the change.
    - No residents from the Auburn Meadows development to the west gave any comments.
    - Lighting was a significant concern. Some residents expressed concerns about potential neon signage.
    - Potential smells were a concern.
    - Property values were a concern.

    - Many expressed that they had hoped this part of Orem would remain agricultural and residential when they initially purchased their property.
    - There were a few residents who expressed a desire that this be approved as there is not another gas station nearby.
    - Some residents expressed strong concern that this corner had been designated as commercial. Others were not. But most expressed concern over the proposed gas station.
- The applicant addressed as many of these concerns as he could. He said that the City does not allow neon signs and staff confirmed that. He also committed to provide only the minimum requirement of lighting. He noted that the State required him to meet certain emission standards and that the smell would not be as bad as most people think because he would be meeting State regulations from the DEQ.
- There was discussion among the Commissioners about the nature of the application only being for a rezone to commercial and not for site plan approval of a gas station. Some members of the Commission understood that this corner was designated as commercial in the general plan and expressed that their concern was not for the commercial rezone, but whether the site at this corner would fit in with the surrounding neighborhood.
- It was pointed out that this intersection would become a lighted intersection in the future and that the lighting from that change would likely be worse than the gas station.
- It was also pointed out that if this rezone was denied, another commercial rezone request would likely come forward to the Commission in future because the general plan has designated this corner as commercial.
- Mr. Earl clarified that there were not many design standards for the C-2 zone. If the rezone was granted, there would be no way to legally guarantee that the applicant would build to the concept plan he had shown to the Commission.

Planning Commission Action: Chair Cochran moved to forward a positive recommendation to the City Council to amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road. Mr. Staker seconded the motion. Those voting aye: Mickey Cochran, Camille Jensen, and Mike Staker. Those voting nay: Carl Cook, Haysam Sakar, and Ross Spencer. The motion did not pass; no recommendation was made to the City Council.

Orem neighborhood meeting
2000 S. & Geneva Rd. (Gas Station)
March 3, 2020

Introduction
Ed Axley
• presentation of drone fly by of gas station
• Modern but residential feel
• Area is changing because of new temple. Lots of re zoning
• Wants feedback from public
• Project is taking 2 properties on Geneva and 2000 s .. Kent Roberts and Taylor family's home
Community input
• Infrastructure. How much strain will infrastructure have in neighborhood because of project
• Same people in neighborhood will be the same people using gas station
• Provo is in control of 2000s the right away.
• How many pumps 6-8 pumps
• Beautiful plan what kind of traffic are you needing through the doors. 30,000 people pass there each day
• Zoned open space now.
• Some of the neighborhood wants this gas station and some absolutely do not
• Comparison is on 800 N cascade estates harmons in the north section of Orem. The neighborhood filled out even though the neighborhood was in the shadow of the gas station 2 25,000 sq ft buildings. 44 people there 42 people wanted it. 1 was against it and 1 didn't vote. In the end the neighborhood loves it. It was an orchard master plan assisted living facility
• Most recent plan does not show off ramp in this location.
• What's the impact of taxes of homes near by.
• What kind of fence will go against there property that borders the gas station. 8 feet concrete wall. Concrete and stamped . Very solid material.
• 4 way intersection is coming on at 2000 S and Geneva Road to control the traffic flow. Area is changing because of all the roof tops going in.
• If they get approval what's the Likley hood Davies would put in something different. Davies is asking neighborhood/commercial zoning. Cost of the land is prohibited to develop anything other than a gas stations.
• Mill haven homes said the city did not want this zoned commercial. They want it to stay residential.
• Why not this spot instead of another spot for this gas station. The demand is increasing with all the new homes and temples.
• 32 feet high is how high the structure will be.

Neighborhood Meeting Sign In

Project: Gas Station Convenience Store
Project Location: North East corner: 2000 S. & Geneva Rd.
Facilitator: Davies Design Build

Date: March 3, 2020
Time: 7PM

	PRINT NAME	PHONE	EMAIL
1.	Tamara Salisbury	805-724-0586	Tamara@gmail.com
2.	McKay Salisbury	703-895-8005	McKaydSalisbury@yahoo.com
3.	Cody Chamberlain	801 449 0543	Cody.Chamberlain5@gmail
4.	Ashley Axley	801-592-1199	ashley.axley@gmail.com
5.	Shad Outsen	801-361-4425	shad.outsen@gmail.com
6.	Hugh Black	801-592-2406	hughbblack@gmail.com
7.	Liz Robles	8016160314	lizrobles@gmail.com
8.	Jon Banks	801-865-1633	jon@banks.fm
9.	Paula Rowe	801-310-6698	rowem@digis.net
10.	Jeremy Ackley	801-787-0912	Jeremy@millhollowhomes.com
11.	Eric Houston	435-640-0163	
12.	Emily Jensen	801.494.1955	
13.	Barry Brown	801-472-5797	brownfolks2@gmail.com
14.	Sandi Morgan OR sandiemorgan@gmail.com	801-376-2987	mmshowhorse@digis.net
15.	Cassidy Baum	801-722-8598	cassidybaumrealestate@gmail.
16.	Francis Rode	801-919-7686	FrancisR@utahpropertiesllc.com
17.	Truett Chamberlain	801.361.5855	truett.chamberlain@gmail.com
18.	Linda Nielson	801-494-4285	lindac171@juno.com
19.	Ryan Knowlton	801-669-6114	ryan@rhihogfx.com
20.	Ted Lee	(801) 358-7066	theodore.e.lee@gmail.com
21.	Marlene Sconlle	(801) 228 8408	marlenesconlle@gmail.com
	Michael Nogatowski	801 675 3079	yrvdomath@aol.com

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Neighborhood Meeting Sign In

Project: Gas Station Convenience Store
Project Location: North East corner: 2000 S. & Geneva Rd.
Facilitator: Davies Design Build

Date: March 3, 2020
Time: 7PM

	PRINT NAME	PHONE	EMAIL
1.	Lane Taylor		
2.	Cindy Taylor		
3.	Dwane Butler		
4.	Eric Houston		
5.	Cody Chamberlain		
6.	Emily Jenson		
7.	Spencer Wells (Lake View Fields HOA President)	801 875 9945	Spencer.Wells1@gmail (please email video) thx. presentation of building
8.			
9.	Jud Harvey		
10.	Kent Roberts		
11.	Marina and Roger Weight		
12.	TANNER NORDSTROM		
13.	Cassidy Baum		
14.	Jeremy Ackley & wife		
15.	[illegible]		
16.	Kelli Jenson		
17.	Terry Way		
18.			
19.			
20.			
21.			

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For more information, contact
Jake at (801) 229-7239 or
jrharding@orem.org

Digitally via Zoom, Contact Development Services

City Council
Tue, Nov 10, 2020
6:00 pm

Planning Commission
Wed, Oct 21, 2020
4:30 pm

Davies Design Build LLC requests the City amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zone of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road.

CHURCH, MATTHEW J & MELISSA K (ET AL)
5501 W 10600 N
HIGHLAND, UT 84003

For more information, contact
Jake at (801) 229-7239 or
jrharding@orem.org

Digitally via Zoom, Contact Development Services

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DE LEEUW, DOLAN J
276 W 130 S
LINDON, UT 84042

For more information, contact
Jake at (801) 229-7239 or
jrharding@orem.org

Digitally via Zoom, Contact Development Services

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TORNOW, MICHAEL S & IVY A
11302 N NORMANDY WAY
HIGHLAND, UT 84003

For more information, contact
Jake at (801) 229-7239 or
jrharding@orem.org

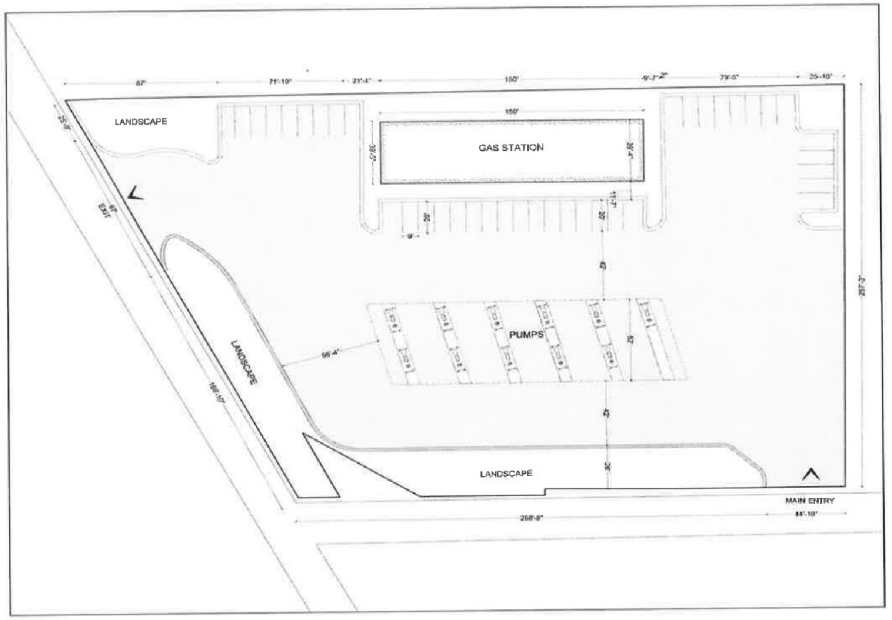
Digitally via Zoom, Contact Development Services

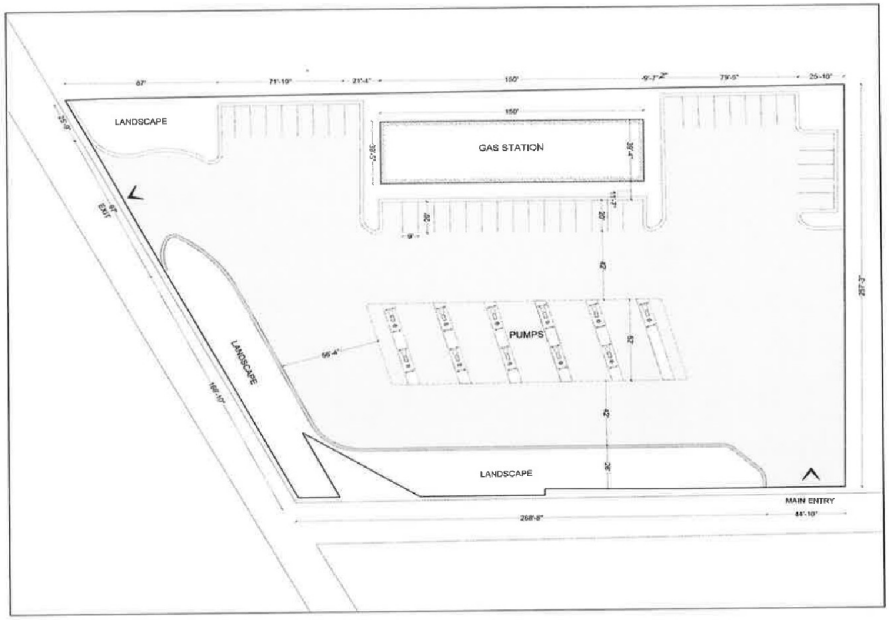
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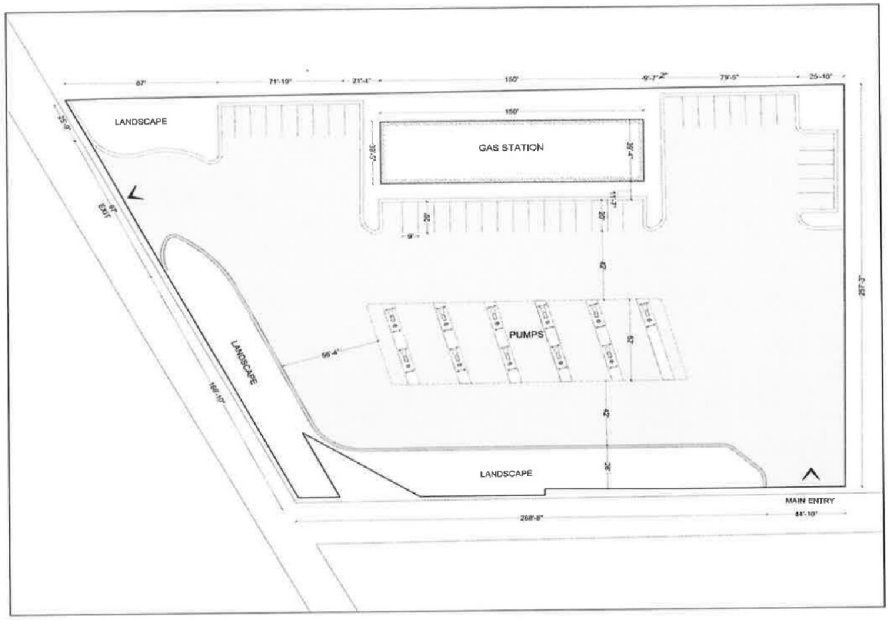
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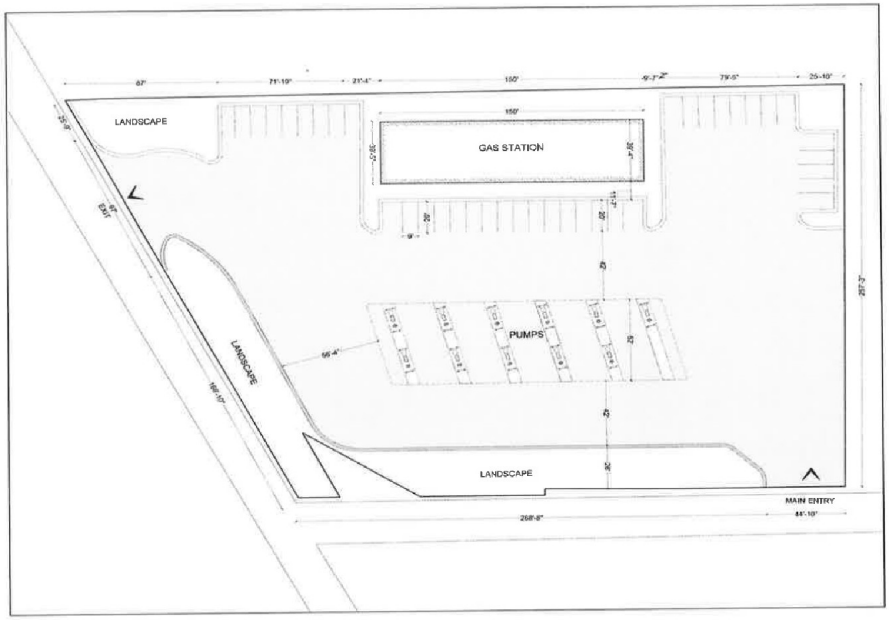
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MILLHAVEN CONSTRUCTION LLC
272 W 200 N STE 100
LINDON, UT 84042


LANDSCAPE
GAS STATION
PUMPS
LANDSCAPE
LANDSCAPE
MAIN ENTRY


LANDSCAPE
GAS STATION
PUMPS
LANDSCAPE
LANDSCAPE
MAIN ENTRY


LANDSCAPE
GAS STATION
PUMPS
LANDSCAPE
LANDSCAPE
MAIN ENTRY


LANDSCAPE
GAS STATION
PUMPS
LANDSCAPE
LANDSCAPE
MAIN ENTRY

UTAH DEPARTMENT OF TRANSPORTATION
%RIGHT OF WAY FOURTH FLOOR
PO BOX 148420
SALT LAKE CITY, UT 84114

BACKUS, KRISTOPHER CRAIG & JILL RAWLINGS
44 S 300 E
OREM, UT 84058

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

DOME PARK PROPERTIES LLC
58 E 2650 N
LEHI, UT 84043

COMMON AREA
100 E CENTER ST
PROVO, UT 84606

SHAMROCK HOMES LLC
125 3 300 N
LEHI, UT 84043

SHAMROCK HOMES LLC
125 E 300 N
LEHI, UT 84043

JEFF LAMBSON
156 E 1060 N
OREM, UT 84057

CLASSIC JACK REAL ESTATE HOLDINGS LLC
231 N 300 E
OREM, UT 84057

MILLHAVEN CONSTRUCTION LLC
272 W 200 N STE 100
LINDON, UT 84042

DE LEEUW, DOLAN J
276 W 130 S
LINDON, UT 84042

PROVO CITY CORPORATION
351 W CENTER ST
PROVO, UT 84601

CLYDE HOMES LLC
360 N STATE STEET STE A
LINDON, UT 84042

PETERSON, JEREMY & AMANDA
459 W 1840 S
OREM, UT 84058

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

HEATON, GERRY L & KAYE B
501 W MAIN CANYON RD
WALLSBURG, UT 84082

GENEVA ROAD 44 LLC
519 W STATE ST STE 202
PLEASANT GROVE, UT 84062

DEBBY LAURET
641 S 1920 W
OREM, UT 84059

TAYLOR, LLOYD
%TAYLOR, LANE
678 W 1325 N
OREM, UT 84057

CHAMBERLAIN, JON
725 S NEBO CIR
WOODLAND HILLS, UT 84653

ARIVE HOMES LLC
733 N MAIN ST
SPANISH FORK, UT 84660

BRENT SUMNER
744 WEST 550 SOUTH
OREM, UT 84058

BROWN, BARRY E & LINDA B (ET AL)
782 W 2000 S
OREM, UT 84058

GROO, DENIS E & NANCY M
838 W 2000 S
OREM, UT 84058

ROBERTS, DONALD KENT
868 W 2000 S
OREM, UT 84058

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

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

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1006 W 1950 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1008 W 1950 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1014 W 1950 DS
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1018 W 1950 SOUTH
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1022 W 1950 SOUTH
OREM, UT 84058

CHOWDHARY, PRATAPRAI R & KIRAN B
--OR CURRENT RESIDENT--
1033 W 1970 SOUTH
OREM, UT 84058

THOMPSON, BEAU
1036 W 1970 S
OREM, UT 84057

MATTHEWS, ROBERT JOSHUA & MADISON
1037 W 1970 S
OREM, UT 84058

HURST WOOD EDUCATION FOUNDATION INC
1095 S 800 E
OREM, UT 84097

TERRY PETERSON
1125 LYNNWOOD DRIVE
OREM, UT 84097

CHOWDHARY, PRATAPRAI R & KIRAN B
1373 W RAMES RD
SOUTH JORDAN, UT 84095

MORGAN, DAVID S & SANDRA C
1476 LAKESHORE DR
PROVO, UT 84601

HOLLAND, CINDY B (ET AL)
1600 GROVE CREEK CT
ROSEVILLE, CA 95747

EXO INVESTMENTS LLC
1815 N 1880 W
PROVO, UT 84604

HURST WOOD EDUCATION FOUNDATION INC
--OR CURRENT RESIDENT--
1875 S GENEVA RD
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1893 S 1030 WEST
OREM, UT 84058

MAPLE MOUNTAIN BUILDERS LLC
1896 N 1120 W
PROVO, UT 84604

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1897 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1899 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1901 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1903 S 1030 WEST
OREM, UT 84058

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 103
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 104
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 105
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 106
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 203
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 204
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 205
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 206
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 303
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1906 N GENEVA RD UNIT# 304
PROVO, UT 84601

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1907 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1909 S 1030 WEST
OREM, UT 84058

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

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1911 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1913 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1917 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1919 S 1030 WEST
OREM, UT 84058

TRONSON, TANNER
1921 N 1640 W
PROVO, UT 84604

HEATON, GERRY L & KAYE B
--OR CURRENT RESIDENT--
1921 N GENEVA RD
PROVO, UT 84601

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1921 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1923 S 1030 WEST
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1927 S 1030 WEST
OREM, UT 84058

BRINKERHOFF, WALTER A & CONI JO (ET AL)
1928 SIYTG 1030 W3ST # 429
OREM, UT 84058

BOARDWALK INDUSTRIES LLC
--OR CURRENT RESIDENT--
1929 S 1030 WEST
OREM, UT 84058

OYANEDEL, ANGEL PATRICIO
1929 S GENEVA RD
OREM, UT 84058

NIELSON, LINDA E
1931 N 3100 W
PROVO, UT 84601

CISNEROS, JESUS JR & CHRISTIAN A
1936 N 3100 W
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 101
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 102
PROVO, UT 84601

GENEVA ROAD 44 LLC
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1936 N GENEVA RD UNIT# 103
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1936 N GENEVA RD UNIT# 204
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1936 N GENEVA RD UNIT# 301
PROVO, UT 84601

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--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 302
PROVO, UT 84601

GENEVA ROAD 44 LLC
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1936 N GENEVA RD UNIT# 303
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1936 N GENEVA RD UNIT# 304
PROVO, UT 84601

GARDNER, ANDREW & JESSICA
1939 N 3100 W
PROVO, UT 84601

NORDSTROM, MACKENZIE & TANNER
1942 N 3100 W
PROVO, UT 84601

THENOT, JODY R
1953 N 3050 W
PROVO, UT 84601

FLYGARE, KELLY
1959 N 3100 W
PROVO, UT 84601

MERRILL, SETH & BROOKE
1965 N 3050 W
PROVO, UT 84601

GENEVA ROAD 44 LLC
--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 101
PROVO, UT 84601

GENEVA ROAD 44 LLC
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1966 N GENEVA RD UNIT# 102
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PROVO, UT 84601

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--OR CURRENT RESIDENT--
1966 N GENEVA RD UNIT# 304
PROVO, UT 84601

BAHR, DON F & VONDA P
1969 N GENEVA RD
PROVO, UT 84601

HART, RACHEL (ET AL)
1971 N 3100 W
PROVO, UT 84601

HERNANDEZ, GABRIELA COMPRES & GABRIELA
1979 N 3100 W
PROVO, UT 84601

HERIFORD, HANK & AUBREY
1987 N 3100 W
PROVO, UT 84601

GERMAN, EDWARD & JEANNETTE VARGAS
1988 N 3100 W
PROVO, UT 84601

PROVO CITY CORPORATION
--OR CURRENT RESIDENT--
1992 N GENEVA RD
PROVO, UT 84601

BOARDWALK INDUSTRIES LLC
2000 S GENEVA RD
OREM, UT 84058

LAKEVIEW FIELDS HOMEOWNERS ASSOCIATION
%ROBLES, LIZ
3089 W 1930 N
PROVO, UT 84601

JAUREGUI, JOSE ARMANDO
3103 W 1930 N
PROVO, UT 84601

VINDEL, JOSUE MORENO & KELLY MORENO
3713 N 600 E
PROVO, UT 84604

ALVARENGA, BORIS & JOSIE
4393 SHADYHOLLOW LOOP
LEHI, UT 84043

UTAH DEPARTMENT OF TRANSPORTATION
4501 S 2700 W
SALT LAKE CITY, UT 84114

CHURCH, MATTHEW J & MELISSA K
(ET AL)
5501 W 10600 N
HIGHLAND, UT 84003

BOARDWALK INDUSTRIES LLC
6955 UNION PARK CTR # 160
MIDVALE, UT 84047

GRAY, TYRELL
8651 S 1150 E
SPANISH FORK, UT 84660

CAMPBELL, CHAD
9167 S 6000 W
PAYSON, UT 84651

TORNOW, MICHAEL S & IVY A
11302 N NORMANDY WAY
HIGHLAND, UT 84003

Nate Houston
180 E 300 N
Panguitch, UT 84759
702.277.1658
nate@hoodoopartners.com

10/28/2020

Mayor Richard Brunst
Orem City Council Members:
Jeff Lambson
Debby Lauret
Tom Macdonald
Terry Peterson
David Spencer
Brent Sumner

Mayor and Council Members:

Thank you for your time and willingness to consider my below message in regards to the zoning of 2000 South and Geneva Road.

My name is Nate Houston and have been directly working with Davies, Design, Build as the operating partner for convenience stores, gas stations and QSR food establishments. We currently operate in Utah and Colorado markets. My business as a retail and fuel operator began in 2014 in Panguitch, UT. Prior to 2014, my time was spent managing the operations finance team for an ultra-low cost carrier airline and was a CPA with Deloitte prior to the airlines.

This letter is specific to the environment concern discussed in the Planning Commission meeting held on 10/27/2020.

New gas station construction is very differently than construction completed 10+ years ago. Below are some of the methods and equipment we use to ensure environmental compliance, which is synonymous with our success as operators and investors.

1. Underground storage tanks (UST): new installs have multiple options to provide continuous monitoring of an environmental release. This is completed through Interstitial Monitoring, which means the USTs have sensors between the exterior shell of the UST and the fuel holding tank of the UST. These alerts are instant when the sensor is triggered (see page 4-5).
2. Automatic Tank Gauging (ATG - Inventory monitoring): this provides automatic inventory monitoring vs manual sticking the tank (like a dip stick on car oil). This is implemented at all our sites that have USTs. The tank readings flow directly to our IT system and allow us to automatically monitor inventory and identify any variance in fuel gallons (see page 3).
3. Statistical Inventory Reconciliation (SIR): this is a method of statically tracking fuel inventory to monitor if an environmental release may be taking place. The IT system we use in connection with the ATG make this an automated process within our business (see page 6).

4. Electronic Line Leak Detection: This piece of equipment actively tests the fuel lines in the ground on a regular basis. Example: 3 people are pumping on the unleaded line, when the final fueler hangs up the nozzle, the electronic line leak detection will engage and pressurize the line. If pressure is lost there will be an automatic stop to that fuel line that would need to be addressed before that line can pump more fuel. This testing can be completed every time a fueling events is finalized (i.e. after 30 seconds of no fuel flow, the test will begin).
5. Double Walled Flex Fuel Piping: If there is a leak in the main pipe, it is released into the exterior piping and the pressure will push it back to a sump containment. This release would be noted through a sensor that identifies liquid in the sump containment or an A/B inspection. Many older sites may have single walled piping, which could result in a line leak directly into the earth (see page 9).
6. Under dispenser containment (UDC) and sump pump containment will be installed to separate fueling equipment from any direct ground contact, providing an additional layer of environmental protection.
7. A/B Operator Monthly Inspections: This inspection includes evaluation of the entire fueling system and documenting it for the state and internal records (see page 8).
8. Tank tightness testing & pipe tightness testing: this is required by the state each year, we have a good relationship with our contacts at DEQ and have a great track record of compliance.
9. Vapor recovery at delivery: Deliveries should all have vapor recovery. If we witness a delivery without vapor recovery, we will stop the delivery personnel and request that they implement it. We will then report the event to the company's dispatch group.

The above items are not exhaustive but are part of the core items ensuring that our environmental risks are aligned with our investment risk.

The financial risk we expose ourselves to if we are negligent concerning the environment would eliminate any investment benefit and no operator that cares about their patrons, business and investors would allow this to happen.

Regards

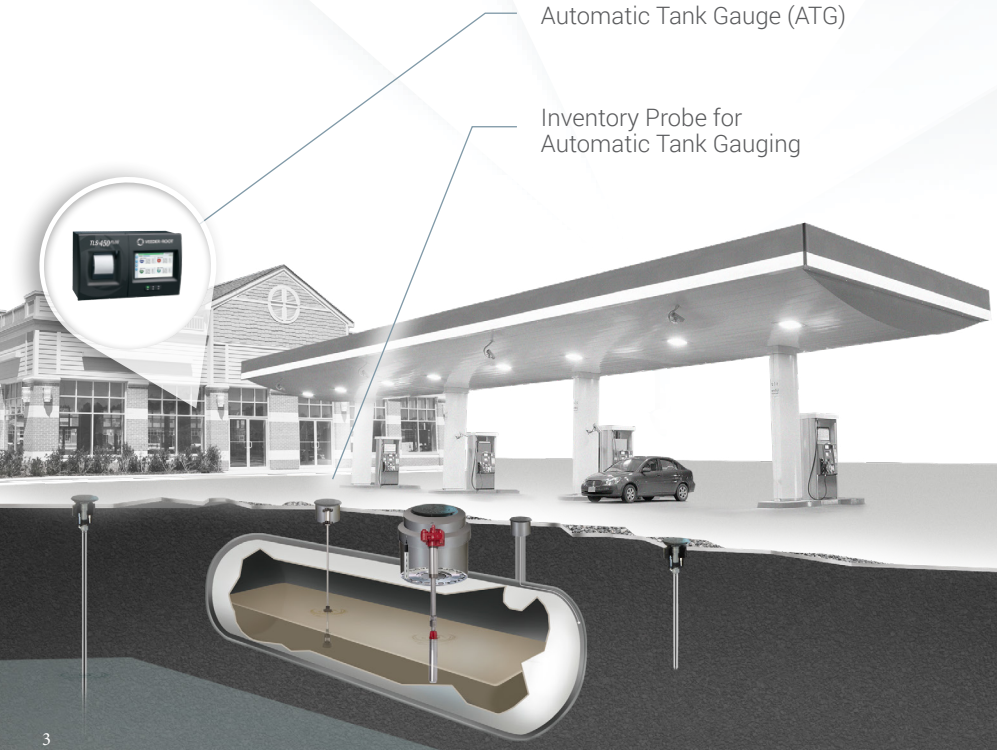


Nate Houston

Method 1

AUTOMATIC TANK GAUGING [ATG] SYSTEM

An ATG system detects leaks through highly accurate inventory measurements combined with the tracking of delivery and dispensing activities.



Required Equipment

An ATG that meets regulatory requirements (TLS-450PLUS)

Probes with Leak Detection capability for each tank

Optional leak testing software for Continuous Statistical Leak Detection (CSLD)

What are the regulatory requirements?

The ATG must be able to detect a leak of 0.2 gallons per hour with a 95% probability of detection and with a false alarm rate of 5%

The ATG must perform Inventory Control

The ATG must be operated in one of the following modes:

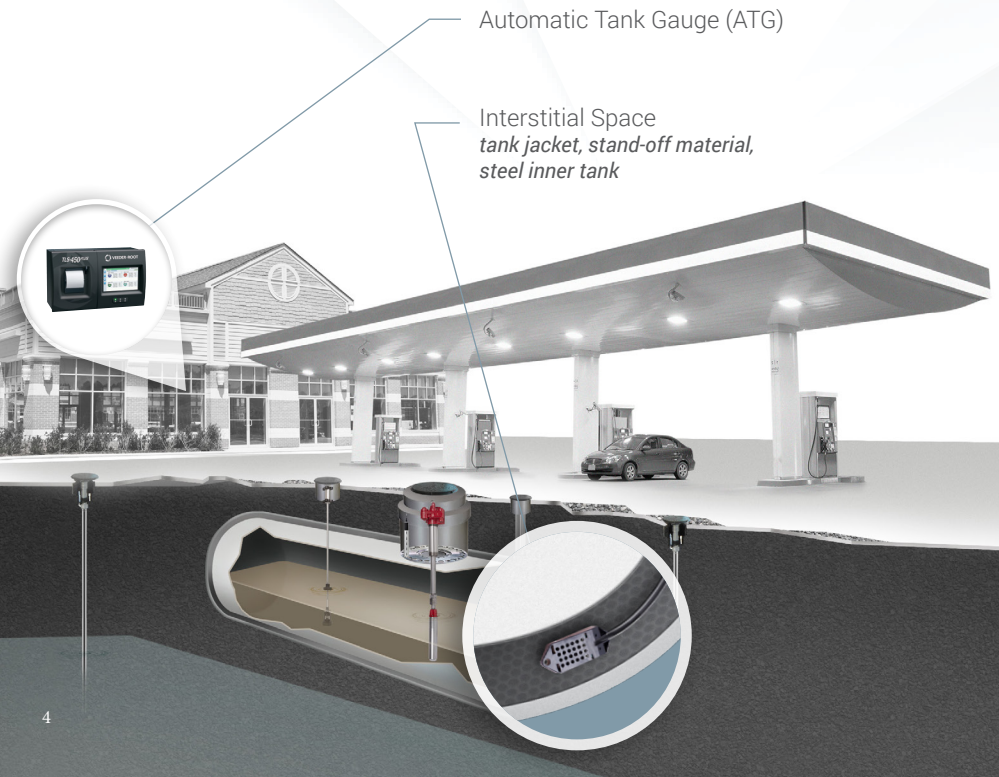
Static Leak Detection testing
(Veeder-Root's 0.2 SLD test) conducted every 30 days

Continuous Statistical Leak Detection
(Veeder-Root's CSLD mode) operating on an uninterrupted basis

Method 4

INTERSTITIAL MONITORING

Interstitial Monitoring requires secondary containment, which provides a barrier between the tank or piping system and the environment. The barrier holds the leak between the tank and the barrier so that the leak is detected.



Required Equipment

Double-walled USTs, in which an outer wall completely surrounds the primary tank

- ***Brine-filled for Wet Monitoring***
- ***Dry Space (annulus) for Dry Monitoring***

Impermeable excavation liners that partially or completely surround the tank

Internally fitted liners (bladders)

Interstitial Sensor

- ***An automatic tank gauge monitors the Interstitial Sensors (TLS-450PLUS)***

What are the regulatory requirements?

The interstitial monitor must be checked at least once every 30 days

Considerations

The interstitial sensor needed will depend on the type of secondary containment barrier and the tank material being used.

Method 4

WHAT SENSORS CAN BE USED FOR INTERSTITIAL MONITORING?



Non-discriminating Liquid Sensor

Detects the presence of liquids in dry spaces

Pictured: Fiberglass Tank Interstitial Sensor (Steel tank model also available)



Hydrostatic Sensor

Detects a change in the level of a monitoring liquid between the walls of a double-walled tank

Pictured: Dual-point Single Float Hydrostatic Sensor



Discriminating Liquid Sensor

Detects the presence of hydrocarbons in dry spaces

Pictured: Solid State Interstitial Sensor



Secondary Containment Vacuum Sensor

Detects a change in condition that indicates a hole in the interstitial spaces

Pictured: Vacuum Sensing Kit

Method 5

STATISTICAL INVENTORY RECONCILIATION [SIR]

SIR analyzes inventory, delivery, and dispensing data collected over a period of time (30 to 60 days) to determine whether or not a tank system is leaking.

What are the regulatory requirements?

0.2 gallons per hour leak detection meets monthly requirements for the life of the tank

0.1 gallons per hour leak detection capability meets the federal requirements as an equivalent to tank tightness testing

If the SIR system has the ability, it can also provide a tightness test result on the product piping system

Considerations

SIR is a vendor-supplied service that requires reoccurring fees

Does not reduce the burden of collecting and transferring or transposing inventory data

Method 7

TANK TIGHTNESS TESTING + INVENTORY CONTROL

This is a combination of two practices:
Tank tightness testing and inventory control

Tank tightness testing requirements

Annual test conducted by vendor who installs special equipment to test the portion of the tank that routinely contains product.

Inventory Control requirements

Daily inventory level measurements to 1/8" accuracy

Monthly water level measurements to 1/8" accuracy

Monthly reconciliation of deliveries and dispensing

Monthly calculation to prove that the system is not leaking

What are the regulatory requirements?

Must supply monthly inventory calculation, capable of detecting a leak of 1% of monthly throughput + 130 gallons, proving no leak

Pass an annual tank tightness test capable of detecting a leak of 0.1 gallons per hour

Considerations

This method can only be used for 10 years after installing a new UST or upgrading an UST with corrosion protection

Operations must be suspended during tank tightness testing

Inventory control requirements can be met with ATG data

MONTHLY INSPECTIONS

40 CFR §280.36(a)(1)(i) requires owners/operators to visually inspect spill prevention equipment and release detection equipment at least once every 30 days.

What are the regulatory requirements?

At a minimum, each inspection must include the following:

SPILL PREVENTION EQUIPMENT

Visually check for damage

Remove liquid or debris

Check for and remove obstructions in the fill pipe

Check that fill pipe cap is secure

Check for leaks in interstice
(for double-walled equipment with interstitial monitoring)

RELEASE DETECTION EQUIPMENT

Check to ensure equipment is operating with no alarms or unusual operating conditions present

Ensure records of release detection testing are reviewed and current

ANNUAL INSPECTIONS

40 CFR §280.36(a)(1)(ii) requires owners/operators to visually inspect the following at least once each year.

What are the regulatory requirements?

At a minimum, each inspection must include the following:

CONTAINMENT SUMPS

Visually check for damage, leaks to the containment area, or releases to the environment

Remove liquid or debris from contained sumps

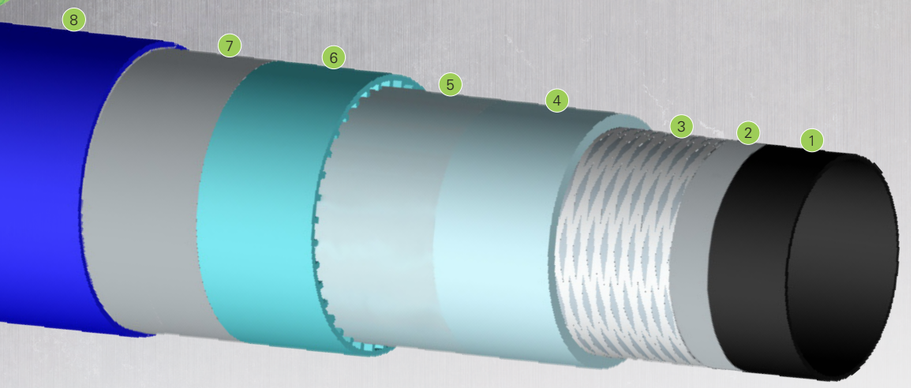
Check for leaks in interstice
(for double-walled equipment with interstitial monitoring)

HAND-HELD RELEASE DETECTION EQUIPMENT

Check devices such as tank gauge sticks or groundwater bailers for operability and serviceability

FLEXIBLE PIPEWORK SYSTEM SOLUTIONS

Double wall (or secondary contained) XP pipe features a premium multi-layer construction designed to provide doule wall protection, give enhanced strength, and allow the flexibility needed for sweeping bends.



PREMIUM PIPE CONSTRUCTION

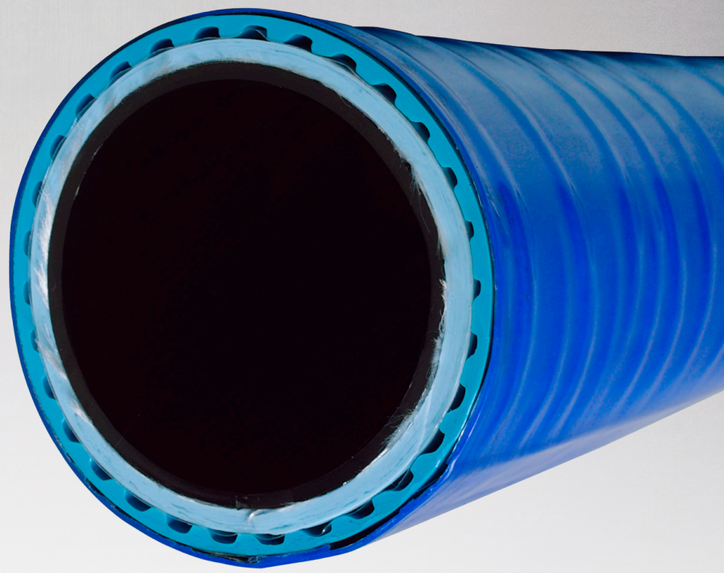
1. Interior primary (Nylon 12)
2. Metallized Mylar
3. Nylon Braid
4. Exterior Primary (Nylon 12)
5. Clear Mylar
6. Secondary Jacket (Nylon 12)
7. Metallized Mylar
8. Scuff Guard (Nylon 12)

XP pipe is offered in 1", 1 ½", 1 ¾", and 2" diameters in a variety of lengths.

FLEXIBLE PIPEWORK

APT™ brand XP pipework provides a highly flexible pipework solution that makes installation simple and easy in any weather condition or site configuration.

- XP pipe features a 3 ft. bend radius for all pipe diameters making it one of the most flexible, yet durable fuel pipes available.
- With long coils (1000+ ft.) and simple fittings, XP pipework can be installed quickly without specialized tools in any weather.
- By combining the XP pipework system with APT brand sumps and entry fittings, you can achieve true watertight containment.





RIGID ENTRY BOOTS

APT™ brand XP tee, elbow and quick release fittings allow for an easy, space-saving installation by eliminating the need for additional fittings and threaded connections.

- Reducing threaded connections eliminates potential leak paths inside of the containment space.
- Compact fittings free up valuable space inside of tight containment sumps where space is already at a premium.
- There are no special tools or drying times with these standard fittings. Installation can be carried out quickly.



RIGID ENTRY BOOTS

Rigid entry boots allow you to connect XP double wall flexible pipe and conduit to containment sumps with an unsurpassed level of installation ease, while also completely removing exposed rubber from the connection.

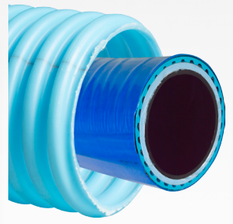
- Requires only a single entry hole for installation - no drilling multiple holes as well as the templates they require.
- The interior ridges of the boot guide XP flexible pipe into place to ensure a proper 90° entry.
- Suitable for use on flat and round sumps.



SPLIT TEST BOOTS

APT™ brand split test boots are designed to make the integrity testing of secondary contained XP pipe simple and easy for both new and existing sites.

- A hinged design allows you to clamp the boot down over the pipe after it has been installed.
- The integrated Schrader valve allows you to apply air pressure (5-8 psi) while the Nitrile rubber seals create an airtight chamber for testing purposes.
- Once testing is complete the boot can be left in place for future testing or easily removed for use at other sites.



PIPE DUCTING

APT™ brand 4" XP Pipe ducting allows for simple and easy underground pipe removal without the need for extensive excavation.

- The 4" inside diameter of the ducting allows XP pipe to easily slide through during installation or removal.
- Recommended for future-proofing sites for pipe changes or as an empty conduit for future added lines.
- The corrugated polyethylene design prevents collapse under the weight of backfill and protects the pipe.



WATERTIGHT DUCTED ENTRY BOOT

APT™ brand Fusion Ducted Entry Boots provide a watertight seal between XP Pipe and polyethylene constructed containment sumps.

- Utilizing the electrofusion welding process, the entry boot, ducting, and sump become one solid structure, creating a watertight entry into the containment space.
- The electrofusion welding process is safe and simple to complete in any climate and virtually any weather condition.
- Ducting is recommended for future-proofing sites for pipe changes or as a pull chase for future station expansion.

Gmail

Jason Bench <jwbench@orem.org>

2000 South Gas Station

1 message

Canon Jensen <canon@daviesdb.com> Mon, Nov 2, 2020 at 12:04 PM
To: jwbench@orem.org

Hello,

> I currently work for Davies Design Build, live in Orem somewhat close to the subject property, and am voter. I am sending this comment as a resident who truly would like a convenience store closer. While it may be hard to believe, I am NOT sending this comment because I am an employee with the applicant. No one has asked me to send this.
>
> I personally would enjoy having this gas station mainly because it would be much closer to my home than any other gas station.
>
> I am also currently going to school and having this gas station on the subject property would benefit many students due to the large number of them that live on our side of town that do not have a gas station very close to where they live.
>
> Lastly I understand the concerns that others may have about having this gas station, but I do not take in consideration those that do not leave a name or some kind of identification with their comments during your meeting. (Mostly due to the fact that one person could easily spam your inbox with multiple comments against the project from another area or not from Orem). Thank you for listening to my comments and I understand if my job at Davies Design Build minimalizes the things I have said.

Sincerely,

-Canon Jensen
115 Westview Dr.
(in Orem)

Orem City Planning Commission

20 October 2020

RE: Public Hearing Article 22-5-3(A) – Rezoning Open Space for a Gas Station (Geneva & 2000 S)

Dear Planning Commission Members,

I am writing as a concerned citizen and on behalf of the members of the Lakeview Fields HOA, for which I am currently serving as President. My name is Tanner Nordstrom, I am a husband and have two small children, Calvin 2, and Camille 5 mos.

Our neighborhood recently received a notice in the mail that Orem City intends to move forward with a rezoning in our community that would have significant negative implications for our health, quality of life, and home values.

The rezoning in question is proposed by Davies Design who would like to build a gas station and minimart on the North East corner of Geneva and 2000 S. Davis has an option to buy the land if they can get the rezoning, build their gas station, and flip it for a nice profit while those of us living nearby will suffer the consequences daily. Please see the following information that I hope will provide valuable insight before this significant decision is made:

- Several months ago, Davies Design held a townhall/community meeting where the residents of the area attended. The Davies representative was combative and belittling to the families and farmers who expressed concern and their strong desire that this rezoning not take place. Please note, the Neighborhood meeting minutes provided to you by Davies regarding community support are false. With only 1 or 2 voices in hesitant support, everyone else in the room was passionately against this rezoning and development. Several people in attendance threatened to file lawsuits. Unless a separate, secret meeting was held I believe Orem City Planning was misled by Davies. To be clear, the significant majority of attendees voiced their clear desire that this gas station not be built
- It should also be noted that at the community meeting we attended Davies showed plans for the station to have 6-8 pumps, the meeting minutes given to you also states this. The Traffic Study however shows that Davies intends to have 22 pumps, further example that we are being misled by a developer who cares little for the impact to our homes and families
- As I understand it, Provo City controls 2000 S. Despite what Davies told you, a call to Provo City Planning today disclosed that they are not aware of this rezoning and development. There also is no commitment to allow a road cut onto 2000. 2 calls to Provo City Council members also found that they are not aware of this change along their border and both expressed concern for lack of information and voiced their lack of support for such a misfit development for the area
- Davies is wanting to move forward with a rezoning before having approval from UDOT or Provo City for the necessary road changes that would be required per the Traffic Study
- The final paragraph of the Traffic Study indicates that the gas station is too close to the intersection and would cause issues on both Geneva and 2000 S. Geneva can't support the

traffic delays right on that corner, even with a light. Entering and exiting form 2000 would cause delays and accidents

- It is myopic to rezone one plot without fully considering the master plan of the area that includes the families that live there. Changes to a general plan and zoning based on a specific proposal is bad planning because if the proposed project fails for any reason a more intense use would then be a permitted use
- If the Planning Commission is intent on moving this forward it should be a conditional use to mitigate the negative aspects of such a development such as limitations on hours of operation, shielded lighting, number of fuel pumps, security, etc.
- Light Pollution is a serious concern given our proximity to the gas station. The elevation drawings from Davies show neon signs along the canopy above the pumps and a large sign along 2000 S (facing our homes) showing gas prices. The residences surrounding the proposed gas station are 3 story apartments and 2 story homes – all of which would be directly impacted by the lights and signs from the station. This kind of light pollution is in direct contrast to the family centered community we are trying to raise our kids in. This kind of development is a textbook example of the light pollution that interferes with people's ability to sleep and the health implications that arise from such. Please look around the area, families live here. This is not a commercial area
- I found several studies that document the measured airborne toxins that are generated by the intended use of a gas station. Between the apartments and neighborhood, there are a lot of little kids that would be exposed to the vapors and toxins from the use of the gas pumps. Of high concern is the evaporation of gas' noxious ingredients. Granted, new gas stations now capture some of these vapors. But such devices don't catch all the fumes, which also emanate from evaporating or dripped gas, from idling engines, from unsealed tanks on older cars, and from tanker trucks whose drivers bypass vapor recovery systems to speed up fuel transfers. The net result is that every gas station is like an invisible smokestack. Its vapor plume extends across adjacent roads and neighborhoods. The plume's vapors dissipate naturally in wind and sunlight, but in residential settings they can impact indoor air quality of nearby homes
- Unfortunately, gas stations also have long-term offsite impacts. That's because gasoline, like paint and glue, contains a veritable xylophone of toxic ingredients such as benzene, toluene and xylene. These compounds, when breathed at low concentrations, aren't usually acutely harmful, but do have significant long-term impacts on our health
- I have read through several scientific studies regarding the potential effect of convenience stores that sell liquor on crime and public health. These findings indicate that allowing off-sale of alcoholic beverages at a proposed convenience store will increase crime and other adverse health effects, especially if the store is open 24/7. One study indicated the presence of an off-sale, 24/7 establishment "may attract people at increased risk for involvement with violent crime." In another study, researchers concluded: "Children with an alcohol outlet on the route to school were more likely to be offered alcohol, tobacco, and other drugs as well as be exposed to drug selling and seeing people using drugs."
- Home values are another variable to be considered as again, several reports and studies show that proximity to a noisy, brightly lit, toxin producing gas station has a negative impact on nearby property values. Have you ever looked for a new home for your family and thought how great it would be to live by a gas station?

- It is also worth noting, there is already a gas station within convenient driving distance at the corner of University Parkway and Geneva
- Compared to residences or many other commercial establishments, gas stations and their convenience stores experience more frequent fires, toxic spills, pedestrian, and vehicle collisions, and “crimes of opportunity” like theft – none of which help build a healthy community

That area is currently open space for a reason – it is intended to remain open. Rezoning to high density commercial is extreme and not fitting for the area. There are many other uses for the land and if a rezoning should happen, it should match the area. Families moved into and continue to move into that area with the understanding and expectation that this is a residential area. A gas station is an extreme contrast to a residential area, and we ask that the city honor the current general plan, or at least rezone to low/medium density residential.

I’m grateful to live in a country where we have the right and ability to voice our concerns and be involved in the developing of the communities we live in. I am grateful for our local government and the crucial role you all play in helping our corner of Utah grow in a thoughtful, purposeful way. Thank you for considering our voices and concerns.

Please feel free to contact me.

Sincerely,

Tanner Nordstrom

Tanner Nordstrom,

Lakeview Fields residents, and on behalf of those who voiced their disapproval and frustration

Cell: 530-524-8682

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D R A F T

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING ARTICLE 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY CHANGING THE ZONING OF APPROXIMATELY 2.16 ACRES FROM THE OS5 ZONE TO THE C2 ZONE AT APPROXIMATELY 2000 SOUTH GENEVA ROAD.

WHEREAS on May 3, 2020, Davies Design Build filed an application with the City of Orem requesting that the City Council amend Article 22-5-3(A) and the zoning map of the City of Orem by changing the zoning of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva Road; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on October 21, 2020, and the Planning Commission made no recommendation to the City Council regarding the application; and

WHEREAS a public hearing considering the subject application was held by the City Council on November 10, 2020; 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 the matter having been submitted and the City Council having fully considered the request as it relates to the health, safety and general welfare of the City; the orderly development of land in the City; the effect upon surrounding neighborhoods; and the special conditions applicable to the request.

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

1. The City Council finds this request is in the best interest of the City because it will allow for commercial development to serve the needs of residents and businesses in the area.

2. The City Council hereby amends Article 22-5-3(A) and the zoning map of the City of Orem by changing the zoning of approximately 2.16 acres from the OS5 zone to the C2 zone at approximately 2000 South Geneva 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. 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 **10th** day of **November** 2020.

D R A F T

Richard F. Brunst, Jr., Mayor

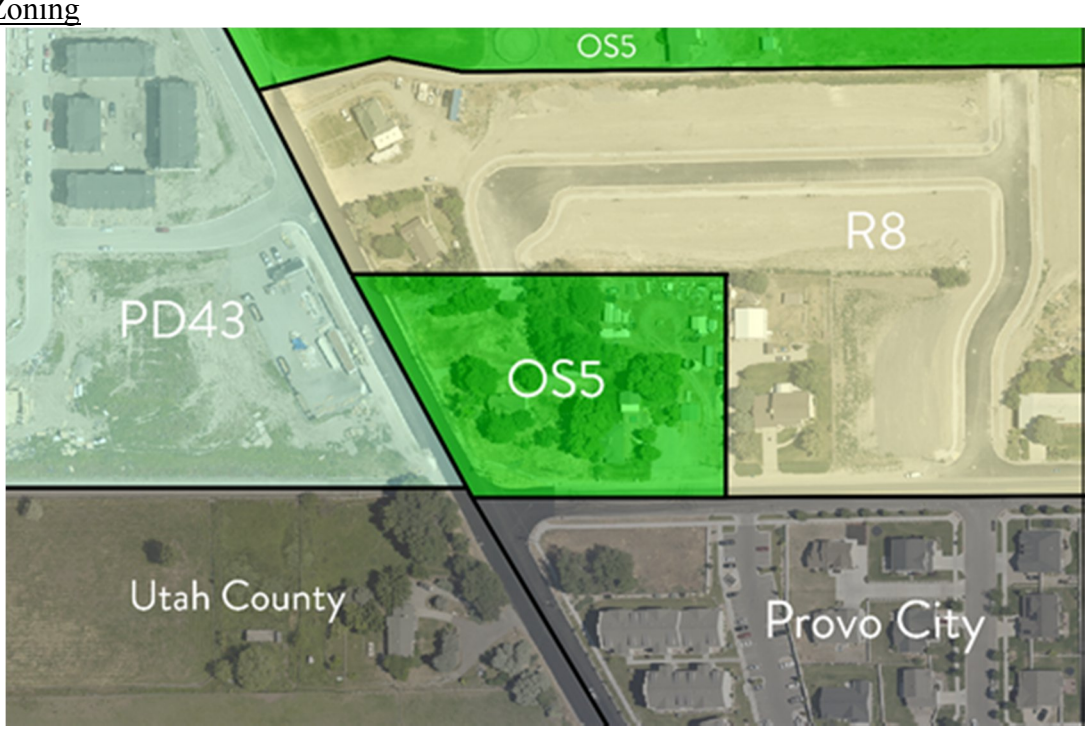
ATTEST:

JoD'Ann Bates, City Recorder

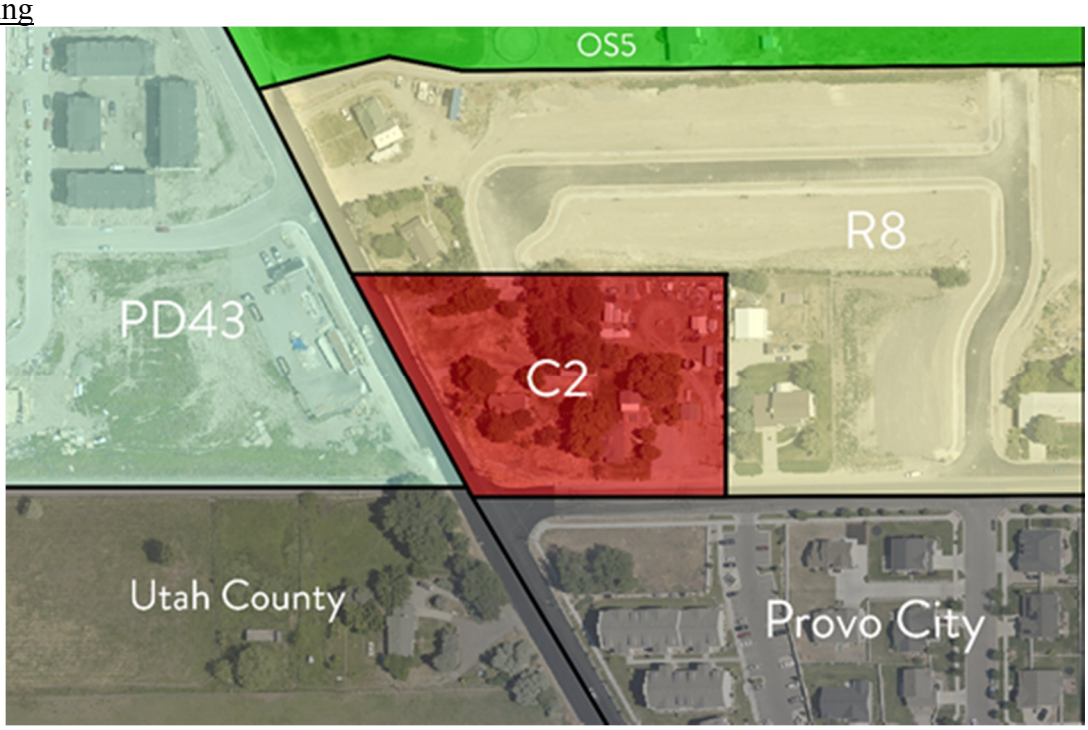
COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

EXHIBIT A

Existing Zoning



New Zoning



Agenda Item No: 9.4

City Council Agenda Item Report

Meeting Date: November 10, 2020
Submitted by: Jason Bench
Submitting Department: Development Services
Item Type: Ordinance
Agenda Section:

Subject:
PUBLIC HEARING
ORDINANCE – Amending portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.

Suggested Action:
The Planning Commission recommends the City Council, by ordinance, amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amend Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.

Presenter:
Jason Bench

Background:

Potentially Affected Area:
Cherry Hill, Lakeridge, and Hillcrest

Attachments:
Resolution-HubZone-EdgeZone.docx

Proposed Text-HubZone_Exhibit A.docx

THE HUB DISTRICT_Exhibit B.pdf

20201014_1_MailerFront_one page.pdf

20201021_2_MailerFront_one page.pdf

20201021_2_MailerBack.pdf

20201021_2_Labels.docx

Agenda-HubZone-EdgeZone.docx

Planning Commission_Minutes_11.4.2020_HUB District.docx

ORDINANCE NO. _____

AN ORDINANCE BY THE OREM CITY COUNCIL AMENDING PORTIONS OF SECTION 22-24-2 *THE HUB DISTRICT (HD) ZONES* OF THE OREM CITY CODE BY ENACTING THE HD EDGE ZONE (ADJACENT TO UNIVERSITY PARKWAY) AND BY ENACTING SECTIONS 22-24-2(J) *SIDEWALKS AND LANDSCAPING* AND 22-24-2(K) *ALTERNATE DEVELOPMENT STANDARDS FOR THE HD-E ZONE*. IN ADDITION, AMENDING SECTION 22-5-3(A) AND THE ZONING MAP OF THE CITY OF OREM BY REZONING PORTIONS OF THE PROPERTIES LOCATED GENERALLY AT 314 EAST UNIVERSITY PARKWAY, 212 EAST UNIVERSITY PARKWAY AND 1315 SOUTH STATE STREET FROM THE HD ZONE TO THE HD-EDGE ZONE.

WHEREAS on October 5, 2020, the Development Services Department filed an application to amend portions of Section 22-24-2 *The Hub District (HD) zones* of the Orem City Code by enacting the HD Edge zone (adjacent to University Parkway) and by enacting Sections 22-24-2(J) *Sidewalks and Landscaping* and 22-24-2(K) *Alternate Development Standards for the HD-E Zone*. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone; and

WHEREAS a public hearing considering the subject application was held by the Planning Commission on November 4, 2020; and

WHEREAS a public hearing considering the subject application was held by the City Council on November 10, 2020; and

WHEREAS notice of the City Council meeting at which the subject application was heard was mailed to two hundred eighty-four persons within five-hundred feet of the HD zones boundary; and

WHEREAS the agenda of the City Council meeting at which the subject application was heard was posted at the Orem Public Library, on the Orem City webpage and at the City offices at 56 North State Street; and

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

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

1. The City Council finds this request is in the best interest of the City because the current three story height requirement in the HD zone makes it difficult for new retail uses such as restaurants to develop adjacent to University Parkway and the proposed amendment will promote the development of new retail pad sites adjacent to University Parkway and will strengthen the City's retail sales tax base and promote economic growth in this area.
2. The City Council hereby amends portions of Section 22-24-2 *The Hub District (HD) zones* of the Orem City Code by enacting the HD Edge zone (adjacent to University Parkway); by enacting Sections 22-24-2(J) *Sidewalks and Landscaping* and 22-24-2(K) *Alternate Development Standards for the HD-E Zone;* and by making other related amendments to Section 22-24-2 as shown in Exhibit "A" which is attached hereto and incorporated herein by reference.
3. The City Council hereby amends Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone, as shown in Exhibit "B" which is attached hereto and incorporated herein by reference.
4. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.
5. 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 **10th** day of **November** 2020.

Richard F. Brunst, Jr., Mayor

ATTEST:

JoD'Ann Bates, City Recorder

COUNCILMEMBER	AYE	NAY	ABSTAIN
Mayor Richard F. Brunst	□	□	□
Jeff Lambson	□	□	□
Debby Lauret	□	□	□
Tom Macdonald	□	□	□
Terry Peterson	□	□	□
David Spencer	□	□	□
Brent Sumner	□	□	□

Exhibit “A”

CODE OF ORDINANCES

CHAPTER 22. ZONING

Article 22-24. State Street District Zones.

Contents:

22-24-1. City Center District (CCD) Zone.

22-24-2. The Hub District (HD) Zones.

22-24-3. Canyon Crossing District (CXD) Zones.

22-24-4. The Arts District (AD) Zones.

22-24-5. North Village District (NVD) Zones.

22-24-2. The Hub District (HD) Zones.

A. Purpose.

The Hub District (HD) zones are intended to be the center of commercial activity in Orem, filled with vibrant shopping, restaurants, and entertainment destinations.

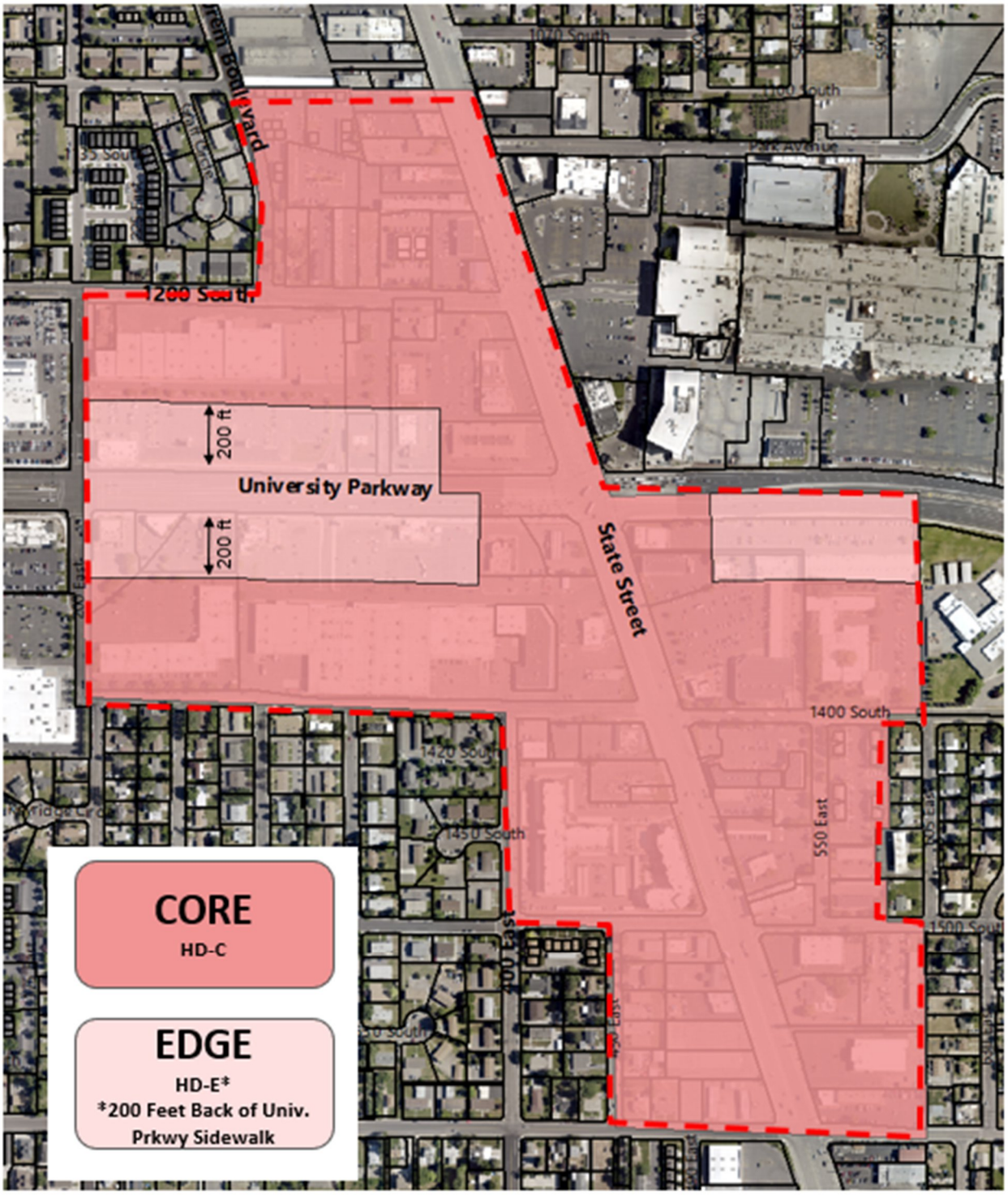
(Ord. No. O-2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

B. Boundaries of The Hub District Zones.

There is hereby established two Hub District (HD) zones which consist of the following zones: (1) HD-C (Core), and (2) HD-E (Edge). Where used in this Section 22-24-2, the term “HD zones” refers to both of the above-referenced zones. Although the HD zones have many of the same standards in common, each HD zone is a fully independent and separate zone. Except as otherwise specified, all standards provided in this Section 22-24-2 shall apply to both the HD-C and HD-E zones. The boundaries of both of the HD zones are as shown in the map below:

THE HUB DISTRICT



(Ord. No. O-2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

C. Use of Certain Terms.

As used in this Section 22-24-2, the terms listed below shall have the following meanings:

1. "Required Sidewalk" or "Sidewalk Adjacent to a Street" means the buffered sidewalk required by Orem City Code Section 22-8-8(B)(4) or sidewalks required by other applicable sections of the Orem City Code.
2. A "street-facing façade" is any building elevation that faces a public street and is located within one hundred feet of a required sidewalk. For purposes of this definition, a building elevation faces a public street if any part of the elevation is visible from the street at a point on a line between the building and the street that is perpendicular to the street.

(Ord. No. O-2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

D. Default Standards.

The standards of the C2 zone (including the "Zone Development Standards for the State Street Corridor Area" where applicable) shall apply in the HD zones with respect to any regulation not otherwise specifically addressed in this Section 22-24-2.

(Ord. No. O-2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

E. Uses.

1. Permitted Uses. All uses permitted in the C2 zone as well as SLU Code 1112 (Condominiums) and 1120 (Apartments) are permitted in the HD-C zone (subject to the limitation on residential uses outlined below). The following shall be permitted in the HD-E zone:

Permitted Uses - HD-E zone	
Standard Land Use	Category
5310	Department Stores
5391	Dry Goods & General Merchandise
5393	Arts, Crafts & Hobbies
5394	Musical Instruments
5410	Groceries &/or Food
5440	Candy & other confectionery products
5600	Clothing, Apparel, & Accessories
5710	Furniture & home furnishings
5730	Music Supplies
5810	Restaurants
5811	Fast Food
5931	Antiques
5932	Gold & Silver

5941	Books
5942	Stationary
5943	Office Supplies
5946	Cameras & Photographic Supplies
5947	Gifts, Novelties, & Souvenirs
5948	Florists
5952	Bicycles
5953	Toys
5970	Computer Goods & Services
5996	Optical Goods

2. Prohibited Uses. Any use that is not included as a permitted use in subsection (1) above is prohibited in the HD zones.
3. Limitation on Residential Use. In order to encourage the development of commercial uses in the HD zones, residential uses in any building shall not occupy more than the 80% of the Gross Leasable Floor Area (GLFA) of such building.
   a. If at least 50% of a parcel's street frontage is occupied by buildings that meet the maximum setback requirement of subsection (F)(2) below and have pedestrian access to the street at ground level, a building on the interior of the parcel may exceed the maximum residential GLFA limit by an amount equal to the amount (in square feet) by which the residential GLFA of buildings meeting the maximum setback requirement on the same parcel is below the maximum residential GLFA allowed in such buildings. This transfer of allowable residential occupancy may only be made to interior buildings and buildings with street frontage may in no case exceed the maximum residential GLFA requirement. Any such transfer shall be recorded upon a plat and recorded at the office of the Utah County Recorder. Upon, the execution of such a transfer of allowable residential occupancy, residential uses in the building that transferred a portion of its allowable residential use percentage shall not exceed the maximum percentage of GLFA allowed by the applicable zone less the amount of residential GLFA that was transferred to another building. For example, if a parcel in the HD zone has two buildings that each contain 50,000 square feet of GLFA and at least 50% of the street frontage of said parcel is occupied by a building that meets the maximum setback requirements, the interior building could be 100% occupied by residential uses provided that no more than 30,000 square feet of GLFA of the building fronting the street was occupied by residential uses and the transfer of 10,000 square feet of residential occupancy from the building with street frontage to the building on the interior of the lot was shown on a plat recorded with the Utah County Recorder. Following the transfer, residential uses in the building with street frontage could not exceed 30,000 square feet of GLFA ((80% x 50,000)-10,000 (transferred) = 30,000).
   b. A transfer of residential occupancy as described above is permanent unless modified by the owners of both buildings by an amended plat. If a parcel on which a transfer described above has taken place is subdivided, all buildings on the new parcels shall continue to meet the requirements with respect to maximum percentage of GFLA that may be occupied by residential uses to which they were subject prior to the subdivision.

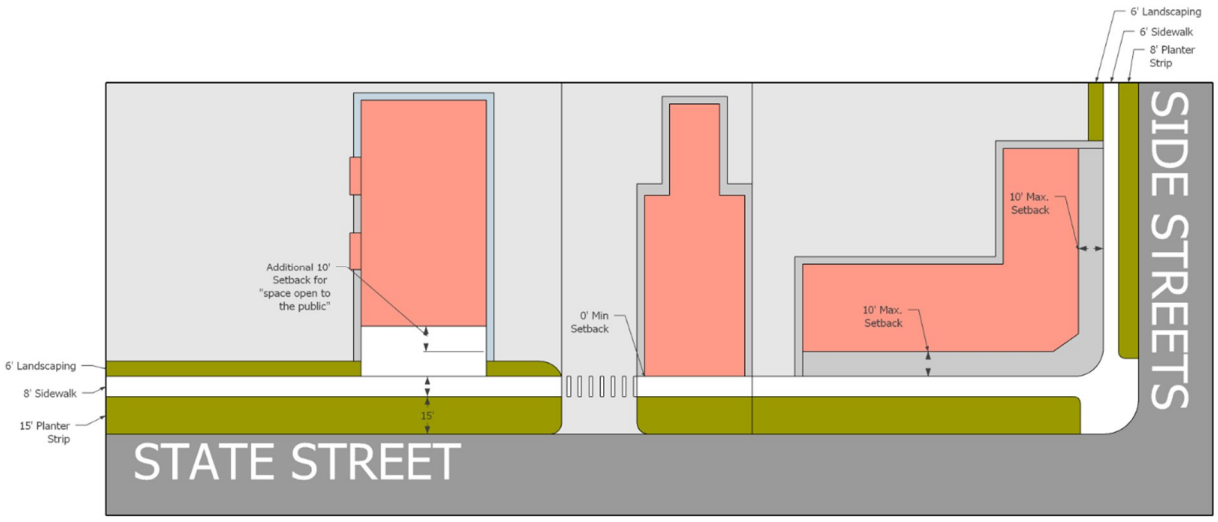
(Ord. No. O-2018-0029, Enacted 10/9/2018)

F. Design Standards.

1. Building Height. All buildings in the HD-C zone shall have a minimum of three (3) stories. There is no

minimum height requirement for buildings in the HD-E zone. Any building that is situated in both the HD-C and HD-E zones shall comply with the standards of the HD-C zone with respect to the entire building. Each building story above the ground story shall be designed and constructed to have at least 60% of the Gross Leasable Floor Area of the story directly below. There is no maximum height requirement for the HD zones. The ground story of every building shall have a minimum floor to ceiling height of at least 14 feet.

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



   b. Prohibited Uses of Setback Area. The area of any setback from a required sidewalk may not be used for parking, parking lot driveways, drive-thrus, or drive-thru stacking.
   c. Setback From Residentially Zoned Property. No portion of any building (including roofs and parapets) in the HD zones may be located closer to a residentially zoned property not a part of the HD zones than the height of that portion of the building. Note: The width of adjacent public right-of-way may be included when measuring setbacks to calculate maximum permitted building heights.

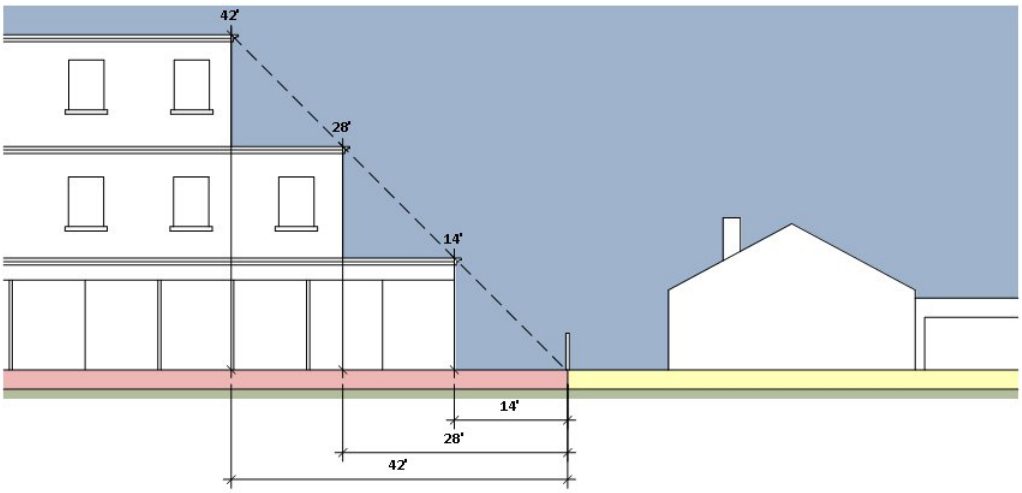
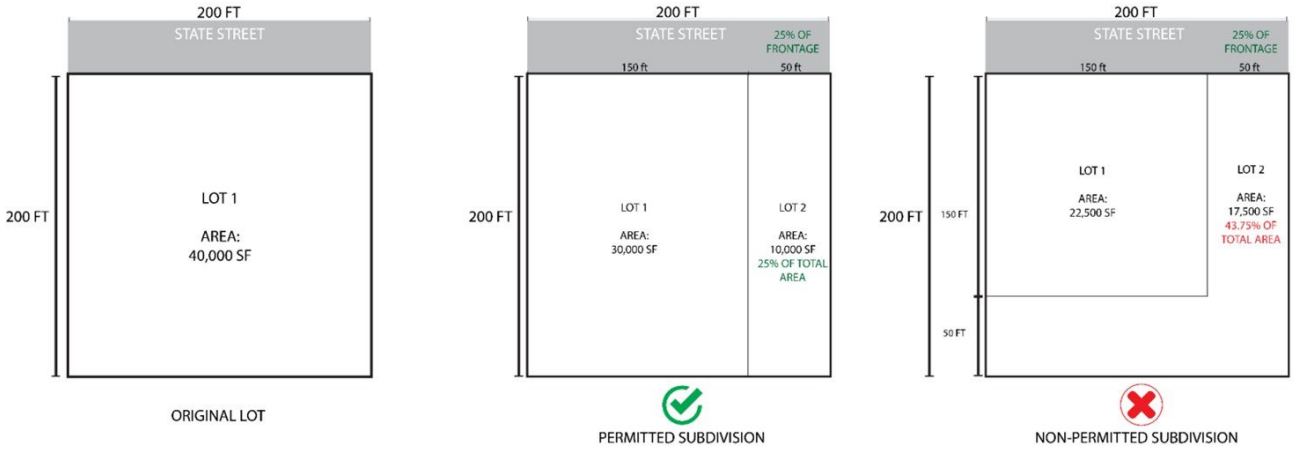


Illustration of stepping-back of building height when next to residential zones

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

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

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



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

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

3. Lot Size. All lots within the HD zones shall be a minimum of 7,500 square feet in area.

4. Architectural Features. All buildings in the HD zones shall comply with the following architectural requirements.

   a. Vertical Façade Articulation. The architecture of all street-facing facades shall have a vertical break at least every fifty feet with a minimum depth of one foot. The required vertical breaks shall extend over at least 75% of the height of the building. An illustration of this requirement is provided below:



b. Horizontal Expression Lines. All street-facing facades shall incorporate horizontal expression lines in their architecture to delineate the ground story from any upper stories. Such expression lines shall include a cornice and/or a protrusion in materials with a minimum depth of six inches. An illustration of this requirement is provided below:



c. Stepbacks. The façade of the second story and all stories above shall be stepped back at least 20 feet behind the façade of the first story if all of the following apply:

i. The building is four stories or more in height.

ii. The building is designed for residential uses above the first story.

iii. The building is within 35 feet of a sidewalk adjacent to a street. Where the second story is set back at least twenty feet behind the façade of the first story as required by this subsection, at least seventy-five percent of the open roof area of the first story shall be designed for and employed as an amenity for the residential occupants of the building. An illustration of this requirement is provided below:



5. Materials.
   a. Except as otherwise provided, all buildings shall be completed on all sides with brick, split-face block, glass, stone, and wood (hereinafter referred to as "Tier 1 Materials"). Aluminum composite material panel systems, stucco, and Exterior Insulation and Finishing Systems (EIFS) (hereinafter referred to as "Tier 2 Materials") shall only be permitted as trim on ground-level façades and shall only be allowed on up to a maximum of 20% total coverage on street-facing façades and up to a maximum of 75% of a non-street facing façade.
   b. Standing seam metal (but no other metals) may be used for awnings. Sheet metal and corrugated metal and other metal finishes are only permitted for soffits, fascia, and similar minor architectural features (less than or equal to 5% coverage on any given elevation).

STREET-FACING FAÇADE
MATERIAL REQUIREMENTS



NON-STREET FACING FAÇADE
MATERIAL REQUIREMENTS

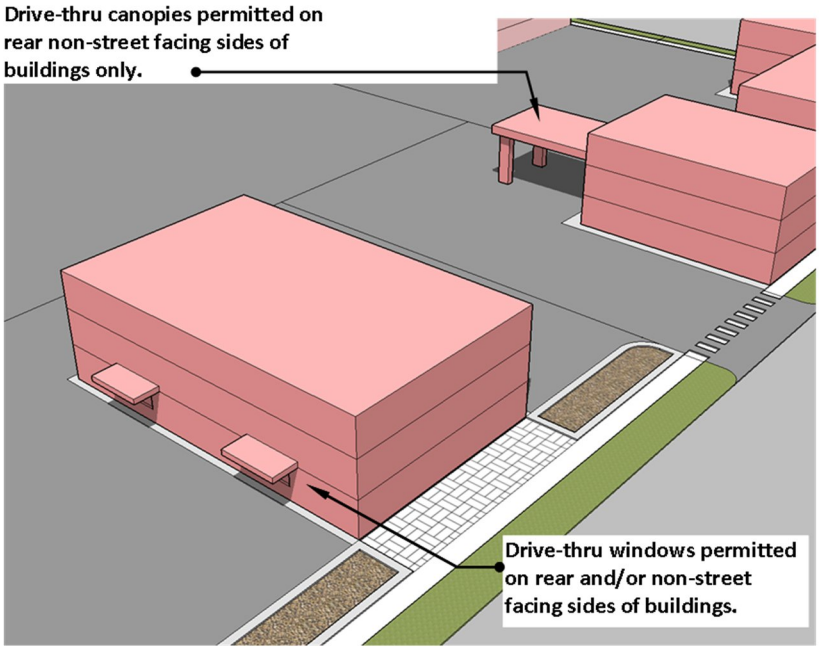


6. Entrances.
   a. All primary buildings in the HD zones shall have at least one entrance intended for public, daily customer, and/or resident use oriented toward a public street, public open space, or a privately-owned "space open to the public", with first priority assigned to State Street, and second priority assigned to all other public streets.
   b. Lots within the HD zones with frontage on both State Street and University Parkway shall have an entrance on the corner where the two streets meet.
   c. Corner entrances at street intersections are encouraged throughout the HD zones. An example of a desirable corner entrance is shown in the following image:



7. Windows and Awnings. At least 70% of each street-facing, ground story façade shall consist of transparent window coverage that is readily visible to a depth of at least five feet into the building. All awnings shall be durable canvas or standing seam metal. Plastic awnings are not permitted.

8. Balconies. Balconies consisting of a minimum area of fifty (50) square feet shall be provided for at least fifty (50) percent of all residential units per building in the HD zones. Balconies may be inset into the building or may project over City sidewalk a maximum of five feet so long as fourteen (14) feet of vertical clearance is provided between the sidewalk and the balcony. Balconies that don't face a public street shall be set back at least eight feet from any adjacent property line.
9. Drive-thru Structures.
    a. Drive-thru canopy structures (such as a Drive-Thru ATM canopy) shall be located only on the rear or a non-street facing façade(s) of a building.
    b. Drive-thru windows, aisles, and vehicle stacking for drive-thrus are not permitted on any street-facing façade and/or within any street-facing setback areas.



10. Screening.
    a. Trash storage containers and dumpsters shall be completely screened from public view with a masonry wall at least seven feet in height with sight-obscuring gates which must be located either behind, on a non-street facing side, or interior to a building.
    b. All electrical, utility, and mechanical equipment (including equipment on roofs) shall be fully screened from public view with sight-obscuring materials. Such equipment must be buried (vaulted) if located within any front or side street-facing setback areas, or if located within any required planter strip areas.
11. Lighting.
    a. Each site shall include a Lighting Plan that is designed to discourage crime, enhance safety, and prevent direct glare onto adjacent properties.
12. Open Space.

a. All lots with a residential use component shall have a minimum twenty percent (20%) of the lot area dedicated to open space (excluding required public sidewalks and planter strips). This requirement may be fulfilled with standard "open space" or with a "space open to the public" or a combination of both. However, a minimum of 10% of the lot's area shall be maintained as a "space open to the public" (see Section 22-2-1 for definitions of "open space" and "spaces open to the public").

b. Commercial lots *without* a residential use component are not required to provide any type of "open space" (apart from the required sidewalks, planter strips and other required landscaping). However, if a "space open to the public" is provided on a commercial lot without a residential use, the following bonuses shall be awarded to that parcel:

Percentage of Provided "Spaces Open to the Public" out of Total Parcel Area			
	10% or more	20% or more	30% or more
Bonuses Awarded	- Up to 10% of required parking may be "compact" stalls (measuring 7.5 ft. wide x 16 ft. deep). -5% overall parking reduction	- Up to 20% of required parking may be "compact" stalls (measuring 7.5 ft. wide x 16 ft. deep). -5% overall parking reduction -Up to 5% of parking requirement may be met from on-street parking located in a HD zone (if not previously allocated to another parcel) located within 300 feet of the parcel (but excluding State Street)	- Up to 30% of required parking may be "compact" stalls (measuring 7.5 ft. wide x 16 ft. deep). - Excluding the ground floor, up to an additional 15% of street-facing façades only may be constructed with "Tier 2" materials. - 8% overall parking reduction -Up to 5% of parking requirement may be met from on-street parking located in a HD zone (if not previously allocated to another parcel) located within 300 feet of the parcel (but excluding State Street)

Note: Percentage calculations are rounded down to the nearest 1 decimal point.

13. Fencing.

a. A fence meeting the requirements of Section 22-14-19(E) shall be maintained along any property line between a development in any HD zone and a residential zone (that is not a part of an HD zone). The fence shall be constructed and maintained by the owner of the development in the applicable HD zone.

(Ord. No. 2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

G. Transportation.

1. Streets. Private streets are not permitted in the HD zones. However private pedestrian promenades, driveways, vehicular accesses, and alleyways are permitted provided proper fire access is maintained throughout the site.
2. Driveways and Accesses.
   a. Vehicular accesses shall be no more than thirty feet wide unless the Planning Commission finds, based on a traffic study performed by a licensed traffic engineer and/or an analysis provided by the City Transportation Engineer, that a wider access is necessary for the site. In no event shall an access exceed forty (40) feet in width.
   b. No more than one access shall be allowed per lot unless the Planning Commission finds, based on a traffic study performed by a licensed traffic engineer and/or an analysis provided by the City Transportation Engineer, that more than one access is needed for development on the lot.
   c. Where a driveway crosses a public sidewalk, the driveway shall be a different stained color, texture, or paving material than the sidewalk to warn drivers of the possibility of pedestrians in the area (See Figure 9 below).
   d. All adjoining properties are required to share vehicular and pedestrian accesses to public streets and sidewalks and to provide any necessary cross-access easements to effectuate this sharing.



Fig. 9 stamped and colored asphalt.

3. Traffic Study.
   a. A Traffic Impact Study (TIS) shall be required in connection with any site plan in the HD zones that is not a minor amendment as defined in Section 22-14-20(C)(3)(b). The provisions of Section 22-14-20(E)(8)(a-c) shall apply to any required TIS. The TIS shall evaluate the vehicle, bicycle, and pedestrian traffic both on site and in the general vicinity of the project. The TIS shall evaluate trip generations, turning movements to and from the property, street and roundabout geometrics, and traffic safety on and off the site. The TIS shall also address relevant items including but not limited to the following: surrounding street and intersection levels of service (LOS) before and after the project is completed, any mitigation efforts recommended to minimize project traffic impacts, proposed public and private street widths and alignments, site mobility, access management, potential traffic signal locations, street striping, signage,

etc. The traffic engineer that performs the required TIS shall meet with the City Traffic Engineer prior to beginning the TIS to discuss specific areas of focus for the TIS. Each site plan shall reflect and incorporate the recommendations of the traffic study and any other requirements that the City may deem necessary based upon the TIS. Any new development or redevelopment shall comply with all recommendations of the TIS.

(Ord. No. O-2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

H. Parking.

1. Parking Requirements

   a. Required parking in the HD zones may be met within a parking lot, parking structure, or a shared parking agreement approved by the City.

   b. For the HD zones, three parking stalls shall be provided for every one-thousand (1000) square feet of gross leasable floor area of nonresidential uses. Since any residential use in this zone is required to be part of a mixed-use development, no parking stalls shall be required for residential units included within the base residential density. The base residential density is calculated by dividing the total commercial parking requirement by three (3). For each residential unit in excess of the base residential density, a minimum of 1.75 parking stalls shall be provided (of which .1 stalls per unit shall be dedicated to visitor parking).

   c. No Charge for Use of Required Parking. In order to ensure that tenants (including residents and employees) of a development do not have an incentive to park off-site, no fee charge, deposit or other form of compensation (other than rent) may be required of a tenant for the right to use required parking stalls (including, for purposes of this subsection, the right to exclusive use of a particular parking stall). Neither the rent, the deposit or other fees charged to tenants may differ based on whether the tenant is given the right to use required parking. No form of compensation (including but not limited to a reduction in rent or other fees or charges) may be given to a tenant in exchange for a waiver or relinquishment of the right to use required parking. No penalty of any kind may be imposed upon a tenant for parking in a required parking stall.

(Ord. No. O-2019-0032, Enacted 10/8/2019)

   d. Site plans within the HD District are not eligible for any parking modifications outlined in Section 22-15-5 and must meet the parking requirements outlined in this section.

(Ord. No. O-2019-0032, Enacted 10/8/2019)

2. Parking Lot Standards. Except as otherwise provided herein, the provisions of Article 22-15 (Off-Street Parking) shall apply to all development in the HD zones.

   a. Buildings shall be sited to face the street with parking lots on the side or rear. Adjoining properties that have neighboring parking lots shall be connected and have cross-access easements established upon final plat approval. No parking stalls, drive aisles or drive thru stacking lanes shall be located within six feet (6') of the back of any required sidewalk . The 6 foot parking setback area shall be maintained as "open space" or a "space open to the public" and shall be maintained with shrubs or other sight-obscuring features at a minimum height of three feet to screen the parking area from the street.

   b. Parking Lot Lighting: Parking lot light poles on properties adjacent to residential zones outside of the HD zones shall be no closer than 50 feet to the adjacent residential property line. Additionally, globes must be shielded and the lighting directed down to minimize light encroachment onto adjacent properties or into

upper level residential units in multi-story buildings. Lightproof fencing is also required when adjacent to residentially properties that are not in a HD zone.

c. Concrete curbs shall be provided between landscaped areas and off-street parking areas. Low-profile curbs are permitted to accommodate low-impact developments (LIDs) in all landscaped areas except for within required planter strips along State Street (see also landscaping requirements in Section 22-14-13 (C)).

3. Parking Structures.

a. The street-facing façade of a parking structure must be "wrapped" with a habitable building designed and constructed for residential or commercial uses. All other facades of a parking structure shall be wrapped with buildings and/or have an external skin (or screen) designed to improve its visual appeal. Examples include heavy gauge metal screening, precast concrete panels, laminated or safety glass, decorative solar panels, or decorative façades. The intent is for parking structures to blend into surrounding buildings and not look like a parking structure. The Planning Commission may approve other decorative materials not listed herein if the proposed materials would have an equal or better aesthetic effect than the approved materials listed herein. All readily visible areas not wrapped with buildings shall be screened. To the greatest extent possible, uneven levels in parking structures shall be screened from public view. The following images demonstrate parking structure wrapping:





b. Elevators and stairs shall be highlighted architecturally so visitors, internally and externally, can easily access these entry points.

c. Any signage attached to the parking structure and wayfinding signage shall be integrated with the architecture of the parking structure and be architecturally compatible with the design. Public parking structures entrances shall be clearly signed from public streets.

d. At a minimum, all street-facing façades of all parking structures shall be wrapped with structures designed and constructed for a commercial or residential use.

e. Parking structures shall be designed to minimize vehicle noise and odors that emanate on to sidewalks and "spaces open to the public". Venting and fan locations shall not be located next to "spaces open to the public" and are encouraged to be located on top of the parking structure where feasible.

4. Specific use parking exceptions as established in Section 22-15-4 (G) apply in the HD Zones.
5. Parking modifications as established in Section 22-15-5 apply in the HD Zones.
6. Bicycle parking requirements as established in Section 22-15-7 apply in the HD Zones.

(Ord. No. O-2018-0029, Enacted 10/9/2018)

Effective on: 10/9/2018

I. Signs.

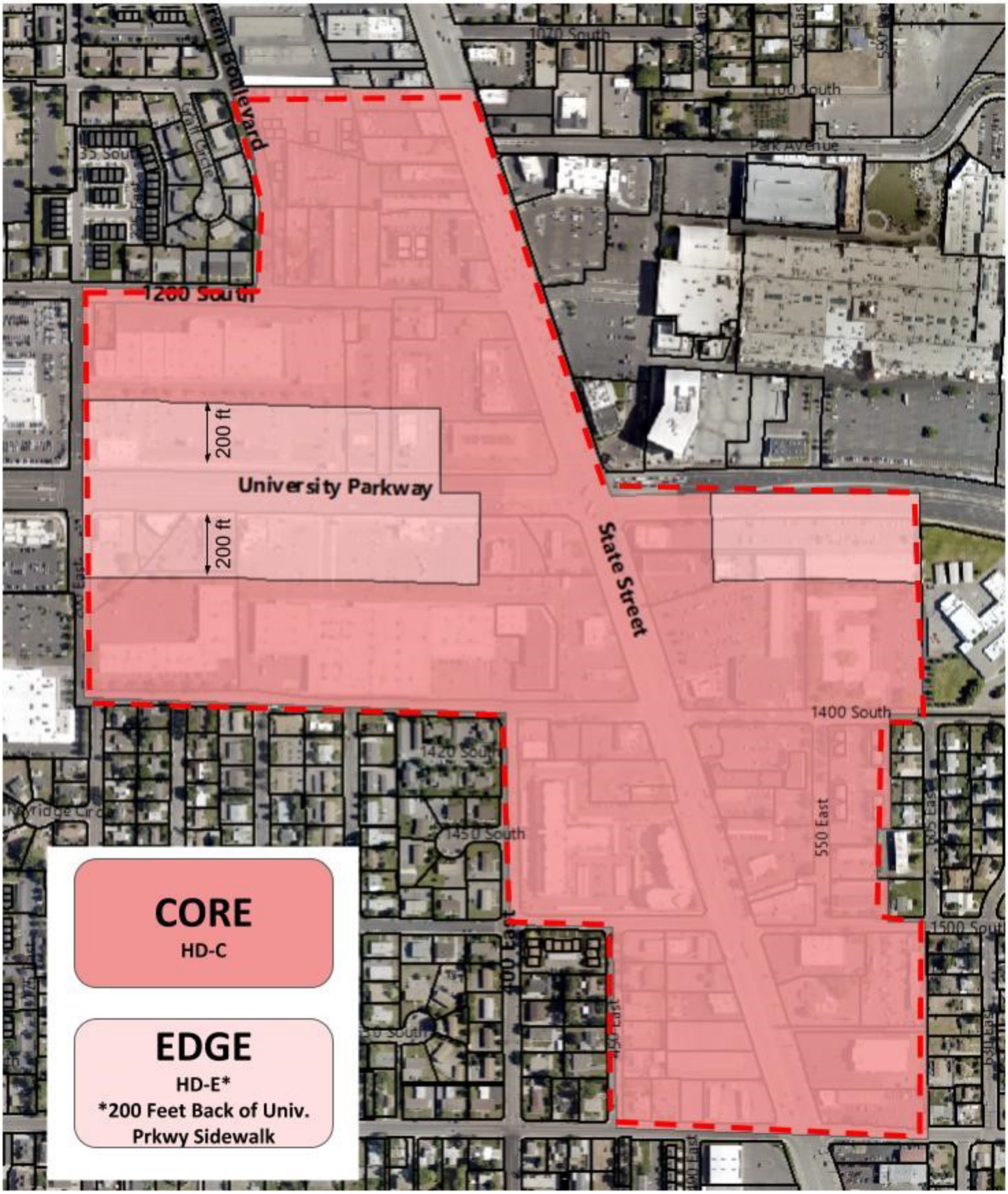
1. Except as otherwise provided herein, all signs in the Hub District zones shall meet the standards provided in Article 14-3. All areas within the HD zones shall be designated as Sign Zone "H" (14-3-3).
2. Removal of Pole Signs. One of the purposes of the HD zones is to provide a more attractive environment for commercial and residential uses. The City has determined that pole signs are less aesthetically appealing than other types of signs such as monument signs. Therefore, pole signs are not permitted in the Hub District zones. Any existing pole signs shall be removed in the event that reconstruction is performed on fifteen percent (15%) or more of the footprint of an existing building on the lot upon which the pole sign(s) is located, upon the addition or expansion of a building that constitutes fifteen percent (15%) or more of the existing building footprint on the lot, or upon the construction of a new building on a lot. The removal of existing pole signs required by this section shall occur before the issuance of a certificate of occupancy for the new building or building expansion.

(Ord. No. O-2018-0029, Enacted 10/9/2018)

J. Sidewalks and Landscaping. A buffered sidewalk shall be installed and maintained along all property adjacent to State Street and State Street Connector Streets in accordance with Section 22-8-8(B)(4). A sidewalk at least six feet (6') in width and landscaping in accordance with Appendix TT shall be installed and maintained adjacent to University Parkway. A buffered sidewalk consisting of a sidewalk at least six feet (6') in width and a landscaped planter strip at least eight feet (8') in width shall be installed and maintained adjacent to all streets other than State Street, State Street Connector Streets and University Parkway.

K. Alternate Development Standards for the HD-E Zone. Each lot in the HD-E zone must be developed in conformity with the standards contained in this Section 22-24-2 pertaining to the HD-E zone. In the alternative, all of the property in a given lot in the HD-E zone may be developed according to the standards of the HD-C zone. However, in order to ensure congruity of development, all property in any given lot in the HD-E zone must be developed entirely according to the standards and requirements of the HD-E zone or must be entirely developed according to the standards and requirements of the HD-C zone.

THE HUB DISTRICT



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

Online Zoom Meeting,

The Development Services Department will hold a neighborhood meeting on Thursday, October 22, 2020 at 5:30p.m. via Zoom to discuss amendments to the HUB District zone pertaining to the creation of an Edge zone adjacent to University Parkway and amendments to the zoning code within the HUB District pertaining to height requirements and uses within the Edge zone. Additional information can be viewed at Orem.org/hubdistrict, including the link to the zoom meeting. Contact Jason Bench at 801-229-7238 or jwbench@orem.org for additional information.

Neighborhood Meeting
Thu, Oct 22, 2020
5:30 pm

HUNSAKER, JOSEPH L
750 BRADFORD TER
WEST CHESTER, PA 19382

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Jason Bench at (801) 229-7238
or jwbench@orem.org

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Thu, Oct 22, 2020
5:30 pm

ELLIS INVESTMENT COMPANY LTD
%INSPIRE BRANDS
3 GLENLAKE PKWY FL 5
ATLANTA, GA 30328

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5:30 pm

BROOKSHIRE ESTATES PROPERTIES LLC
4307 WHITE HICKORY LN NW
KENNESAW, GA 30152

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Thu, Oct 22, 2020
5:30 pm

HE, JIA (ET AL)
1478 COLLINS DR
MARTINEZ, GA 30907

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

City Council Chambers, 56 N State Street

City Council
Tue, Nov 10, 2020
6:00 pm

Planning Commission
Wed, Nov 4, 2020
4:30 pm

The Development Services Department requests the City amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone. Additional information can be viewed at Orem.org/hubdistrict

HUNSAKER, JOSEPH L
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Wed, Nov 4, 2020
4:30 pm

The Development Services Department requests the City amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone. Additional information can be viewed at Orem.org/hubdistrict

HE, JIA (ET AL)
1478 COLLINS DR
MARTINEZ, GA 30907

NOTICE OF ALL-ELECTRONIC MEETING

To minimize the potential spread of COVID-19, the Orem City Planning Commission meeting on November 4, 2020 and the City Council meeting on November 10, 2020 will be an all-electronic meeting. There will be no public access to the Orem City Council chambers. Those desiring to view or participate in the meeting must do so electronically. You can view the meeting live at orem.org/meetings. If you want to make a comment, please use: orem.org/comments.

Comments will be accepted before and during the meeting. All comments received will be read into the record during the live meeting. Once an item has been voted on, that item will be closed to additional comments. Thank you for your cooperation during these challenging times.

NOTICE OF ALL-ELECTRONIC MEETING

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OREM HEALTH HOLDINGS LLC
%ENSIGN GROUP
PO BOX 128109
NASHVILLE, TN 37212

UTAH DEPARTMENT OF TRANSPORTATION
PO BOX 140857
SALT LAKE CITY, UT 84114

UTAH DEPARTMENT OF TRANSPORTATION
%RIGHT OF WAY FOURTH FLOOR
PO BOX 148420
SALT LAKE CITY, UT 84114

FNAMG LLC
PO BOX 183
PLEASANT GROVE, UT 84062

UTAH DEPARTMENT OF TRANSPORTATION
PO BOX 30810
SALT LAKE CITY, UT 84130

SUN DEVELOPMENT LP
PO BOX 4456
HOUSTON, TX 77210

TIMPANOGOS PROPETIES LLC
PO BOX 532
PROVO, UT 84603

1111 OREM LLC
PO BOX 574
RIVERTON, UT 84065

1462 SOUTH LLC
PO BOX 873
PLEASANT GROVE, UT 84062

JEFFS JEFFS AND NAYLOR LC
PO BOX 888
PROVO, UT 84603

POPPLETON, ROBERT K
PO BOX 970366
OREM, UT 84097

ST INVESTMENTS LLC (ET AL)
PO BOX 970367
OREM, UT 84097

ELLIS INVESTMENT COMPANY LTD
%INSPIRE BRANDS
3 GLENLAKE PKWY FL 5
ATLANTA, GA 30328

W & G COMPANY LLC
29 W 800 S
SALT LAKE CITY, UT 84101

3 COINS APARTMENTS LLC
41 W 530 S
OREM, UT 84058

ENVIRONMENTAL LABS INC (ET AL)
42 W 530 S
OREM, UT 84058

CORP OF PRES BISHOP CHURCH OF JESUS CHRIST OF LDS
50 E NORTH TEMPLE FL 22
SALT LAKE CITY, UT 84150

BOARD OF EDUCATION ALPINE SCHOOL DISTRICT
50 N CENTER
AMERICAN FORK, UT 84003

KRISTIE SNYDER
56 N STATE STREET
OREM, UT 84057

OREM CITY
57 N STATE
OREM, UT 84097

SISUI LLC
68 S 2825 E
LAYTON, UT 84040

COMMON AREA
100 E CENTER ST
PROVO, UT 84606

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

FAMILY CENTER OREM SHOPPING CENTER LLC
--OR CURRENT RESIDENT--
130 E UNIVERSITY PKWY
OREM, UT 84058

GRAFF, VANCE DORAL & AFTON F
134 E 1200 S
OREM, UT 84058

ARAGON, MARIA LUCIA
137 E 1200 S
OREM, UT 84058

PARKINSON, SUSAN M
144 E 1200 S
OREM, UT 84058

GRAFF, JEFFERY V & DEBRA Y
147 E 1200 S
OREM, UT 84058

TAYLOR, SALLY T
148 W 1560 S
OREM, UT 84058

JEFF LAMBSON
156 E 1060 N
OREM, UT 84057

HILL, HIEN
--OR CURRENT RESIDENT--
165 E 1200 SOUTH
OREM, UT 84058

GONZALEZ, PEDRO (ET AL)
169 E 1200 S
OREM, UT 84058

MCCHESNEY, AUSTIN & TODD
173 E 1200 S
OREM, UT 84058

ANGILAU, VILIAMI F
175 KEYRIDGE CIR
OREM, UT 84058

LARGEY, ZACHARY L & SHARLEE K
177 E 1200 S
OREM, UT 84058

HAVEA, GLENN S & SONDRA H
179 KEYRIDGE CIR
OREM, UT 84058

R&C PREFERRED HOLDINGS LLC
180 N UNIVERSITY AVE STE 200
PROVO, UT 84601

JENSEN, GARY L
185 E 1200 S
OREM, UT 84058

TOVAR, DANIEL
203 E 1135 S
OREM, UT 84058

WINEGAR, SETH B (ET AL)
204 E 1135 S
OREM, UT 84058

CARILLON SQUARE I LC
--OR CURRENT RESIDENT--
204 E 1200 SOUTH
OREM, UT 84058

UNIVERSITY MALL SHOPPING CENTER LC
--OR CURRENT RESIDENT--
206 E UNIVERSITY PKWY
OREM, UT 84058

SISK, ALEXANDER & DARYL
207 E 1135 S
OREM, UT 84058

ORAZOVA, ELENA & IRINA
--OR CURRENT RESIDENT--
208 E 1135 SOUTH
OREM, UT 84058

ORAZOVA, ELENA & IRINA
208 E 1135 S # 219
OREM, UT 84058

BHATTACHARJEE, DEBANJAN
209 E 1163 S
OREM, UT 84058

STRONG, MARK G & LINDA C
210 E 1163 S
OREM, UT 84058

JWJ SERVICES LLC (ET AL)
--OR CURRENT RESIDENT--
211 E 1135 SOUTH
OREM, UT 84058

JOHNSON, GENEVIEVE ELIZABETH & ROLLIN GROVER
212 E 1135 S
OREM, UT 84058

JEFFS JEFFS AND NAYLOR LC
--OR CURRENT RESIDENT--
212 E UNIVERSITY PKWY
OREM, UT 84058

MCGOWN, PAUL H & ALISON M
--OR CURRENT RESIDENT--
213 E 1163 SOUTH
OREM, UT 84058

FNAMG LLC
--OR CURRENT RESIDENT--
214 E 1163 SOUTH
OREM, UT 84058

HE, WEI (ET AL)
--OR CURRENT RESIDENT--
215 E 1135 SOUTH
OREM, UT 84058

XIE, YING (ET AL)
--OR CURRENT RESIDENT--
216 E 1135 SOUTH
OREM, UT 84058

LAU, WING KEUNG (ET AL)
217 E 1163 S
OREM, UT 84058

DUERDEN, JACOB (ET AL)
217 E 1200 S
OREM, UT 84058

GRAY, GENTRY
218 E 1163 S
OREM, UT 84058

ERDENEBILEG, MUNKHTUUL
219 E 1135 S
OREM, UT 84058

SMRTHCHAR VENTURES LC
219 W 1880 S
OREM, UT 84058

TIMP RETAIL PLAZA LLC
219 W ALTA VISTA DR
OREM, UT 84058

JJ TALEA LLC
--OR CURRENT RESIDENT--
220 E UNIVERSITY PKWY
OREM, UT 84058

GRAFF, MONTEL B
225 E 1200 S
OREM, UT 84058

SOUND CORRECTIONS PLLC
--OR CURRENT RESIDENT--
271 E 1200 SOUTH
OREM, UT 84058

TBS/303 E 1200 S LLC
--OR CURRENT RESIDENT--
303 E 1200 SOUTH
OREM, UT 84058

SMRTHCHAR VENTURES LC
--OR CURRENT RESIDENT--
327 E 1200 SOUTH
OREM, UT 84058

UNIVERSITY CROSSING SHOPPING CENTER LLC
--OR CURRENT RESIDENT--
340 E UNIVERSITY PKWY
OREM, UT 84097

MJ REAL ESTATE HOLDINGS LLC
--OR CURRENT RESIDENT--
347 E 1200 SOUTH
OREM, UT 84058

DUDLEY, SUZANNE C & ROGER D
353 E 1200 S
OREM, UT 84058

MYERS REAL ESTATE HOLDINGS LLC
357 E 1200 S
OREM, UT 84058

NKA INVESTMENTS LLC
--OR CURRENT RESIDENT--
361 E 1200 SOUTH
OREM, UT 84058

SMITH, LINDA
--OR CURRENT RESIDENT--
221 E 1135 SOUTH
OREM, UT 84058

UNIVERSITY MALL SHOPPING CENTER LC
--OR CURRENT RESIDENT--
244 E UNIVERSITY PKWY
OREM, UT 84058

D C DEAN FAMILY INVESTMENTS LTD
286 S 700 E
PROVO, UT 84606

BROOKS, WESLEY S (ET AL)
310 E 1400 S
OREM, UT 84058

BENT, SUSAN ANN & ROGER LONGDEN
334 E 1400 S
OREM, UT 84058

WCS REAL ESTATE RESTRUCTURE LLC
--OR CURRENT RESIDENT--
342 E 1450 SOUTH
OREM, UT 84058

R&C PREFERRED HOLDINGS LLC
--OR CURRENT RESIDENT--
352 E 1420 SOUTH
OREM, UT 84058

R&C REAL ESTATE RESTRUCTURE LLC
--OR CURRENT RESIDENT--
353 E 1450 SOUTH
OREM, UT 84058

OREM CITY
--OR CURRENT RESIDENT--
358 E 1200 SOUTH
OREM, UT 84058

EDGINGTON INVESTMENTS LLC
--OR CURRENT RESIDENT--
363 E 1200 SOUTH
OREM, UT 84058

STRONG, JEFF & TARA
222 E 1163 S
OREM, UT 84058

SOUND CORRECTIONS PLLC
261 E 1200 S
OREM, UT 84058

CARILLON SQUARE I LC
--OR CURRENT RESIDENT--
287 E UNIVERSITY PKWY
OREM, UT 84058

TBS/WSJ LLC
--OR CURRENT RESIDENT--
315 E 1200 SOUTH
OREM, UT 84058

LA CARRETA LLC
340 E 1200 S
OREM, UT 84058

R&C REAL ESTATE RESTRUCTURE LLC
--OR CURRENT RESIDENT--
343 E 1450 SOUTH
OREM, UT 84058

WCS REAL ESTATE RESTRUCTURE LLC
--OR CURRENT RESIDENT--
352 E 1450 SOUTH
OREM, UT 84058

DUDLEY, SUZANNE C & ROGER D
--OR CURRENT RESIDENT--
355 E 1200 SOUTH
OREM, UT 84058

HANOVER 359 LLC
--OR CURRENT RESIDENT--
359 E 1200 SOUTH
OREM, UT 84058

DON REYNOLDS AND RYAN DICKSON LLC
--OR CURRENT RESIDENT--
365 E 1200 SOUTH
OREM, UT 84058

DON REYNOLDS AND RYAN DICKSON LLC
--OR CURRENT RESIDENT--
367 E 1200 SOUTH
OREM, UT 84058

R&C REAL ESTATE RESTRUCTURE LLC
--OR CURRENT RESIDENT--
371 E 1450 SOUTH
OREM, UT 84058

UNIVERSITY CROSSING SHOPPING CENTER LLC
--OR CURRENT RESIDENT--
372 E UNIVERSITY PKWY
OREM, UT 84058

UNIVERSITY CROSSING SHOPPING CENTER LLC
--OR CURRENT RESIDENT--
380 E UNIVERSITY PKWY
OREM, UT 84058

YIP, WAI TAI LEONARD & KIKI KIN CHING
403 MARBLE COVE WY
SEAL BEACH, CA 90740

SKINNER, DAVID R
--OR CURRENT RESIDENT--
414 E 1400 SOUTH
OREM, UT 84058

RINDLISBACHER, MICHAEL & MARLAE
432 E 1200 N
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
440 E 1150 SOUTH
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
456 E 1150 SOUTH
OREM, UT 84097

WASHBURN MANAGEMENT LC
482 E 400 N
LINDON, UT 84042

THOMAS MACDONALD
489 NORTH PALISADES DR
OREM, UT 84097

CITY OF OREM
522 E 90 N
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
531 E UNIVERSITY PKWY
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
541 E UNIVERSITY PKWY
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
543 E UNIVERSITY PKWY
OREM, UT 84097

UPSTAR LLC
--OR CURRENT RESIDENT--
545 E UNIVERSITY PKWY
OREM, UT 84097

UPSTAR LLC
--OR CURRENT RESIDENT--
549 E UNIVERSITY PKWY
OREM, UT 84097

TAYLOR, SALLY T
--OR CURRENT RESIDENT--
552 E 1400 SOUTH
OREM, UT 84097

TAYLOR, SALLY T
--OR CURRENT RESIDENT--
554 E 1400 SOUTH
OREM, UT 84097

BRADFORD, KLINE B
555 N 550 W
OREM, UT 84057

VANEC FAMILY LIMITED PARTNERSHIP
--OR CURRENT RESIDENT--
556 E 1400 SOUTH
OREM, UT 84097

VANEC FAMILY LIMITED PARTNERSHIP
--OR CURRENT RESIDENT--
558 E 1400 SOUTH
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
559 E UNIVERSITY PKWY
OREM, UT 84097

TH PROPERTIES LLC
564 HILLSIDE CIR
ALPINE, UT 84004

HJM ENTERPRISES LLC
--OR CURRENT RESIDENT--
568 E 1400 SOUTH
OREM, UT 84097

HJM ENTERPRISES LLC
--OR CURRENT RESIDENT--
570 E 1400 SOUTH
OREM, UT 84097

L2 REAL ESTATE LLC
--OR CURRENT RESIDENT--
572 E 1400 SOUTH
OREM, UT 84097

ST INVESTMENTS LLC (ET AL)
--OR CURRENT RESIDENT--
574 E 1400 SOUTH
OREM, UT 84097

OREM HEALTH HOLDINGS LLC
--OR CURRENT RESIDENT--
575 E 1400 SOUTH
OREM, UT 84097

UNIVERSITY PLACE SPE LLC
--OR CURRENT RESIDENT--
575 E UNIVERSITY PKWY
OREM, UT 84097

UNIVERSITY MALL SHOPPING CENTER LC
%WOODBURY CORPORATION
575 E UNIVERSITY PKWY # N-260
OREM, UT 84097

BAYLESS, JAMES
635 S 1550 E
SPANISH FORK, UT 84660

DIAMOND PROPERTIES GROUP UTAH LLC
661 S 2220 W # 103
PLEASANT GROVE, UT 84062

BRENT SUMNER
744 WEST 550 SOUTH
OREM, UT 84058

HJM ENTERPRISES LLC
890 S 500 E
OREM, UT 84097

WEBER, RYAN T & REBECCA A (ET AL)
922 E 1160 S
SALEM, UT 84653

HAILSTONE, CYNTHIA LOUISE BUTLER (ET AL)
%BUTLER, STEPHEN
1040 FOXBURG RD APT 217H
SEAL BEACH, CA 90740

D C DEAN FAMILY INVESTMENTS LTD
--OR CURRENT RESIDENT--
1123 S GRAFF CIR
OREM, UT 84058

TETON VALLEY PROPERTIES LLC
--OR CURRENT RESIDENT--
1132 S STATE
OREM, UT 84058

D C DEAN FAMILY INVESTMENTS LTD
--OR CURRENT RESIDENT--
1139 S GRAFF CIR
OREM, UT 84058

UNIVERSITY FESTIVAL LC
%UNIVERSITY MALL SHOPPING CENTER
575 E UNIVERSITY PKWY STE N260
OREM, UT 84097

DEBBY LAURET
641 S 1920 W
OREM, UT 84059

NGUYEN, DUKE CONG
670 W 200 S
PROVO, UT 84601

LEGACY AT OREM LLC
%THACKERAY GARN COMPANY
748 HERITAGE PARK BLVD STE 203
LAYTON, UT 84041

DAVID SPENCER
899 NORTH 550 EAST
OREM, UT 84097

MJ REAL ESTATE HOLDINGS LLC
996 W 800 S
PAYSON, UT 84651

1111 OREM LLC
--OR CURRENT RESIDENT--
1111 S OREM BLVD UNIT# A-B
OREM, UT 84058

TERRY PETERSON
1125 LYNNWOOD DRIVE
OREM, UT 84097

SMITH, LINDA
--OR CURRENT RESIDENT--
1133 S 225 EAST
OREM, UT 84058

DARSYL VENTURES LLC
--OR CURRENT RESIDENT--
1139 S OREM BLVD
OREM, UT 84058

DRAGONWOOD IV LLC
612 N BELLA VISTA DR
OREM, UT 84097

ARGENT PARTNERS LLC - SERIES 3 - ORCHARD HEIGHTS 1139
658 N BELLA VISTA DR
OREM, UT 84097

D E MOSS FAMILY LLC
744 E 400 S
SALT LAKE CITY, UT 84102

HUNSAKER, JOSEPH L
750 BRADFORD TER
WEST CHESTER, PA 19382

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

ROBERTS, MELANIE R & DONALD F
1008 N 840 E
OREM, UT 84097

NELSON, BRADLEY M
1120 CHIPPEWA DR NW
ROCHESTER, MN 55901

GRAFF CIRCLE LLC
--OR CURRENT RESIDENT--
1130 S GRAFF CIR
OREM, UT 84058

ARGENT PARTNERS LLC - SERIES 3 - ORCHARD HEIGHTS 1139
--OR CURRENT RESIDENT--
1139 S 225 EAST
OREM, UT 84058

NELSON, BRADLEY M
--OR CURRENT RESIDENT--
1143 S 225 EAST
OREM, UT 84058

DARSYL VENTURES LLC
--OR CURRENT RESIDENT--
1143 S OREM BLVD
OREM, UT 84058

JOHNSON, DAVID
1147 S 225 E
OREM, UT 84058

IVERSON, STEVEN
1151 S 225 E # 207
OREM, UT 84058

L2 REAL ESTATE LLC
1155 S 800 E
OREM, UT 84097

GRAFF CIRCLE LLC
--OR CURRENT RESIDENT--
1158 S GRAFF CIR
OREM, UT 84058

HAWKINS, TYLER J
1165 S 225 E
OREM, UT 84058

WAI, ELROY & LUCIA
--OR CURRENT RESIDENT--
1170 S 200 EAST
OREM, UT 84058

D C DEAN FAMILY INVESTMENTS LTD
--OR CURRENT RESIDENT--
1171 S GRAFF CIR
OREM, UT 84058

MCGOWN, PAUL H & ALISON M
1175 S 225 E
OREM, UT 84058

TAMIR, ALYNE & KATHERINE M KING
1185 S 200 E
OREM, UT 84058

GRAFF CIRCLE LLC
--OR CURRENT RESIDENT--
1144 S GRAFF CIR
OREM, UT 84058

CORP OF PRES BISHOP CHURCH OF JESUS CHRIST OF LDS
--OR CURRENT RESIDENT--
1150 S 150 EAST
OREM, UT 84058

GREEN, JAKE & JORDYNN
1154 S 200 E
OREM, UT 84058

D C DEAN FAMILY INVESTMENTS LTD
--OR CURRENT RESIDENT--
1157 S GRAFF CIR
OREM, UT 84058

LINE DRIVE INVESTMENTS LLC
--OR CURRENT RESIDENT--
1159 S 225 EAST
OREM, UT 84058

HE, JIA (ET AL)
--OR CURRENT RESIDENT--
1166 S 200 EAST
OREM, UT 84058

HOER, DAVID OWEN & PAMELA MAY
1170 S STATE ST
OREM, UT 84097

GRAFF CIRCLE LLC
--OR CURRENT RESIDENT--
1172 S GRAFF CIR
OREM, UT 84058

TAMIR, ALYNE & KATHERINE M KING
1181 S 200 EST
OREM, UT 84058

1191 SOUTHEAST LLC
--OR CURRENT RESIDENT--
1191 S 200 EAST
OREM, UT 84058

ELLIS INVESTMENT COMPANY LTD
--OR CURRENT RESIDENT--
1146 S STATE ST
OREM, UT 84097

IVERSON, STEVEN
--OR CURRENT RESIDENT--
1151 S 225 EAST
OREM, UT 84058

LINE DRIVE INVESTMENTS LLC
--OR CURRENT RESIDENT--
1155 S 225 EAST
OREM, UT 84058

DIAMOND PROPERTIES GROUP UTAH LLC
--OR CURRENT RESIDENT--
1158 S 200 EAST
OREM, UT 84058

WASHBURN MANAGEMENT LC
--OR CURRENT RESIDENT--
1163 S STATE ST
OREM, UT 84097

CHEUNG, WAI-FONG
1169 S 225 E
OREM, UT 84058

MCGOWN, PAUL H & ALISON M
1171 S 225 E
OREM, UT 84058

ZHU, YIJUN (ET AL)
1174 S 200 E
OREM, UT 84058

TAMIR, ALYNE & KATHERINE M KING
--OR CURRENT RESIDENT--
1181 S 200 EAST
OREM, UT 84058

THOMAS, BRICE
1196 S STATE ST
OREM, UT 84097

SH-CARILLON SQUARE LLC
--OR CURRENT RESIDENT--
1246 S STATE
OREM, UT 84097

HALLE PROPERTIES LLC
--OR CURRENT RESIDENT--
1325 S STATE ST
OREM, UT 84097

RUCKER TAX & CONSULTING LLC
1328 S 1145 W
OREM, UT 84058

UNIVERSITY FESTIVAL LC
--OR CURRENT RESIDENT--
1335 S STATE ST
OREM, UT 84097

HANOVER 359 LLC
1362 N 430 E
OREM, UT 84097

HARMAN, CARL
1404 S 240 E
OREM, UT 84058

1405 OREM LLC
1405 S 200 E
OREM, UT 84058

ANDERTON, DOUGLAS C & BEVERLY M (ET AL)
1405 S 240 E
OREM, UT 84058

REILLY, DREW
1411 S 280 E
OREM, UT 84058

DGSK OREM LLC
--OR CURRENT RESIDENT--
1412 S 280 EAST
OREM, UT 84058

KIRK LAW GROUP PLLC
1412 W STATE RD
PLEASANT GROVE, UT 84062

KRETSCHMER, ANTHONY
1416 S 240 E
OREM, UT 84058

NGUYEN, DUKE CONG
--OR CURRENT RESIDENT--
1417 S 200 EAST
OREM, UT 84058

WHITE, JAMES & MARIA
1417 S 240 E
OREM, UT 84058

BAYRAM, ARTHUR (ET AL)
1420 S 640 E
OREM, UT 84097

3 COINS APARTMENTS LLC
--OR CURRENT RESIDENT--
1421 S 280 EAST
OREM, UT 84058

TIMPANOGOS PROPETIES LLC
--OR CURRENT RESIDENT--
1422 S 280 EAST
OREM, UT 84058

BROOKSHIRE ESTATES PROPERTIES LLC
--OR CURRENT RESIDENT--
1422 S 320 EAST
OREM, UT 84058

GRUNIG, MAX OSCAR & GLENNA G
1422 S 605 E
OREM, UT 84097

POPPLETON, ROBERT K
--OR CURRENT RESIDENT--
1423 S 320 EAST
OREM, UT 84058

CRUZ, JENARO & SILVIA
1423 S 605 E
OREM, UT 84097

L2 REAL ESTATE LLC
--OR CURRENT RESIDENT--
1425 S 550 EAST
OREM, UT 84097

1425 LLC
1425 S STATE ST
OREM, UT 84097

TH PROPERTIES LLC
--OR CURRENT RESIDENT--
1427 S 550 EAST
OREM, UT 84097

CHRISTENSEN, TODD LYNN & JULENE A
1428 S 240 E
OREM, UT 84058

MULLINS, JONATHON & JASMINE KAMEEL
1429 S 200 E
OREM, UT 84058

PREVOST, EILEEN J (ET AL)
1429 S 240 E
OREM, UT 84058

KIRK LAW GROUP PLLC
--OR CURRENT RESIDENT--
1429 S 550 EAST
OREM, UT 84097

JENSEN, REBECCA A & DANIEL M
1430 S 200 E
OREM, UT 84058

BURKE, GERTRUDE G
--OR CURRENT RESIDENT--
1431 S 280 EAST
OREM, UT 84058

KIRK LAW GROUP PLLC
--OR CURRENT RESIDENT--
1431 S 550 EAST
OREM, UT 84097

HAILSTONE, CYNTHIA LOUISE BUTLER (ET AL)
--OR CURRENT RESIDENT--
1433 S 320 EAST
OREM, UT 84058

SPINDLER, ERIK & BRITTANY
1440 S 240 E
OREM, UT 84058

SCHOFIELD, ALLEN C & JANE C (ET AL)
--OR CURRENT RESIDENT--
1441 S 280 EAST
OREM, UT 84058

HOLT, DEWON L
1442 S 605 E
OREM, UT 84097

MIZELL, KAREN L
1443 S 605 E
OREM, UT 84097

JJ TALEA LLC
1444 S MAIN ST
OREM, UT 84058

RUCKER TAX & CONSULTING LLC
--OR CURRENT RESIDENT--
1447 S 550 EAST
OREM, UT 84097

1462 SOUTH LLC
--OR CURRENT RESIDENT--
1450 S 605 EAST UNIT# 1-15
OREM, UT 84097

RINDLISBACHER, MICHAEL & MARLAE
--OR CURRENT RESIDENT--
1455 S 280 EAST
OREM, UT 84058

SISUI LLC
--OR CURRENT RESIDENT--
1432 S 280 EAST
OREM, UT 84058

HIRSCHE, F ELAINE
1433 S 605 E
OREM, UT 84097

SMITH, THOMAS EDWARD & DONNA MARIE
1441 S 200 E
OREM, UT 84058

TAYLOR, SALLY T
--OR CURRENT RESIDENT--
1441 S 550 EAST
OREM, UT 84097

WCS REAL ESTATE RESTRUCTURE LLC
--OR CURRENT RESIDENT--
1443 S 320 EAST
OREM, UT 84058

DARSYL VENTURES LLC
1444 TIMPANOGOS DR
PROVO, UT 84604

RUCKER TAX & CONSULTING LLC
--OR CURRENT RESIDENT--
1445 S 550 EAST
OREM, UT 84097

LUNA, HECOTR (ET AL)
1449 S 200 E
OREM, UT 84058

GARCIA, CESAR VALADEZ
1451 S 240 E
OREM, UT 84058

PHOENIX GROUP
1455 S STATE ST # C
OREM, UT 84097

HUNSAKER, WILLIAMS LEON & DARLIE C
1432 S 605 E
OREM, UT 84097

NIELSEN, BLAKE & MICHELLE
1434 S 320 E
OREM, UT 84058

SPARKS, CODY & JACQUELINE
1441 S 240 E
OREM, UT 84058

ENVIRONMENTAL LABS INC (ET AL)
--OR CURRENT RESIDENT--
1442 S 280 EAST
OREM, UT 84058

TAYLOR, SALLY T
--OR CURRENT RESIDENT--
1443 S 550 EAST
OREM, UT 84097

NIELSEN, BLAKE & MICHELLE
1444 S 320 E
OREM, UT 84058

MEYER, PHILIP
1445 S STATE ST
OREM, UT 84097

HEAD, RANDALL JAMES
1450 S 240 E
OREM, UT 84058

ALLRED, BRIAN VERLE & ANN LUCINDA
1454 S 320 E
OREM, UT 84058

BELL, JEFFREY SCOTT
--OR CURRENT RESIDENT--
1456 S 280 EAST
OREM, UT 84058

WEBER, RYAN T & REBECCA A (ET AL)
--OR CURRENT RESIDENT--
1457 S 320 EAST
OREM, UT 84058

LEANY, KENT M & CHARLOTTE BATT
1458 S 605 E
OREM, UT 84097

TAYLOR, JERRI
1460 S 240 E
OREM, UT 84058

MAUGHAN, STACEY
1461 S 240 E
OREM, UT 84058

HUNSAKER, JOSEPH L
--OR CURRENT RESIDENT--
1464 S 320 EAST
OREM, UT 84058

BAYLESS, JAMES
--OR CURRENT RESIDENT--
1465 S 280 EAST
OREM, UT 84058

YIP, WAI TAI LEONARD & KIKI KIN CHING
--OR CURRENT RESIDENT--
1466 S 280 EAST
OREM, UT 84058

DRAGONWOOD IV LLC
--OR CURRENT RESIDENT--
1467 S 550 EAST UNIT# 1-12
OREM, UT 84097

ROBERTS, MELANIE R & DONALD F
--OR CURRENT RESIDENT--
1469 S 320 EAST
OREM, UT 84058

WAKEFIELD, JOHN HOMER
1471 S 240 E
OREM, UT 84058

BRADFORD, KLINE B
--OR CURRENT RESIDENT--
1474 S 400 EAST
OREM, UT 84058

HE, JIA (ET AL)
1478 COLLINS DR
MARTINEZ, GA 30907

PHOENIX GROUP
--OR CURRENT RESIDENT--
1481 S STATE ST
OREM, UT 84097

VANEC FAMILY LIMITED PARTNERSHIP
1515 E 1575 N
PROVO, UT 84604

EDGINGTON INVESTMENTS LLC
%EDGINGTON, BRADLEY
1535 W 1970 N
PROVO, UT 84604

RICHARD ALBERT NIMER FAMILY LLC THE
1617 N 180 E
LEHI, UT 84043

HILL, HIEN
1677 N GREAT BASIN DR
SAINT GEORGE, UT 84770

DON REYNOLDS AND RYAN DICKSON LLC
1700 BLUEBIRD RD
OREM, UT 84097

1191 SOUTHEAST LLC
1735 SUNBURST DR
TROY, MI 48098

SMB1 HOLDINGS LLC
1748 GLENDELL DR
OREM, UT 84058

GRAFF CIRCLE LLC
1760 N HEATHER DR
OREM, UT 84097

JOHNSTON, N PAUL & IRENE H
1795 S 340 E
OREM, UT 84058

TBS/303 E 1200 S LLC
1874 SKYLINE DR
OREM, UT 84097

SKINNER, DAVID R
1910 S 100 E
OREM, UT 84058

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

BRENKEN PROPERTIES LLC
1929 S 180 W
OREM, UT 84058

MCGOWN, PAUL H & ALISON M
1937 N 1450 E
PROVO, UT 84604

CARILLON SQUARE I LC
2415 E NEFFS LN
SALT LAKE CITY, UT 84109

JWJ SERVICES LLC (ET AL)
2481 FAIRWAY DR
SPANISH FORK, UT 84660

SCHOFIELD, ALLEN C & JANE C (ET AL)
2727 N 550 E
PROVO, UT 84604

TETON VALLEY PROPERTIES LLC
3575 N 100 E # 100
PROVO, UT 84604

SH-CARILLON SQUARE LLC
3601 S 2700 W # 128
WEST VALLEY CITY, UT 84119

BROOKSHIRE ESTATES PROPERTIES LLC
4307 WHITE HICKORY LN NW
KENNESAW, GA 30152

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

J&J REAL ESTATE HOLDINGS LLC
4526 N 150 W
PROVO, UT 84604

UNIVERSITY PLAZA LLC
4568 S HIGHLAND DR STE 290
SALT LAKE CITY, UT 84117

WAI, ELROY & LUCIA
5271 MANCHESTER DR
OCEANSIDE, CA 92056

FAMILY CENTER OREM SHOPPING CENTER LLC
%CCA ACQUISITION COMPANY LLC
5670 WILSHIRE BLVD STE 1250
LOS ANGELES, CA 90036

ORCHARD HEIGHTS TOWNHOMES LLC
8703 S SANDY PKY
SANDY, UT 84070

DGSK OREM LLC
9312 LONGHORN FALLS CT
LAS VEGAS, NV 89149

BELL, JEFFREY SCOTT
11343 N AVONDALE LN
HIGHLAND, UT 84003

XIE, YING (ET AL)
14816 89TH PL NE
SEATTLE, WA 98028

HALLE PROPERTIES LLC
20225 N SCOTTSDALE RD
SCOTTSDALE, AZ 85255

SMITH, LINDA
27257 ARDEN PARK CIR
FARMINGTON HILLS, MI 48334

CITY OF OREM

CITY COUNCIL MEETING

NOVEMBER 10, 2020

REQUEST:	**ORDINANCE**–Amending portions of Section 22-24-2 *The Hub District (HD) zones* of the Orem City Code by enacting the Edge zone (adjacent to University Parkway) and by enacting Sections 22-24-2(J) *Sidewalks and Landscaping* and 22-24-2(K) *Alternate Development Standards for the HD-E Zone*. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.
APPLICANT:	Development Services Department
FISCAL IMPACT:	None

NOTICES:
-Posted in 2 public places
-Posted on City webpage
-Posted on the State noticing website
-Faxed to newspapers
-E-mailed to newspapers
-Neighborhood Chair
-Mailed 284 notices to property owners within 500 feet.

SITE INFORMATION:
General Plan Designation:
Mixed Use Districts
Current Zone:
HUB District
Acreage:
N/A
Neighborhood:
Cherry Hill, Lakeridge, and Hillcrest

PLANNING COMMISSION RECOMMENDATION
Vote: 7-0 for approval

PREPARED BY:
Jason Bench, AICP
Planning Division Manager

RECOMMENDATION:

The Planning Commission recommends the City Council, by ordinance, amend portions of Section 22-24-2 *The Hub District (HD) zones* of the Orem City Code by enacting the Edge zone (adjacent to University Parkway) and by enacting Sections 22-24-2(J) *Sidewalks and Landscaping* and 22-24-2(K) *Alternate Development Standards for the HD-E Zone*. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.

BACKGROUND:

The Development Services Department requests the City Council amend portions of Section 22-24-2 pertaining to the Hub District (HD) zone. One of the main purposes of the proposed amendments is to create a new Edge zone within the Hub District. The proposed Edge zone would be in three general locations adjacent to University Parkway with a depth of 200 feet from the back of the sidewalk creating an area for retail uses with no minimum height requirement.

The HD Core zone currently requires a minimum height of three stories for new structures. This makes it difficult for certain new retail uses such as restaurants to develop adjacent to University Parkway. Because the properties adjacent to University Parkway are highly desirable for retail uses, staff believes that eliminating the three story height requirement for certain retail uses along the frontage of University Parkway would strengthen the City's retail sales tax base and promote economic growth in this area.

Staff proposes the creation of the HD-Edge zone in certain areas along the frontage of University Parkway. The Edge zone would not have a minimum height requirement of three stories as is required in the HD-Core zone. Uses in the Edge zone would be limited to retail uses to ensure that the City maximizes the retail opportunities along the University Parkway corridor.

The new Edge zone will also help property owners to develop retail pad sites adjacent to University Parkway without compromising existing leases with the big box tenants behind which often have provisions in their leases limiting the height of structures that may be located in front of them.

The proposed amendments also include updating setback requirements for parking lots adjacent to the street. A minimum six foot (6') landscaped setback would be required from the back of the sidewalk when adjacent to parking stalls, drive aisles or drive thru stacking lanes.

The proposed new Sections 22-24-2(J) and 22-24-2(K) will clarify sidewalk and landscaping requirements as well as alternatives in developing in the Edge zone.

In addition to the ordinance amendments, the Development Services Department requests the City Council rezone the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD-C (Core) zone to the HD-E (Edge) zone as shown on the proposed map.

The Development Services Department held a neighborhood meeting through Zoom on October 22, 2020 at 5:50 p.m. with two individuals plus City staff in attendance. The two attendees made positive comments regarding the proposed changes. They represented property within the proposed Edge zone.

CITY OF OREM
PLANNING COMMISSION MEETING MINUTES
November 4, 2020

Chair Cochran asked Mr. Bench to introduce **Agenda Item 3.2**:

Agenda Item 3.2 is a request by the Department of Development Services for the City to amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.

Staff Presentation: The Development Services Department requests the city amend portions of Section 22-24-2 pertaining to the HUB District ordinance. One of the main purposes of the amendments is to create a new Edge zone within the HUB District. The proposed Edge zone would be in three general locations adjacent to University Parkway with a depth of 200 feet from the back of the sidewalk creating an area for retail uses with no minimum height requirement.

Currently, the Core zone within the HUB District requires a minimum height of three stories for new structures. The Edge zone would allow one story structures which are limited to the retail uses outlined in the proposed ordinance. The purpose for the change is to allow property owners an opportunity to develop pad sites adjacent to University Parking while maintaining leases for tenants in the larger retail spaces that usually have restrictions in their leases that limit the height of structures located in the front of the development. The Edge zone would allow a property owner to maintain these leases while at the same time encourage additional retail development along University Parkway frontage.

Additional changes include updating setback requirements for parking lots adjacent to the street. A minimum six foot (6') landscaped setback would be required from the back of the sidewalk when adjacent to parking stalls, drive isles or drive thru stacking lanes.

Furthermore, enacting Sections 22-24-2(J) and 22-24-2(K) will clarify sidewalk and landscaping requirements as well as alternatives in developing in the Edge zone.

In addition to the ordinance amendments the Development Services Department requests the city rezone the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD-C zone to the HD-Edge zone as outlined on the proposed map.

The Development Services Department held a neighborhood meeting through Zoom on October 22, 2020 at 5:50 p.m. with two individuals plus city staff in attendance. The two attendees made positive comments regarding the proposed changes. They represented property within the proposed Edge zone.

Recommendation: Staff recommends the Planning Commission forward a positive recommendation to the City Council to amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone.

There was discussion on the item. Some of the key issues that were discussed were:

- In regards to the portion of this rezone that is east of State Street, parking was discussed. It seemed that the existing parking lot there was a little cramped. It was asked that if the property owner wanted to develop that parking lot, would they still need to meet the current parking requirements. The answer was yes.
- It was asked if this was also true of the portion west of State Street. Yes it was.
- It was asked if this rezone allows for new buildings to be built right up to University Parkway. It would be required.
- It was asked why the corners at the intersection of University Parkway and State Street were not included in this rezone. The City still wants larger buildings brought to the front of this intersection.
- The parking concern was brought up again. The existing parking is now terrible at some of these locations in the rezone. It was asked what the required parking rate is and if it was currently being met. Mr Bench explained that before this area was rezoned into the Hub District, the parking rate was 4 per 1000ft^2 of the building. The Hub District requires a rate of 3 per 1,000ft^2, a reduction. A parking study was conducted two years ago prior to that change to see if it made sense to reduce the parking rate. That study revealed that at the time, the commercial centers in this area were parked at 80%. That information is what guided the decision to change the parking rate.
- Ms. Jensen asked what the overall goal for the Hub District was. Mr. Bench answered that it is to be a walkable area. There is currently a good transit line in the area that is well used by many demographics. A similar bus line will likely go down State Street in the future. However, the City also wants this area to have convenient parking. The City believes that many of the existing traffic and parking issues in this area could be solved if people felt comfortable parking in one location and walking around the area instead of continually getting back in the car to drive to a store a block away.

Planning Commission Action: Mr. Spencer moved to forward a positive recommendation to the City Council to amend portions of Section 22-24-2 The Hub District (HD) zones of the Orem City Code pertaining to enacting the Edge zone adjacent to University Parkway and modifications to the overall height requirement and permitted uses in the Edge zone and other amendments including enacting Sections 22-24-2(J) Sidewalks and Landscaping and 22-24-2(K) Alternate Development Standards for the HD-E Zone. In addition, amending Section 22-5-3(A) and the zoning map of the City of Orem by rezoning portions of the properties located generally at 314 East University Parkway, 212 East University Parkway and 1315 South State Street from the HD zone to the HD-Edge zone. Mr. Sakar seconded the motion. Those voting aye: Mickey Cochran, Camille Jensen, Haysam Sakar, Ross Spencer, and Mike Staker. The motion passed unanimously.