

CITY OF OREM
CITY COUNCIL MEETING
56 North State Street Orem, Utah
November 12, 2013

4:00 P.M. STUDY SESSION

CONDUCTING

Mayor James Evans

ELECTED OFFICIALS

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

APPOINTED STAFF

Jamie Davidson, City Manager; Richard Manning, Administrative Services Director, Greg Stephens, City Attorney; Karl Hirst, Recreation Director; Chris Tschirki, Public Works Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Charlene Crozier, Interim Library Director; Jason Bench, Interim Planning Division Manager; Paul Goodrich, Transportation Engineer; Donna Weaver, City Recorder; and Taraleigh Gray, Deputy City Recorder

Overview – PD-34 Zone

Kris Longson, Woodbury Corporation, presented an overview of the Mall expansion and redevelopment proposal, which included:

- Residential Housing
- Office Buildings
- Park
- Underground Parking Structures
- Updates to existing structures: New fixtures on the interior; Enhanced façade
- New Road

Mr. Davidson referred to the proposal as a unique project, unlike any other developments in Orem, and acknowledged the synergy involved when mixing office, residential, and retail.

Mr. Bell shared an overview of a trip to California taken by some Council Members and staff to tour mixed-use developments. The purpose of the excursion was to gain ideas that could be implemented in the University Mall redevelopment.

Update – Street Connection Master Plan – Paul Goodrich

Paul Goodrich, Transportation Engineer, provided to staff an update on the Street Connection Master Plan.

REVIEW OF AGENDA ITEMS

The Council and staff reviewed the agenda items.

CITY COUNCIL NEW BUSINESS

Councilmember McCandless

Mrs. McCandless asked staff to look into a panhandling ordinance. Mr. Stephens indicated that an aggressive panhandling ordinance was completed in January 2012, though revisions could be made to it. A major concern with panhandling is the transactions that transpire within the roadway between a panhandler and a vehicle operator/passenger.

Mrs. Black asked Mr. Stephens what the next action should be on the panhandling. Mr. Stephens asked the Council Members to give him some direction on what they would like to see, and suggested they review what is currently in the Orem City Code in Section 9-2-14.

Mrs. Black requested that Mrs. McCandless get more information on the Provo panhandling ordinance and bring it back for discussion at the next meeting on November 19, 2013.

The Council adjourned at 5:45 p.m. to the City Council Chambers for the regular meeting.

6:00 P.M. REGULAR SESSION

CONDUCTING

Mayor James Evans

ELECTED OFFICIALS

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

APPOINTED STAFF

Jamie Davidson, City Manager; Greg Stephens, City Attorney; Richard Manning, Administrative Services Director; Bill Bell, Development Services Director; Scott Gurney, Interim Public Safety Director; Karl Hirst, Recreation Director; Charlene Crozier, Interim Library Director; Donna Weaver, City Recorder; and Taraleigh Gray, Deputy City Recorder

INVOCATION / INSPIRATIONAL THOUGHT

Ed Riding

PLEDGE OF ALLEGIANCE

Kelly Kirkpatrick

APPROVAL OF MINUTES

The minutes from the October 8 and 22, 2013, City Council Meetings were not yet available for approval.

MAYOR'S REPORT/ITEMS REFERRED BY COUNCIL

Upcoming Events

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

Upcoming Agenda Items

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

Appointments to Boards and Commissions

Karen McCandless **moved** to appoint Scott Sampson to the Beautification Advisory Commission. Mark Seastrand **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Recognition of New Neighborhoods in Action Officers

There were no new Neighborhood in Action officers recognized.

Oath of Office

Greg Stevens introduced the Orem Youth Council. Donna Weaver, City Recorder, administered the oath to the following students from high schools throughout Orem: Jessica Seaman, Christian Sanchez, Esther Harkness, Renee Moulten, Hayden Magness, Connie Gonzalez, Austin Weenig, Ian Berlin, Chazz Kreutzkamp, Megan Louder, and Joseph Smith.

Proclamation

Mr. Sumner read a proclamation declaring November 10-16, 2013, as Elevator Escalator Safety Awareness Week. Brent Sumner **moved** to approve the proclamation. Mark Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

CITY MANAGER APPOINTMENTS

There were no City Manager Appointments

PERSONAL APPEARANCES

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

Karl Hirst presented the Orem High School Boys Cross Country team in recognition of their recently earned state title, the first state championship earned by Orem High since 1974. Mark Seastrand read a proclamation to honor them. Mr. Seastrand **moved** to approve the proclamation. Mrs. McCandless **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Karl Hirst then presented the Timpanogos Girls Soccer team in recognition of their accomplishments in the second state title earned in three years. Mayor Evans read a proclamation honoring them. Mayor Evans **moved** to approve. Mr. Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Mayor Evens recognized Kelly Kirkpatrick for his commitment and dedication shown in helping the community. Mr. Kirkpatrick presented Mayor Evans with a retired flag, removed from the memorial pole at the cemetery.

Sheri Liston shared concerns and expressed confusion about the Woodbury proposal. She said she is concerned about the discrepancies in the information pertaining to residential units.

Aaron Orullian, chairman of Beautification Advisory Commission, extended appreciation to Mr. Sumner for service on the City Council.

Fran Nordmeyer voiced concern about an upcoming agenda item. He is concerned about the density of housing units in the proposed project. He is concerned that the discussions won't be remembered as the momentum of the project moves forward.

Linda Carlton stated that not enough information had been gathered regarding the high density housing. She requested opportunity to meet to discuss further the projects and plans of the proposed project.

Monty Kofford expressed concern for the lack of parking with the proposed rezoning at the Mall and said he would like to see this proposed project studied further before decisions are made.

Brenda Burrell said she received a notice of noncompliance regarding business signage. She expressed frustration about the sign ordinance.

CONSENT ITEMS

There were no Consent Items.

SCHEDULED ITEMS

6:20 P.M. PUBLIC HEARING

ORDINANCE – Amending Section 22-2-1 of the Orem City Code as it pertains to the definition “Family” and amending Section 22-11-46 as it pertains to the maximum number of unrelated people that may occupy a dwelling unit in the PD-33 zone at 800 South Geneva Road.

22-2-1:

"Family shall mean one of the following groups of individuals, but not more than one at the same time: (1) an individual living alone; or (2) two or more people all of whom are related to one designated occupant of the dwelling by blood, marriage, adoption, or legal guardianship and their foster children and up to two other unrelated persons who do not pay rent and are not the primary occupant(s) of the dwelling; or (3) up to three related or unrelated individuals who live and cook together as a single housekeeping unit; or (4) two

unrelated individuals and any children of either of them living as a single-housekeeping unit; (5) up to six unrelated individuals living in the Student Housing Overlay zone or PD-21 zone; or (6) a number of unrelated individuals as may be specifically indicated in a particular PD zone.

22-11-46. PD-33 zone (Transit Oriented Development-800 South Geneva Road)

H. Occupancy of Residential Units. A residential unit in the PD-33 zone may be occupied by either (1) one single family as defined in Section 22-2-1 or (2) up to, but no more than four individuals who are not all related to each other where the unit has at least four bedrooms..

Mr. Bench, Planning Division Manager, presented to the Council a proposal to amend section 22-2-1 allowing the definition of “Family” to be altered for different PD zones. Mr. Bench noted that the proposed amended language allows any future PD zone to come before the Council to discuss densities within a specific PD zone. Mr. Bench said the parking in the PD-33 zone is based upon the number of bedrooms. This addition will be consistent with the parking requirement, in that whether there are three bedrooms or four bedrooms, the parking will be the same. Mr. Bench reports that the planning commission recommends approval on this and that Staff is supportive as well.

Mrs. Street wondered how the family definition is handled in student housing. Mr. Bench said this proposed amendment would define that.

Mr. Andersen asked if there was student housing allowing two people per room, and asked how many apartments that included.

Mr. Bench said Parkway Crossing is a unique PD zone which allows up to six unrelated singles per unit. This proposal would allow other PD zones to come forward and have more than three singles.

Mr. Andersen inquired why this proposal was being limited to one person per bedroom. Mr. Bench said the family definition allows up to three singles, and the applicant wants to go beyond that to allow four. In order to be sure there is adequate parking staff is recommending limiting it to one person per room.

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

Mrs. McCandless expressed her belief that this was an appropriate change.

Mrs. McCandless then **moved** to amend Section 22-2-1 as it pertains to the definition of family, and amend Section 22-1-46 as it pertains to the maximum number of unrelated people that may occupy a dwelling unit in the PD-33 zone at 800 South Geneva Road. Mrs. Street **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

Mr. Clark, applicant, said he wanted to preserve the rights for continuous land owners to the east, so they have the ability to bring their arguments to Planning Commission and City Council if they want more density because of their proximity to the Intermodal hub and Front Runner.

Mayor Evans assured Mr. Clark that other businesses may come and go through the process to do that.

6:30 P.M. PUBLIC HEARING

RESOLUTION – Establishing a Residential Parking Permit Area on 300 South, between 400 East and Campus Drive.

Scott Gurney, Interim Director of Public Safety, recommended that the City Council establish a residential parking permit area on 300 South between 400 East and the intersection of Lambert Drive. He stated that due to the new construction at Orem high School, the parking situations there have changed. After completing a study of the area, the following conclusions were drawn:

1. While Orem High School is in session, 300 South is congested with motor vehicles that are not owned by those living along 300 South.
2. Each day after school concludes, the majority of the motor vehicles parked along 300 South are gone.
3. During the school day, there is a significant number of open parking spaces in Orem High School's parking lot which is located on the north side of the school's campus.

Mr. Gurney introduced Lieutenant Craig Martinez, indicating that Mr. Martinez took the lead in talking with residents of this area. Mr. Gurney reported that thirteen residents expressed a desire to be involved in the residential parking permit area, and all thirteen have provided signatures. Mr. Gurney reported that the intent is to establish a residential parking permit from 7:00 a.m. to 4:00 p.m. He said there would be opportunity for resident homeowners to obtain guest passes for visitors.

Mr. Martinez said that, during the traffic study, he had found it necessary to issue parking tickets due to the parking problems in the area. He reiterated that every home in the area has signed a petition and wants this area to be designated a residential parking permit area.

Mayor Evans asked if there were any parking concerns along Campus Drive. Mr. Martinez said there were not and that the area was already part of a residential permit area. A majority of these streets around the high school are already encompassed in a residential permit area. After the remodel that took place on the school, the students began parking their cars on 300 East because it was closer to the entrance than parking in the designated student parking lot.

Mr. Gurney reiterated the intended area for the permit area, which would be 400 East all the way to Lambert Drive.

Mayor Evans opened the public hearing.

Brent Hanson voiced concern that there was not adequate signage on the 400 East signifying that school was in session. He said trash get left in his yard.

Dave Whitworth asked why the cars could not be towed if signs are posted. He didn't feel that two visitor permits would be adequate.

Mr. Martinez said it was not feasible to tow the cars. If people park in the residential parking permit area without a permit, then they would be issued citations. Enforcement would be more easily

achieved. If a residence needs more permits than what are generally allowed, then accommodations can be made.

Mr. Seastrand said he has spoken with individuals and learned that this program has been successful in helping neighborhoods and homeowners. He said that, in the area where he lives, the parking permit program has proven positive and effective.

Margaret Black **moved** that the City Council, by resolution, establish a Residential Parking Permit Area on 300 South, between 400 East and Lambert Drive. Mark Seastrand **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

6:30 P.M. PUBLIC HEARING

RESOLUTION – To Appropriate Public Safety Evidence to Public Interest Use.

Scott Gurney recommended that the City Council appropriate a Dell Vostro laptop, currently in evidence, to public interest use by the Public Safety Department. Should the resolution be approved, the laptop will be used by the evidence technicians to log evidence at crime scenes.

Mrs. McCandless **moved** to approve to appropriate Public Safety evidence to public interest use. Mrs. Black **seconded** the motion. Those voting aye: Councilmembers Hans Andersen, Margaret Black, Jim Evans, Karen A. McCandless, Mark E. Seastrand, Mary Street, and Brent Sumner. The motion **passed** unanimously.

COMMUNICATION ITEMS

There are no Communication Items.

CITY MANAGER INFORMATION ITEMS

There were no City Manager Information Items.

ADJOURNMENT

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

The meeting adjourned at 6:57p.m.

Donna R. Weaver, City Recorder

Approved: December 10, 2013